STATE OF HAWAII
ELECTIONS COMMISSION

WILLIAM B. MARSTON
ELECTION COMMISSION CHAIR

MINUTES

REGULAR MEETING OF THE
ELECTIONS COMMISSION

JUNE 23, 2010 @ 10:00 AM
STATE CAPITOL
415 SOUTH BERETANIA STREET, ROOM 204
HONOLULU, HAWAII 96813

Commissioners in Attendance:

Mr. William Marston, Chair
Ms. Margaret Masunaga
Mr. Brian Nakashima
Mr. Harold Nelson
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. Chelsia Lau, Office of Elections
Mr. Scott Nago, Chief Election Officer
Mr. Rex Quidilla, Office of Elections
Ms. Carolyn Roldan, Office of Elections

Guests in Attendance:

Mr. Jeff Kuwada, Maui County Clerk
Ms. Bernice Mau, City Clerk

PROCEEDINGS

I. Call to Order

Chair William Marston called the meeting to order at 10:10 a.m. on June 23, 2010, at the State Capitol, Room 309.

II. Roll Call and Determination of a Quorum

Elections Commission Secretary, conducted roll call. Mr. Charles King was absent.

III. Approval of Minutes for the April 21, 2010 Elections Commission Meeting

Ms. Donna Soares moved to approve the minutes of the meeting of April 21, 2010 with a spelling correction. Ms. Zale Okazaki seconded, and the motion carried unanimously.

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

No public testimony was submitted.

V. Review of Special Election Planning to Include Methodology, Timing, and Funding

CEO Scott Nago reported that there was a turnout of 171,417 voters. Managing and processing the returned ballots was challenging for the office and proved that the vote by mail system may not be easy. The office had issues which included a lawsuit addressing language assistance and a bar code integrity issue. To address the lawsuit, the office labeled all outgoing envelopes and sent out yellow post cards written in four languages notifying voters that if needed, they could get language assistance by contacting 211. For the bar code integrity issue, all bar codes that could not be read properly by the scanners were hand keyed in.

CEO urged caution if an all mail election is being considered. The special election was for only one contest and had only one ballot type. A regular election would be of a greater magnitude. The CEO noted that this election took a great amount of time and the combined efforts of all counties.

The original cost estimate for the special election was approximately $900,000. The final cost was approximately $670,000. The savings resulted from a smaller postage cost. The original cost was based on first class postage and the savings resulted from the use of non-profit postage rates.

It was noted that the $140,000 additional appropriation was not used for the special election and will not be used for the primary and general election since it was specifically allocated for the special election.

Hart equipment was used for counting the special election ballots and there were no incidents.

The Commission expressed concerns regarding the media erroneously reporting the ballot drop off date, time and location at the State Capitol.

VI. Status of Primary and General Election Planning to Include Funding, Precinct Locations

CEO Scott Nago reported that the primary will be held in September this year. We received an extra appropriation of $250,000 and approval from the Governor to spend this money for the primary and general election. As a result, we are financially okay for this election. We are continuing to consolidate polling places. We currently have 242 polling places as compared to 339 in the 2008 election statewide.

A polling place proclamation will be published in the newspapers. A media campaign will also take place to notify voters of the polling place consolidations and yellow cards with the correct polling places have already been sent to all registered voters statewide.

With the exception of a few support service positions, all key positions needed for the election have been filled and federal funds were used.

To date, we have not been contacted or asked to report the elections status before any legislative committee.

Facsimile ballots will be posted on line and political parties will be notified.

Because of the pending resignation of the Mayor, possible resignation of the City Prosecutor and a few Senators, the filing deadline date of July 20th will be pushed back ten (10) days to July 30th for the seats that they are vacating. Doing this will give the office a very short time to finalize ballots and have them printed. The City Council is currently reviewing this situation for the county seats.

VII. 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)

3. Chen, et al. v. State of Hawaii, et al., Civil No. 10-00245 BMK (USDC Hawaii)

Ms. Donna Soares moved for the Commission to go into executive session. Mr. Daniel Young seconded and the motion carried unanimously.

The Commission resolved to executive session at 10:37 am and reconvened in open meeting at 10:58 am.

VIII. Adjournment

Chair Marston adjourned the meeting at 11:00 a.m. The next meeting date of the Elections Commission is to be determined.

Respectfully submitted,

Carolyn L. Roldan
Elections Commission Secretary