STATE OF HAWAII
ELECTIONS COMMISSION

WILLIAM B. MARSTON
ELECTION COMMISSION CHAIR

MINUTES

REGULAR MEETING OF THE ELECTIONS COMMISSION

APRIL 21, 2010 @ 10:00 AM
LEIOPAPA A KAMEHAMEHA BUILDING, ROOM 204
235 SOUTH BERETANIA STREET
HONOLULU, HAWAII 96813

Commissioners in Attendance:

Mr. William Marston, Chair
Mr. Charles King
Ms. Margaret Masunaga
Mr. Brian Nakashima
Ms. Zale Okazaki
Mr. Warren Orikasa
Ms. Donna Soares
Mr. Daniel Young

Technical Support Staff in Attendance:

Ms. Robyn Chun, Department of the Attorney General
Ms. Judy Gold, Office of Elections
Ms. Chelsia Lau, Office of Elections
Mr. Scott Nago, Chief Election Officer
Ms. Carolyn Roldan, Office of Elections
Mr. Rhowell Ruiz, Office of Elections
Mr. Aaron Schulaner, Office of Elections
Mr. Russell Suzuki, Department of the Attorney General

Guests in Attendance:

Mr. Richard Borreca, Star Bulletin

PROCEEDINGS

I. Call to Order

Chair William Marston called the meeting to order at 10:07 a.m. on April 21, 2010, at the Leiopapa A Kamehameha Building, room 204.

II. AG Robyn Chun conducted the swearing in of new Commissioners Charles King and Warren Orikasa.

III. Roll Call and Determination of a Quorum

Carolyn Roldan, Elections Commission Secretary, conducted roll call. Mr. Harold Nelson was absent.

IV. Approval of Minutes for the February 17, 2010 Election Commission Meeting

Ms. Donna Soares moved to approve the minutes of the meeting of January 20, 2010. Ms. Margaret Masunaga seconded, and the motion carried unanimously.

V. Public Testimony – Any interested person may submit data, views or arguments on any agenda item

No public testimony was submitted.

VI. Status of Special Election Planning to Include Methodology, Timing, and Funding

CEO Scott Nago reported that the voter registration deadline for the Special Election is Thursday, April 22, 2010. If you currently are a registered voter for Congressional District I, ballots will be mailed out on April 30th. Voters will also be able to use the Absentee Walk from May 10th to May 20th at Honolulu Hale, Monday thru Saturday from 8:00 am to 4:00 pm. Return ballots will need to be received by the Office of Elections by 6:00 pm on May 22, 2010. Ballots may also be dropped off no later than 6:00 pm at the Office of Elections or State Capitol Father Damien statue drop site on Election Day.

When ballots are returned, signatures on the envelopes will be verified and secured at the Office of Elections. Beginning May 19th, the ballots will be moved to Room 329 at the State Capitol. Opening and scanning of the ballots will be done daily until May 22nd. Results will not be available until after the May 22nd voting deadline. Voting results will be posted on the Office of Elections website.

Chair Marston questioned the status of the Republican Party request that was sent to the Office of Elections. The CEO reported that the Office responded to their main question which was to provide a list of voters that returned their ballots on a daily basis. The party was told that the Office was not able to produce this list in a real time manner because the Office is using an absentee mail system which is being adapted to be used as an all mail system. A list could be printed

for them after the election is completed. All other questions will be addressed when they meet with the Republican Party sometime next week.

The CEO also reported that an award has been made for the election equipment being used for the Special Election, as well as, the Primary and General Elections. The award was given to Hart Intercivic who also provided the voting system in 2008. There were no challenges to this award. HAVA funds are being used to pay for the voting system.

VII. Status of Primary and General Election Planning to Include Funding, Precinct Locations, and Voting Machine Selection

A bill changing the primary election date is currently in conference committee at the Legislature. If the date is changed, deadline dates for other events such as candidate filing, precinct official trainings, and voter registration will be affected.

A waiver request for the 2010 elections has been sent to the Federal Government. They have until the 65th day prior to the General Election to either grant or deny our request.

A funding request of $250,000 for the Primary and General election has been made and the bill is now in conference committee at the legislature.

If the primary election is held in September, the Office will follow the current plan that consolidates polling sites. If, however, the date is changed to August, there are 21 polling places that will not be available for use. We will then need to find replacements or consolidate additional polling sites. Proposals for these replacements and additional consolidations have been made. Some of the consolidations will greatly impact the islands of Hawaii and Maui. Statistics and potential impacts resulting from the election date change to August has been reported to the Legislature.

VIII. Executive Session: Pursuant to Haw. Rev. Stat. §92-5(4), consult with counsel regarding the commission's powers, duties, privileges, immunities and liabilities re:

1. Babson v. Cronin, Civil No. 08-10-378(3)
2. Procurement appeals (ES&S v. Cronin, Civil No. 08-101657-08, Hart InterCivic v. ES&S, Civil No. 08-1-1665-08, Cronin v. ES&S, Civil No 08-1-1680-08)

Ms. Donna Soares moved for the Commission to go into executive session. Ms. Margaret Masunaga seconded, and the motion carried unanimously.

The Commission resolved to executive session at 10:41 am and reconvened in open meeting at 10:53 am.

XII. Adjournment

Chair Marston adjourned the meeting at 10:54 a.m. The next meeting date of the Elections Commission is to be determined.

Respectfully submitted,

Carolyn L. Roldan
Elections Commission Secretary