

**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. 1751**  
**RELATING TO ELECTIONS**

February 3, 2020

Chair Lee and members of the House Committee on Judiciary, thank you for the opportunity to testify in support of House Bill No. 1751. The purpose of this bill is to authorize election officials to establish additional voter service centers.

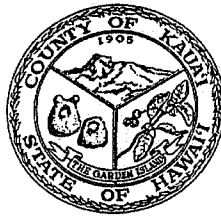
As we transition to elections by mail, the Offices of the City/County Clerks are determining and establishing voter service centers. Most have identified locations based on their previous early walk-in voting locations. However, the County of Maui, which has not established an early walk-in voting location on the island of Lanai, has had issues finding a facility that could accommodate the requirements of HRS §§ 11-109 and 11-131.

This bill provides that a voter service center in each County will be open during regular business hours statewide from the tenth business day preceding the election going forward until the day of the election, on which it will operate from 7:00 a.m. to 7:00 p.m. and allows the City/County Clerks to establish additional voter service centers with varying dates and hours to meet the needs of a County's voters. Allowing flexible hours for additional voter service centers opens the availability of private facilities and state and county buildings that have previously been available to serve as locations for voting. Additionally, opening voter service centers for a limited period provides services such as in-person voting and same-day registration that voters would not otherwise have readily available.

Thank you for the opportunity to testify in support of House Bill No. 1751.

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  
LĪHUʻE, KAUAʻI, HAWAII 96766-1819

**LATE**

February 3, 2020

TESTIMONY OF JADE K. FOUNTAIN-TANIGAWA  
COUNTY CLERK, COUNTY OF KAUAʻI  
TO THE HOUSE COMMITTEE ON JUDICIARY  
ON HOUSE BILL NO. 1751  
RELATING TO ELECTIONS

Chair Lee and Committee Members:

Thank you for the opportunity to submit testimony in support of House Bill No. 1751. This Bill would authorize election officials to establish additional voter service centers.

House Bill 1751 will allow each County the flexibility to establish Voter Service Centers based on the specific needs of a community and the availability of facilities, and allow a Voter Service Center to operate in an area that would otherwise not be able to support the services.

Thank you for this opportunity to submit testimony in support of Bill No. 1751.

JADE K. FOUNTAIN-TANIGAWA  
County Clerk

Statement Before The  
**HOUSE COMMITTEE ON JUDICIARY**  
Monday, February 3, 2020  
2:05 PM  
State Capitol, Conference Room 325

in consideration of  
**HB 1751**  
**RELATING TO ELECTIONS.**

Chair LEE, Vice Chair SAN BUENAVENTURA, and Members of the House Judiciary Committee

Common Cause Hawaii supports HB 1751, with amendments, which authorizes election officials to establish additional voter service centers (VSCs). Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening democracy through voting modernization efforts. Act 136, Session Laws of Hawaii 2019, enacting statewide vote by mail starting in 2020 is an excellent way to improve civic engagement and voter turnout in Hawaii, but there are still avenues to strengthen this law.

As Hawaii elections will be by mail starting in 2020, there will no longer be polling locations for voters to cast their ballots. Instead, there will be a limited number of voter service centers (VSCs) for people to perform in-person polling functions. VSCs will receive personal delivery of mail-in ballots, accommodate voters with special needs, offer same day registration and voting, and provide other election services.

Currently, all counties, except Kauai, will have more than one (1) VSC and they are open ten (10) business days prior to election days and their hours are from Monday through Saturday, 8:00 a.m. to 4:30 p.m., and on election days from 7:00 am – 7:00 pm.

Unfortunately, HB 1751 states that “[i]n each county, a voter service center shall be open . . . .” Page 2, lines 3-4 (emphasis added). This means a county shall only need to open one (1) VSC. This needs to be revised in HB 1751. One VSC per county is simply not enough.

Further, counties should **not** be able to open only one (1) VSC and then have the unilateral ability to decide to open (or not open) “additional centers having varying days or hours of operations . . . .” Page 2, lines 8-9. While Common Cause Hawaii truly appreciates the difficulty in administrating VSCs with uniform hours of operations statewide, HB 1751 provides too much latitude to the county clerks and opens the door to having only one (1) VSC in each county “be open from the tenth business day preceding the day of the election during regular business hours until the time provided in section 11—131 on the date of the election and at the same times statewide.” Page 2, lines 4-7. Any other VSC open in a county, under HB 1751 as presently written, may only be open for a very limited amount of time during inconvenient days and hours, rendering it a meaningless service to voters.

Common Cause Hawaii requests that HB 1751 provides that each county clerk must afford a minimum number of VSCs in a county based upon a good faith determination of the following factors, in addition to other pertinent considerations not referenced below:

**Transportation**

- Proximity to public transit
- Access to free parking
- Traffic patterns
- Proximity to communities with low rates of vehicle ownership
- Time and distance a voter must travel to reach a location

**Geography**

- Proximity to population centers
- Proximity to geographically isolated populations

**Underrepresented Voters**

- Proximity to language minority communities
- Proximity to low-income communities
- Proximity to voters with disabilities
- The need for alternate voting methods for voters with disabilities
- Proximity to communities with historically low vote by mail usage
- Proximity to communities of eligible voters that are not registered

Additionally, clerks must seek a hardship waiver from a third party, neutral body before varying a VSC's hours from being open from the tenth business day preceding the day of the election during regular business hours until the time provided in section 11—131 on the date of the election.

Finally, if a voter with a completed ballot is “standing in line at a voter service center at the closing time provided in section 11-131 on the date of the election” to personally deliver the completed ballot, HB 1751 shall make clear that the voter shall be permitted to deliver the completed ballot. Page 2, lines 12-15.

Common Cause Hawaii supports HB 1751's intent to establish additional VSCs but is concerned that this bill, as presently written, does not effectuate the intent. Common Cause Hawaii requests that our suggested amendments be adopted to truly establish additional VSCs.

Thank you for the opportunity to testify in support of HB 1751 with suggested amendments. If you have further questions of me, please contact me at [sma@commoncause.org](mailto:sma@commoncause.org).

Very respectfully yours,

Sandy Ma  
Executive Director, Common Cause Hawaii





49 South Hotel Street, Room 314 | Honolulu, HI 96813  
[www.lwv-hawaii.com](http://www.lwv-hawaii.com) | 808.531.7448 | [voters@lwv-hawaii.com](mailto:voters@lwv-hawaii.com) | @LWV-Hawaii on Facebook

## COMMITTEE ON JUDICIARY

Monday, February 3, 2020, 2:05 pm, Room 325  
HB 1751 RELATING TO ELECTIONS

### TESTIMONY

Janet Mason, Legislative Committee, League of Women Voters of Hawaii

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

**The League of Women Voters of Hawaii strongly supports HB 1751**, which permits election officials to establish additional voter service centers (as called for under Act 136, Voting by Mail) at different days and times than are currently required under the Act.

We are pleased to see County Clerks permitted more discretion in selection of voter service center hours of operation as called for in this measure. While Act 136 requires that each County have at least one voter service center open from the tenth business day preceding an election until 7:00 p.m. on Election Day, it is not always necessary, particularly in rural areas, to operate a voter service center for the number of days and hours specified in Act 136. Ours is an island state, yet voters on Lanai and Molokai, for example, merit the same range of services as elsewhere in Hawaii. Where areas like this may not support the hours of operation or number of days as specified in Act 136, the County Clerk should have the discretion to determine operating days and times.

Voter service centers are a critical tool to help voters with any logistics problems, as well as to permit latecomers to register to vote. Having an expert to help in-person during days and times that are accessible to voters will help prevent unintentionally disenfranchising anyone. Any provision to enhance voter service center administration is welcome.

We support this bill becoming effective upon its approval. Thank you for the opportunity to submit testimony.



**LATE**

Board of Directors:

HOUSE COMMITTEE ON JUDICIARY

Monday, February 3, 2020 2:05 PM, Conference Room 325

Gary L. Hooser  
*President*

**Hawaii Alliance for Progressive Action SUPPORTS HB 1751  
with Amendments**

Andrea N. Brower  
Ikaika M. Hussey  
*Co-Vice Presidents*

Aloha Chair Lee, Vice Chair San Buenaventura, and Members of the House Judiciary Committee,

Kim Coco Iwamoto  
*Treasurer*

The Hawaii Alliance for Progressive Action (HAPA) supports HB 1751, with amendments, which authorizes election officials to establish additional voter service centers (VSCs).

Bart E. Dame  
*Secretary*

Act 136, Session Laws of Hawaii 2019, enacting statewide vote by mail starting in 2020 is an excellent way to improve civic engagement and voter turnout in Hawaii, but there are still avenues to strengthen this law.

Paul Achitoff

Laura Harrelson

Kaleikoa Ka'eo

Michael Miranda

Walter Ritte Jr.

Pua Rossi-Fukino

Karen Shishido

As Hawaii elections will be by mail starting in 2020, there will no longer be polling locations for voters to cast their ballots. Instead, there will be a limited number of voter service centers (VSCs) for people to perform in-person polling functions. VSCs will receive personal delivery of mail-in ballots, accommodate voters with special needs, offer same day registration and voting, and provide other election services.

Leslie Malulani Shizue Miki

Currently, all counties, except Kauai, will have more than one (1) VSC and they are open ten (10) business days prior to election days and their hours are from Monday through Saturday, 8:00 a.m. to 4:30 p.m., and on election days from 7:00 am – 7:00 pm.

Unfortunately, HB 1751 states that “[i]n each county, a voter service center shall be open . . . .” Page 2, lines 3-4 (emphasis added). This means a county shall only need to open one (1) VSC. This needs to be revised in HB 1751. One VSC per county is simply not enough.

Further, counties should not be able to open only one (1) VSC and then have the unilateral ability to decide to open (or not open) “additional centers having varying days or hours of operations . . . .” Page 2, lines 8-9. While HAPA truly appreciates the difficulty in administrating VSCs with uniform hours of operations statewide, HB 1751 provides too much latitude to the county clerks and opens the door to having only one (1) VSC in each county “be open from the tenth business day preceding the day of the election during regular business hours until the time provided in section 11—131 on the date of the election and at the same times statewide.” Page 2, lines 4-7. Any other VSC open in a county, under HB 1751 as presently written, may only be open for a very limited amount of time during inconvenient days and hours, rendering it a meaningless service to voters.

HAPA requests that HB 1751 provides that each county clerk must afford a minimum number of VSCs in a county based upon a good faith determination of the following factors, in addition to other pertinent considerations not referenced below:

#### Transportation

- Proximity to public transit
- Access to free parking
- Traffic patterns
- Proximity to communities with low rates of vehicle ownership
- Time and distance a voter must travel to reach a location

#### Geography

- Proximity to population centers
- Proximity to geographically isolated populations

#### Underrepresented Voters

- Proximity to language minority communities
- Proximity to low-income communities
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- The need for alternate voting methods for voters with disabilities
- Proximity to communities with historically low vote by mail usage
- Proximity to communities of eligible voters that are not registered

Additionally, clerks must seek a hardship waiver from a third party, neutral body before varying a VSC’s hours from being open from the tenth business day preceding the day of the election during regular business hours until the time provided in section 11—131 on the date of the election.

Finally, if a voter with a completed ballot is “standing in line at a voter service center at the closing time provided in section 11-131 on the date of the election” to personally deliver the completed ballot, HB 1751 shall make clear that the voter shall be permitted to deliver the completed ballot. Page 2, lines 12-15.

HAPA supports HB 1751’s intent to establish additional VSCs but is concerned that this bill, as presently written, does not effectuate the intent. We request that our suggested amendments be adopted to truly establish additional VSCs.

Mahalo for your consideration. HAPA is a member of the Common Good Coalition.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne Frederick", with a long horizontal flourish extending to the right.

Anne Frederick  
Executive Director





**LATE**

**Testimony to the House Committee on Judiciary  
Representative Chris Lee, Chair  
Representative Joy San Buenaventura, Vice-Chair  
Monday, February 3, 2020, 2:05 p.m.  
Conference Room 325**

Dear Chair Lee, Vice-Chair Buenaventura and members of the Judiciary Committee:

On behalf of the Hawai'i Alliance of Nonprofit Organizations, I would like express support of HB 1751, Relating to Elections.

Hawai'i Alliance of Nonprofit Organizations (HANO) is a statewide, sector-wide professional association of nonprofits. Our mission is to unite and strengthen the nonprofit sector as a collective force to improve the quality of life in Hawai'i. Our member organizations provide essential services to every community in the state.

HANO supports a civically engaged populace and believes all citizens should participate in the democratic process of voting to have a say in community matters.

HB 1751 authorizes election officials to establish additional voter service centers with varying days or hours of operations to service voters of particular areas that could otherwise could not support the operation of a voter service center for the required ten days or the same times statewide. HB 1751 would provide election officials with added flexibility in establishing additional voter service centers.

Voter service centers allow voters to update their voter registration, register and vote, drop-off their voted ballot, or vote using accessible voting equipment for disabled persons. As such, voter service centers provide needed support services to assist voters and are an important component of the mail-in voting system. Election officials should be provided the necessary flexibility to determine the days and times for additional voter service centers based on the needs of a particular area.

Mahalo for the opportunity to provide written testimony.

Lisa Maruyama  
President and CEO

**HB-1751**

Submitted on: 1/31/2020 2:19:19 PM

Testimony for JUD on 2/3/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lynne matusow	Individual	Support	No

Comments:

Currently there are not sufficient voter service centers in the counties. The public needs more, possibly many more.

**HB-1751**

Submitted on: 2/1/2020 11:14:09 PM

Testimony for JUD on 2/3/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair Lee and Members of the Committee of the Judiciary,

I am writing in support of HB1751. I believe that ranked choice voting (RCV) for special federal elections and special elections of vacant county council seats is a progressive step forward for our democracy.

RCV is a simple electoral reform that ensures fair and efficient elections. In a traditional election, the candidate with the most votes wins, even if they do not receive a majority of the votes. This means voters often feel disengaged and are left to choose between the “lesser of two evils,” or vote for the candidate they feel has the best chance of winning, rather than supporting their favorite candidates.

RCV promotes positive, inclusive and fair elections, which encourages a diversity of candidates.

With RCV, voters rank candidates from favorite to least favorite. On Election Night, first choice votes are counted to determine who voters like the best. If a candidate receives a majority of votes, they win. If no candidate receives a majority, the candidate with the fewest first-choice rankings is eliminated. If your favorite candidate is eliminated, your vote is instantly counted for your next choice. This repeats until one candidate reaches a majority and wins.

RCV will require voter education to implement successfully. Please support HB1751 with Amendments.

Mahalo,

Caroline Kunitake

**HB-1751**

Submitted on: 2/2/2020 4:26:22 AM

Testimony for JUD on 2/3/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Best	Individual	Support	No

Comments:

I agree with testimony of Common Cause Hawaii

**HB-1751**

Submitted on: 2/2/2020 10:56:06 AM

Testimony for JUD on 2/3/2020 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susan Dursin	Individual	Support	No

Comments:

With Hawaii's transition to Vote by Mail, it is extremely important to provide multiple voter service centers. A number of voters who have not used absentee voting in the past may find the mailed ballot somehow confusing, particularly in the primary election when they need to stay within party lines. Having worked at the precinct, I can tell you that while many ballots are spoiled by crossover, voters are still able to cast an acceptable vote by redoing it. With voting machines at the walk-in centers, voters are always protected.

In order to avoid voter confusion and frustration in this first total vote by mail election, particularly when it is one of the most contested elections in recent times, the State needs to ensure voter access. Additional voter service centers give voters the opportunity to register and vote with confidence that their vote will be counted. If every additional voter service center does not have the days and hours specified in Act 136, the times should be widely publicized. Obviously, additional centers will add to administrative costs, but in this first mail election, more funding may be necessary than will be the case later.

I support HB1751 and hope the Committee on Judiciary will pass it out, keeping easy voter access its highest priority.