JADE K. FOLATE Testimony submitted late may not be considered by the Committee for decision making purposes. YOSHIOKA County Clerk Deputy County Clerk

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ELECTIONS DIVISION OFFICE OF THE COUNTY CLERK 4386 RICE STREET, SUITE 101 LĪHUʿE, KAUAʿI, HAWAIʿI 96766-1819



January 29, 2024

TESTIMONY OF JADE K. FOUNTAIN-TANIGAWA COUNTY CLERK, COUNTY OF KAUA'I TO THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS ON HOUSE BILL NO. 2612 RELATING TO ELECTIONS

Dear Chair Tarnas and Committee Members:

Thank you for the opportunity to submit comments on House Bill No. 2612. This Bill proposes to abolish the Board of Registration.

The Board of Registration (BOR) was created to provide a means for voters to contest rulings by the county clerk relating to voter challenges. Since transitioning to vote by mail the number of legitimate voter challenges have declined significantly statewide. For the County of Kaua'i, no voter challenges pursuant to Hawai'i Revised Statutes section 11-25 have been filed since at least the 2002 Elections.

Thank you for this opportunity to submit comments for House Bill No. 2612.

JADE COUNTAIN-TANIGAWA County Clerk

HB-2612 Submitted on: 1/27/2024 8:34:57 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaiulani Bowers	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it abolishes the Board of Registration which provides immediate resolution of voter challenges.

HB-2612 Submitted on: 1/26/2024 6:08:57 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill.

Submitted on: 1/27/2024 8:43:17 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Moylan	Individual	Oppose	Written Testimony Only

Comments:

I oppose Bill HB2612. Thisd Bill abolishes the Boards of Registration which provides immediate resolution of voter challenges. Bill claims this is no longer needed with vote-by-mail system.

HB-2612 Submitted on: 1/27/2024 9:24:39 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kelly morgan	Individual	Oppose	Written Testimony Only

Comments: I oppose this bill

HB-2612 Submitted on: 1/27/2024 9:25:28 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
April Handog	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

HB-2612 Submitted on: 1/27/2024 12:37:48 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharron VanDeusen	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill.

HB-2612 Submitted on: 1/27/2024 1:46:26 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kamakani de dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill which would abolish any chance of questioning an election. I vote NO!

HB-2612 Submitted on: 1/27/2024 2:15:39 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mallory De Dely	Individual	Oppose	Written Testimony Only

Comments:

i oppose this bill!

HB-2612 Submitted on: 1/27/2024 3:51:36 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
J. Chun	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

Statement in Support of HB 1612

Dan Freund, 5609A Honua Rd, Kapaa, HI 96746

Executive Summary

Boards of Registration, which hear appeals of voting registration decisions, are (1) rarely used, (2) subject to abuse, and (3) waste government resources. **I support HB2612** because it sunsets the Boards. However, **the bill should be amended to send appeals to an on-call judge** (not the court of appeals) for prompt adjudication.

Boards of Registration

Each Hawaii county has a Board of Registration that hears appeals from a clerk's ruling regarding a person's right to vote. HRS §§ 11-13 (last sentence), 11-25, 11-26, & 11-41(a). They were useful when Hawaii operated with a polling place model because they allowed for immediate resolutions when voters challenged the rulings of precinct chairpersonss. This situation does not arise under the current vote by mail structure.

Unused

The Kauai Board of Registration has heard a total of zero (0) appeals since at least the summer of 2020. Anecdotally, a potential voter did make an appeal before that but, by the time the board had assembled to hear the appeal, the potential voter had departed.

Potential for Abuse

The statutes assign certain duties to Boards of Registration but do not explicitly restrict them from acting beyond those duties. In the 2022 election cycle a member of the Kauai Board of Registration pointed to Boards' unlimited power under HRS § 11-43 (summon and examine witnesses and punish for contempt) to argue that the Kauai Board could and should investigate the Kauai Clerk's conduct of elections. That argument did not carry the day this time. But, with a three member board, it would take only one additional board member to change the outcome next time.

Waste of Government Resources

Staffing. Keeping the unused Boards of Registration staffed takes the time of the governor's office to recruit candidates to nominate and the time of the legislature to advise and consent.

Operating. The office of elections and county clerk offices must devote resources every election to organizing, convening, and supporting Board of Registration meetings. Because there are no appeals, all that effort results in two brief meetings on election day (one when the polls open to call the meeting to order and, after a lengthy recess, one when the polls close to adjourn). If one of the board members wants to use the Board to investigate the Clerk's conduct of the election then the office of elections and the attorney general's office will spend additional hours trying to keep the Board from going off the rails.

I support HB2612, but . . .

I support HB2612 because it solves all the problems discussed above. However, **I encourage the committee to amend the bill to send appeals to an on-call judge** so any appeals may be promptly resolved by experienced adjudicators who can quickly hear and decide voter qualification issues.

Submitted on: 1/27/2024 10:09:56 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lesha Mathes	Individual	Oppose	Written Testimony Only

Comments:

There needs to be opportunity for speedy resolution to issues with voting.

HB-2612 Submitted on: 1/28/2024 8:50:40 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose

HB-2612 Submitted on: 1/28/2024 8:58:33 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kanoe Willis	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose

HB-2612 Submitted on: 1/28/2024 10:18:08 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
THOMAS KENT	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE THIS BILL

HB-2612 Submitted on: 1/28/2024 10:49:41 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sierra Palpallatoc	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE THIS BILL

HB-2612 Submitted on: 1/28/2024 12:36:52 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Teresa Parmenter	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB2612

HB-2612

Submitted on: 1/28/2024 12:53:04 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 2612.

The Boards of Registration are the only outlet available to citizens to challenge voter registrations. What is the replacement law being proposed if this one is abolished?

I oppose HB 2612.

Thank you,

Teri Savaiinaea

Submitted on: 1/28/2024 1:55:18 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Candace Vizcarra	Individual	Oppose	Written Testimony Only

Comments:

DON'T MESS WITH ELECTION INTEGRITY!!! GOD WINS AND HE WILL HAVE HIS WAY!!!

VENGEANCE IS HIS!!

CONCERNED RESIDENT

HB-2612 Submitted on: 1/28/2024 1:59:10 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bad bill.

HB-2612 Submitted on: 1/28/2024 2:02:29 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alika Valdez	Individual	Support	Written Testimony Only

Comments:

I support this.

Submitted on: 1/28/2024 2:59:00 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
tania victorine	Individual	Oppose	Written Testimony Only

Comments:

Another sneaky attempt to give more leeway to the fraudulent vote by mail system.

HB-2612 Submitted on: 1/28/2024 3:58:50 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rita Wong	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB2612

HB-2612 Submitted on: 1/28/2024 6:34:20 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Heather R Lauro	Individual	Oppose	Written Testimony Only

Comments:

I vehemently oppose! If no Board of Election, who is going to manage the election process, voter registration, voting issues, etc?!?! BOARD OF ELECTIONS NEED CLEANED OUT AND GET COMPETENT PEOPLE WHO WILL DO THEIR JOB! Mail-in ballots and elections need to go. Voter roll needs scrapped and anyone wishing to vote needs to re-register with a VALID HAWAII ID and those wishing to mail-in needs to request a ballot.

Submitted on: 1/28/2024 7:28:38 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tiffany Salazar	Individual	Oppose	Written Testimony Only

Comments:

Abolishes the Boards of Registration which provides immediate resolution of voter challenges. Bill claims this is no longer needed with "vote -by -mail" system.

Submitted on: 1/28/2024 9:02:13 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James R Cabodol Jr	Individual	Oppose	Written Testimony Only

Comments:

We should be a VOTER ID STATE TO ELIMINATE ALL OF THE CONFUSION, mail in ballots are BAD FOR VOTING THATS WHEN YOU START TO HAVE PEOPLE QUESTION OUR GOVERNMENT SO IF YOU FOLKS DO RIGHT WE WHO OPPOSE WOULDNT HAVE A PROBLEM PLAIN AND SIMPLE

HB-2612 Submitted on: 1/28/2024 9:15:08 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vivek Pathela	Individual	Oppose	Written Testimony Only

Comments:

BS. OPPOSE

Submitted on: 1/28/2024 9:29:28 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
CHESTER LUM	Individual	Oppose	Written Testimony Only

Comments:

Thank you for allowing me to submit testimony opposing this bill.

HB2612 provides immediate resolution of voter challenges and the Board of Registration shouldn't be abolished. HB2612 should be tabled.

Once again, thank you for allowing me to submit testimony opposing this bill.

Chester Lum

HB-2612 Submitted on: 1/28/2024 9:49:27 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
AnnMarie Hamilton	Individual	Oppose	Written Testimony Only

Comments:

HB2612: The Boards of Registration are the only outlet available to citizens to challenge voter registrations. What is the replacement law being proposed if this one is abolished?

Submitted on: 1/28/2024 9:55:58 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
L M	Individual	Oppose	Written Testimony Only

Comments:

Opposed. Vote-by-mail system does not negate the need for a Board which is supposed to provide immediate resolution of voter challenges.

Thank you.

HB-2612 Submitted on: 1/28/2024 10:11:15 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robin Gusich-Batara	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB2612. Abolishing the Boards of Registration denies the voters their right to resolve their problem in a timely fashion. It is not fair to place the burden upon the voter to jump through the hoops of the appeals process when their dispute could be promptly and easily resolved on the spot. Please, if it ain't broke, don't fix it!

Thank you

HB-2612 Submitted on: 1/28/2024 10:40:29 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amanda Scardilli	Individual	Oppose	Written Testimony Only

Comments:

OPPOSING DUE TO: THE NECESSITY OF THE BOARD OF REGISTRATION PROVIDES IMMEDIATE RESOLUTION OF VOTER CHALLENGES.

I WILL BE VOTING IN PERSON AND NOT VIA MAIL.

THANK YOU,

Amanda Scardilli

HB-2612 Submitted on: 1/29/2024 6:06:14 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

Submitted on: 1/29/2024 6:23:02 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathy Jenkins	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB2612. I want the Registration election board to stay because I want transparency. I will only be voting in person using a paper ballot and voting on Hawaiis Election Day. I expect all Hawaii legally vetted citizens to register to vote so I need to have the registration election board to be here and do this job. I oppose HB2612.

HB-2612 Submitted on: 1/29/2024 7:46:56 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Kamau	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Mahalo.

Submitted on: 1/29/2024 7:59:37 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
noela von	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose this Bill.

We need to have a Boards of Registration to properly provide immediate resolution of voter challenges.

The vote by mail system is very flawed as it stands now, we must go back to paper ballots, one day voting,ID verification, signature verification. Our Elections are very important.

This bill pretty much would allow no transparency for our future elections.

Please do not Abolish The Boards of Registration

Thank you very much,

Noela von Wiegandt
Submitted on: 1/29/2024 8:20:45 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thomas Stanton	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB2612 because voters need to have local group of representatives responsible for looking into voter registration issues.

Mahalo

HB-2612 Submitted on: 1/29/2024 8:22:21 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica Caiazzo	Individual	Oppose	Written Testimony Only

Comments:

Aloha my name is Jessica "Priya" Caiazzo and I strongly oppose HB2612. This bill once again is saying it's no longer needed because of our mail-in-voting system. When you vote in person, like myself, prefer to vote in person, and would actually like it to be a holiday and encouraged to come out and vote is huge. Then you read this as it seems to be getting away from the needs to encourage in person voting. I oppose this bill.

Mahalo.

-Jessica "Priya" Caiazzo

Submitted on: 1/29/2024 8:56:49 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Laura Cushnie	Individual	Oppose	Written Testimony Only

Comments:

Do not abolish the Boards of Registration. Citizens need a means to provide immediate resolution to voter challenges. NO!

Submitted on: 1/29/2024 10:31:08 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terry Murakami	Individual	Oppose	Written Testimony Only

Comments:

We should still have Boards of Registration. There are still legitimate problems and concerns with the the vote-by-mail system and the Boards of Registration should still be present in case a more robust voting system such a paper-ballot based one returns. Due to these reasons I oppose HB2612

Submitted on: 1/29/2024 10:42:29 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Au	Individual	Oppose	Written Testimony Only

Comments:

Chair Tarnas, Vice Chair Takayama, and JHA Committee members, I oppose this bill because while I understand the efforts to streamline the resolution of voter challenges by the court system, I believe the Boards of Registration's role at the local level in cooperation with the Office of the City Clerks provides a level of review, input and resolution the state appellate courts cannot directly offer. Notwithstanding vote by mail, there still remains a real need to retain the Boards of Registration for the primary reason to keep this process at the county level and maintain a proper check and balance for voter challenges before reaching the the court systems. Elevating to the state level without Boards of Registration participation is troubling.

For these reaons, I opppose abolishing the Boards of Registration.

Mark B, Au

Kailua, HI

Submitted on: 1/29/2024 10:59:29 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chloe S	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose House Bill 2612. The vote-by-mail system was pushed on the People without any due prosess! The flaws of the vote-by-mail system have continually been swept under the rug, and We the People are expected to shut up and go with whatever pathetic excuses our state officials come up with. There are concerns about the integrity and security of our elections and the state's response is to abolish one of the Boards that allow for checks and balances. Disgraceful.

HB-2612 Submitted on: 1/29/2024 11:53:14 AM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vick Penn	Individual	Oppose	Written Testimony Only

Comments:

Good Morning,

I'm writing to OPPOSE Bill HB 2612.

In the last two election cycles, Hawai's news media and many of our Legislators claimed that our state had a clean and fair election. So why now is HB2612 being proposed? The Board of Registration was a part of the system during the last 2 elections. So, why would we want to get rid of that body? Would it not be wise to keep the Board of Registration in order to keep Hawai'i's elections clean and fair going forward.

Just relying on the fact that we have "mail-in" voting so the Board of Registration is not needed is ridiculous and UNWISE. This body is just an additional checks and balances to our elections. It should remain IN PLACE and be managed properly. There should be more accountability to the people to insure them that their job has been done and done right.

Submitted on: 1/29/2024 12:33:35 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Cordery	Individual	Oppose	Written Testimony Only

Comments:

I appose this bill because we need boards of registrations to provide immediate reference or resolution to voter challenges! We Need to Go back to paper ballots only!

HB-2612 Submitted on: 1/29/2024 12:46:11 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Corinne Solomon	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members,

I oppose HB2612.

It is extremely easy to register to vote in Hawai'i, yet it is very difficult to have someone removed from the voter rolls.

The Board of Registration is the only outlet available to citizens to challenge voter registrations.

If you abolish the Boards of Registration, what will take its place?

Mahalo for the opportunity to testify.

Respectfully submitted,

Corinne Solomon HD20

HB-2612 Submitted on: 1/29/2024 1:11:27 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Scott Shedko	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

Justification for this bill seems to be that "since the State transitioned to a vote-by-mail model, the number of incidents requiring immediate resolution have significantly declined."

It should be a concern that citizens do not know what happens with their vote, as well as with the thousands of extra ballots that are mailed out, and the lack of transparency, and lack of a chain of custody in the vote-by-mail model. Incidents that happen but are hidden by this system most likely account for a decrease in the number of reported incidents.

Since "best practices" is to vote in-person, same day, and hand counting paper ballots, we should anticipate a return to that system, and we should keep boards of registration well staffed and trained.

I strongly oppose HB2612!

HB-2612 Submitted on: 1/29/2024 1:51:06 PM Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Adriel Lam	Individual	Comments	Written Testimony Only

Comments:

What are the mechanisms to clean up voter rolls? In small canvass of 96 voter registrations, only 44 positive contacts could be made. Of the 44, only 29 were residents at the address, 12 other registrations did not, or have been known to reside at the registered address. The other three registrations were in error and need to be corrected. In addition, 5 more were new residents and have not updated their voter registration.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

<u>HB-2612</u>

Submitted on: 1/29/2024 7:15:56 PM Testimony for JHA on 1/30/2024 2:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Melvin Amaral	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

<u>HB-2612</u>

Submitted on: 1/29/2024 7:26:29 PM Testimony for JHA on 1/30/2024 2:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Lucricia Amaral	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

<u>HB-2612</u>

Submitted on: 1/30/2024 12:13:57 AM Testimony for JHA on 1/30/2024 2:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Vernelle Oku	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB2612 because it is unconstitutional to take away someone's right to vote and not give that person a timely way to appeal that decision. The clerk's office is closed 10 days prior to the election, which does not allow anyone to request the clerk to allow them to vote once the 10 days prior to election date is passed.