



**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 FINANCE
ON SENATE BILL NO. 1076, SD 2, HD 1
RELATING TO ELECTIONS

April 5, 2023

Chair Yamashita and members of the House Committee on Finance, thank you for the opportunity to provide comments on Senate Bill No. 1076, SD 2, HD 1. This bill requires the Office of Elections to prepare a digital voter information guide; post the guide on its website in compliance with certain accessibility standards; and mail each ballot with a notice that states a voter information guide may be found on its website; and requires the Attorney General and county corporation counsels to translate explanations of ballot questions into certain languages for purposes of the digital voter information guide; and appropriates funds.

We believe an informed electorate is important for the health of our democracy. However, it is important for the integrity of our elections that our office remain apolitical. As such, to compile a voter information guide, we would ask all candidates to submit their statement for inclusion in the voter information guide when they file their nomination paper. After the candidate filing deadline, we would translate and compile these statements to make them available on our website. In addition to Olelo Hawaii, as provided by this bill, we would also translate the voter guide into the languages covered by the federal Voting Rights Act, which are Chinese, Ilocano, and Tagalog. The voter information guide would need to be available at least 45 days before each election to coincide with ballots being sent to uniformed and overseas voters.

Our initial cost estimate totals \$171,248 for both elections.

	Primary	General	Total
Translations	53,280	0	53,280
Printed Instructions	30,000	30,000	60,000
Inserting Instructions	15,000	15,000	30,000
Copies to Libraries	13,984	13,984	27,968
Total	\$112,264	\$58,984	\$171,248

We would ask that Section 3 of the bill be amended to clarify that the appropriation may be used to prepare and disseminate a voter information guide. As currently written, this section appears to specify that the appropriation could only be used to prepare and mail a notice to voters and may not be used to translate the statements from the candidates or provide copies to libraries.

Thank you for the opportunity to provide comments on Senate Bill No. 1076, SD 2, HD 1.

SB-1076-HD-1

Submitted on: 4/3/2023 2:35:31 PM

Testimony for FIN on 4/5/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch Jr	Stonewall Caucus of the Democratic Party of Hawai‘i	Support	Remotely Via Zoom

Comments:

Aloha Representatives,

The Stonewall Caucus of the Democratic Party of Hawai‘i; Hawai‘i’s oldest and largest policy and political LGBTQIA+ focused organization fully supports SB 1076 SD 2 HD 1.

We hope you all will support this important piece of legislation.

Mahalo nui loa,

Michael Golojuch, Jr. (he/him)
Chair and SCC Representative
Stonewall Caucus for the DPH

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON FINANCE

Rep. Kyle Yamashita, Chair

Rep. Lisa Kitagawa, Vice Chair

Wednesday, April 5, 2023

Room 308 & VIDEOCONFERENCE

2:00 PM

STRONG SUPPORT FOR SB 1076 SD2 HD1 - VOTER GUIDE

Aloha Chair Yamashita, Vice Chair Kitagawa and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai`i for more than two decades. This testimony is respectfully offered on behalf of the 4,012 Hawai`i individuals living behind bars¹ and under the “care and custody” of the Department of Public Safety/Corrections and Rehabilitation on any given day. We are always mindful that 914 - 25.4% of the male imprisoned population² - of Hawai`i’s imprisoned people are serving their sentences abroad -- thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

Community Alliance on Prisons appreciates this opportunity to testify in strong support of SB 1076 SD2 HD1 specifying that the Office of Elections shall provide printed copies of the digital voter information guide for distribution at all public libraries and that the digital voter information guide shall contain information about mailing deadlines, drop box locations, same day voter registration, accessible voting locations, and opening hours of voter service centers.

We know that a vibrant democracy is dependent upon an informed electorate. And everything the state can do to encourage voter participation is a move in the right direction.

Mr. Nago of the Office of Elections testified that the cost would be \$171,248 for both the primary and general elections, including printing 50 copies of the Voter Guide for each of the 51 libraries in Hawai`i nei.

The Office of Elections WAM testimony outlined the costs as follows:

¹ Department of Public Safety, End of Month Population Report, March 27, 2023.

https://dps.hawaii.gov/wp-content/uploads/2023/03/Pop-Reports-Weekly-2023-03-27_George-King.pdf

² Why are 25.4% of Hawai`i’s male prison population sent thousands of miles from home when the following prisons in Hawai`i have room here: Halawa is at 76.9%; Halawa Special Needs Facility is at 62.1%; Kulani is at 47%; Waiawa is at 50.6% of operational capacity.

	Primary	General	Total
Translations	\$ 53,280	\$ 0	\$ 53,280
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Inserting Instructions	15,000	15,000	30,000
Copies to Libraries	13,984	13,984	27,968
Total	\$112,264	\$58,984	\$171,248

This voter guide is perfectly aligned with our vote by mail law. People will have the guide available so they will know about their voting options as well as everything else they need to know about exercising their democratic rights to have their voices heard and counted.

Voter guides provide background information on the candidates and ballot measures. They list who you can vote for and offer details on each candidate's experience and goals. They also explain ballot measures, which are specific questions or issues that you can approve or reject.³

The digital guide would be available as the community is deciding on their ballot selections to help them make a more thoughtful and informed vote.

The citizen voters in a representative democracy are entitled to free and informed choices for whom to vote and the choices must be dictated by the genuine welfare of the majority. Every individual political choice and decision made by the citizen voters will determine the kind of government that will serve them.

Attached is a link to a Best Practices Manual for Official Information Voter Guides in California, "HOW VOTERS GET INFORMATION".⁴

Hawai'i's voting numbers must improve if we are to have a fully functioning and participatory democracy. Voting by mail is an important reform to do that and this bill does more to make exercising our hard-won right to vote even more convenient for our busy, hard-working electorate. This voter guide brings important voter information and processes directly to the people.

We urge the committee to support this important bill and to fund it appropriately so every voter has ready access to the information.

Mahalo nui for scheduling this important bill!

"It is the mission of the Supervisor of Elections office to ensure the integrity of the electoral process and empower each voter through continuous education."

Shirley Anderson, Supervisor of Elections, Hernando County, Florida

³ Decide Who to Vote For, <https://www.usa.gov/voter-research>

⁴ How Voters Get Information, 2015.

https://cavotes.org/sites/default/files/cavotes/private/LWVCEF_Best_Practices_Manual_for_Official_Voter_Information_Guides.pdf

SB-1076-HD-1

Submitted on: 4/4/2023 9:00:29 AM

Testimony for FIN on 4/5/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Foley	Commission to Improve Standards of Conduct	Support	Written Testimony Only

Comments:

Dear Mr. Chairman and members of the Finance Committee,

As Chair of the Commission to Improve Standards of Conduct, I support SB 1076, SD 2, HD 1, for reasons stated in the Commission's December 1, 2022 Final Report, specifically at page 34. The Commission found "Hawaii voter turnout is well below the national average for each election" and "registered voters may not have access to or be aware of information on candidates or issues on the ballots." Id.

Mahalo, Judge Daniel Foley (ret.)



Committee on Finance
Chair Kyle T. Yamashita, Vice Chair Lisa Kitagawa

Wednesday, April 5, 2023, 2:00 p.m. Room 308 & Via Videoconference

SB 1076 SD2 HD1 RELATING TO ELECTIONS

TESTIMONY

Janet Mason, Legislative Committee, League of Women Voters of Hawaii

Chair Yamashita, Vice Chair Kitagawa, and Committee Members:

The League of Women Voters of Hawaii *strongly supports* SB 1076 SD2 HD1 that requires the Office of Elections to prepare a digital voter guide to be posted on its website in compliance with accessibility standards. The bill also requires the Office of Elections to mail a notice with each ballot that states a voter information guide may be found on its website. The bill requires the Attorney General and corporation counsels to translate explanations of ballot questions into certain languages for purposes of the voter education guide.

Our research on voter education in four other Western states found that candidate statements, a simple explanation of ballot measures and a pro/con analysis of ballot questions provided by public officials are common throughout Colorado, Washington, Oregon, and California.

Such voter education is long overdue in Hawaii but is now more compelling because it was a specific recommendation from the 2023 ***Commission to Improve Standards of Conduct***. It is incumbent on the legislature to provide this basic public service because elections are the primary way voters hold elected officials responsible for their work on behalf of the public as well as the way they conduct themselves in public service.

We have received objections that such voter education is campaigning, but voter education and campaigning are two different processes, though both are important. Campaigning occurs when political candidates, parties or interest groups conduct activities to support their views and encourage people to vote for them. Such activities might include advertising, canvassing, etc. The goal of all these is to win the election by persuading candidates to vote for a particular candidate or party.

In contrast, voter education aims to increase civic knowledge and engagement, especially making sure citizens are able to vote and participate in democracy. Voter education entails informing citizens about the voting process and can include information about candidates.

This type of voter education is normally conducted by public elections officials, and by nonpartisan organizations such as the League of Women Voters in its “VOTE 411” activities. However, worthy nonprofits like League do not have the resources to sustain a long-term, statewide effort to educate voters about every Hawaii candidate running for office.

We point out that the Office of Elections will be providing candidates guidelines for their statements and expect they would follow jurisdictions like San Diego which limit the statement to a recitation of the candidate’s own personal background and qualifications, prohibiting candidates in any way make from reference to other candidates or to another candidate’s qualifications, character, or activities.

That leaves the question of how to reach eligible voters. We support a guide published on the Office of Elections website as well as the idea of mailing a notice to voters with their ballot to inform them the guide is available. This version of the measure requires the Office of Elections to make 50 copies of the guide available at each public library for viewing by the public. This should provide reasonable access to a paper copy.

We fully support translation of the voter guide into Olelo Hawaii and languages required under the Federal Voting Rights Act, as well as making information available over the Internet pursuant to ratified standards under section 508 of the federal Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended, and the Web Content Accessibility Guidelines 2.0 adopted by the World Wide Web Consortium. These precautions should provide accessibility and information protection for Hawaii’s citizens.

An adequate appropriation is required for the Office of Elections, the Attorney General and County corporation counsels for the activities described in this bill. The Office of Elections has indicated that \$171, 248 would suffice for their coordination and production of a guide for the 2024 primary and general elections. The Attorney General and corporation counsels should provide explanations of the cost (such as translation services) for implementing their part in this measure.

We hope this bill has an effective date of June 1, 2023, which should make it possible to have a voter information guide available for the 2024 elections, but we defer to the Office of Elections as to the earliest practical date.

Thank you for the opportunity to submit testimony.

League of Women Voters of Hawaii
P.O. Box 235026 ♦ Honolulu, HI 96823
Voicemail 808.377.6727 ♦ my.lwv.org/hawaii ♦ voters@lwvhi.org

SB-1076-HD-1

Submitted on: 4/3/2023 2:45:37 PM

Testimony for FIN on 4/5/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy Davlantes	Individual	Support	Written Testimony Only

Comments:

At long last Hawaii's legislature seems to be close to acting on what's been a crying need for years: publishing a voter's guide that has all the information a voter needs to make an informed choice. While my personal preference would have been a printed guide voters could keep for reference, given that many aren't electronically wired, so to speak, I realize beggars can't be choosers, and I'll be more than thankful to have a digital resource.

Please pass this bill.

SB-1076-HD-1

Submitted on: 4/3/2023 3:34:37 PM

Testimony for FIN on 4/5/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Please support SB1076 SD2 HD1.

SB-1076-HD-1

Submitted on: 4/3/2023 5:23:55 PM

Testimony for FIN on 4/5/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

Support

SB-1076-HD-1

Submitted on: 4/3/2023 8:38:49 PM

Testimony for FIN on 4/5/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

We need to End Vote By Mail> To many Crooks in Hawaii Especialy in the Government!!!

SB-1076-HD-1

Submitted on: 4/4/2023 11:01:22 AM

Testimony for FIN on 4/5/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donna Oba	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Yamashita, Vice Chair Kitagawa and Committee Members,

I strongly SUPPORT SB 1076 SD2 HD1. Voting is one of the most important decisions citizens make and voting decisions should be well informed.

To make an informed decision, one needs time and information. Voting by mail gives voters time to carefully read and cast their ballot, but there isn't much information. SB 1076, Relating to Elections, would provide some and is a step in the right direction. Ideally, the guide would be digital and in print for those who do not have or cannot afford electronic devices.

Please pass SB1076 SD2 HD1, fully fund the guide, and give Hawaii voters much needed ballot information.

Thank you for the opportunity to submit testimony.

SB-1076-HD-1

Submitted on: 4/4/2023 12:08:26 PM

Testimony for FIN on 4/5/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marcia Kemble	Individual	Support	Written Testimony Only

Comments:

I really believe it would be very helpful to have a voters' guide prepared. Many people vote without really knowing much about whom/what they are voting for -- sometimes just on name recognition alone. Please support this measure.



Committee on Finance
Chair Kyle Yamashita, Vice Chair Lisa Kitagawa

Wednesday April 5, 2:pm Videoconference/Rm 308
SB1072 SD2 HD1 — RELATING TO ELECTIONS

TESTIMONY

Beppie Shapiro, Legislative Committee, League of Women Voters of Hawaii

Chair Yamashita, Vice Chair Kitagawa, and Committee Members:

I strongly support SB1072 SD2 HD1 which Requires the Office of Elections to prepare a digital voter information guide; post the guide on its website in compliance with certain accessibility standards; and mail each ballot with a notice that states a voter information guide may be found on its website. Requires the Attorney General and county corporation counsels to translate explanations of ballot questions into certain languages for purposes of the digital voter information guide. Appropriates funds.

Many states provide voter guides which allow voters to preview their ballot. When these guides provide enough information to enable voters to understand and meaningfully respond to ballot measures, the problem of misconceptions of what the measures would do, and what different response options mean, are ameliorated. Voter guides can also provide basic information on candidates, either by a free-format paragraph submitted by the candidate, or by responses to a survey of candidate policies on important issues relevant to the office they seek, or, most usefully, both.

Every year I get calls from friends and acquaintances asking who to vote for and how to respond to ballot questions. Please pass this bill so voters can figure out their own preferences.

Thank you for the opportunity to submit testimony.

SB-1076-HD-1

Submitted on: 4/4/2023 8:27:59 PM

Testimony for FIN on 4/5/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nikos Leverenz	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support SB 1076, SD 2, HD 1.

An online voter guide is one of the salutary proposals forwarded by the Final Report of the Commission to Improve Standards of Conduct, which I served on last year.

An online voter guide will afford voters with basic information about candidates and ballot measures that is currently patchwork and not always illuminating.

While it would be up to each candidate to offer their own statement, if they choose to do so, our state's civic discourse is strengthened by formal written communications from those running for office.

There might be some utility in identifying those specific languages for which translation is currently required, namely Chinese, Tagalog, and Ilocano. The Office of Elections already features materials in those languages on its current website.

Mahalo for the opportunity to provide testimony.

Nikos Leverenz

Aliamanu

SB-1076-HD-1

Submitted on: 4/5/2023 9:42:37 AM

Testimony for FIN on 4/5/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
MARILYN JOHNSON	Individual	Support	Written Testimony Only

Comments:

Please help Hawai'i voters be informed. Requiring such a voters guide is an excellent way to educate voters. I used to live in WA state, and always used my WA state voters guide as my first starting point for educating myself prior to an election.

Thank you for keeping this bill alive.