



**STATE OF HAWAII  
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TESTIMONY OF THE  
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS  
TO THE HOUSE COMMITTEE ON FINANCE  
ON SENATE BILL NO. 421, SD 1, HD 1  
RELATING TO VACANCIES

April 1, 2021

Chair Luke and members of the House Committee on Finance, thank you for the opportunity to provide comments on Senate Bill No. 421, SD 1, HD 1. The purpose of this bill is to require vacancies in the offices of United States Senator, United States Representative, State Senator, and State Representative to be filled by special election.

We estimate that there have been at least 20 vacancies for U.S. Senator, State Senator, and State Representative since 2010. There are a variety of factors that can impact the earliest date that a special election could be held, and a determination if the special election could be held in conjunction with a regularly scheduled election under certain circumstances.

We would note that the costs of a special election, not held in conjunction with a regularly scheduled primary election or general election, may require an emergency appropriation from the Legislature as it would not be a part of our operational budget. To conduct a special election, we would (1) request an emergency appropriation from the Legislature based on the estimates provided to us by the voting system vendor and the counties, along with our own operational costs; (2) enter into a contract amendment with the voting system vendor for services for the special election; (3) at the same time, finalize any tentative dates with the counties that they may have given us for when they could accommodate a special election; and (4) issue the proclamation giving the date of the special election. Additionally, the proclamation would be published more than 70 days in advance of the special election to accommodate 10 days of candidate filing and a subsequent objection period. HRS §§ 12-2.5 & 12-8.

The operations and costs of conducting a special election for a vacancy for U.S. Senate or U.S. Representative District II would be similar to conducting a primary or general election, with the State bearing all costs, as the election would be conducted in each county. The following table provides estimated costs, based on previous cost estimates and the 2020 Elections, of conducting a special stand-alone election by vacancy – U.S. Senate, U.S. Representative, State Senator, and State Representative. However, the following cost estimates do not include costs of signature validation or facilities to support voter service centers.

	<b>U.S. SEN.</b>	<b>U.S. REP.</b>	<b>STATE SEN.</b>	<b>STATE REP.</b>
<b>BALLOT PRINTING</b>	222,750	114,750	16,200	11,340
<b>COUNTING CENTER OPERATIONS</b>	124,200	124,200	53,200	23,200
<b>MAILING SERVICES &amp; ENVELOPES</b>	448,000	224,000	19,600	9,520
<b>PLACES OF DEPOSIT</b>	28,500	28,500	9,500	3,800
<b>POSTAGE</b>	880,000	440,000	38,500	18,700
<b>VOTER SERVICE CENTERS</b>	647,000	647,000	157,000	157,000
<b>ESTIMATED COST</b>	<b>\$2,350,450</b>	<b>\$1,578,450</b>	<b>\$274,420</b>	<b>\$223,560</b>

Under the provisions of this bill, using the most recent vacancy in Senate District 1 as an example, State Senator Kaiali'i Kahele resigned from his seat in December 2020. Our office would not have been able to conduct a special election to fill the vacancy for State Senator District 1 before the start of the

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Legislative Session, and there would be no mechanism to temporarily appoint representation for that district.

Thank you for the opportunity to testify on Senate Bill No. 421, SD 1, HD 1.

**SB-421-HD-1**

Submitted on: 3/30/2021 1:19:08 PM

Testimony for FIN on 4/1/2021 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John D. Smith	Individual	Support	No

Comments:

I support this to be passed through legislature.