



**STATE OF HAWAII  
OFFICE OF ELECTIONS**

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**TESTIMONY OF THE  
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS  
TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR  
ON SENATE BILL NO. 2443  
RELATING TO ELECTIONS**

February 4, 2016

Chair Keith-Agaran and members of the Senate Committee on Judiciary and Labor, thank you for the opportunity to provide comments on Senate Bill No. 2443. The purpose of this bill is to require the Office of Elections to conduct recounts for elections decided by less than two hundred fifty votes or one percent of all votes cast for a contest, whichever is less.

While we take no position on the matter of recounts, we recommend either more time be added between the primary and general elections, or the time period for the recount to be conducted be reduced. We propose amending the time period for recounts to be shortened from "no later than on the fifteenth day" to "no later than on the ninth day" following the election, and the deadline to file an election contest would be no later than 13 calendar days following the election. This would ensure that we are able to proof, print, deliver, and mail UOCAVA ballots by the statutory deadline.

Additionally, we wish to note that if there is a recount for a statewide office, such as President, U.S. Senator, Governor, or Office of Hawaiian Affairs Trustee, then all ballots will be run through the voting system. Given the nature of the vote counting system, all contests on those ballots will be recounted. This will result in the existence of recount totals for every contest. A similar situation would occur for a county wide contest or any recount in which there are other contests on the ballots being recounted. As such, we recommend that the bill

provide that only the affected candidates of the contest will be impacted by the results of the recount, as opposed to other candidates appearing on the ballot.

Finally, we would note that the recount trigger of “less than two hundred fifty votes or less than one per cent of the total number of votes cast for the contest, whichever is less,” should be clarified to define whether the “total number of votes cast for the contest” includes only the votes cast for individual candidates or if it additionally includes blank and over votes.

Thank you for the opportunity to testify on Senate Bill No. 2443.

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**SB2443**

Submitted on: 2/2/2016

Testimony for JDL on Feb 4, 2016 09:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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