



**STATE OF HAWAII  
OFFICE OF ELECTIONS**

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SCOTT T. NAGO  
CHIEF ELECTION OFFICER

January 4, 2022

To: Elections Commission

From: Scott T. Nago  
Chief Election Officer

Re: Status of Operations

Our office has been working to implement new voting equipment and ballot tracking service, and conduct voter education and outreach. In addition to preparing for the 2022 Elections, our office has been supporting the 2021 Reapportionment Commission as they redraw the congressional and legislative district lines.

We have also implemented the election-related measures enacted following the 2021 Legislative Session and submitted our bill package for consideration by the Legislature in 2022.

**2021 LEGISLATIVE SESSION**

The following bills were enacted in 2021:

Act 7, SLH 2021, relating to election proclamations, repeals the requirement that election proclamations contain a statement of the time and places where an election is to be held and specifies that the county clerk, not the chief election officer, shall issue the election proclamation listing information on voter service centers and places of deposit. This was an Office of Elections bill proposed to ensure the County Elections Divisions can promptly notify their voters of any changes to the voting and ballot drop box locations.

Act 14, SLH 2021 addresses some of the concerns noted by the 2011 Reapportionment Commission, including defining permanent residents. Due to the delay in redistricting data to create the Reapportionment Plan, the bill also amends the start of candidate filing for the 2022 Election only, from February 1 to March 1. Funding for the Reapportionment Commission for the fiscal year beginning July 1, 2021 is included in this bill.

Act 126, SLH 2021, relating to voting, implements automatic voter registration. We have coordinated with the Department of Transportation, County Examiners of Drivers, and County Elections Divisions to provide automatic voter registration for voters. As an applicant for a Hawaii Driver License or State ID completes the application, they must indicate if they would like to register to vote, decline to register to vote, or decline to use the application to update their voter registration record. The clerks at the DMV ensure the application is completed prior to accepting it. The County Elections Divisions subsequently process the application. This bill also establishes the electronic transmission of voter registration data from the Department of Transportation's database for driver licenses and state IDs to the statewide voter registration system. We are still working on this electronic transfer of the data between the systems, but there is no impact on voters as the paper applications continue to be transmitted to the County Elections Divisions for processing.

Act 213, SLH 2021, relating to elections by mail, amends various election statutes, including allowing ballots to be counted beginning 18 days before the election and moving the voter registration deadline from 30 days to 10 days before Election Day. This bill establishes five special needs advisory committees to be attached to the Office of Elections and each County Elections Division. We are waiting to receive appointments from the Governor to convene the special needs advisory committee attached to our office. It also amends the voter registration affidavit to include a statement for voters with special needs to request an electronic ballot emailed each election. The Voter Registration Application, Absentee Ballot Application, online voter registration system, and the Hawaii Driver's License Application and Hawaii State ID Application have all been updated to include this statement.

## **2022 LEGISLATIVE SESSION**

Bills that did not pass this legislative session may be considered during the 2022 Legislative Session. Two of our proposed bills from 2021 that did not pass were 1) amending the timeline for a state senate vacancy, and 2) moving the deadline to conduct a recount to the five days after the election instead of 72 hours following the close of voting. We have also submitted the following bills for consideration in this legislative session:

### *Petition Signature Withdrawal*

One bill amends the requirements to withdraw a signature from a petition. The petition process includes qualifying as a political party or appearing as a presidential candidate. We are proposing this a housekeeping measure to standardize the requirements for a signatory to remove their name from a petition.

### *Political Parties*

The second bill amends the deadlines for political parties to file their rules and officers to occur on the same day. Every election year, qualified political parties must resubmit their current party rules and provide the names and addresses of the party officers of central committees and respective county committees. We propose this housekeeping measure to receive the required information from the qualified political parties on the same deadline.

### *Tabulation of Ballots*

The third bill amends the initial tabulation of ballots and the calculation of an automatic recount. We are proposing amending the initial tabulation to constitute ballots received by the County Elections Divisions by the close of voting, excluding those deemed deficient. The current law is tied to ballots validated by 6:00 AM on the day following an election. State and County election officials cannot anticipate the number of ballots received at the close of voting and the time required to open and count those ballots. In the 2020 Elections, the last Election Day report was printed at 11:38 AM for the Primary Election, and

7:27 AM for the General Election. This bill would also amend the calculation for automatic recounts to address different types of contests, following the previous calculations from the 1970 law. For statewide and countywide contests, the calculation would be for differences of one-eighth of one percent. For all other contests, a recount would be triggered if the difference between the impacted candidates is less than or equal to one-fourth of one percent.

### **BALLOT TRACKING**

We are working with the vendor Ballot Trax, to provide ballot tracking services. The service can use the sorting information from USPS, available at the Honolulu processing facility, as well as information from the statewide voter registration system.

The ballot tracking portal is currently being used for the County of Kauai special elections for prosecuting attorney. Kauai voters can sign up for text, email, or voice alerts, or log in to the online application to check that their ballot was mailed, that the voted ballot has been received by the County Elections Division, and then that the ballot has been validated for counting. This service will be available to all Hawaii voters in the 2022 Elections.

### **2021 REAPPORTIONMENT AND REDISTRICTING PLAN**

The office continues to provide technical and logistic support to the 2021 Reapportionment Commission. Our office needs the completed 2021 Reapportionment and Redistricting Plan to establish the district/precincts. The precincting process of identifying the ballot type and redrawing the district/precinct lines takes approximately one month. This district/precinct data are used to conduct candidate filing and create the 2022 Elections ballot types. Additionally, the County Elections Divisions use this data to reassign voters to their new district/precinct. Voters are notified of the changes when the County Elections Divisions conduct list maintenance. The district/precinct assignments are also used for the ballot mailings.

## **VOTER EDUCATION**

This year, we have partnered with Olelo to sponsor a category in the 19th Annual Youth Xchange Video Competition. The Competition launched on Monday, September 13. It is Hawaii's largest statewide student video contest and encourages students to engage with issues of concern to the youth. Students from elementary through college are invited to create a short video on a sponsored topic, including Elections & Voting. Entries are due by February 21, 2022, and all submissions will be aired statewide on Olelo. Finalists are invited to an in-person awards banquet where the winners receive a high-definition video camera for their school. We will use the top submissions from our category for various voter education purposes, including promoting voter registration and the 2022 Elections.

We also launched the annual Young Voter Registration Program (YVRP), which runs from September 28, 2021, through January 28, 2022. YVRP aims to provide voter registration opportunities for high school students and promote awareness and understanding of the election process. Hawaii offers pre-registration for residents ages 16 and 17 years old to automatically receive a mail ballot for every election after turning 18. All 114 public, private, and charter high schools statewide have been invited to appoint a liaison responsible for distributing Voter Registration Applications to eligible students, assisting with any questions, and submitting completed applications to our office by the program deadline. This year, 22 schools have volunteered to participate. In 2020, as most schools participated in distance learning due to COVID-19, we translated our YVRP efforts into an e-newsletter and had 19 schools participate. In 2019, when we last ran YVRP with the traditional distribution of paper applications, we had the participation of 54 schools statewide.

In addition, we launched a Hawaii Votes video series and email newsletter. Hawaii Votes episodes and newsletters will be released monthly throughout the 2022 Election year to provide voter reminders and explore timely election topics, including candidate filing and election security. Our premiere release was a recap of 2021 in Hawaii elections, which explored changes in election law and provided

an update on the ongoing reapportionment. The resources were shared with partner community groups and promoted through our various social media platforms. We are encouraging the public to sign up for the email list to receive notifications on the latest releases.

## **2022 ELECTION PREPARATIONS**

In August, we conducted a “mock election” with the voting equipment vendor, Hart InterCivic, and County Elections Divisions to establish our processes and procedures as we implement Verity, the new voting equipment. Our mock election tested the voting equipment to make sure it is counting ballots logically and accurately, and additional covered processes to count ballots before and on Election Day, and release the results reports. The mock election helped us to understand and familiarize ourselves with the new voting equipment before we conduct the 2022 Elections.

Finally, as a reminder, we have submitted our 2021 *Implementing Elections by Mail* report to the Legislature pursuant to Act 136, SLH 2019. It is available on our website at [elections.hawaii.gov](https://elections.hawaii.gov).

If you have any questions, please feel free to contact me at (808) 453-VOTE (8683) or 1-800-442-VOTE (8683).