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OFFICE OF ELECTIONS**

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SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON HOUSE BILL NO. 1654, HD 1, SD 1
RELATING TO ABSENTEE BALLOTS

March 28, 2016

Chair Tokuda and members of the Senate Committee on Ways and Means, thank you for the opportunity to testify in support of House Bill No. 1654, HD 1, SD 1. The purpose of this bill is to authorize the electronic transmission and return of absentee ballots by voters within five days of an election.

This bill addresses situations in which a voter has not received a ballot, needs a replacement ballot, or otherwise is not able to return their ballot to election officials by the close of polls. Under the current law, HRS § 15-5(d), beginning with the fifth day prior to an election, the only voters that are covered in such a situation are military and overseas voters, who are covered by the protections of chapter 15D, HRS (i.e., the Uniform Military and Overseas Voters Act). This bill allows all voters, such as voters who are on the mainland due to a family emergency, or someone at college who has spoiled their ballot, to electronically receive and return a ballot within five days of an election.

Thank you for the opportunity to testify in support of House Bill No. 1654, HD 1, SD 1.



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COMMITTEE ON WAYS AND MEANS
Monday, March 28, 2016, 9:00 A.M., Room 211
HB 1654 HD1, SD1 RELATING TO ABSENTEE BALLOTS

TESTIMONY

Janet Mason, Legislative Co-Chair, League of Women Voters of Hawaii

Chair Tokuda, Vice-Chair Dela Cruz, and Committee Members:

The League of Women Voters of Hawaii supports HB1654, HD 1 SD1 which clarifies and modernizes many procedural questions related to absentee ballots. We request that the bill become effective upon passage.

The way Hawaii votes is changing, and absentee voting and permanent absentee voting have become more popular in the past five years. This bill addresses how we live now. For example, if someone is temporarily away from Hawaii for a single election cycle, it should be possible to receive a ballot at a temporary address. The "one election cycle" limit makes sense to us; otherwise doubts about the person's permanent address for receiving absentee ballots becomes unclear.

References to facsimile transmission of ballots for the more generic "electronic" transmission of ballots is appropriate; as other forms of electronic transmission such as email are now widely available. In fact, if an absentee ballot is lost or destroyed, electronic transmission is the only practical answer if the voter finds himself or herself five days or less from the deadline to return a ballot (i.e. close of voting on election day). Electronic transmission is a failsafe mechanism to guard against disenfranchising voters under such circumstances.

We are pleased the measure has been amended to take effect upon approval, making useful in the forthcoming 2016 elections, when the popularity of absentee voting will again be apparent. We urge you to pass this bill. Thank you for the opportunity to submit testimony.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: Chinooker@gmail.com
Subject: *Submitted testimony for HB1654 on Mar 28, 2016 09:00AM*
Date: Saturday, March 26, 2016 7:52:41 PM

HB1654

Submitted on: 3/26/2016

Testimony for WAM on Mar 28, 2016 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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