

HB 2736



**STATE OF HAWAII
OFFICE OF ELECTIONS**

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

SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE SENATE COMMITTEE ON HAWAIIAN AFFAIRS
AND
THE SENATE COMMITTEE ON JUDICIARY AND LABOR
ON HOUSE BILL NO. 2736, HD 2
RELATING TO BALLOTS

March 21, 2016

Chair Shimabukuro and Chair Keith-Agaran and members of the Senate Committee on Hawaiian Affairs and the Senate Committee on Judiciary and Labor, thank you for the opportunity to provide comments on House Bill No. 2736, HD 2. The purpose of this bill is to require a Hawaiian language ballot to be available upon request by a voter.

Our current voting system cannot provide an electronic ballot in Hawaiian at this time. Specifically, the Hawaiian language has not been federally certified for use on our electronic voting machines. The inability to provide access to all authorized ballots on our electronic voting machines may run afoul of the Help America Vote Act. For example, if a voter without a disability has a right to vote on a Hawaiian ballot, then not providing a voter with a disability the ability to vote on a Hawaiian ballot would put us in violation of the law.

In order to accommodate a Hawaiian language ballot as required by this bill, the voting system vendor would need to reprogram the system, and an independent testing authority would need to certify the voting system for this purpose. As to how much it would cost for these changes, we are unable to determine how much our vendor would charge, if it is capable of making these

changes with the present system. Given that our current contract with our voting system vendor expires on December 31, 2020 and the current bill applies to all elections after January 1, 2021, we plan to incorporate the requirement for any new voting system to be able to support Hawaiian language on paper and electronic ballots.

Thank you for the opportunity to testify on House Bill No. 2736, HD 2.

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: ekekela@ahapunanaleo.org
Subject: Submitted testimony for HB2736 on Mar 21, 2016 13:45PM
Date: Wednesday, March 16, 2016 1:22:21 PM

HB2736

Submitted on: 3/16/2016

Testimony for HWN/JDL on Mar 21, 2016 13:45PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Ekekela Aiona	Aha Punana Leo	Comments Only	No

Comments: Senator Maile S. L. Shimabukuro, Chair Senator J. Kalani English, Vice Chair Senate Committee On Hawaiian Affairs Senator Gilbert S. C. Keith-Agaran, Chair Senator Maile S. L. Shimabukuro, Vice Chair Senate Committee On Judiciary And Labor Date: Monday, March 21, 2016 Time: 1:45 PM Place: Conference Room 016 Testimony of the 'Aha Punana Leo, Non-Profit Educational Organization Dedicated to the Revitalization of the Hawaiian Language HB 2736, HD2 RELATING TO BALLOTS: COMMENTS Aloha Senators: My name is 'Ekekela Aiona, Executive Director of the 'Aha Punana Leo. The 'Aha Punana Leo submits the following comments on HB 2736, HD2. The 'Aha Punana Leo prefers the original version of this measure in HB 2736 which would have required that all information allowed to be included on ballots be published in both English and Hawaiian and not an "alternate ballot available upon request." In its original version, HB 2736 promotes and affirms Hawaiian as an official language of Hawai'i as provided for in the Hawai'i State Constitution. The State must encourage and advance the use and utility of the Hawaiian language because article X, section 4, of the Hawai'i State Constitution provides that "[t]he State shall promote the study of Hawaiian culture, history and language." In addition, article XV, section 4, of the Hawai'i State Constitution affirms that "English and Hawaiian shall be the official languages of Hawaii." The 'Aha Punana Leo respectfully asks that this bill relating to ballots track the language in its original version in HB 2736. Mahalo nui, M. 'Ekekela Aiona Executive Director, 'Aha Punana Leo 96 Pu'uhonu Place Hilo, HI 96720 (808) 935-4304

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KAMEHAMEHA SCHOOLS®

Senate Committees on Hawaiian Affairs and
Judiciary & Labor

Time: 1:45 p.m.

Date: March 21, 2016

Where: State Capitol Room 16

TESTIMONY

By Ka'ano'i Walk

Kamehameha Schools

To: Chairs Shimabukuro and Keith-Agaran, Vice Chair English and Members of the Committees

RE: **HB 2736, HD2 Relating to Ballots**

E ka Luna Ho'omalua Shimabukuro, ka Luna Ho'omalua Keith-Agaran, ka Hope Luna Ho'omalua English, a me nā Lālā o nā Kōmike, aloha! My name is Ka'ano'i Walk and I serve as the Senior Policy Analyst of the Kūamahi Community Education Group of Kamehameha Schools. House Bill 2736, HD2, relating to ballots, requires that Hawaiian language ballots be made available in each election upon voter request.

Driven by the third goal of our strategic plan for 2015-2020, which guides our educational institution to cultivate a strong Native Hawaiian identity to instill confidence and resiliency in learners, Kamehameha Schools stands in **support** of HB 2736, HD2. We prefer the original version of this measure which would have required that ballots be published in both Hawaiian and English language.

Native Hawaiians have a rich, oral culture that also embraced the written and printed word. We recognize however, that the 'ōlelo makuahine o Hawai'i, or Hawaiian language remains highly endangered even after decades of dedicated revitalization efforts and an ever-growing population of Hawaiian language speakers. Kamehameha Schools strongly supports measures that promote Hawaiian language.

Founded in 1887, Kamehameha Schools is a statewide educational system supported by a trust endowed by Princess Bernice Pauahi Bishop, whose mission is to improve the capability and well-being of Native Hawaiian learners. We believe that by continuing to engage in dialog around Hawaiian language policies and proposals, we can contribute in a positive and meaningful way.

Please advance this measure. Mahalo nui.

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: ddemark@kirc.hawaii.gov
Subject: Submitted testimony for HB2034 on Mar 18, 2016 13:15PM
Date: Wednesday, March 16, 2016 1:40:02 PM

HB2034

Submitted on: 3/16/2016

Testimony for HWN/WLA on Mar 18, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
David L. DeMark	Individual	Support	No

Comments: Please support HB 2034

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: kamakane73@gmail.com
Subject: *Submitted testimony for HB2736 on Mar 21, 2016 13:45PM*
Date: Tuesday, March 15, 2016 2:45:20 PM

HB2736

Submitted on: 3/15/2016

Testimony for HWN/JDL on Mar 21, 2016 13:45PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kama Hopkins	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: mkhan@hawaiiantel.net
Subject: Submitted testimony for HB2736 on Mar 21, 2016 13:45PM
Date: Tuesday, March 15, 2016 8:55:47 PM

HB2736

Submitted on: 3/15/2016

Testimony for HWN/JDL on Mar 21, 2016 13:45PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Support	No

Comments: The approach by HD2 is reasonable as an initial step and the bill supports the second language recognized by this state.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: lrutte@hotmail.com
Subject: Submitted testimony for HB2736 on Mar 21, 2016 13:45PM
Date: Thursday, March 17, 2016 7:13:22 AM

HB2736

Submitted on: 3/17/2016

Testimony for HWN/JDL on Mar 21, 2016 13:45PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Loretta Ritte	Individual	Support	No

Comments: Filipino, Japanese, and other foreign languages are on the ballot, Hawaiian with out question should definitely be on the ballot also. Mahalo

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: gavagan001@hawaii.rr.com
Subject: *Submitted testimony for HB2034 on Mar 18, 2016 13:15PM*
Date: Thursday, March 17, 2016 10:02:43 AM

HB2034

Submitted on: 3/17/2016

Testimony for HWN/WLA on Mar 18, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Terri Gavagan	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
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Cc: tabraham08@gmail.com
Subject: *Submitted testimony for HB2736 on Mar 21, 2016 13:45PM*
Date: Tuesday, March 15, 2016 2:07:30 PM

HB2736

Submitted on: 3/15/2016

Testimony for HWN/JDL on Mar 21, 2016 13:45PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Troy Abraham	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: kauanoek@gmail.com
Subject: Submitted testimony for HB2736 on Mar 21, 2016 13:45PM
Date: Thursday, March 17, 2016 5:29:28 PM

HB2736

Submitted on: 3/17/2016

Testimony for HWN/JDL on Mar 21, 2016 13:45PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kauanoek Kamana	Individual	Comments Only	No

Comments: Original Measure Preferred Mahalo

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: wilsonwi@hawaii.edu
Subject: Submitted testimony for HB2736 on Mar 21, 2016 13:45PM
Date: Thursday, March 17, 2016 10:48:46 AM

HB2736

Submitted on: 3/17/2016

Testimony for HWN/JDL on Mar 21, 2016 13:45PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. William H. Wilson	Individual	Comments Only	No

Comments: Aloha Senators, I support use of both Hawaiian and English together as a means to mark the distinctiveness of our state to both residents and visitors. Placing both Hawaiian and English on the same ballot would accomplish that purpose. Having a separate Hawaiian ballot would result in most voters in Hawai'i never seeing the Hawaiian. I urge that you amend HB2736 to put Hawaiian and English in separate columns on the same ballot.

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