

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

**NOVEMBER 8, 2007**

**10:00 a.m.**

**LEIOPAPA A KAMEHAMEHA BUILDING, ROOM 203  
235 S. BERETANIA STREET  
HONOLULU, HI 96813**

**Commissioners in Attendance:**

Mr. John Chan  
Mr. Harold Masumoto  
Mr. Harold Nelson  
Ms. Zale Okazaki  
Ms. Susan Russell, Acting Chair  
Ms. Donna Soares  
Ms. Yuki Lei Sugimura  
Mr. Richard Swift

**Technical Support Staff in Attendance:**

Ms. Robyn Chun, Department of the Attorney General  
Ms. Ciress Cuevo, Office of Elections  
Mr. Scott Nago, Office of Elections  
Mr. Rex Quidilla, Office of Elections  
Ms. Carolyn Roldan, Office of Elections  
Mr. Russell Suzuki, Department of the Attorney General

**Guests in Attendance:**

Ms. Jean Aoki, League of Women Voters  
Mr. Bart Dame, Democratic Party  
Mr. Willes Lee, Hawaii Republican Party

**PROCEEDINGS**

I. Call to Order

The meeting was called to order by acting chair, Ms. Susan Russell at 10:00 a.m. on November 8, 2007 at the Leiopapa A Kamehameha Building in room 203.

II. Roll and Quorum Determined

Ms. Ciress Cuevo, Elections Commission Secretary, conducted roll call. All Commissioners were present except for Mr. Harold Masumoto, who arrived later at 10:07 a.m.

III. Approval of Minutes of Meeting of September 26, 2007

Ms. Donna Soares moved to approve the minutes of the meeting of September 26, 2007. Ms. Yuki Lei Sugimura seconded, and the motion carried unanimously.

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

Mr. Bart Dame, Democratic Party and Safe Vote Hawaii, provided oral testimony expressing his concerns about how elections are conducted in the State of Hawaii. Mr. Dame recommended that the Commission advise the Chief Election Officer to be open to public testimony for the Request For Proposal (RFP) of the voting system. Mr. Dame also expressed his concerns regarding the secrecy in the process, which prevents the Office of Elections and the State Procurement Office (SPO) from being transparent, as well as noted his disagreement on the length of the contract.

Chair Russell noted that the Commission holds hearings to investigate complaints and that the Commission has no oversight over the RFP process. Chair Russell also stated that the Office of Elections has a complaints process prior to complaints being investigated by the Commission.

In response to Ms. Zale Okazaki's question regarding what the length of contracts are for voting machines in other states, Mr. Dame replied that the length of contracts vary per locale. Mr. Dame also noted that contracts are being torn up by states due to changing requirements.

Mr. John Chan inquired why secrecy is needed in the RFP process. Mr. Rex Quidilla, Interim Chief Election Officer, responded by stating it's the law. Ms. Okazaki and Chair Russell also noted that it's the law and that the Commission does not create legislation.

In response to Mr. Harold Masumoto's inquiry on who the Chief Procurement Officer (CPO) is, Mr. Quidilla replied that he is the CPO for the RFP and Mr. Aaron Fujioka is the CPO at SPO.

Ms. Soares inquired whether there is a one year breakaway clause in the contract. Mr. Quidilla stated that there is a breakaway opportunity, but it would have to be negotiated between the evaluation committee and the vendor. Mr. Quidilla also explained the importance of the administration of the voting system. Mr. Quidilla

noted that there is a learning curve for voters and election administrators when a new system is put in place.

Regarding Mr. Nelson's inquiry on whether most voters use the M100, Mr. Quidilla stated, yes. Most voters use the optical scan, which is the traditional paper ballot.

V. Correspondence from Mr. Jason Forrester re: Electronic Voting and Request For Proposal Process

Chair Russell noted that she received Mr. Jason Forrester's letter that was forwarded to her by Governor Linda Lingle regarding concerns about electronic voting and the RFP process. Chair Russell asked the Commission for comments. No comments were provided.

Ms. Okazaki asked Mr. Dame whether he knows Mr. Forrester and in response Mr. Dame stated, yes. Mr. Dame also noted that Mr. Forrester is the Co-Chair of Safe Vote Hawaii. Mr. Dame stated that Mr. Forrester was not aware that his letter was an agenda item.

VI. Report from Mr. Rex Quidilla, Interim Chief Election Officer

Mr. Quidilla provided the Commission with a new timeline for the RFP due to a protest by one of the vendors. The vendor is protesting the decision of it not meeting the bid bond requirements. The vendor is no longer being considered.

Mr. Masumoto inquired whether the state felt it would receive Best and Final Offers by November 28, 2007. Mr. Quidilla said, yes.

Regarding Chair Russell's inquiry on what the state expends for an election, Mr. Quidilla noted a rough estimate of \$2.5 million.

In response to Ms. Yuki Lei Sugimura's question whether there is sufficient time to educate voters about the voting system, Mr. Quidilla said, yes.

Mr. Quidilla provided a status report on what each section of the Office of Elections is currently working on. In the report, Mr. Quidilla highlighted precinct official recruitment efforts, the Young Voter Registration Program, and the Office of Elections coordination with the Campaign Spending Commission for its candidate classes.

Mr. David Rosenbrock, Office of Elections, provided a report on the 2011 Reapportionment. In response to Mr. Nelson's inquiry regarding eliminating the canoe districts, Mr. Rosenbrock stated that it's the Reapportionment Commission's decision.

- VII. Executive Session Pursuant to Hawaii Revised Statutes § 92-5(a)(2) -  
Selection of Commission Chairperson  
Applicants: Mr. William Georgi and Mr. William Marston

Mr. Nelson moved to go in to executive session. Ms. Soares seconded, and the motion carried unanimously.

The Commission resolved to executive session at 10:42 a.m. and reconvened in open meeting at 10:54 a.m.

Chair Russell announced that the Commission unanimously voted to select Mr. William Marston as the Commission's Chairperson.

- VIII. Executive Session Pursuant to Hawaii Revised Statutes § 92-5(a)(2) -  
Interview of qualified Chief Election Officer applicants and deliberation to select final applicants

Ms. Okazaki moved to go in to executive session. Mr. John Chan seconded, and the motion carried unanimously.

The Commission resolved to executive session at 11:55 a.m. and reconvened in open meeting at 4:05 p.m.

Ms. Okazaki reported that the interviews of the qualified applicants have been completed and announced that the three finalists are Mr. Kevin Cronin, Mr. Scott Nago, and Mr. Rex Quidilla.

- IX. Adjournment

Chair Russell adjourned the meeting at 4:10 p.m. The next meeting of the Elections Commission is scheduled for December 4, 2007.

Respectfully submitted,  
Ciress Cuevo  
Elections Commission Secretary