



**STATE OF HAWAII
OFFICE OF ELECTIONS**

802 LEHUA AVENUE
PEARL CITY, HAWAII 96782
www.hawaii.gov/elections

SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR
ON SENATE BILL NO. 2117
RELATING TO ABSENTEE BALLOTS

January 29, 2016

Chair Keith-Agaran and members of the Senate Committee on Judiciary and Labor, thank you for the opportunity to testify in support of Senate Bill No. 2117. 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).

For all other voters, such as voters who are on the mainland due to a family emergency, or someone at college who has spoiled their ballot, there is no other option other than to mail them a ballot, which they may not receive in time to vote and return to election officials by election day.

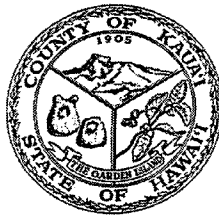
As such, the present bill proposes to take advantage of changes in technology and allows ballots to be electronically transmitted to and returned by voters within five days of an election. This would benefit not only the traditional military and overseas voters who may be in remote locations with limited mail service and fax service, but also regular voters who due to circumstances

beyond their control are not able to receive and return a ballot by mail in close proximity to an election.

Thank you for the opportunity to testify in support of Senate Bill No. 2117.

JADE K. FOUNTAIN-TANIGAWA
County Clerk

Telephone: (808) 241-4800
TTY: (808) 241-5116



SCOTT K. SATO
Deputy County Clerk

Facsimile: (808) 241-6207
E-mail: elections@kauai.gov

ELECTIONS DIVISION
OFFICE OF THE COUNTY CLERK
4386 RICE STREET, SUITE 101
LĪHU'E, KAUA'I, HAWAI'I 96766-1819

January 29, 2016

TESTIMONY OF JADE K. FOUNTAIN-TANIGAWA
COUNTY CLERK, COUNTY OF KAUA'I
TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR
ON SENATE BILL NO. 2117
RELATING TO ABSENTEE BALLOTS

Chair Keith-Agaran and Committee Members:

Thank you for the opportunity to testify in support of Senate Bill No. 2117. This Bill as proposed allows a permanent absentee ballot voter the ability to receive ballots at an alternate address for elections within an election cycle. Additionally, the Bill would define "electronic transmission" and allow for such transmission of absentee ballots within five (5) days of an election for voters who have not received or who require a replacement ballot. Allowing the electronic transmission of ballots provides a practical and expeditious means for casting a ballot and is consistent with our overall efforts to maximize voter participation.

Currently, statutes governing the Permanent Absentee Ballot (PAB) voting process are silent regarding PAB voters who request to have their ballots temporarily mailed to an alternate address which differs from the address contained in the voter's file. Although County election officials have developed an administrative process to address this situation, this Bill clarifies and codifies the established practices.

Thank you for this opportunity to testify in support Senate Bill No. 2117.

JADE K. FOUNTAIN-TANIGAWA
County Clerk, County of Kaua'i

DANNY A. MATEO
County Clerk



JOSIAH K. NISHITA
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

TESTIMONY OF DANNY A. MATEO
COUNTY CLERK, COUNTY OF MAUI
TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR
ON SENATE BILL NO. 2117
RELATING TO ABSENTEE BALLOTS
JANUARY 29, 2016

Chair Keith-Agaran and members of the Senate Committee on Judiciary and Labor, thank you for the opportunity to testify in support of Senate Bill No. 2117. The purpose of this bill allows a voter to receive an absentee ballot by electronic transmission and return of the absentee ballot within five days of an election.

This bill will allow ballots to be electronically transmitted to and returned by voters within five days of an election. This will benefit not only the military and overseas voters who are already able to do so, but regular voters who may be away and spoiled their ballot or called away on a family emergency and are unable to receive or return a ballot by mail by the close of polls on election day.

Thank you for the opportunity to testify in support of Senate Bill No. 2117.



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lwv-hawaii.com | 808.531.7448 | voters@lwv-hawaii.com

SENATE COMMITTEE ON JUDICIARY AND LABOR

Friday, January 29, 2016, 9:00 a.m., Room 325
Sb 2117 RELATING TO ABSENTEE BALLOTS

TESTIMONY

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

Chair Keith-Agaran, Vice-Chair Shimabukuro, and Committee Members:

The League of Women Voters of Hawaii supports SB2117 that permits a permanent absentee voter to receive a ballot someplace besides their permanent residence address within an election cycle. The bill also makes it clear that certain conditions that would normally result in terminating “permanent absentee” voting status are irrelevant if the voter resides in an absentee voting only area. It modernizes the language of electronic voting to broaden the reference to “facsimile” ballots, and provides that the voter can receive an electronic ballot, if election day is imminent or the voter can’t return their properly issued absentee ballot before the polls close.

This measure is more than election administration housekeeping because it’s also making clear to the permanent absentee voter what he/she can (and should) do for their ballot delivery address in the event they expect to be temporarily away from Hawaii.

Thankfully, it also speaks to what can be done if a permanent absentee voter does not receive a mailed ballot, or has lost or destroyed their ballot. Under these circumstances electronic ballot transmission is the only practical approach; this is the way we live and work now. Our understanding is this method is already well established for Hawaii residents who are serving in the military overseas.

All of these procedures become more important as the popularity of voting by mail increases. We urge you to pass this bill. Thank you for the opportunity to submit testimony.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: *Submitted testimony for SB2117 on Jan 29, 2016 09:00AM*
Date: Thursday, January 28, 2016 11:15:56 AM

SB2117

Submitted on: 1/28/2016

Testimony for JDL on Jan 29, 2016 09:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Troy Abraham	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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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: *Submitted testimony for SB2117 on Jan 29, 2016 09:00AM*
Date: Tuesday, January 26, 2016 1:15:40 PM

SB2117

Submitted on: 1/26/2016

Testimony for JDL on Jan 29, 2016 09:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-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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