

**STATE OF HAWAII
OFFICE OF ELECTIONS**

802 LEHUA AVENUE
PEARL CITY, HAWAII 96782
elections.hawaii.gov

SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE HOUSE COMMITTEE ON JUDICIARY
ON HOUSE BILL NO. 2541
RELATING TO ELECTIONS

February 13, 2018

Chair Nishimoto and members of the House Committee on Judiciary, thank you for the opportunity to testify in support of House Bill No. 2541. The purpose of this bill is to require that elections by mail be implemented statewide beginning with the 2020 Primary Election and to permit election officials, as they determine appropriate, to conduct elections by mail, in whole or in part, prior to that time.

We support elections by mail because it is convenient and accessible for voters. The trend toward absentee voting has steadily increased since statehood and through legislation to allow for no-excuse absentee voting. Since the 2014 Elections, more voters have cast their ballot prior to election day rather than at their polling place.

This bill provides an appropriation to the Office of Elections, half of which is to be provided to the Counties based on the percentage of registered voters. However, there are disparate and unique differences with each Counties' needs to implement elections by mail.

We believe it would be more efficient to appropriate funding for fiscal year 2018-2019 to the Office of Elections and directly to each County for capital startup costs based on their needs. The Office of Elections is requesting funds for voter education. The Counties' capital startup costs include scanner/sorters to receive ballot envelopes, community drop boxes, and security containers. The table below shows the breakdown:

County	Cost
Office of Elections	\$200,000
County of Hawaii	175,051
County of Maui	202,610
County of Kauai	75,450
City and County of Honolulu	377,620
Total	<u>\$1,030,731</u>

As such, we would propose that Section 54 be amended to read as follows:

“SECTION 54. There is appropriated out of the general revenues of the State of Hawaii the sum of \$200,000 or so much thereof as may be necessary for fiscal year 2018-2019 for the purpose of preparing for and implementing elections by mail, including voter education and public awareness programs.

The sum appropriated shall be expended by the office of elections for the purposes of this Act.

There is appropriated out of the general revenues of the State of Hawaii the sum of \$175,051 or so much thereof as may be necessary for fiscal year 2018-2019 for the purpose of preparing for and implementing elections by mail, including voter education and public awareness programs.

The sum appropriated shall be expended by the county of Hawaii for the purposes of this Act.

There is appropriated out of the general revenues of the State of Hawaii the sum of \$202,610 or so much thereof as may be necessary for fiscal year 2018-2019 for the purpose of preparing for and implementing elections by mail, including voter education and public awareness programs.

The sum appropriated shall be expended by the county of Maui for the purposes of this Act.

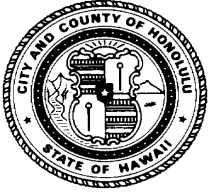
There is appropriated out of the general revenues of the State of Hawaii the sum of \$75,450 or so much thereof as may be necessary for fiscal year 2018-2019 for the purpose of preparing for and implementing elections by mail, including voter education and public awareness programs.

The sum appropriated shall be expended by the county of Kauai for the purposes of this Act.

There is appropriated out of the general revenues of the State of Hawaii the sum of \$377,620 or so much thereof as may be necessary for fiscal year 2018-2019 for the purpose of preparing for and implementing elections by mail, including voter education and public awareness programs.

The sum appropriated shall be expended by the city and county of Honolulu for the purposes of this Act.”

Thank you for the opportunity to testify in support of House Bill No. 2541.



GLEN I. TAKAHASHI
City Clerk

OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077 TELEPHONE (808) 768-3810

TESTIMONY OF GLEN TAKAHASHI
CITY CLERK, CITY AND COUNTY OF HONOLULU
TO THE HOUSE COMMITTEE ON JUDICIARY
ON HOUSE BILL NO. 2541
RELATING TO VOTING BY MAIL

February 13, 2018

Chair Nishimoto and Committee members:

Thank you for the opportunity to provide testimony in support of House Bill 2541 that would transition Hawaii's elections into a vote-by-mail election scheme.

The Office of the City Clerk highlights for the Committee's consideration, the provision in the bill that allows correction of deficient signatures on ballot return envelopes (e.g. blank or non-matching signatures). Upon further consideration, we believe the current proposal for a five-day window is too short for two-way correspondence with voters. We are now recommending that voters be allowed a full 10 days to cure these deficiencies.

For example, deficient ballots follow-up notices mailed to Molokai, Lanai, and other rural areas where postal delivery of written communication to the County Clerk's office may take longer. A voter may receive his or her follow-up notice in the mail only to find that just two days are left to remedy and return the notice. We envision that at minimum, the process for correcting missing or non-matching signatures may involve signing and returning a document or form with perhaps the inclusion of a photocopy of identification (for those with non-matching signatures).

While the bill also permits interaction using email or telephone, not all affected voters may have access to those types of communication. We acknowledge the desire for prompt closure to an election, however, any deadline placed upon voters must be realistic and allow a reasonable amount of time to take the appropriate action required.

Thank you for the opportunity to testify on HB 2541.

JADE K. FOUNTAIN-TANIGAWA
County Clerk

Telephone: (808) 241-4800
TTY: (808) 241-5116



SCOTT K. SATO
Deputy County Clerk

Facsimile: (808) 241-6207
E-mail: elections@kauai.gov

**ELECTIONS DIVISION
OFFICE OF THE COUNTY CLERK**
4386 RICE STREET, SUITE 101
LIHU'E, KAUA'I, HAWAII 96766-1819

LATE

February 13, 2018

**TESTIMONY OF JADE K. FOUNTAIN-TANIGAWA
COUNTY CLERK, COUNTY OF KAUA'I
TO THE HOUSE COMMITTEE ON JUDICIARY
ON HOUSE BILL NO. 2541
RELATING TO ELECTIONS**

Chair Nishimoto and Committee Members:

Thank you for the opportunity to provide written testimony in support of House Bill No. 2541. This Bill enacts voting by mail uniformly across all counties for all elections commencing in 2020, and allows any election to be conducted by mail prior to the 2020 primary election, in whole or in part, as determined by the chief election officer or county clerk, as appropriate. HB 2541 also establishes a limited number of voter service centers, allows for places of deposit for the personal delivery of ballots, and appropriates funding.

Our Office supports the migration to voting by mail and believes that it is the proper time to begin making this change, especially due to the increased number of voters in each election who have chosen to vote utilizing a ballot which has been mailed to them.

The current election model is a highly complex process, which utilizes a substantial amount of resources due to the fact that there are three (3) separate elections that are actually conducted as part of each Primary and General Election. These three (3) separate elections include the following: 1) an absentee mail election, 2) an early voting (absentee walk) election, and 3) a polling place election held on Election Day, each of these events are handled as a separate election requiring both monetary and human resource assistance.

To ensure the overall integrity of the current election process, a complicated but coordinated effort is required between election officials, election day officials, and voting system contractors. The resulting process is both cumbersome and difficult to implement for volunteer election day officials, and is especially difficult on poll workers due to the extensive Federal and State laws which govern operations at the polls. The addition of election day registration, which will be implemented during the 2018 Primary Election will surely increase the overall complexity of the process. The current election model does not deliver the convenience that has regularly been requested by many voters, as voters must still initiate the actual voting process by

Chair Nishimoto and Committee Members
Testimony for HB 2541, Relating to Elections
February 13, 2018
Page 2

either applying for an absentee mail ballot, or physically reporting to an early voting site or Election Day polling place. Conducting elections by mail will deliver a ballot to every properly registered voter and will establish a voting process that is as effortless and convenient as reasonably possible.

Thank you for this opportunity to offer written testimony in support of House Bill No. 2541.

Sincerely,

A handwritten signature in black ink, appearing to read "Jade K. Fountain-Tanigawa". The signature is fluid and cursive, with a large initial "J" and a long horizontal flourish extending to the right.

JADE K. FOUNTAIN-TANIGAWA
County Clerk, County of Kaua'i

HB-2541

Submitted on: 2/9/2018 4:57:37 PM

Testimony for JUD on 2/13/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall		Support	No

Comments:

HB-2541

Submitted on: 2/9/2018 6:27:57 PM

Testimony for JUD on 2/13/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Davlantes		Support	No

Comments:

Giving Hawaii voters the ability to vote by mail

- would provide more flexibility and create more opportunities for people to participate and vote.
- would save the state money. The Hawaii State Office of Elections estimates approximately \$800,000 would be saved in each election cycle by converting to Voting by Mail.
- would alleviate chaos at poll sites and pressure on workers, and save time on Election Day.

HB-2541

Submitted on: 2/9/2018 8:08:20 PM

Testimony for JUD on 2/13/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
tlaloc tokuda	n/a	Support	No

Comments:

Aloha,

I belong to HAPA and agree with their points on vote by mail. They are:

- Provides more flexibility and creates more opportunities for people to participate and vote.
- Will save the state money. The Hawaii State Office of Elections estimates approximately \$800 thousand would be saved in each election cycle by converting to Voting by Mail.
- Would alleviate pressure on poll sites and workers, and save time on Election Day.

To: Hawaii State House of Representatives Committee on Judiciary
Hearing Date/Time: Tuesday, Feb. 13, 2018, 2:00 p.m.
Place: Hawaii State Capitol, Rm. 325
Re: Testimony of Planned Parenthood Votes Northwest and Hawaii in support of H.B. 2541,
relating to Voting

Dear Chair Nishimoto and Members of the Committee,

Planned Parenthood Votes Northwest and Hawaii (“PPVNH”) writes in support of H.B. 2541, establishing a program to allow citizens to vote by mail. PPVNH supports policies that make it easier for all eligible voters to cast a ballot, and that ensure that all votes are counted equally.

Planned Parenthood believes in fairness and equal opportunity - values that form the foundation of any healthy democracy and which need to be protected. We work to ensure that our children and communities experience a democracy that embraces the principle of “One Person, One Vote.” Further, as stewards of public health we know that being able to participate in one’s community contributes significantly to an individual’s wellbeing – and knowing one’s vote counts is a crucial element to civic engagement.

Thank you for this opportunity to testify in support of this important measure.

Sincerely,

Laurie Field
Hawaii Legislative Director

To: Hawaii State House of Representatives Committee on Judiciary
Hearing Date/Time: Tuesday, Feb. 13, 2018, 2:00 p.m.
Place: Hawaii State Capitol, Rm. 325
Re: Testimony of Planned Parenthood Votes Northwest and Hawaii in support of H.B. 2541,
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Laurie Field
Hawaii Legislative Director

To: Hawaii State House of Representatives Committee on Judiciary
Hearing Date/Time: Tuesday, Feb. 13, 2018, 2:00 p.m.
Place: Hawaii State Capitol, Rm. 325
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Thank you for this opportunity to testify in support of this important measure.

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Thank you for this opportunity to testify in support of this important measure.

Sincerely,

Laurie Field
Hawaii Legislative Director

HB-2541

Submitted on: 2/11/2018 10:26:07 AM

Testimony for JUD on 2/13/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tiffany Peek	Planned Parenthood Generation Action	Support	No

Comments:



Aloha Chair Nishimoto, Vice Chair San Buenaventura and members of the House Committee on Judiciary,

The Young Progressives Demanding Action – Hawai‘i, representing nearly 600 registered members, **strongly supports** HB2541 to enact a uniform Vote By Mail (VBM) system throughout Hawai‘i.

Just 43 percent of eligible Hawai‘i voters cast ballots in 2016, giving our state the lowest turnout in the nation for the fifth presidential election in a row. Nationwide, young people are often one of the lowest voting demographics. This happens for a variety of reasons, but one of the primary reasons for low voter turnout among young people (and people in general) is because current registration systems rely largely on outdated, multi-step processes.

We believe democracy works best when everyone participates and all voices are heard through a vote of the people. As the state with the lowest voter turnout in the country, we must look for ways to make our elections more accessible, efficient and convenient for everyone.

Under VBM, a ballot is mailed to every registered voter—no request or application is necessary. Voters are then able to return their ballot via mail or at a drop-off location; or cast their vote in person at early voting centers or service centers on Election Day. This provides more flexibility and creates more opportunities for people to participate and vote. It will also save the state money: The Hawai‘i State Office of Elections estimates approximately \$800,000 would be saved in each election cycle by converting to a full VBM system. This system would also alleviate pressure put on poll sites and workers, and save time on Election Day.

We cannot ignore the growing pro-democracy movement, from communities and states across the country, reacting to unprecedented threats we, the people, face with respect to self-governance. We must work together—Democrats, Republicans, small parties and independents—to restore balance to our democracy; to put a check on the wealthy special interests trying to change the rules and write the

voice of the people out of our democracy.

We must remind them that the Constitution says the people *are* the power, and the best way to do that is by diminishing barriers to participation and increasing voter turnout. As the state with the lowest voter turnout, we ask that you join us as we work to accomplish this goal and bring Hawai'i's elections into the 21st century.

Mahalo for your support,

Will Caron
Social Justice Action Committee Chair
8083874920



February 11, 2018

To: Hawai'i State House Committee on Judiciary
Hearing Date/Time: Tuesday, February 13, 2018 (2:00 pm)
Place: Hawai'i State Capitol, Rm. 325
Re: Testimony of American Association of University Women –
Hawai'i in **SUPPORT of H.B. 2541**, relating to elections

Dear Representative Scott Y. Nishimoto (Chair), Representative Joy A. San Buenaventura (Vice Chair), and Members of the Committee,

I am grateful for this opportunity to testify in **strong support of H.B. 2541**, relating to elections.

My testimony is on behalf of the approximately 400 members of the American Association of University Women (AAUW) in Hawai'i, who are concerned about getting out the vote in this state. My testimony is also informed by many years of teaching at the University of Hawai'i, Manoa, where I also did my best to encourage students to register to vote, and to use their voting ballot.

In Hawai'i, low numbers of people register to vote, or turn out to vote. Whatever the state can do to make this process simpler will result in more citizens using their right to vote. Certainly, voting by mail is easier for people, and should increase voter participation.

In conclusion, passage of H.B. 2541 is an important step in encouraging people to vote in Hawaii. Thank you for the opportunity to testify.

Sincerely

Susan J. Wurtzburg

Ph.D., Policy Chair

HB-2541

Submitted on: 2/11/2018 7:09:11 PM

Testimony for JUD on 2/13/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Hawaii Women's Coalition	Support	No

Comments:

Aloha Chair Nishimoto, Chair, Vice Chair San Buenaventura and members,

I am in strong support of this common sense measure. Voter turnout in Hawaii is abysmally low. During the 2012-2016 period Hawaii voter turnout set a record; 37.4% in the August 2016 primary. The cause is two-fold, large numbers of eligible voters who aren't registered to vote combined with low turnout of registered voters.

Evidence shows that vote-by-mail increases voter turnout. Data from Colorado's 2014 election for more than 2.8 million registered voters, research from Pantheon Analytics showed overall turnout increased by 3.3 percent, and by even more among young voters. The model used in the study forecast that 18-to-24-year-olds would turn out at 26.6 percent, but records showed they turned out at 38.7 percent.

Please help our democracy in this state and pass this measure.

Ann S. Freed, Mililani, Hawaii



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of Hawai'i Appleseed Center for Law and Economic Justice
Supporting HB 2541 – Relating to Elections
House Committee on Judiciary
Scheduled for hearing at Tuesday, February 13, 2018, 2:00 PM, in Conference Room 325

Dear Chair Nishimoto, Vice Chair San Buenaventura, and members of the Committee:

Thank you for the opportunity to testify in SUPPORT of **HB 2541**, which would enact voting by mail uniformly across all counties for all elections commencing in 2020, appropriate funds for the implementation and administration of the election by mail program, and require the office of elections to submit reports to the legislature regarding the implementation of the system.

“Hawaii ranks dead last in voter turnout for 2016 election,” blared a *Star-Advertiser* headline on March 16, 2017. The logistical barriers to voting are higher for our low-income neighbors, since they are less likely to be able to leave work to vote, as well as work far from their homes and polling places. Vote by Mail (VBM) would enable more registered voters, especially low-income ones, to participate in our elections.

With a VBM system, a ballot would be automatically mailed to every registered voter. The voter would be able to return their ballot via mail or at a drop-off location, or cast their vote in person at early a voting center or at a polling place on Election Day. VBM would:

- provide more flexibility and create more opportunities for citizens to vote,
- save the state money -- the Hawaii State Office of Elections estimates approximately \$800,000 would be saved in each election cycle if the state were to adopt VBM,
- alleviate pressure on poll sites and workers, as well as save time on Election Day.

We need to do more to get more than 43 percent of our eligible voters to the polls on election day. VBM should be a key part of those efforts.

We appreciate your consideration of this testimony.

The Hawai'i Appleseed Center for Law and Economic Justice is committed to a more socially just Hawai'i, where everyone has genuine opportunities to achieve economic security and fulfill their potential. We change systems that perpetuate inequality and injustice through policy development, advocacy, and coalition building.

HB-2541

Submitted on: 2/12/2018 7:54:03 AM

Testimony for JUD on 2/13/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Younghi Overly		Support	No

Comments:



House Committee on Judiciary
Chair Scott Nishimoto, Vice Chair Joy San Buenaventura

02/13/2018 2:00 PM Room 325
HB2541 – Relating to Elections

TESTIMONY / STRONG SUPPORT
Corie Tanida, Executive Director, Common Cause Hawaii

Dear Chair Nishimoto, Vice Chair San Buenaventura, and members of the committee:

Common Cause Hawaii strongly supports HB2541 which would establish a statewide “Vote By Mail” or “Elections By Mail” system by 2020. It would also establish voter service centers and ballot drop off sites.

We believe democracy works best when everyone participates and all voices are heard through a vote of the people. As such, Vote By Mail, has been and remains one of our top legislative priorities. As the state with the lowest voter turnout in the country, we appreciate that the committee is looking for ways to make our elections more accessible, efficient, and convenient for everyone.

Under this program, voters retain the right and opportunity to vote in person if they wish, security features such as signature verification remain in place, and the Office of Elections estimates a savings of \$800 thousand each election cycle.

Voting By Mail is a key component to modernizing our elections and we urge the committee to pass HB2541.

Thank you for the opportunity to offer testimony **strongly supporting HB2541**.



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lwv-hawaii.com | 808.531.7448 | voters@lwv-hawaii.com

COMMITTEE ON JUDICIARY

TUESDAY, February 13, 2018, 2:00 p.m., Room 225

HB 2541 Relating to Elections

TESTIMONY

Janet Mason, Legislative Committee, League of Women Voters

Chair Nishimoto, Vice Chair San Buenaventura, and Committee Members:

The League of Women Voters supports HB2541, Relating to Elections, which would enact voting by mail in Hawaii in 2020, establish a limited number of voter service centers that would remain open for in-person voting, and allow for additional places of deposit for personal delivery of mail-in ballots.

Our democracy isn't as healthy as we'd like. The cause is two-fold, large numbers of eligible voters who aren't registered to vote combined with low turnout of registered voters. During the 2012-2016 period Hawaii voter turnout was low by any measure, setting a record low of 34.8% of registered voters in the August 2016 primary. The League has advocated measures to automatically register eligible voters when people apply for a driver's license, but **registration alone doesn't get voters to vote.**

The idea presented in HB2541 is simple: instead of requiring voters to vote at one of several hundred staffed polling places statewide, every registered voter receives a ballot in the mail. The voter marks the ballot, puts it in a secrecy envelope and then into a separate mailing envelope, signing an affidavit on the exterior of the mailing envelope. HB2541 would give voters approximately 18 days to either mail the mailing envelope (at no cost to the voter) or to drop the envelope off at a designated "place of deposit".

League has previously provided evidence showing voting by mail improves voter turnout.¹ Now there is more, from a study of Colorado's 2014 general election, when that state first introduced this reform. The research showed overall voter turnout increased by 3.3%.and turnout among young and "unlikely to vote" voters significantly increased.² Preliminary analysis by partisanship

¹ U.S. General Accountability Office, "Elections: Issues Related to Registering Voters and Administering Elections," June 2016, page 2.

² The model used in the study forecast that 18-to-24-year-olds would turn out at 26.6 percent, but records showed they turned out at 38.7 percent. Source: https://www.washingtonpost.com/outlook/Letting-People-Vote-At-Home-Increases-Voter-Turnout-Heres-Proof/2018/01/26/d637b9d2-017a-11e8-bb03-722769454f82_story.html



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indicated “low frequency voters” leaning toward *both* major parties would vote more often by mail.³

Converting to voting by mail builds on long statewide experience with mail-in absentee ballots. Hawaii voters have had the option to use mail-in absentee ballots for 42 years, and the popularity of this option has greatly increased. During the 2014 primary election, 56% of Hawaii voters chose to vote before Election Day and about 83% of those early voters did so using a mail-in absentee ballot. By the 2016 general election the number of absentee mail-in votes exceeded the number of votes cast at polling places on Oahu, Hawaii, and Kauai. In Maui County 50% of those voting in this election did so by mail.

So why replace voting at polling places with mail-in ballots? One reason is the cost saving. The Hawaii Office of Elections estimates statewide voting by mail will save approximately \$800,000 per election cycle.

Another reason is preserving elections security. Voter signatures on the exterior of return envelopes are already a proven way to prevent fraudulent use of mail-in absentee ballots, and Hawaii’s four County Clerks already have samples of the signatures of all registered voters. Since voting by mail relies on paper ballots, the machines which count paper ballots aren’t connected to the Internet and cannot be “hacked”. If there are questions, the ballots are available for a recount.

Although HB 2541 would replace most polling places with mail-in ballots, the bill provides for a limited number of staffed voter service centers from the tenth business day before an election through Election Day. We believe this will adequately accommodate those voters who want or need special assistance.

Because *all* registered voters will receive a ballot in the mail well in advance of Election Day, voters will have more time with ballots in their hands, giving them a better opportunity to consider issues and candidates, and make more informed decisions.

League supports an appropriation of approximately \$1 million in capital costs to implement this bill. We shouldn’t be afraid to change the way we vote. Hawaii is ready to vote by mail.

Thank you for the opportunity to submit testimony.

³ *ibid.*, Letting People Vote at Home. People “definitely voting Republican” beat their predicted turnout by 2.3 points, while “definitely voting Democrat” outperformed by 1.8 points. Bigger increases occurred toward the middle of the political spectrum, with Democratic leaners outperforming the model by 7.9 points and Republican leaners outperforming by 6.1 points

PETER L. FRITZ

TELEPHONE (SPRINT RELAY): (808) 568-0077

HOUSE OF REPRESENTATIVES THE TWENTY-NINTH LEGISLATURE REGULAR SESSION OF 2018

COMMITTEE ON JUDICIARY

Hearing: February 13, 2018

RELATING TO ELECTIONS

Chair Nishimoto, Vice Chair San Buenaventura and members of the Committee. My name is Peter Fritz. I am an individual with a disability. I am testifying **in support of this bill, but with reservations because the bill may discriminate against individuals with disabilities.**

This bill enacts voting by mail uniformly across all counties for all elections commencing in 2020, and allows any election to be conducted by mail prior to the 2020 primary election, in whole or in part, as determined by the chief election officer or county clerk, as appropriate; establishes a limited number of voter service centers that would remain open from the tenth business day preceding an election through the day of the election to receive personal delivery of mail-in ballots, accommodate voters with special needs, offer same day registration and voting, and provide other election services.

There is a gap at the intersection between of voting by mail and accessible voting and absent changes to this bill, many people with disabilities and kupuna may fall through that gap.

Under this bill, voting by mail will be accompanied with a reduction of polling places. This change will make it more difficult for people with mobility or vision disabilities to get to a voter service center on election day where accommodations can be made for their disability.

This bill allows for electronic transmission of ballots, electronic transmission of ballots for individuals with disabilities; however, it is silent about whether such ballots will be accessible to blind, low vision, mobility impaired or individuals with other disabilities that make it difficult to vote. The bill should be amended to require that the Office of Elections and the Counties adopt electronic voting systems that are accessible for individuals with disabilities to enable disabled voters to privately and independently mark their ballots on their computers. The Office of Elections should maintain a list of voters that have requested electronic transmission of ballots and send ballots to individuals on such a list.

It is more likely than not that if Hawaii does not adopt such a system, the state will violate Title II of the Americans with Disabilities Act because individuals with disabilities will be unable to vote without assistance unless they travel to one of the few voter service centers. Courts have required states to make accessible ballots available to individuals with disabilities. I would ask that the Committee take notice of lawsuits that have been filed in Maryland¹, Ohio², San Mateo County, California³ and New York regarding absentee ballots that are inaccessible for individuals with disabilities. Oregon, Wisconsin, and New Hampshire are using the Prime III voting system for voting in-person and mail voting. This option or a similar option should be available to individuals with disabilities in Hawaii when ballots are mailed to all voters.

¹ Nat'l Fed'n of the Blind, Inc. v. Lamone (D. Md., 2014)

² Hindel v. Husted (S.D. Ohio, 2016)

³ California Council of the Blind v. County of San Mateo Case 3:15-cv-05784 Filed 12/17/15

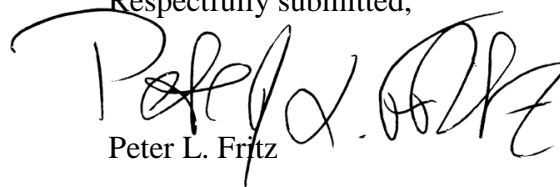
I respectfully suggest that this bill be amended to add language that the Office of Elections is to adopt remote ballot marking systems and rules and procedures for individuals with disabilities to request an accommodation to use a system to mark their ballot privately and independently. Elections by mail should only occur after such systems have been acquired, are operational, and rules are promulgated to effectively administer this new voting software.

This bill includes an appropriation. I would respectfully request that consideration be given to the following be given when determining the amount of the appropriation:

- Development Costs for Accessible Ballots such as:
 - Tactile and large-print ballots for some voters with visual disabilities.
 - HTML ballots, which can be marked and printed with a home computer.
 - Software such as Prime III
 - Ballots that are compatible with JAWS[®], WindowsEyes, ZoomText, Voice Over (Mac) and NVDA software.
- For voters without access to a computer or other assistive technology, an appropriation to acquire tablets with remote voting software and funding for Office of Election personnel to take such equipment to a voter. Oregon has a program where election officials take a tablet to nursing homes and to disabled voters so that these individuals can participate in elections.
- Funding for Training of Caregivers. Training for caregivers would include specific instructions on the legal requirements for voting and on the degree of assistance that is permissible. Even with the best imaginable accommodations, some voters with disabilities are likely to require third-party assistance in voting by mail. There is a concern that caregivers may assume an inappropriate “gatekeeping” role by failing to help someone complete a ballot even though that person still has the ability to understand the nature and effect of voting.

Thank you for the opportunity to testify.

Respectfully submitted,



Peter L. Fritz

HB-2541

Submitted on: 2/12/2018 12:36:21 PM

Testimony for JUD on 2/13/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Barry	Individual	Support	No

Comments:

To: Hawaii Senate Committee on Judiciary

Re: Testimony in **SUPPORT** of H.B. 2541, relating to Elections

Date/Time: Tuesday, February 13, 2018, 2:00 p.m. at Capitol, Rm. 225

Aloha, Chair Nishimoto, Vice Chair San Buenaventura and members of the Judiciary Committee:

Thank you for the opportunity to testify in SUPPORT of H.B. 2541.

“Hawaii Ranks Dead Last in Voter Turnout for 2016” said the Start Advertiser headline. Sadly, that was not unique and Hawaii is consistently near the bottom of voter turnout in the nation.

There are two things we can do to improve voter turnout and allow more citizens to exercise their right to elect their representatives. First, we can move to mail in voting like Oregon, Washington, and Colorado. Second, we can automatically register voters like 9 states and the District of Columbia. *

There is good reason for League of Women Voters and Office of Elections to support mail-in balloting. Running statewide elections at every precinct is a logistically complicated and labor-intensive project, volunteer staff for hundreds of voting sites must be recruited and trained, sites need to be equipped with voting machines and voting materials, and after a long election day of long lines, volunteers must escort the equipment and ballots to a central location where more volunteers verify and count the ballots. Frankly, mail-in elections will not only save \$800,000, it will require less man power and are far more voter friendly.

For voters, voting at home has many conveniences, not standing lines, not dealing with impatient children, not dealing with physical barriers of voting locations, not limited to only election day or polling hours for voting. For these reasons, I support mail-in balloting.

Thank you,

Amy Monk

Commissioner,

Hawaii State Commission on the Status of Women

*Brennan Center for Justice (<https://www.brennancenter.org/analysis/automatic-voter-registration>)

HB-2541

Submitted on: 2/12/2018 1:52:07 PM

Testimony for JUD on 2/13/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities Committee	Support	No

Comments:

LATE

Chair Scott Y. Nishimoto, and Vice Chair Joy A. San Buenaventura:

I strongly support HB 2541.

It is critical to do what we can to improve voter turnout, in a state where more than half of our eligible voting population--and nearly half of our registered voters--did not vote in the 2016 presidential election. (www.nonprofitvote.org)

One of the most promising ways to improve voter turnout is to simply make voting more convenient--and voting by mail does that.

Over half of Hawai'i voters in the 2014 and 2016 elections did so via absentee ballot, so the efficiencies of voting by mail are already very familiar to us. Voting by mail has been permitted in Hawai'i since 2003 for any election held on a date other than the regularly scheduled primary or general election (Hawaii Revised Statutes Sect. 11-91.5).

Security issues would be restricted to individual ballots, and would be minimized by signature checks. A paper trail could be maintained in case of a recount. The state would save hundreds of thousands of dollars. But most importantly, expanding the opportunity to vote by mail will certainly help increase voter participation in our elections and thus strengthen our democracy.

Please support HB 2541.

Mahalo,

R. Elton Johnson, III



LATE

49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lwv-hawaii.com | 808.531.7448 | voters@lwv-hawaii.com

D. Piilani Kaopuiki
838 Hauoli Street
Honolulu, Hawaii 96826

HOUSE COMMITTEE ON JUDICIARY

Tuesday, February 13, 2018, 2:00, Conference Room 325
HB 2541, Relating to Elections

TESTIMONY

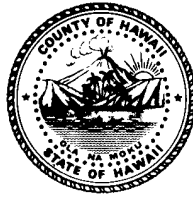
Chair Nishimoto, Vice-Chair San Buenaventura and Committee Members:

I support HB 2541 which enacts voting by mail, the logistical support for it and requires reports on implementation of the system.

Hawaii has an abysmal voting record. Many different attempts have been made to improve participation over the years. This one may just work. There are numbers to support the effort to try this system. There is also a projected financial savings per election cycle. Offering the electorate a system that eases its efforts to actually get out to vote will also demonstrate the desire of the legislature to improve making democracy work.

Mahalo for the opportunity to submit

STEWART MAEDA
County Clerk



LATE

OFFICE OF THE COUNTY CLERK

Elections Division
County of Hawai'i
Hawai'i County Building
25 Aupuni Street
Hilo, Hawai'i 96720

TESTIMONY OF STEWART MAEDA

COUNTY CLERK, COUNTY OF HAWAI'I

TO THE HOUSE COMMITTEE ON JUDICIARY

REGARDING HOUSE BILL NO. 2541

RELATING TO ELECTIONS

FEBRUARY 12, 2018

Chair Nishimoto and members of the House Committee on Judiciary, thank you for the opportunity to testify in support of House Bill No. 2541. The purpose of this bill is to enact voting by mail uniformly across all counties for all elections commencing in 2020, and allows any election to be conducted by mail prior to the 2020 primary election, in whole or in part, as determined as appropriate.

Our office strongly supports this bill. Currently, elections in our state consist of absentee voting by mail, absentee walk-in-sites and Election Day voting. Absentee voting was implemented to supplement Election Day polling places and to allow greater opportunities to vote. Individuals choosing to vote absentee has consistently increased since 2014. The total voter turnout for Hawai'i County in the 2014 General Election was 50,158 in which 27,339 voters, or fifty-five percent (55%) chose to vote by absentee. The total voter turnout for Hawai'i County in the 2016 General Election was 66,021 in which 39,551 voters, or sixty percent (60%) chose to cast their ballot by absentee.

At this time, Hawai'i has one of the lowest voter turnout in the nation. We believe, transitioning to a vote by mail election would increase voter turnout by creating a more convenient voter process and could allow for financial savings.

The passage of this measure will encourage voters who may feel alienated due to isolation, lack of transportation, or disability, to feel more a part of the process.

Thank you for the opportunity to testify in support of House Bill No. 2541.

LATE

HB-2541

Submitted on: 2/12/2018 9:49:40 PM

Testimony for JUD on 2/13/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Gonce	Individual	Support	No

Comments:

Dear Chair, Vice Chair, and Committee Members,

My name is Randy Gonce and I am in STRONG SUPPORT of HB2541. Year after year we experience record low voter turnout in our elections. Aside for voter apathy, It is becoming increasingly more difficult and for families to make it to the polls for various different reasons. Moving to an all mail voting model would significantly increase participation in our democracy. Those that study democracy overwhelmingly believe the higher the participation in democracy the more progress it makes. We are in a time when we need bold progress. We need to make it easy for our citizens to engage and feel as if they can make a difference in this world. Please pass HB2541.

-Randy Gonce

Young Progressives Demanding Action

Common Good Coalition

LATE

HB-2541

Submitted on: 2/13/2018 1:52:17 AM

Testimony for JUD on 2/13/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Springer Kaye	Individual	Support	No

Comments:

I support voting by mail and automatic (Opt out) voter registration because it increases participation of voters, gives voters more time to study and understand ballot initiatives, and is estimated to save the state \$800,000 per election--money that could go toward a publicly funded elections pilot project!

LATE

HB-2541

Submitted on: 2/13/2018 8:08:15 AM
Testimony for JUD on 2/13/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
elizabeth hansen	Individual	Support	No

Comments:

HB-2541

Submitted on: 2/13/2018 9:00:31 AM

Testimony for JUD on 2/13/2018 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Heede	Individual	Support	No

Comments:

We have the poorest turnout in the state.

I work the polls and some people think this process is in place already.

Time to have a common sense solution to a VERY big problem that inhibits a voter's opportunity to participate.

REAL PROGRESSIVES WILL VOTE YES.

COMMENTS ON HOUSE BILL 2541

COMMITTEE ON JUDICIARY
Rep. Scott Y. Nishimoto, Chair
Rep. Joy A. San Buenaventura, Vice Chair

DATE: Tuesday, February 13, 2018

TIME: 2 p.m.

PLACE: Conference Room 325, State Capitol, 415 South Beretania Street

To the House Committee on Judiciary:

Thank you for considering HB 2541 and providing the opportunity to offer comments.

This bill involves all elections conducted by mail starting in 2020 but allows any election to be conducted by mail prior to 2020.

11-G provides for electronic transmission of ballots to voters with "special needs." Please consider 'voters with disabilities.' This bill does not require the electronic ballot transmission system to be accessible to voters with disabilities. The system should meet WCAG 2.0 AA.

The definition of electronic transmission includes the marking tool, but it does not require the system to be accessible. The system should meet WCAG 2.0 AA.

Mahalo for the opportunity to provide comments.

Justin M. Salisbury, MA, NOMC, NCRTB, NCUEB
Legislative Committee Chair
Honolulu Chapter
National Federation of the Blind of Hawaii
1617 Kapiolani Boulevard, Unit 1402
Honolulu, Hawaii 96814