



DISABILITY AND COMMUNICATION ACCESS BOARD

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March 16, 2022

TESTIMONY TO THE HOUSE COMMITTEE ON GOVERNMENT REFORM

Senate Bill 3226, Senate Draft 2 – Relating to Elections

The Disability and Communication Access Board (DCAB) is providing comments on Senate Bill 3226, Senate Draft 2. This bill would require the Office of Elections to prepare a digital voter registration guide and post it on its website, and to inform each voter that the guide can be found online.

It is important that digital voter information is accessible for persons with disabilities because it will allow them to participate in the elections process by having access to the same information provided to all other citizens. This bill will allow that to occur.

DCAB supports the amendment in Senate Draft 2 specifying that the digital voter guide must be accessible to screen readers.

Thank you for the opportunity to provide comments.

Respectfully submitted,

KIRBY L. SHAW
Executive Director



**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 GOVERNMENT REFORM
ON SENATE BILL NO. 3226, SD 2
RELATING TO ELECTIONS

March 16, 2022

Chair McKelvey and members of the House Committee on Government Reform, thank you for the opportunity to provide comments on Senate Bill No. 3226, SD 2. This bill requires the Office of Elections to prepare a digital voter registration guide to be posted on its website; requires the Office of Election to mail a notice with each ballot notifying voters that a voter information guide may be found on its website; requires compliance with certain accessibility standards; and makes an appropriation.

We believe an informed electorate is essential for the health of our democracy; however, our office must remain apolitical. To compile a voter information guide, we would ask candidates to submit, in their own words, a 150-word statement for inclusion in a voter information guide when they file their nomination paper. At the close of candidate filing, we would translate and post these statements on our website. Similarly, we would translate the ballot question explanations for a general election. We would need the explanations for the ballot questions on the same day that questions are due, 75 days before the general election. The digital voter guide would be available in English, Olelo Hawaii, the languages covered by the Voting Rights Act – Chinese, Ilocano, and Tagalog, and accessible. We would also note that the voter information guide would be available at least 45 days before each election to coincide with ballots sent to uniformed and overseas voters.

The following table estimates the costs per election to provide a digital voter information guide.

	Primary	General	Total
Translations	54,390	28,560	82,950
Accessibility	13,780	13,780	27,560
Printed Notice	45,000	45,000	90,000
Printed Copy	21,340	20,370	41,710
Mailing Copies	14,982	14,301	29,283
Total	\$149,492	\$122,011	\$271,503

We would also like to note our support for the effective date so that we would plan to produce a digital voter guide beginning with the 2024 Elections. Candidate filing and preparations for the 2022 Elections are already underway.

Thank you for the opportunity to provide comments on Senate Bill No. 3226, SD 2.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
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EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON GOVERNMENT REFORM
ON
SENATE BILL NO. 3226, S.D. 2

March 16, 2022
9:00 a.m.
Room 309 and Videoconference

RELATING TO ELECTIONS

The Department of Budget and Finance (B&F) offers comments on Senate Bill (S.B.) No. 3226, S.D. 2.

S.B. No. 3226, S.D. 2, requires the Office of Elections (OE) to: 1) prepare a digital voter registration guide to be posted on its website; 2) mail a notice with each ballot notifying voters that a voter information guide may be found on its website; and 3) comply with certain accessibility standards. The measure also appropriates unspecified general funds in FY 23 to OE for this purpose.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and

- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

Hawaii
Holding Power Accountable

Statement Before The
HOUSE COMMITTEE ON GOVERNMENT REFORM
Wednesday, March 16, 2022
9:00 AM
Via Videoconference and Conference Room 309

in consideration of
SB 3226, SD2

RELATING TO ELECTIONS.

Chair McKELVEY, Vice Chair WILDBERGER, and Members of the House Government Reform Committee

Common Cause Hawaii supports SB 3226, SD2, which (1) requires the Office of Elections to prepare a digital voter registration guide to be posted on its website, (2) requires the Office of Election to mail a notice with each ballot notifying voters that a voter information guide may be found on its website, (3) requires compliance with certain accessibility standards, and (4) makes an appropriation.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to upholding the core values of our representative democracy through efforts that increase civic engagement, voter turnout, and voter participation in our democratic processes.

A voter information guide would create a more informed voting public and hopefully increase voter participation in our elections. A significant number of states have official voter guides published by the state secretary of state, which is equivalent to our State Office of Elections. See https://ballotpedia.org/Features_of_official_voter_guides,_compared_by_state#Comparison_of_voter_guides (retrieved Jan. 28, 2022); see also <https://www.ncsl.org/research/elections-and-campaigns/fiscal-impact-statements.aspx> (retrieved Jan. 28, 2022).

Common Cause Hawaii understands that SB 3226, SD2, at page 1, line 17, provides that candidates are to submit their own statements for placement in a voter information guide. We suggest that candidates be required to pay for its placement in the guide. California and Alaska's voter information guides operate in this manner. See <https://vig.cdn.sos.ca.gov/2021/pdf/complete-vig.pdf> (retrieved Feb. 19, 2022) and https://www.elections.alaska.gov/election/2020/General/OEPBooks/2020%20AK%20Region%20I%20pamphlet_FINAL-web.pdf (retrieved Feb. 19, 2022).

Common Cause Hawaii further recognizes that for voter information guides to be trusted and useful to the public, they must:

- Be neutral and written in plain language.
- Be readily available to the public. They should not be disseminated by one means only, such as via electronic means, mail, or in the newspaper. As the current pandemic has revealed, many people do not have access to broadband and/or reliable mail delivery. Voter information guides must be made available at banks, grocery stores, community centers, public libraries, government buildings, and other locations where people are likely to gather.

- Be translated into different languages for all of Hawaii's citizens to be able to access. Hawaii is the most diverse state in the nation with a diversity index of 76% according to the 2020 U.S. Census. The April 2016 DBEDT Research and Economic Analysis Division report on Non-English Speaking Population in Hawaii indicates that Non-English speakers at home in Hawaii increased by 44% from 1980 to 2014. See https://files.hawaii.gov/dbedt/economic/data_reports/Non_English_Speaking_Population_in_Hawaii_April_2016.pdf at Executive Summary pg. i (retrieved Jan. 28, 2022). Ilocano, Tagalog, and Japanese were the top three most common non-English languages spoken at home in Hawaii. *Id.*
- Be accessible to all our various disability communities.

Common Cause Hawaii supports SB 3226, SD2 in creating voter information guides for a more informed and engaged public for the betterment of our representative democracy.

Thank you for the opportunity to testify in support of SB 3226, SD2. If you have any questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii

