

**MINUTES
OF THE
REGULAR MEETING OF THE
ELECTIONS COMMISSION**

**SEPTEMBER 8, 2006
1:00 p.m.
KALANIMOKU BUILDING
ROOM 322B
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813**

Commissioners in Attendance:

Ms. Susan Russell, Acting Chair
Mr. Harold S. Masumoto
Mr. Harold Nelson
Mr. Daryl T. Yamamoto
Mr. John G. Chan

Technical Support Staff in Attendance:

Mr. Dwayne D. Yoshina, Chief Election Officer
Mr. Scott Nago, Office of Elections
Mr. Rex Quidilla, Office of Elections
Ms. Roybnn Yokooji, Office of Elections
Ms. Lori Tomczyk, Office of Elections
Ms. Judy Gold, Office of Elections
Mr. Stephen Chang, Office of Elections
Mr. Rod Ueno, Office of Elections
Ms. Ciress Cuevo, Office of Elections
Mr. Rhowell Ruiz, Office of Elections
Ms. Robyn Chun, Department of the Attorney General

PROCEEDINGS

I. Call to Order

The meeting was called to order by acting chair, Ms. Susan Russell, at 12:58 p.m. on September 8, 2006 at the Kalanimoku Building Room 322B.

II. Approval of Minutes

Mr. Daryl Yamamoto moved to approve the minutes of the meeting of January 27, 2006. Mr. Harold Nelson seconded, and the motion carried unanimously.

This item was taken out of order in the agenda due to a lack of sufficient members for voting. This item was addressed after Commissioner Masumoto arrived, when a quorum was reached.

III. Seating of New Member and Re-appointment of Members

Acting Chair Russell announced that there is a new member on the Elections Commission, Mr. John G. Chan of Hilo. Deputy Attorney General Robyn Chun swore in Mr. Chan as a commissioner.

IV. Declare Vacancy

Chair Russell announced that Commissioner McNamara moved to Oahu, and is no longer eligible to represent Maui on the commission. Commissioner McNamara resigned from the commission, and a vacancy for his seat was declared. The appointing authority for his seat is the House Minority Leader's office, and they must appoint a new member within fifteen days of receiving a written resignation from Mr. McNamara.

V. Committees

Chair Selection Committee

This item on the agenda was addressed after item nine and before item ten. Chair Russell requested to hold the discussion on this item after Commissioner Masumoto arrived.

No names for a possible chairperson were provided to the commission.

VI. Rules Process

A cover memorandum and copy of the proposed rules were transmitted to the Governor via the Comptroller's Office for approval to hold hearings.

Deputy Attorney General Robyn Chun reported that the rules were to be sent back to the commission for proper formatting. The rules must be in Ramziere format during the hearing process, after which it will be prepared in a standard format used by the Department of Accounting and General Services (DAGS).

Ms. Chun stated that it was not necessary to hold public hearings on each island. A meeting may be held on Oahu and teleconferenced to the neighbor islands.

Any proposed changes during the hearing process will have to be discussed by the commission. Changes to the rules will have to be noted on the transmittal to the Governor including the reasons for change.

VII. Overview of DRE and Contract Negotiations

In 2004, Hawaii operated the optical scan/marksense system and the Direct Recording Electronic (DRE) machine. An appeal resulted in the DRE contract being in effect for one election cycle. A request for proposal (RFP) was executed for the 2006 elections and was awarded to Hart InterCivic. The optical scan and DRE will again be used for the 2006 elections.

A voter verifiable paper audit trail will be a part of the DRE in 2006 after legislation was passed requiring a paper trail.

The commissioners were provided with a demonstration of the two voting systems that will be used in the 2006 elections.

VIII. Primary/General Elections Preparations

Voter Services, Ballot Operations, Counting Center Operations, Computer Services, Election Support Services, and Precinct Operations provided the commission with a progress report on the preparations for the 2006 elections. Steven Chang, Office of Elections staff attorney, presented an overview of the legal position of the office.

Chair Russell called a recess at 3:10 p.m. and the meeting was reconvened at 3:15 p.m.

IX. Legislation

The commissioners were provided with an overview and copies of the Office of Elections' legislative package.

X. Election Cycle: Responsibilities of the Commission Participation and Process

The commissioners were invited to the counting and control centers in all counties to observe the elections process. They will be provided with a pass that will allow them access to election day facilities to observe operations.

It was determined by Ms. Chun and Mr. Chang that the commission may ascertain complaints from the public, and forward them to the Office of Elections for review. Complainants not satisfied with resolutions can be may have their concerns heard by the full commission.

XI. Correspondence and announcements

There was no correspondence or announcements for discussion.

XII. Adjournment

There being no other business, Chair Russell adjourned the meeting at 3:40 p.m.

Respectfully submitted,
Rex M. Quidilla
Elections Commission Secretary