



STATE OF HAWAII
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SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE SENATE COMMITTEE ON JUDICIARY
ON SENATE BILL NO. 2609
RELATING TO ELECTIONS

February 20, 2020

Chair Rhoads and members of the Senate Committee on Judiciary, thank you for the opportunity to provide comments on Senate Bill No. 2609. The purpose of this bill is to include agents of candidates listed on ballots among the persons prohibited from providing voting assistance at voter service centers and in the use of absentee ballots.

This bill ensures the integrity of our elections by identifying agents of candidates as individuals who cannot provide voting assistance. We would propose that this bill also add similar language to HRS § 11-104, which covers envelopes used in elections by mail, as the measure is currently limited to HRS § 15-6 concerning absentee voters. Otherwise, it may be interpreted that this bill only applies to a small subsection of voting by mail in which voters request absentee ballots, as opposed to all voters who are mailed a ballot as part of elections by mail.

Additionally, given the criminal penalties associated with election fraud under HRS § 19-4, it may be beneficial to further define the term "agent of a candidate," so as to distinguish between a supporter of a candidate, a volunteer on a candidate's campaign who performs ministerial functions, and a person associated with a candidate's campaign who is authorized to make decisions or to speak on behalf of the candidate.

Finally, we would note that this bill is effective upon approval which would impact the return envelopes used for the 2020 Elections. Specifically, we are already procuring the envelopes for the Primary Election and the General

Election, and the assembly of the Primary Election mail ballot packets would begin prior to the Governor's signature deadline. Given this, we would propose changing the effective date to after the 2020 Elections.

Thank you for the opportunity to provide comments on Senate Bill No. 2609.

Statement Before The
SENATE COMMITTEE ON JUDICIARY
Thursday, February 20, 2020
9:15 AM
State Capitol, Conference Room 016

in consideration of
SB 2609
RELATING TO ELECTIONS.

Chair RHOADS, Vice Chair KEOHOKALOLE, and Members of the Senate Judiciary Committee

Common Cause Hawaii provides comments on SB 2609, which includes agents of candidates listed on ballots among the persons prohibited from providing voting assistance at voter service centers and in the use of absentee ballots.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening democracy with laws that amplify the voices of everyday Americans.

Agent is defined as “[s]omeone who is authorized to act for or in place of another; a representative”. Black’s Law Dictionary 10th ed. A candidate may have multiple agents and it may not be apparent who is a candidate’s agent, especially with large candidate and/or complex campaigns. It may be prudent for SB 2609 to define agent to avoid confusion.

Thank you for the opportunity to comment on HB 2675. If you have further questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii

SB-2609

Submitted on: 2/18/2020 6:31:46 PM

Testimony for JDC on 2/20/2020 9:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support SB2609 to level the playing field.

Thank you for the opportunity to present my testimony.

Andrea Quinn

Kihei, Maui