



**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 HAWAIIAN AFFAIRS
ON SENATE BILL NO. 238
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS

February 2, 2021

Chair Shimabukuro and members of the Senate Committee on Hawaiian Affairs, thank you for the opportunity to provide comments on Senate Bill No. 238. The purpose of this bill is to display candidates for the Office of Hawaiian Affairs Board of Trustees, by residency and non-residency requirements and to randomize the order of candidate names within those groupings.

We would accomplish the purpose of this measure by randomly selecting a letter of the alphabet to be the first letter to organize the candidate names for the Office of Hawaiian Affairs contests. For example, if the letter "H" was randomly selected by lot, candidates whose last name start with an "H" would be listed first and subsequent names will follow alphabetically (e.g., "I," "J," "K").

We would also note that the randomly selected letter should only be applied to the first letter of the last name and not modify additional alphabetizing. We use the alphabetical organization for proofing the ballots to ensure all candidates are properly listed, which corresponds to the voting position for the vote counting system.

Thank you for the opportunity to testify on Senate Bill No. 238.

SB-238

Submitted on: 1/29/2021 10:26:41 AM

Testimony for HWN on 2/2/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl B.	Individual	Comments	No

Comments:

Possible to add that the people of the island for which they are running to represent should be the ones voting for them, except for the general representative. O`ahu really should not be deciding for the other islands on their rep,.

Statement Before The
SENATE COMMITTEE ON HAWAIIAN AFFAIRS

Tuesday, February 2, 2021

1:00 PM

Via Videoconference

in consideration of

SB 238**RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.**

Chair SHIMABUKURO, Vice Chair KEOHOKALOLE, and Members of the Senate Committee on Hawaiian Affairs

Common Cause Hawaii provides written comments on SB 238, which amends ballot requirements to display candidates for the Office of Hawaiian Affairs Board of Trustees, by residency and non-residency requirements and to randomize the order of candidate names within those groupings.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to strengthening democracy through modernizing our elections system, starting with our ballots.

It has long been recognized that “the order in which candidates’ names appear on a ballot influences voters’ decisions. Typically, candidates listed at the top of a ballot earn a greater share of the vote than they would receive in any other position, regardless of their policies and personalities.” See https://insight.kellogg.northwestern.edu/article/first_among_equals. A candidate listed first on a ballot increases his/her/their chance of winning by almost five percentage points. *Id.* Further, research shows that “[g]oing from last to first on the ballot raises a candidate's vote share by 10 percentage points.” See <https://www.npr.org/2016/07/27/487577930/why-the-first-name-on-the-ballot-often-wins>. Thus, randomizing the order of candidate names on a ballot will improve the fairness of elections. To truly correct for the first named candidate bias on a ballot, each individual voter would have to have a randomized ballot. Such a method, however, would be very costly to implement with our vote-by-mail system.

In sum, SB 238 is laudable. Thank you for the opportunity to provide comments on SB 238. If you have questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii

SB-238

Submitted on: 1/31/2021 11:42:18 AM

Testimony for HWN on 2/2/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Individual	Support	No

Comments:

KÄ• ko'o.