



**STATE OF HAWAII
ELECTIONS COMMISSION**

MINUTES

WILLIAM B. MARSTON
ELECTION COMMISSION CHAIR

**REGULAR MEETING OF THE
ELECTIONS COMMISSION**

**AUGUST 22, 2014 @ 10:00 AM
STATE OFFICE TOWER
235 SO. BERETANIA STREET, ROOM 203
HONOLULU, HAWAII 96813**

Commissioners in Attendance:

Mr. William Marston, Chair
Ms. Patricia Berg
Mr. Charles King
Ms. Carol Kitaoka
Ms. Zale Okazaki
Mr. Warren Orikasa
Mr. Victor Vierra
Mr. Danny Young

Technical Support Staff in Attendance:

Ms. Valri Kunimoto, Department of the Attorney General
Mr. Scott Nago, Chief Election Officer
Ms. Nedielyn Bueno, Office of Elections
Ms. Judy Gold, Office of Elections
Mr. Rex Quidilla, Office of Elections
Ms. Carolyn Roldan, Office of Elections
Mr. Rhowell Ruiz, Office of Elections
Mr. Aaron Schulaner, Office of Elections
Ms. Aulii Tenn, Office of Elections
Ms. Kristen Uyeda, Office of Elections

Guests in Attendance:

Ms. Elise Anderson
Ms. P.M. Azinga
Ms. Anna Bain
Ms. Nancy Bernol - Office of Senator Donna Mercado Kim

Ms. Maigee Chang - Office of Senator Russell Ruderman
Mr. Bart Dame
Ms. Khistina Caldwell DeJean
Mr. Nathan Eagle - Civil Beat
Ms. Brenda Ford - Hawaii County Council
Mr. Josh Frost - Office of the Governor
Mr. Daniel Gluck - ACLU
Representative Faye Hanohano
Ms. Malia Gray - Office of Representative Johanson
Ms. Alva Kaneaiakala
Ms. Jennifer Kelleher - Associated Press
Senator Donna Mercado Kim
Mr. George Lee - Star Advertiser
Ms. Sarah Leone - Office of Senator Russell Ruderman
Ms. Carmille Lim - Common Cause Hawaii
Mr. Stewart Maeda - County of Hawaii
Ms. Shirley Magarifuji – County of Maui
Mr. Aaron Mahi
Ms. Suzanne Marinelli - Public Access Room
Ms. Janet Mason - League of Women Voters
Mr. Danny Mateo - County of Maui
Ms. Ruby Maunakea
Ms. Pat Nakamoto - County of Hawaii
Mr. Josiah Nishita - County of Maui
Ms. Jeanne Ohta - Hawaii State Democratic Women's Caucus
Mr. Michael Palcic
Ms. Tisha Panter - Senate Minority Research Office
Mr. Jessie Ponce De Leon
Mr. Dan Purcell
Mr. BJ Reyes - Star Advertiser
Mr. Richard Rapoza - Office of US Representative Colleen Hanabusa
Ms. Rhonda Roldan - Office of Representative Faye Hanohano
Senator Russell Ruderman
Mr. Kendrick Setsu
Senator Sam Slom
Mr. Warner Sutton
Mr. Marc Takei
Ms. Cindy Vaillancourt
Ms. Melissa Vomvoris - Office of Senator Ihara
Mr. Lyndon Yoshioka – County of Kauai
Mr. Arvid Youngquist
Mr. Ricky Watanabe - County of Kauai
Ms. Shannon Wood

Ms. Malia Zimmerman - Hawaii Reporter
PROCEEDINGS

I. Call to Order

Chair Marston called the meeting to order at 10:00 a.m. on August 22, 2014 at the State Office Tower, Room 203.

II. Roll Call and Determination of a Quorum

Elections Commission Secretary conducted roll call. Commissioner Kitaoka notified the Commission Secretary that she will miss roll call but will be attending the meeting. All other Commissioners were in attendance.

III. Approval of Minutes for the June 20, 2014 Elections Commission Meeting

Commissioner Young noted that his request for a meeting prior to the Primary Election was not noted in the minutes. He was notified that this was a discussion held in Executive Session and a notation will be made to the Executive Session minutes to reflect this. Chair Marston asked for a motion to approve the minutes. Commissioner Berg moved that the minutes be approved, the motion was seconded by Commissioner Orikasa and approved by the remaining Commissioners.

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

At this time, Commissioner Berg made a motion to exchange Agenda Item No. IV - Public Testimony with Agenda Item No. V - Chief Election Officer's review of the 2014 Primary Election. The motion was seconded by Commissioner Orikasa and approved by the rest of the Commission.

After the completion of Agenda Item No. V - Chief Election Officer's review of the 2014 Primary Election, the following testimonies were given.

Council Member Brenda Ford - Ms. Ford testified that thanks to the Office of Elections and Mr. Nago, the 2014 election was dismal. As shown in the pictures that she took off the internet and submitted to the Commission, there was total devastation in Puna and some parts of Ka'u. She further testified that she had tried to call Mr. Nago twice on Monday to ask that he send out ballots to those who were not able to vote on Primary Election day but she was not able to speak with him. She testified that she had sent Mr. Nago a letter along with statistics that showed voter turnout for the district. She also testified that she was

distressed to hear the discussion of how little damage was done and how the roads were all open. She stated that Civil Defense's primary responsibility is to open the primary roads and after that is done, they move into the subdivisions and open those roads. She also noted that HELCO made significant efforts to bring power back to the public and keep the public informed of these efforts and progress.

She then testified that even after sending Mr. Nago the letter requesting that he send out ballots, he refused to do so. On August 12th, she sent the US Elections Assistance Commission a formal complaint regarding the violation of voters rights. On August 19th, she sent a formal complaint to this Commission regarding Mr. Nago and his decisions. She continues to testify that the election results have been permanently tainted because election results were released before the rescheduled election was complete. She feels that election results should have been withheld for the rest of the state until all precincts have voted and if that isn't the current law, then the law needs to be changed.

Ms. Ford testified that extending poll hours would not have changed anything since residents were trapped in their homes. Residents did not want to leave their homes due to fear of looting and vandalism. She also asks where the emergency plan for this type of situation is since elections are always held during hurricane season. Since we knew ahead of time that the hurricane was going to hit, polling places should have been closed in Puna and mail in ballots should have been sent out to the Puna residents. It is her opinion that all of Puna and maybe even Ka'u should start over again and get mail in ballots.

She further testified that she heard rumors, and does not know if they're true, that Mr. Nago was not available on election night for long periods of time because he was at an election headquarters party. She hopes that the Commission will ask if he abandoned his job to go to someone else's election site the night of the election. If he did, it is the most egregious violation of election rules.

Ms. Ford testifies that this state needs to institute a total mail in elections because we will always have elections during hurricane season. She also states that based on this situation and previous incidents, Mr. Nago needs to be removed from this office. She noted that his response to her letter quoted the law and totally disregarded the precinct information and statistics she provided to him. She further noted that the law is sometimes not good enough and empathy and common sense needs to be applied and she did not see that in this election. She asks the Commission to not let something like this happen again and help America vote.

Dan Purcell - Mr. Purcell testified that he was unable to find any documents for today's meeting but was told that documents will be made available after the meeting. He noted that comments were moved to after the Chief Election Officer's report and comments were limited to two minutes. He states that he raised concerns at the last meeting because residents on the outer islands were not able to attend the meetings and give testimony. Today's discussion is primarily for issues on the Big Island and no arrangements were made for them to view the meeting or provide testimony in person. It seems they can only provide testimony in writing since there is no phone or video conference capabilities available for them. He further testifies that at the last meeting he was told that the Commission has no budget and must work with limited resources. In his opinion that limitation is a problem and it does not allow the Commission to do their job. He also notes that at the last meeting, Senator Slom testified that on several occasions he has asked that public testimony be moved on the agenda to follow the Chief Election Officer's report. Mr. Purcell also appreciates that the Commission recognizes the need for Legislators to attend the meetings.

Chair Marston commented that the allowable time limit is three minutes. It is not meant to make anyone feel restricted but there are several people wanting to give testimony. He asks that people give brief and concise testimony so that everyone will have time to give input since the Commission would like to hear all testimonies.

Senator Russell Ruderman - Sen. Ruderman testified that he is here to testify on behalf of his constituents who have been denied the right to vote. He does not presume to know who should stay or go, it is the Commissions job to know that. He also does not feel that there was any ill intent. However, he feels that even to this day, people do not clearly understand the problems that occurred and how greatly it impacted the people that live in his district. Voters for 04-01 and 04-02 received conflicting information regarding how voting will be handled. They were initially told that they would be receiving their ballots by mail and they relied on that information. To later change this information and try to get them the new information, in their current situation within three days, is absurd. People getting notes from school children is unreliable and not all people saw the roadside signs.

He further testifies that he called the Office of Elections on numerous occasions with information on voters who could not get to the open polling places despite reports of the roadways being open. He also called the Civil Defense, Attorney General, and the Governor's Office. He spoke with County Clerk Stewart Maeda who then relayed his information to the Office of Elections. He states that he understands that once the polls opened this did not fall under the jurisdiction of the Office of Elections but also feels that the Governor's Office could be

petitioned to extend this election. He notes there are several ways to create a situation to remedy this. One would be to redo all four districts in the Pahoia area, redo the two that were open on election day with large numbers of voters that were unable to vote, or allow mail in or walk in ballots to those who sign a declaration that states they were unable to vote due to storm conditions that day.

Sen. Ruderman continues to testify that there were possibly two local races that were close enough that if you look at the number of people that were unable to vote, the election remains undecided. One race is County Council District 4, in which he calculates that 80 voters separated an outright win from a runoff election. The leading candidates' neighborhood voted on the delayed election day. The early voting, walk in and absentee voting showed a close race triggering a runoff. Election day voting showed a close race triggering a runoff. On the delayed voting, when one candidates' district got to vote, there was no runoff. More specifically, candidate Roy Lozano's district was trapped in by debris and they did not get to vote. Residents who live in Nanawale also did not get to vote because they were blocked in. He continues to testify that the election was skewed due to the random nature in which some neighborhoods were allowed to vote and which were not and this was not fair.

Senator Ruderman asks that the Commission take steps to allow the election to be completed. He notes that the Commission should have received letters and declarations from his constituents which were received by his office and forwarded to the Commission. He also asks that the Commission restore fairness and confidence and allow the people to complete this election by restoring democracy.

Commissioner Okazaki asked him if his solution is to have all four districts vote again. Senator Ruderman responded that one would be to redo all four districts, or redo the two that were open on election day with large number of voters that were unable to vote, or allow mail in or walk in ballots to those who were physically unable to vote due to storm conditions that day. Any of the three recommended solutions would be better than what is currently happening to the residents.

Jeanne Ohta - Ms Ohta testified that she is currently the Co-Chair for the Hawaii State Democratic Women's Caucus. She is here to report impressions from members who have either emailed or called them. The callers were concerned in three areas: 1) the 800 vote situation on Maui where there was a delay in communication; 2) concern that the election in Puna should have been delayed. She noted that there was a candidate in Puna who could not communicate with her staff and volunteers after the storm. Having the election so close after the storm created undo stress for the residents; and 3) the change in the voting

process, communicating one process and then changing it and expecting them to know about it.

Her suggestion to the Commission is if they are truly interested in learning about emergency preparation, have a meeting in Puna and hear the concerns from the residents who were not able to vote.

Cindy Vaillancourt - Ms. Vaillancourt testified that she is here to testify as a private citizen but in the interest of full disclosure, she notes that she currently works for a member of the Legislature and volunteers as a Official Observer during the elections. She states that she is here to give some impressions of what she is hearing and seeing and also feels that this may be an opportunity of a top to bottom review to see what the best practices are.

Ms. Vaillancourt states that she has been involved in elections in several different states on the mainland and she appreciates that here in Hawaii, there is no sleet and snow in November because these conditions add another level of complexity. She also states that she heard a good amount of encouragement for the people of this state to do early voting in light of the impending storm. As a retired military personnel, she states that voting is very near and dear to her and she feels no one intentionally tried to mishandle the election. Throughout her military career, she has worked with emergency management and civil defense, and she knows how difficult it is to receive good and accurate information about everything. She also knows how many moving parts there are to putting on an election and she knows how difficult it is. She sees an opportunity to perhaps do a review of things before the General Election without creating a disturbance. She feels that perhaps the voters of the state can now see how important it is for them to vote since that opportunity was not there for them during the storm and she would like to see people inspired to vote by this situation.

Ms. Vaillancourt stated that there was an earlier comment asking where Mr. Nago was on election night. She states that she was not asked to do this but in the spirit of trying to deal with facts, she states she was in the Counting Center in the Senate Chambers with the Office of Elections until 4:00 a.m. Sunday morning and she can vouch that Mr. Nago and his staff were there throughout the day and were still there when she left at 4:00 a.m. on Sunday.

She closed by stating that she would like to see everyone convalesce from this and then work together to try to get the best outcome possible.

Senator Sam Slom - Senator Slom thanked Commissioner Berg for making the motion to change today's agenda. He states he is here to ask that the Chief Election Officer be replaced now. He feels that it is imperative and feels that the

integrity of Hawaii's election process is in jeopardy. Like his legislative colleagues, he has been besieged with calls, emails and personal visits from people who are disgusted and outraged with our election procedures and he feels there is no reason for it. He continues to state that the Commission did nothing about the disaster that occurred during the 2012 elections. He felt the Commission did a short review of the incident and then considered a salary raise for the Chief Election Officer. He also states that there was no disciplinary or corrective action taken by the Commission. He feels that the public feels frustration since voting is a fundamental right.

He further testifies that this is not a personal indictment of the CEO but how many mistakes will be allowed? He notes that in the private sector, if the employee does not perform, they get rid of them for the integrity of the business. He said that the Commission must take action to protect the people's basic right to vote. He also states that everyone heard the Chief Election Officers report, he heard excuses and no accountability and did not hear any apology to the people.

Sen. Slom states that he has heard in previous meetings how the Office of Elections plans to improve voter turnout since we have one of the worst in the nation, but instead it has continued to decrease. He states that one of the reasons he gets, besides my vote doesn't count, is that the leadership is not doing the job they're supposed to do. As the Commission knows, there is currently a seat open from the island of Maui on the Commission which he is supposed to fill. He explains that he has been unable to fill that position because the people he spoke to state they do not want to work under the current leadership of the Office of Elections.

In summarizing his written testimony that was submitted earlier, Sen. Slom stated that while Judge Nakamura judged in favor of the Chief Election Officer, since the courts did not want to get involved in the election process during an ongoing election, the judge stated that he also feels there was a reasonable constitutional issue. Sen. Slom further stated the CEO was not doing the Commission any favors since he did not give clear answers prior to the election when asked what will be done in case of the storm. He also noted for them that former Attorney General Michael Lilly stated that Judge Nakamura's statement was correct and that the State and the current Attorney General's ruling to release voter turnout results prior to the completion of all precincts completing the election was incorrect.

He again asks the Commission Chair to replace the CEO before the November election.

Janet Mason - Ms. Mason testifies that she is there representing the League of Women Voters who is a nonpartisan organization. She thanked the media for diligently keeping the public informed of the events surrounding this election.

She testifies that the League was not able to review the Chief Election Officers report prior to the meeting so the League asks that the Commission review the report carefully and look into preventing future problems.

She states that the Leagues position on elections has been to protect the right to vote and encourage every citizen to vote since 1920. With the threat of a hurricane hitting the Big Island on Primary Election day, it was appropriate for the CEO to postpone some of the elections for voters who were dealing with the natural disaster. She feels that a well run absentee election or walk in election could have protected the voting rights of Puna voters, and postponing the elections statewide was not necessary.

She notes that the State Constitution permitted the postponement of voting in Puna for up to 21 days from the original scheduled date. The CEO's dilemma is if the makeup election was postponed too long, it could have delayed the preparations for the General Elections. She further states that the League does not understand why scheduling the make up election was rushed since there were two additional weeks available for the disaster stricken area. She hopes that in the future, more time will be permitted before a make up election, allowing people more recovery time and perhaps increasing voter turnout.

Ms. Mason states that the League wondered why mail in voting was changed to in-person voting. The League feels that consistent messages alert voters to any changes in the election plans. The League is also curious to see if any of the alternative solutions recommended by Senator Ruderman could be used.

Ms. Mason testifies that, with regards to the Maui County 800 votes, the League supports continued post-election audits, earlier reconciliation of ballots, and informing the public as soon as possible of any problems. Also, the League supported SB 853 in 2013 which provided the Elections Commission with oversight of the Chief Election Officer. This would not mean a daily supervision but a general oversight and ability to properly advise the Chief Election Officer when difficult decisions need to be made.

Ms. Mason closes by asking the Commission to consider holding another meeting before the General Election and noting that the League would like to see voting simplified by moving towards voting by mail with allowances for voting in person for early walk-in voting.

Faye Hanohano - Representative Hanohano testified that she has been the Representative for the Puna district for the last eight years. This meeting, even though it relates to elections, is basically about the people of Puna. The day after the hurricane she was able to tour parts of Puna and found that there were road closures and the conditions were not safe on the roads. She took the time to speak with many people and many of them were concerned about their livelihood and sustainability and not voting. The people were worried about their food, water, and if they could afford to run a generator so that their families could survive. She feels that the person making the decisions would have needed to tour the area and speak with people before making any decisions. One would need to put themselves in the shoes of the people and not listen to erroneous information before making an important decision.

Rep. Hanohano feels that what was done was wrong and needs to be corrected. She also says that the current leadership has seen its days and needs to be changed. She also tells the Commission if they really want to know what happened in Puna, the Commission needs to schedule a meeting there and speak with the people.

Commissioner Okazaki asks Rep. Hanohano if she is in agreement with Senator Ruderman with having another vote. Her response was yes. Everyone needs to get their voting rights back and there needs to be more voting locations in Puna.

Kimo Sutton - Mr. Sutton identifies himself as the former Vice Chair of the EARP and a former candidate in this past Primary Election. He testifies that the Office of Elections is not run well. Mr. Sutton noted that numbers do not lie, there are a higher number of registered voters and a lower number of actual voters. During the 2012 elections, there was the ballot shortage issue and this election was a three ring circus. He asks what scenarios were considered if the hurricane should hit the islands. He further states that it was like a statewide lower voter turnout was purposefully planned to assist one democratic senatorial candidate who was not leading in the polls. He further notes that the Office of Elections was given the full responsibility, by the Governor, to determine when to have the primary in light of the oncoming hurricane. He states that bad judgment seems to be a continued effect of this department's autonomy. Also, the late reporting of Maui's 800 votes is infuriating.

Mr. Sutton testifies that many voters felt disenfranchised and in this situation, put in danger if they attempted to vote. He feels that possibly 200,000 persons did not vote in the election due to the storm. He notes that former Governor John Waihe'e may now be correct in saying that the Office of Elections should come under the direction of the Lt. Governor's Office again.

Bart Dame - Mr. Dame testifies that he feels he is a better representative of the sentiment of Senate District 9 than Senator Slom. He started by giving numbers for actual voter turnout for House District 4. He notes that the numbers he's going to give are at odds with all of what is being heard today. In 2012, there were 4824 votes cast and in this election there were 4565 votes cast. 94.6% of the votes that were cast in 2012 were done without a storm and the same number of votes were cast this time with the storm. Hawaii Island as a whole had a bigger decline in its turnout than House District 4.

He states that he has deep sympathy for the community and its situation, however, with all of the discussion today of how the hurricane impacted people's right to vote, the numbers he presented do not lie. He states that he has a begrudging respect for Scott Nago, but setting all of his personal feelings aside, he feels there were a series of decisions that were made by Scott, that were well spelled out in his report today, that were reasonably made. Mr. Dame further states that he may have held off doing the election on Friday and held it on another day but, he also feels that each decision Scott made was reasonable and he feels that Scott's discretion is actually much less than what people would want. He also states that there was testimony today that law shouldn't trump and common sense should trump. He firmly stated no, the law trumps in the conduct of elections.

Mr. Dame testifies that as a principle participant in the group called Safe Vote Hawaii, which 10 years ago lead the fight for paper trails when doing electronic voting, he is deeply immersed in the elections process, not only here but in other states on the mainland. He feels that, yes, Hawaii's election process does have some flaws and some mistakes are made, however, compared to some horror stories on the mainland, the Office of Elections does do a good job. People who are interested in having good solid elections in Hawaii should realize that there are thousands of volunteers who work at our elections. There are hundreds of moving parts with layers of processes and the pool of people who are qualified and have the experience and relationships to do this is very small. In the Office of Elections, there is a handful of people that make this happen and Scott Nago is at the core of this group. If you were to remove him and bring someone new in to replace him, you would be setting the process back and not helping it move forward. He further states that Mr. Nago has continually improved on performance. Mr. Dame states that he has heard Senator Slom, since the 90's, asking for the removal of former CEO's Dwayne Yoshina and Kevin Cronin and now wants to remove Scott Nago. He apologizes but states that it's like a broken record. Former CEO Dwayne Yoshina and current CEO Scott Nago each have credibility among election workers and were at the core of making elections happen.

Mr. Dame closed by stating yes, there are things that need improvement but he is proud that Mr. Nago is in the position that he is in.

Tisha Panter - Ms. Panter testifies that she is the Sr. Attorney and Director of Research for the Senate Minority. She states that she will be making comments on Executive Session Agenda Item No. X - Salary Adjustment for the Chief Election Officer. She states that this item may not be permissible to discuss in Executive Session. She states that she was at a previous meeting in which the Commission was considering a \$30,000 salary increase for the Chief Election Officer. Chair Marston asked if he could interrupt to explain that every year the Commission gets a request from the Department of Accounting and General Services Personnel Department (DAGS-Pers) to review the Chief Election Officers salary and to inform them of any changes to his salary level. This year the request was made again so it was placed on the agenda for discussion so a response could be made to DAGS-Pers.

Ms. Panter states to the Commission that it would be more appropriate for this discussion to be held in open meeting rather than Executive Session unless the Commission can cite privacy issues. Chair Marston asked Deputy AG Valri Kunimoto for her comments. Deputy AG Kunimoto stated that she will take Ms. Panter's comments and concerns into consideration and will review this matter further. She also suggests that this discussion be deferred to a later time. A decision can be made in Executive Session. Ms. Panter said that she will provide her list of concerns to the Deputy AG.

Arvid Youngquist - Mr. Youngquist testified that in the spirit of full disclosure, he reports that he was a paid Precinct Official at DP 28-02 in Kalihi Valley. He states that a voter affidavit is not needed to confirm if someone voted. All one would need to do is check the poll books. He also notes that he does not care for absentee voting but likes for people to be able to go to the polling place and vote so that they will know their votes have been received and counted.

He encourages the Commission to go before the Legislature to get monies budgeted for their use. He concludes that previous testifiers such as Janet Mason from the League of Women Voters and Mr. Bart Dame who testified before him covered most of the items that he would have testified to.

P.M. Azinga - Ms. Azinga testifies that healing cannot begin until the issue of trust is addressed. She states that the trust of the people of Puna has been violated and before restoring trust can begin, there needs to be an admission that trust has been violated, an apology needs to be made, and there needs to be accountability. She notes that there are four steps, 1) keeping your word; 2) telling the truth; 3) being transparent; and 4) making a decision on reparation.

She feels the general public of Hawaii deserves that and emergency contingencies could have been made in this election.

Khristina Caldwell De Jean - Ms. De Jean testifies that she is a candidate for Governor. She states that she has been trying to contact the Commission since February of wrong doing by the Chief Election Officer. She states that he should be removed as Chief Election Officer. Commissioner Young asks how she attempted to contact the Commission and she responded that she had called in and because she was unable to contact the Commission, she is at this meeting to make her statement.

Commissioners Young and Okazaki asked her what number she used to try and contact them. Ms. De Jean was unable to give them the number and said that she could contact them at a later time with the number. She states that as a gubernatorial candidate she was wronged by Mr. Nago. She demanded respect and asked to have the Chief Election Officer removed from this position.

Senator Ruderman - Senator Ruderman wanted to add to his original testimony that he strongly encourages the Commission to consider holding a Commission meeting on the Big Island so that the Commission can hear problems from a Big Island perspective. If the Commission is unable to go to the Big Island, he asks that they consider doing a video conference meeting.

In addition to his original testimony he wanted to let the Commission know that there were no paper ballots available at the polling place during the delayed election and there was no privacy for voters. He noted that there were some voters that left without voting. He restates that the people's right to vote has been denied.

Jessie Ponce De Leon - Mr. Ponce De Leon encourages everyone to do the right thing when making their decisions.

V. Chief Election Officer's review of the 2014 Primary Election

In line with the motion that was made by Commissioner Berg, Chief Election Officer Scott Nago made this report of the 2014 Primary Election before Agenda Item No. IV - Public Testimony.

CEO Nago thanked the Commission for the opportunity to justify the conduct and actions taken during the 2014 Primary Elections and he will highlight the events that were covered in detail in the 2014 Primary Election Report that was distributed to the Elections Commission.

Before beginning his report, CEO Nago took the opportunity to thank the County Clerks for their role in making the Primary Election a success. He also thanked the State and County disaster response agencies that took the time from their busy schedules preparing for this hurricane, to keep him and other participants updated. He then thanked the thousands of volunteers and workers statewide that worked to help their communities vote on election day. The Office of Elections (OE) owes them a debt of gratitude for their willingness to take time from their personal schedules to train and work during the Primary Elections.

CEO Nago then reported that when information of an impending storm was released, he and the OE staff began consulting with the Hawaii Emergency Management Agency (HEMA). This was done in conjunction with other agencies who depended on the regular briefings conducted by the HEMA. The OE also had separate conversations with Hawaiian Electric Company (HECO) to discuss election operations power requirements and the Attorney General's Office to discuss state laws covering elections and natural disasters.

The OE also had frequent briefings with the County Clerks and Election Administrators to keep them informed of all the information being received. The OE made time to meet with the media to share information on what was being worked on and how elections are held in cases of natural disasters. All attempts were being made to try and be as prepared as possible for the severe weather that was approaching.

He continued to report that Hawaii State Law governs the conduct of elections during a natural disaster with differing responsibilities between the Governor and the Office of Elections. HRS 11-92.3 states that the OE has the power to consolidate precincts, postpone elections or require the use of absentee ballots to conduct an election in the event of a flood, tsunami, earthquake, volcanic eruption, high wind or other natural disasters. He noted that only the Governor, pursuant to his emergency powers under Act 111, can extend polling hours or otherwise use his general emergency powers to protect health, safety, and welfare of the people.

He further noted that adjustments had to be made to our Standard Operating Procedures to ensure the integrity of our elections. This included such things as the ability for all voters to vote in the same manner on the same day and releasing the results in a timely manner so that the public can know the outcome of their vote. However, once a disaster occurs, the OE does not have the authority to discard those concepts. The OE must consider adjustments to the normal process and consider how to address a natural disaster without undermining the integrity of the election process. The OE has a duty to all voters which includes those who voted before the natural disaster and those who voted

after. With this in mind, our thinking was structured when considering the information provided by the Hawaii Civil Defense. We learned that there were fallen trees, power outages and damages to structures in the Puna area, more specifically 04-01 and 04-02. We also learned that routes leading out of the communities served by precincts 04-01 and 04-02 were compromised and blockages were substantial rendering them inaccessible. There was no guarantee that clearing these roads could be done in the 15 hours until the opening of polling places. Accessing polling places 04-01 and 04-02 could be delayed for days. We also learned that other polling places were accessible.

He continued reporting that as a result of these conditions, the Office of Elections issued a proclamation to postpone the elections for precincts 04-01 and 04-02 and authorized the use of absentee ballots pursuant to HRS §15-2.5. This proclamation stated that additional details would be released pending a subsequent proclamation.

On Primary Election morning, we were informed that other precincts in the fourth district could not be accessed and we were asked to postpone opening the other precincts. As we testified earlier, the Office of Elections does not have the authority to take action regarding the polling places once the polling places are opened on election day. Only the Governor has such authority. Because of this, we discussed our concerns with the Attorney General's Office and asked that they inform the Governor.

He noted that after the Primary Election, the OE began looking at how the elections would be conducted for the two precincts whose election was postponed. Conducting this election would need the OE to consider the input of all impacted state and county agencies and would require us to work cooperatively with them. Because of this, on August 11, 2014, the OE participated in a phone conference call with the County of Hawaii Corporation Counsel, County of Hawaii County Clerk and the County of Hawaii Election Administrator. This call was to discuss the conditions on Hawaii Island. The OE was told that the roadways accessing precincts 04-01 and 04-02 were now clear and a discussion was held on what the best way would be in conducting the postponed election for these precincts. It was mutually agreed between all parties participating in the conference call that under the current circumstances, a polling place election would be the most appropriate. Before taking any action on this decision, the OE consulted with the Attorney General's Office.

CEO Nago then explained that while situations are different, the precedent for holding timely elections in the face of disasters is clearly established. As an example, he recounted the Category 4 Hurricane Iniki which occurred on the island of Kauai on September 11, 1992, that took a significant amount of time to

recover from. The Primary Election was set to be held on September 19, 1992, which was eight days after Hurricane Iniki struck the County of Kauai.

Other disasters included Dade County, Florida which postponed its Primary Election in 1992 by a week due to Hurricane Andrew. This postponement affected a total of 102 precincts and involved approximately 132,000 voters. Another was the September 11, 2001, terrorist attack in New York City. The primary election was occurring on the day of the attack. The election was postponed in the afternoon and rescheduled less than two weeks later. On a national level, no general election has ever been postponed or delayed due to a natural disaster or for any other reason including war.

CEO Nago noted that the Office of Elections has a duty to conduct elections in a timely manner without unjust delays. Based on information received from government sources that roadways accessing precincts 04-01 and 04-02 were clear, it was appropriate to begin coordinating the timely conclusion of the 2014 Primary Election.

CEO Nago stated that in reviewing various facilities, it was determined that Keonepoko Elementary School could serve as an appropriate polling place since it was the original polling place for 04-02. He also noted that several attempts were made to contact the Hawaiian Paradise Community Center, which served as the original polling place for 04-01, with no success. Because no contact could be made with Hawaiian Paradise Community Center, it was decided that Keonepoko Elementary School could be used for both precincts since 04-01 and 04-02 are neighboring precincts in the same district. He also noted that the earliest date that Keonepoko Elementary School could be used was August 15, 2014, which also happened to be a state holiday. Therefore, a proclamation was issued on August 11, 2014, establishing that the postponed election for precincts 04-01 and 04-02 will be conducted on August 15, 2014, between the normal polling hours of 7:00 a.m. and 6:00 p.m.

CEO Nago also noted that public notices announcing the election were made through; 1) public media - information was given to and reported by television news reporters, newspapers and the internet; 2) letters were mailed to each registered voter who had not already voted in precincts 04-01 and 04-02; and 3) the proclamation was published in various newspapers statewide prior to the election. The County of Hawaii assisted us by erecting banners along the highways informing voters of the election. The County also provided fliers to students in public schools in the area to be sent home to the families and the county also provided a shuttle service to and from the polling place.

CEO Nago stated that the postponed election was held on August 15th pursuant to the proclamation. We did experience an issue with a loose wire that temporarily disrupted power to some of the voting machines. He noted that the power was restored within approximately 15 minutes and the power outage did cause a wait time for voters in line. He added that additional machines were brought in to deal with the morning's heavy voter turnout. Other reports were those of disgruntled voters who were assigned to vote at other precincts trying to vote at Keonepoko Elementary School. No other reports of significant disruptions or issues relating to the conduct of the postponed election was received. Results for the election were released at 8:00 p.m. on the evening of August 15, 2014.

He continued to report that on that same evening of the postponed election, the Office of Elections reported that over 800 absentee ballots from the County of Maui were added to the results prior to the conclusion of the postponed Primary Election. He explained that after each election there is an audit and reconciliation process that happens before election results can be certified. Certification of results happens after the expiration date for election contests for cause or after the resolution of any contest that is filed. For the Primary Election, this would be 6 days after the election. For this past primary it would be August 21st since the election was concluded on August 15th.

He further reports that the law provides that certification of results is based on a comparison and reconciliation of the following:

1. Results of the canvass of ballots pursuant to Chapter 16;
2. Results of audited poll books and record books which provide the overage and underage report;
3. Audit results of the manual audit team;
4. Results of the absentee ballot reconciliation report which is compiled by the clerks; and
5. All logs, tally sheets, and other documents that are generated during the election and canvass of election results.

This is a detailed process which in other states take several weeks to complete and it is normal to expect that the election results are adjusted due to this process. He further noted that in the State of Hawaii, the majority of this process is completed on election night and additional checks are performed in the week immediately following an election. The final report typically includes some slight adjustments because of provisional ballots that have been confirmed by the County Clerk as having been voted by qualified registered voters.

He states that the final certification, pursuant to HRS §11-155, includes the results of the absentee ballot reconciliation report which is compiled by the clerks. The absentee ballot reconciliation report is not due until after the election, however, attempts are made to have preliminary unofficial results on election night in the interest of notifying the public.

On the night of the Primary Election, there were concerns that a memory card containing vote information may have been read more than once. Even though there are safeguards in the computerized vote counting system preventing memory cards from being entered more than once, the vendor, in the interest of being cautious, decided to start over and re-read all the memory cards on Maui. It was at this point that a memory card was not read again and was sealed away with other memory cards and associated voting materials. He then explained that as part of the standard process of reading memory cards into the system, the vendor has a check off system and a notation is made for each memory card read. However, this process was not modified by the vendor to make additional notations when the memory cards were re-read as they were in this circumstance. In this situation, the memory card that was not read was from a batch of absentee mail ballots which is comprised of a variety of ballot types from the entire County of Maui, making the initial provisional absentee ballot reconciliation report used by the County Clerk on election night compromised. The post-election comparison and reconciliation process addressed this issue and the memory card was unsealed in front of Official Observers and the data was uploaded for reporting purposes.

He further noted that the votes associated with this memory card were included in the election results reported on August 15th in conjunction with the reporting of results from precincts 04-01 and 04-02. He also stated that even though the certification process of checks and balances on the back end of our elections worked, all stakeholders agree that steps need to be taken to avoid this type of situation from happening again. He states that the Office of Elections will be working with the vendor to develop new procedures to address this.

CEO Nago notes that, in retrospect, arrangements should have been made by the Office of Elections to inform the public of the memory card on August 13th even if the notice were to state that technical reasons would not allow the uploading of results until later in the week. He also noted that even though the process currently in place does work to detect discrepancies after the election, the OE will continue to work with the vendor to ensure that this issue will be avoided in the future.

CEO Nago closed his report by stating that it is difficult enough for his staff to prepare for a regular election. He wanted to thank his staff at the Office of Elections for their hard work and commitment and he also thanks them for pulling together to find solutions in times of unfamiliar challenges.

Commissioner King asked CEO Nago to go over the vendor piece as it relates to the 800 votes. CEO Nago explained that on election night, it is the vendor's job to get the memory cards loaded into the system and provide the results to our office. It is our job to audit those results. Basically, on election night on the County of Maui, a memory card accidentally got read twice. The card got rejected because it cannot be read twice. The vendor, acting cautiously, zeroed out the data and read the cards again. Commissioner Okazaki then noted that if she understood correctly, there were two errors. The first being that the card was possibly read twice and the second the card not being read at all. She then asked where the check list is to check the vendor. CEO Nago responded that is why an audit on the back end is done. She then asked why the audit is done a few days later instead of that night and asks if it is possible to do it that night. He responded that the absentee ballot audits on Maui are usually done by the County Clerk. He also explained that the total for the ballots received is one number and the total for the actual turnout is another number and both numbers need to match.

Commissioner King then asked for clarification, if he understood correctly, if the card was read twice the system would have kicked it out, however the vendor zeroed out the totals and reran the cards but didn't run Maui's card. CEO Nago responded yes. Commissioner Orikasa also asked if the audit that the OE conducted on Wednesday caught this and CEO Nago responded yes. Commissioner Orikasa then responded that the audit performed by the OE did in fact work. CEO Nago responded yes the audit did work but should have been done in a more timely manner.

Commissioner Okazaki asked why there was a time lag in people being notified. CEO Nago responded that the normal process is that the statewide audits are done after the election and a report is compiled. Since the make up election was going to be held on Friday, it was decided to release the results of the election and the statewide audits all at one time. Commissioner Okazaki asked who made the decision to withhold the information. CEO Nago responded that it wasn't a decision to withhold information but a decision to release all the information at the same time. He also noted that in hindsight, perhaps it would have been better to release the information regarding the 800 votes in a more timely manner.

Commissioner Orikasa asked if there was an issue with equipment coordination, would it have been simpler and more expedient to count all the votes at one time on Friday rather than Maui County on Wednesday and the Hilo votes on Friday. CEO Nago responded that it was an issue of releasing the results and since results were going to be released on Friday, all the results were going to be release at one time.

Commissioner Berg then asked if the results could have been released sooner and CEO Nago said yes and that is what the office will do for future results.

Commissioner Vierra noted that some of the complaints he received from Hilo residents going to vote that day was that there is a mistrust of the voting machines and they wanted paper ballots but were not provided any when they went to vote. He asked why there were no paper ballots available. CEO Nago explained that the electronic voting machines were in the custody of the County and being held in the County building. They knew that the electronic voting machines were in good working condition but they were not sure what condition the paper voting machines would be in since they were exposed to the weather elements and some had gotten wet during transport. So to avoid the risk of machines not working, they decided to use the electronic voting machines. They also sent out extra machines in anticipation of a large voter turnout.

Commissioner Vierra asked what advice he would give those that do not trust the electronic voting machine and CEO Nago responded that there is a sealed paper system on the side of the electronic voting machine that prints and shows the voter how they voted. After you cast your vote, a document is printed and stored for audit and verification purposes.

Commissioner Okazaki asked who was present at the August 11th meeting with the Hawaii County officials. CEO Nago responded that the meeting was with the County of Hawaii Corporation Counsel, County of Hawaii County Clerk, Hawaii County Civil Defense, Hawaii County Election Administrator and OE staff. Commissioner Okazaki asked him who from Hawaii County told him that the roads were clear. CEO Nago responded that it was the Corp Counsel Molly Stebbins and Darryl Olivera from the Hawaii County Civil Defense. Commissioner Okazaki asked if they were in the room today and CEO Nago responded no.

Commissioner Orikasa noted that he felt the report was complete but if he could, to sum it up, it appears that at every step of the way CEO Nago was in constant contact with the necessary parties involved including the Attorney General's office, in order to make decisions within the jurisdiction of law. CEO Nago

responded yes, we relied heavily on the Big Island Civil Defense, their Corp Counsel and the AG's Office to make decisions.

Commissioner Vierra commented that in the report, CEO Nago covers his role and limitations and the role of the Governor. He asked if CEO Nago could go into a little more detail for him and he asked how the Governor's action could have effected this election. CEO Nago responded that under HRS 11-92.3, the Chief Election Officer can only postpone, consolidate polls, or do absentee voting prior to the election during a disaster. Once the election has begun and the polling places open, the only person who can extend the hours of the polls or do anything is the Governor under Act 111. Which is why under HRS 11-92.3, the Office of Elections postponed the elections for precincts 04-01 and 04-02 on Friday, prior to the opening of the polling places.

Commissioner Vierra then wanted to clarify that CEO Nago did confer with the Attorney General's Office to advise the Governor on election day. CEO Nago explained that he notified the Attorney General's Office that we were getting reports that there were blockages in Puna and people could not get out. He wanted the Governor to be advised since we could not extend the polling places hours, only the Governor could since it was midmorning on election day. Commissioner Vierra asked if any action was taken and CEO Nago responded no, the polling hours were not extended that day.

Chair Marston asked the Commission if there were any other questions for CEO Nago. Commissioner Okazaki asked what safeguards will be taken for the General Election to make sure an incident like the 800 votes on Maui will not happen again. CEO Nago said that audits and checks will be done that night and he will be working with the vendor to take steps to prevent this from happening again.

Commissioner Okazaki stated that she read the emails sent in by citizens saying that they were not able to vote and she asked CEO Nago what he would say to them. CEO Nago stated that the decision to close 04-01 and 04-02 was made based on information he received from both the County Civil Defense and the Hawaii County Clerk. He was told that there was no access to these two facilities but there were alternate routes to access the other polling places. Later on election day, he was told that those alternate routes were also blocked and the polling places could not be accessed. He consulted with the Attorney General's Office to see where the authority ends with HRS 11-92.3 and was told that on election day once the polls open, authority goes to the Governor under Act 111 which is why the Governor was notified of the situation.

Commissioner Okazaki asked General Counsel Aaron Schulaner to summarize the order issued by the Judge Nakamura in answer to the motion filed by Congresswoman Hanabusa. General Counsel Schulaner stated that he received and read the court order and had also heard media reports basically stating that the courts will not interrupt an ongoing election.

Commissioner Young then asked General Counsel Schulaner if he was consulted and aware of every decision that was made by the Chief Election Officer and he responded yes. Commissioner Okazaki noted as was the Attorney General? General Counsel Schulaner responded correct. Deputy Attorney General Valri Kunimoto noted that she is not aware of the Attorney General being aware of every decision that was made by the office. General Counsel Schulaner noted that the Attorney General was involved in the review of the proclamation that was issued. After the litigation of Congresswoman Hanabusa appeared, First Deputy Attorney General Russell Suzuki became involved due to concerns of the Attorney General's involvement, so all discussions moving forward were done with the First Deputy. He further noted that the Department of the Attorney General was involved throughout the process.

Commissioner Young commented that two years ago there were problems with ballot shortages which was addressed. Now moving forward into the General Election, will steps be taken to avoid the current situation with the 800 votes. CEO Nago responded that there are already procedures in place to address this. The Counties will have to reconcile the election results on election night and will be held accountable for their part. Commissioner Young asked CEO Nago if he had anything to say to the public to make them feel more comfortable in going forward with the General Election. CEO Nago responded that in the case of the Maui situation, there are procedures already in place that need to be followed and the procedures will be followed. He also noted that as previously stated, the office will be working with the vendors to put procedures in place to avoid a situation like this again. As far as the Puna situation, once the polls were open, we could not do anything because the authority was out of our control.

Commissioner Okazaki then stated that the public was originally told that there would be mail in ballots and then plans changed. She asked how was the public supposed to know that there was a change in plans. CEO Nago responded that when the proclamation was done on Friday prior to the election, we were informed by the Civil Defense that the roads were impassable and they could not give the OE a timetable in which the roads would be cleared. On Monday, after the Primary Election, the OE was notified that the roads were cleared. The County of Hawaii and the Office of Elections had a discussion and mutually decided to hold a polling place election instead. Commissioner Okazaki said that

the County and the OE cannot work in a vacuum. How did they expect the people of Puna, without electricity, to find out that the election process has been changed? CEO Nago began to respond that as previously stated, the voters were notified with fliers and Commissioner Okazaki then stated that the letters and testimonies from voters stated that they were not able to get to their polling places. CEO Nago responded that the OE was notified that the roads were open and that some of the letters she is referring to were from people from polling places other than 04-01 and 04-02.

Commissioner Vierra noted that he knew some of the impacted residents and they stated that they could get out of the subdivision but it took them some time and effort to do it. Commissioner Berg noted that she appreciated that the polling place was opened and made available to the voters but wondered if the election could have been delayed another week or so to allow people to recover from the problems they were experiencing. CEO Nago responded that it is practice to try and complete the election as soon as possible to get the final results.

Commissioner Vierra noted that there were complaints about the releasing of statewide results before the election was completed. He asked CEO Nago to explain what legal requirements he was bound by that required him to release the statewide results before the two polling place elections were completed. CEO Nago explained that HRS 11-92.3 states that when an election is postponed, it does not affect the conduct of the rest of the election and it does not affect the releasing of the rest of the election results. The Attorney General was consulted on this issue and we were told that we could not withhold the statewide results while waiting for the two polling places. We also could not release any results for those two precincts before their election was completed. Commissioner Vierra then noted that the Office had no choice and CEO Nago responded that the law was followed.

Commissioner Young commented with regards to the County of Maui situation, if the vendor contributed to the problem, someone will need to control the vendor(s) to make sure that a situation like this does not happen again.

Chair Marston asked if there were any additional comments or questions, since there weren't any, he thanked CEO Nago and proceeded on to Agenda Item. No. IV - Public Testimony.

- VI. Elections Commissioners' comments concerning their experiences at the polling places, discussion and action, if appropriate

Commissioner Okazaki stated that she and her family are permanent absentee voters and it works very well for them. The ballots come to their home and the postage is prepaid.

Commissioner Young stated that he was off island during the election so he did early voting.

Commissioner King stated that he also does absentee voting. He noted that he had concerns about the Hanalei River rising. He had a conversation with County Clerk Ricky Watanabe this morning who also had the same concerns about the river. He was told by the County Clerk that there were plans in place to transport ballots should the need come up, however, the helicopter needed to transport ballots was being used in a rescue effort. Commissioner King then commented that sometimes things do happen that will impact your plans.

Commissioner Berg stated that her experience was generally good on Kauai. She noticed that there were a lot of spoiled ballots this time around maybe due to a lot of first time voters and confusion regarding single party voting even though the voters received specific instructions prior to voting.

Chair Marston stated that he too heard complaints primarily about the single party voting. He noted that the voters either did not understand it or did not like it or perhaps both. He also notes that he understands that it is a legislative function as opposed to an Office of Elections function but it may be something to think about in the future.

Commissioner Vierra noted for the Commission that he also votes permanent absentee. He stated that he lives in Hilo and experienced the "brush" of the storm as it passed through Hilo. He states that it was frightening and he can imagine what the residents that were directly affected by the hurricane were feeling. He has friends that live in the impacted areas and was told that in anticipation of the storm some voted early and they also made efforts, with some difficulty, to go to the polling place on Friday to vote. There were other individuals who were not able at all to leave their homes to get to the polling places. He was also told that the County provided transportation for the residents to and from the polling place but some residents could not get to the locations where the transportation pick up area was so they were not able to vote.

He also stated that he tried to drive through the impacted areas after the storm but was unable to because of the downed trees which were everywhere and felt that it will take time to get things back to normal. A comment he received was that people wanted to vote but they were preoccupied with thinking about their

families and how they were going to eat and survive. He's not sure what the answer is but hopes that this can somehow be resolved for the voters.

Commissioner Orikasa stated that he's also an absentee voter, but on election day, along with stopping at the County Clerk's Office, he visited nine precincts that he had never been to before and found that the workers were in good spirits and doing a great job even though some precincts were running short handed. He noted that there were minor complaints, nothing significant, and he was told by the volunteers at the precincts that they were receiving great support from the County. He observed the volunteers at the precincts doing a good job from preventing electioneering to assisting people trying to vote at the incorrect polling place. All in all, it was a great experience for him knowing that the polling places were running well.

VII. Review of preparations for the 2014 General Election, discussion and action, if appropriate

CEO Nago reported that the election contest period ended yesterday. However, there was an election contest objection filed so we cannot move forward with the production of the General Elections until the objection is resolved. Chair Marston asked for clarification, CEO Nago stated that the case will be heard in court in about a week or so. Commissioner King asked if this was the ACLU case and CEO Nago responded yes. Chair Marston noted that the election cannot be certified and the General Election ballots cannot be printed until this is resolved and CEO Nago responded yes.

VIII. Review of staffing for the General Election, discussion and action, if appropriate

Chair Marston asked how the Office of Elections is doing with staffing and other things. CEO Nago responded that as for election day workers, you do have staff that drop out after the Primary Election but those vacant positions are being recruited for now. He further noted that in light of the storm, there were concerns of people not showing up to work but the volunteers did show up and they were able to staff and open the polling places on time.

Commissioner Okazaki asked what percentage of staff does the OE have now. Precinct Operations Section Head Judy Gold responded that the staffing is at 82% here on Oahu and Statewide it is in the high 90 percentile.

Commissioner King asked CEO Nago what date would the court case need to be resolved in order for things to move forward for the General Election. CEO Nago responded that the ballots would need to be sent out by September 19th in order to meet the Federal 45 day overseas absentee voter deadline. He also stated

The Commission ended open meeting at 12:45 p.m.

X. Executive Session

The Commission resolved into Executive Session at 12:50 p.m.

Pursuant to Haw. Rev. Stat. sec. 92-5 (a)(4) Consult with the Commission's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities.

Green Party of Hawaii, et al. v. Nago, et al., Civil No. 12-1-0956(2). Discussion with Commission's attorney re: parties' claims and defenses and status of case.

Misty Davis v. Judge Gary W.B. Chang; Scott T. Nago; and Aaron H. Schulaner - Civil No. 14-1-1465-06. Discussion with Commission's attorney re: claims, defenses and status.

Colleen Hanabusa v. Nago, Civil No. 14-1-0307. Discussion with Commission's attorney re: parties' claims and defenses and status of case.

Other pending litigation involving the Office of Elections

Pursuant to Haw. Rev. Stat. sec. 92-5(a)(2) Consideration of salary adjustment pursuant to Haw. Rev. Stat. sec. 11-1.6(e) and action, if appropriate.

The Commission ended Executive Session at 1:40 p.m.

IX. Adjournment

The Commission resolved into open meeting at 1:45 p.m.

Chair Marston announced that the Commission has decided to look further into the actions taken by the Chief Election Officer during the Primary Elections. Commissioners Okazaki and Young will go over with CEO Nago the decisions that were made during the election. Commissioner Vierra will return to the Big Island and meet with the County Officials there to go over decisions made during the election and report back to the Commission. Commissioner Orikasa will meet with the Maui County Officials regarding the ballot incident on Maui and report back to the Commission. These items will be discussed in detail at the next Commission meeting scheduled for Friday, October 3, 2014.

With no further business before the Commission, Chair Marston asked for a motion to adjourn the meeting. Motion was moved by Commissioner Okazaki,

seconded by Commissioner Orikasa and approved unanimously by the remaining Commissioners.

Next Commission meeting is scheduled for Friday, October 3, 2014.

Elections Commission meeting was adjourned at 1:46 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Carolyn L. Roldan', written over a horizontal line.

Carolyn L. Roldan
Elections Commission Secretary