



**STATE OF HAWAII
OFFICE OF ELECTIONS**

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SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
ON HOUSE BILL NO. 1470
RELATING TO ELECTIONS

February 1, 2022

Chair Nakashima and members of the House Committee on Judiciary & Hawaiian Affairs, thank you for the opportunity to testify in support of House Bill No. 1470. This bill repeals deadlines relating to the tabulation of ballots; and amends the circumstances under which mandatory recounts of votes shall occur.

Election officials cannot anticipate the number of ballots received at the close of voting and the time required to process these ballots. For the 2020 Primary and General Election, we were still processing and counting ballots well after the 6:00 a.m. statutory deadline. There are a variety of factors, such as how many ballots are received at the close of voting, time to validate the signatures on the return envelopes, and the quantity of ballots to open and scan, that could make meeting this requirement difficult. Additionally, a recount could not be started until all processing of ballots received by the 7:00 p.m. close of voting has been initially processed and counted.

This bill also extends the timeline to complete the recount from 72 hours following the close of voting to five business days following the election. Practically, we may still be counting ballots on the day after the election so that the recount could not start until two days after election day leaving approximately 24 hours (two 12-hours shifts) to conduct re-scanning of the ballots. The deadline of five business days following the election is meant to coincide with the deadline for voters to cure a deficient ballot as we would not be counting additional ballots during this timeframe as part of the recount.

This bill also amends the calculation for automatic recounts to address different types of contests, following the previous calculations from the prior 1970 recount law (i.e., HRS § 11-173 – Repealed in 1973). For statewide and countywide contests, the calculation would be for differences of one-eighth of one percent. For all other contests, a recount would be triggered if the difference between the impacted candidates is less than or equal to one-fourth of one percent.

Thank you for the opportunity to testify in support of House Bill No. 1470.

HB-1470

Submitted on: 1/31/2022 1:48:15 PM

Testimony for JHA on 2/1/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Brett Kulbis	Honolulu County Republican Party	Oppose	No

Comments:

We OPPOSE.

Ballot processing for tabulation may begin no sooner than the eighteenth day before the election. There is no reason the initial tabulation of ballots cannot be completed no later than 6:00 a.m. on the day following an election day.

HB-1470

Submitted on: 1/31/2022 11:51:21 AM

Testimony for JHA on 2/1/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Corinne Solomon	Individual	Oppose	No

Comments:

Testimony in Opposition of HB1470

Corinne Solomon

HB1470 proposes removal of the following from §11-108: (b) The initial tabulation of ballots shall be completed no later than 6:00 a.m. on the day following an election day.

This disenfranchises complainants challenging an election, as there are deadlines to bring challenges in primary, special primary, county, general, special general, special, and runoff elections as outlined in §11-173.5 (no later than 4:30 pm on the thirteenth day after a primary or special primary or a county election contest) and §11-174.5 (not later than 4:30 pm on the twentieth day following the general, special general, special, or runoff election). Complainants need time to review tabulated results, recounts, post-election audits, and prepare submission of a challenge.

There is already a statute to process ballots beginning 10 days prior to election day. This allows for ample time to prepare for the tabulation.

In lieu of removing the tabulation deadline, I encourage the State Office of Elections to increase staffing to assist with tabulation and focus on voter education to encourage citizens to volunteer in the election process, as well as focus on ballot submission in a timely manner.

If the deadline must be adjusted, I urge you to consider changing it to, “no later than 4:30 pm on the day following an election day”.

Sincerely,

Corinne Solomon

HB-1470

Submitted on: 1/31/2022 12:27:45 PM

Testimony for JHA on 2/1/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
jason Hildebrandt	Individual	Oppose	No

Comments:

-in person voting only

-no extensions

vote in person on day,

HB-1470

Submitted on: 1/31/2022 3:29:31 PM

Testimony for JHA on 2/1/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
julie schaus	Individual	Oppose	No

Comments:

I Oppose HB1470. Stop trying to cheat and rig elections democrats.

we the people will never allow it to happen again!

HB-1470

Submitted on: 1/31/2022 3:35:42 PM

Testimony for JHA on 2/1/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sabrina Sumner	Individual	Oppose	No

Comments:

To vote, we should verify with a state issued identification card, born U.S. citizen, and follow the laws of the land which is the Constitution. No mail-in ballots! Vote on ELECTION Day end voting poll time ENDS at 7 p.m. Like it always have been in my 26 years of being a registered voter. In the 2020 election, polls were still open both Kapolei and Honolulu past 10 pm. Which we all knew it was illegal. The citizens of Hawaii are aware and we all will keep close eyes of having no fraud. More so, hold election officials accountable for the crimes, if fraud is committed.

HB-1470

Submitted on: 1/31/2022 4:12:54 PM

Testimony for JHA on 2/1/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Berkeley Mossman	Individual	Oppose	No

Comments:

I would like to submit my objection to HB1470. There needs to be deadlines in place to ensure voter trust. Please help to secure our votes.

HB-1470

Submitted on: 2/1/2022 12:18:02 AM

Testimony for JHA on 2/1/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kimberly Clark	Individual	Oppose	No

Comments:

Dear Public Servants,

I oppose this Bill and will be happy to file against Surety Bonds of those who continue to destroy our elections. This Bill is not in the best interest of Hawaii citizens. We want paper ballots, Voter ID, and mail-in voting only for military and those, that can be verified disabled. A lot of people on Big Island, don't even have a mailbox. We demand the FOIA, for the 2020 election be answered. It's time for transparency.

Best Regards,

Kimberly Clark