



**STATE OF HAWAII  
OFFICE OF ELECTIONS**

802 LEHUA AVENUE  
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SCOTT T. NAGO  
CHIEF ELECTION OFFICER

**TESTIMONY OF THE  
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS  
TO THE SENATE COMMITTEE ON PUBLIC SAFETY,  
INTERGOVERNMENTAL, AND MILITARY AFFAIRS  
ON SENATE BILL NO. 2137  
RELATING TO ELECTIONS**

January 28, 2020

Chair Nishihara and members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs, thank you for the opportunity to testify in support of Senate Bill No. 2137. The purpose of this bill is to authorize election officials to establish additional voter service centers.

As we transition to elections by mail, the Offices of the City/County Clerks are determining and establishing voter service centers. Most have identified locations based on their previous early walk-in voting locations. However, the County of Maui, which has not established an early walk-in voting location on the island of Lanai, has had issues finding a facility that could accommodate the requirements of HRS §§ 11-109 and 11-131.

This bill provides that a voter service center in each County will be open during regular business hours statewide from the tenth business day preceding the election going forward until the day of the election, on which it will operate from 7:00 a.m. to 7:00 p.m. and allows the City/County Clerks to establish additional voter service centers with varying dates and hours to meet the needs of a County's voters. Allowing flexible hours for additional voter service centers opens the availability of private facilities and state and county buildings that have previously been available to serve as locations for voting. Additionally, opening voter service centers for a limited period provides services such as in-person voting and same-day registration that voters would not otherwise have readily available.

Thank you for the opportunity to testify in support of Senate Bill No. 2137.

**JADE K. FOUNTAIN-TANIGAWA**  
County Clerk

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**SCOTT K. SATO**  
Deputy County Clerk

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

January 28, 2020

**TESTIMONY OF JADE K. FOUNTAIN-TANIGAWA**  
**COUNTY CLERK, COUNTY OF KAUA'I**  
**TO THE SENATE COMMITTEE ON PUBLIC SAFETY,**  
**INTERGOVERNMENTAL, AND MILITARY AFFAIRS**  
**ON SENATE BILL NO. 2137**  
**RELATING TO ELECTIONS**

Chair Nishihara and Committee Members:

Thank you for the opportunity to submit testimony in support of Senate Bill No. 2137. This Bill would authorize election officials to establish additional voter service centers.

Senate Bill No. 2137 will allow each County the flexibility to establish Voter Service Centers based on the specific needs of a community, the availability of facilities, and allow a Voter Service Center to operate in an area that would otherwise not be able to support specific voter services.

Thank you for this opportunity to submit testimony in support of Bill No. 2137.

Sincerely,

**JADE K. FOUNTAIN-TANIGAWA**  
County Clerk

JOSIAH K. NISHITA  
County Clerk



MARGARET C. CLARK  
Deputy County Clerk

**OFFICE OF THE COUNTY CLERK**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
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TESTIMONY OF JOSIAH NISHITA  
COUNTY CLERK, COUNTY OF MAUI  
TO THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND  
MILITARY AFFAIRS  
ON SENATE BILL 2137  
RELATING TO ELECTIONS  
January 27, 2020

Chair Nishihara and members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs, thank you for the opportunity to testify in support of Senate Bill 2137. This bill will authorize election officials to establish additional voter service centers that may operate during different days/times.

Currently, Act 136 (SLH 2019) requires that all voter service centers be open on the same dates and times statewide. To the extent this is possible, we agree with this standardization. However, in some cases, if facilities are not available for the entire duration, or if there aren't volunteers or employees to work for the entire duration, additional voter service centers may not be established.

My office has seen this impacting rural communities in our County, where facilities are limited and are heavily utilized by the community. In addition, the availability of individuals to work at a voter service center for approximately two weeks during each election period is limited. As an example, in 2014 the County of Maui tried unsuccessfully to establish an early walk-in voting location in Lanai, and only received two applications from individuals willing to work there, despite extensive outreach efforts.

Allowing flexibility in the days and hours of operation would allow us the ability to consider establishing additional voter service centers that could not fulfill the current requirements of Act 136. I would ask you to consider this example: Is it better for voters in Hana (East Maui) to have a voter service center established in their community for a few days or not have a voter service center at all due to facility and staff shortages?

January 27, 2020  
Page 2

Passage of this bill would allow us to serve our community in ways that may not be possible under existing law.

Additionally, we are in the process of obtaining mobile voting units for future election cycles (2022 and beyond), similar to other jurisdictions in the country. Mobile voting units are space-conscious, movable units which allow for service in areas where facilities may be limited. Allowing flexibility in the days and hours of operation of additional voter service centers would potentially allow us the ability to utilize mobile voting units as voter service centers in traditionally underserved communities, and would assist us in making it easier and more convenient for Maui County residents to register and vote.

Thank you for the opportunity to provide testimony in support of Senate Bill No. 2137.

Statement Before The  
**SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS**Tuesday, January 28, 2020  
1:45 PM  
State Capitol, Conference Room 229in consideration of  
**SB 2137**  
**RELATING TO ELECTIONS.**

Chair NISHIHARA, Vice Chair WAKAI, and Members of the Senate Public Safety, Intergovernmental, and Military Affairs Committee

Common Cause Hawaii supports SB 2137, with amendments, which authorizes election officials to establish additional voter service centers (VSCs).

Pursuant to Act 136, Session Laws of Hawaii 2019, all Hawaii elections will be by mail starting in 2020; there will no longer be polling places for voters to cast their ballots. Instead, there will be a limited number of VSCs for people to perform in-person polling functions. VSCs will receive personal delivery of mail-in ballots, accommodate voters with special needs, offer same day registration and voting, and provide other election services.

Currently, all counties, except Kauai, will have more than one (1) VSC and they are open ten (10) business days prior to election days and their hours are from Monday through Saturday, 8:00 a.m. to 4:30 p.m., and on election days from 7:00 am – 7:00 pm.

Unfortunately, SB 2137 states that “[i]n each county, **a voter service center** shall be open . . . .” Page 2, lines 3-4 (emphasis added). This means a county shall only need to open one (1) VSC. This needs to be revised in SB 2137. One VSC per county is simply not enough.

Further, counties should **not** be able to open only one (1) VSC and then have the unliteral ability to decide to open (or not open) “additional centers having varying days or hours of operations . . . .” Page 2, lines 8-12. While Common Cause Hawaii truly appreciates the difficulty in administrating VSCs with uniform hours of operations statewide, SB 2137 provides too much latitude to the county clerks and opens the door to having only one (1) VSC in each county “be open from the tenth business day preceding the day of the election during regular business hours until the time provided in section 11—131 on the date of the election and at the same times statewide.” Page 2, lines 4-7. Any other VSC open in a county, under SB 2137 as presently written, may only be open for a very limited amount of time during inconvenient days and hours, rendering it a meaningless service to voters.

Common Cause Hawaii requests that SB 2137 provides that each county clerk must afford a minimum number of VSCs in a county based upon a good faith determination of the following factors, in addition to other pertinent considerations not referenced below:

**Transportation**

- Proximity to public transit
- Access to free parking
- Traffic patterns
- Proximity to communities with low rates of vehicle ownership
- Time and distance a voter must travel to reach a location

**Geography**

- Proximity to population centers
- Proximity to geographically isolated populations

**Underrepresented Voters**

- Proximity to language minority communities
- Proximity to low-income communities
- Proximity to voters with disabilities
- The need for alternate voting methods for voters with disabilities
- Proximity to communities with historically low vote by mail usage
- Proximity to communities of eligible voters that are not registered

Additionally, clerks must seek a hardship waiver from a third party, neutral body before varying a VSC's hours from being open from the tenth business day preceding the day of the election during regular business hours until the time provided in section 11—131 on the date of the election.

Finally, if a voter with a completed ballot is "standing in line at a voter service center at the closing time provided in section 11-131 on the date of the election" to personally deliver the completed ballot, SB 2137 shall make clear that the voter shall be permitted to deliver the completed ballot. Page 2, lines 12-14.

Common Cause Hawaii supports SB 2137's intent to establish additional VSCs but is concerned that this bill, as presently written, does not effectuate the intent. Common Cause Hawaii requests that our proposed amendments be adopted to truly establish additional VSCs.

Thank you for the opportunity to testify in support of SB 2137 with suggested amendments. If you have further questions of me, please contact me at [sma@commoncause.org](mailto:sma@commoncause.org).

Very respectfully yours,

Sandy Ma  
Executive Director, Common Cause Hawaii





**LATE**

Josh Frost - President • Patrick Shea - Treasurer • Kristin Hamada  
Nelson Ho • Summer Starr

Tuesday, January 28, 2020

Relating to Elections  
Testifying in Support with Amendments

Aloha, Chair

The Pono Hawai'i Initiative (PHI) **supports SB2137 Relating to Elections**, which allows election officials to establish additional voter service centers. Any measure that increases access to voting should be supported. This measure will help to address the needs of voters in areas where no voter service center would have been established due lack of staff or facility.

By allowing officials to establish additional centers with additional dates and times of operation will help to increase access and make the voting process easier to those in our community. We agree with Common Cause Hawaii in their **request for amendments** to ensure that counties must have more than one voter service center. As presently written SB2137 provides too much control to county clerks to potentially limit centers and hours without cause.

For all these reasons, we urge you to **pass SB2137 with the amendments** requested by Common Cause Hawaii.

Mahalo for the opportunity,  
Gary Hooser  
Executive Director  
Pono Hawai'i Initiative

**SB-2137**

Submitted on: 1/27/2020 12:26:17 PM

Testimony for PSM on 1/28/2020 1:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Martha Nakajima	Individual	Support	No

Comments:

Aloha I am submitting testimony in support of this bill with amendments proposed by Common Cause. Thank you.

Martha Nakajima

member of Indivisible Hawaii



TP: Currently, all counties, except Kauai, will have more than one (1) VSC and they are open ten (10) business days prior to election days and their hours are from Monday through Saturday, 8:00 a.m. to 4:30 p.m., and on election days from 7:00 am – 7:00 pm. Unfortunately, SB 2137 states that “[i]n each county, **a voter service center** shall be open . . . .” Page 2, lines 3-4 (emphasis added). This means a county shall only need to open one (1) VSC. This needs to be revised in SB 2137. One VSC per county is simply not enough. Further, counties should **not** be able to open only one (1) VSC and then have the unilateral ability to decide to open (or not open) “additional centers having varying days or hours of operations . . . .” Page 2, lines 8-12. SB 2137 provides too much latitude to the county clerks and opens the door to having only one (1) VSC in each county “be open from the tenth business day preceding the day of the election during regular business hours until the time provided in section 11—131 on the date of the election and at the same times statewide.” Page 2, lines 4-7. Any other VSC open in a county, under SB 2137 as presently written, may only be open for a very limited amount of time during inconvenient days and hours, rendering it a meaningless service to voters. Clerks must seek a hardship waiver from a third party, neutral body before varying a VSC’s hours from being open from the tenth business day preceding the day of the election during regular business hours until the time provided in section 11—131 on the date of the election.

**SB-2137**

Submitted on: 1/27/2020 2:17:48 PM

Testimony for PSM on 1/28/2020 1:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diana Bethel	Individual	Support	No

Comments:

**SB-2137**

Submitted on: 1/27/2020 4:08:53 PM

Testimony for PSM on 1/28/2020 1:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Edward B Hanel Jr	Individual	Oppose	No

Comments:

Transition from traditional polling stations to voting by mail may not be as smooth as hoped. Introducing a requirement for only one voter service center (VSC) per county is a laudable goal, but not now lacking any experience with the new voting by mail process. SB2137 reduces the requirement for VSCs before the transition confirms that the centers are no longer needed. Wait one year to see if there are lessons to be learned from the implementation of voting by mail.

**SB-2137**

Submitted on: 1/27/2020 4:26:51 PM

Testimony for PSM on 1/28/2020 1:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carla Allison	Individual	Support	No

Comments:

I strongly support this bill because the Office of Elections needs to hear that more Voter Service Centers are needed to help make Vote By Mail a success. Voters will undoubtedly have questions with this new process, so it would be helpful to have places where they could go to have their questions answered. This bill also allows same day registration at these centers which is greatly needed to help increase voter turnout.