



**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 SENATE COMMITTEE ON JUDICIARY
AND THE SENATE COMMITTEE ON WAYS AND MEANS
ON SENATE BILL NO. 2137, SD 1
RELATING TO ELECTIONS

February 26, 2020

Chair Rhoads, Chair Dela Cruz, and members of the Senate Committees on Judiciary and Ways and Means, thank you for the opportunity to testify in support of Senate Bill No. 2137, SD 1. This bill authorizes election officials to establish additional voter service centers.

Allowing additional voter service centers to operate on election day or a similar shorter period opens the use 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. However, we would propose amending this measure to exclude the island of Niihau, as would be required by proposed Section 11-109(a), due to limited public access.

Thank you for the opportunity to testify in support of Senate Bill No. 2137, SD 1.



SB2137 SD1
RELATING TO ELECTIONS
Ke Kōmike 'Aha Kenekoa o ka Ho'okolokolo
Ke Kōmike 'Aha Kenekoa o ke Ki'ina Hana a me nā Kumuwaiwai

Pepeluali 26, 2020

1:10 p.m.

Lumi 211

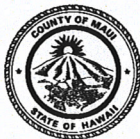
The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB2137 SD1, which would encourage election officials to establish additional voter service centers, in addition to the one originally required for each county, and to operate these additional centers with flexible open hours and days.

This bill will provide greater flexibility to the Office of Elections and the counties as they seek to fulfill the intent of Act 136 (Regular Session Laws, 2019), to make voting as accessible, convenient, and efficient as possible. Act 136 required all voter service centers to maintain open hours and days that may prove impracticable in application; such a requirement may unintentionally result in a lack of needed additional voter service centers in key rural communities, due to a lack of available volunteers and workers to staff any additional service centers throughout the required time periods. OHA seeks to ensure that the many Native Hawaiian 'ohana in rural areas are provided ample and convenient access to voter service centers, and therefore supports this measure as a means to facilitate this civic engagement goal.

SB2137 SD1 will allow election officials to best meet the needs of the many Native Hawaiian voters in rural communities by providing officials greater flexibility in the provision of voter service centers and their open hours.

Accordingly, OHA urges the Committee to **PASS** SB2137 SD1. Thank you for the opportunity to testify on this measure.

KATHY L. KAOHU
County Clerk



JAMES G.M. KRUEGER
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

LATE

February 25, 2020

Senator Karl Rhodes, Chair
And Members of the Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
And Members of the Committee on Ways and Means

Aloha Chair Rhodes, Chair Dela Cruz and Committee Members,

Re: **TESTIMONY IN SUPPORT OF SB2137, SD1 - RELATING TO ELECTIONS**
(Hearing of February 26, 2020)

Thank you for the opportunity to testify in SUPPORT of SB2137, SD1.

This bill proposes to authorize election officials with the ability to establish additional voter service centers (VSC) and allows for flexible days and hours of operation.

Currently, Act 136 (SLH 2019) requires that all VSCs comply with statewide standardized dates and times of operation. In cases where facilities, volunteers and employee coverage are not able to comply with the standardized days and hours for the entire duration of the election periods, the ability to establish additional VSCs becomes mute.

Allowing flexibility to adjust the days and hours of operation at additional VSCs would promote voter confidence that our State is going the extra mile during this critical "Vote By Mail" transitional election cycle. At the very least, being able to bring VSCs online during our election days will assist our voters with services such as voting in-person and exercising same day voter registration.

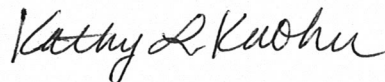
Passage of this bill would allow us to serve our communities in ways that are not possible under existing law.

Senator Karl Rhodes, Chair
Senator Donovan M. Dela Cruz, Chair
February 25, 2020
Page 2

One final request would be to clarify and amend the language in Section 11-109(a) that requires "a county with more than one island in its jurisdiction," to provide at least one VSC on each island, by excluding the Island of Kaho`olawe from this requirement. As no residency has yet to be established on Kaho`olawe, and public access is limited.

Mahalo nui for your favorable consideration of this testimony in Support of SB 2137, SD 1.

Sincerely,



KATHY L. KAOHU
County Clerk

LATE

Statement Before The
SENATE COMMITTEE ON WAYS AND MEANS
AND
SENATE COMMITTEE ON JUDICIARY
Wednesday, February 26, 2020
1:10 PM
State Capitol, Conference Room 211

in consideration of
SB 2137, SD1
RELATING TO ELECTIONS.

Chairs DELA CRUZ and RHOADS, Vice Chairs KEITH-AGARAN and KEOHOKALOPE, and Members of the Senate Ways and Means and Judiciary Committees

Common Cause Hawaii supports SB 2137, SD1 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.

Pursuant to Act 136, Session Laws of Hawaii 2019, all Hawaii elections will be by mail starting in 2020; there will no longer be polling places for voters to cast their ballots. Instead, there will be a limited number of 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 VSC, and they will be open uniform hours statewide, pursuant to Act 136, SLH 2019, specifically ten (10) business days prior to election days and 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, SB 2137, SD1 states that “[i]n each county, **a voter service center** shall be open” Page 2, lines 5-6 (emphasis added). This means a county shall only need to open one VSC. This needs to be revised in SB 2137, SD1. One VSC per county is simply not enough, despite that SB 2137, SD1 provides that “[f]or a county a county with more than one island in its jurisdiction, there shall be at least one voter service center on each island.” Page 2, lines 2-4. This means that the Big Island and Oahu, which currently each has two VSCs, will need to only have one VSC. Further, under SB 2137, SD1, Niihau within Kauai County, with its population of approximately 200 people, would have a VSC.

Common Cause Hawaii is concerned with counties being able to open only one VSC and then have the unliteral ability to decide to open (or not open) “additional centers having varying days or hours of operations” Page 2, lines 9-14. While Common Cause Hawaii truly appreciates the difficulty in administrating VSCs with uniform hours of operations statewide, SB 2137, SD1 provides too much latitude to the county clerks and opens the door to having only one VSC on a large island and/or largely populated island (meaning Oahu, Big Island and/or Maui

Island) “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 6-9. Any other VSC open in a county, under SB 2137, SD1 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 SB 2137, SD1 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

See California Civic Engagement Project, Best Practices: Siting Vote Centers and Drop Boxes, <https://static1.squarespace.com/static/57b8c7ce15d5dbf599fb46ab/t/5d409b2d9ee54a0001483b84/1564515161760/CCEP+VCA+Brief+3+Companion+2-Pager+Siting.pdf>

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, SB 2137, SD1 shall make clear that the voter shall be permitted to deliver the completed ballot. Page 2, lines 14-17.

Common Cause Hawaii supports SB 2137, SD1’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 proposed amendments be adopted to truly establish additional VSCs.

Thank you for the opportunity to testify in support of SB 2137, SD1’s with suggested amendments. If you have further questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,
Sandy Ma
Executive Director, Common Cause Hawaii

LATE

SB-2137-SD-1

Submitted on: 2/26/2020 1:13:42 AM

Testimony for JDC on 2/26/2020 1:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brodie Lockard	Individual	Support	No

Comments: