



**STATE OF HAWAII  
OFFICE OF ELECTIONS**

802 LEHUA AVENUE  
PEARL CITY, HAWAII 96782  
elections.hawaii.gov

SCOTT T. NAGO  
CHIEF ELECTION OFFICER

December 8, 2022

To: Elections Commission

From: Scott T. Nago  
Chief Election Officer

Re: Status of Operations

After our last meeting on September 12, 2022, the Office of Elections continued the implementation and conduct of the 2022 General Election. Election Day was November 8, 2022, and we are now in the last stages of the post-election process.

**2022 GENERAL ELECTION**

As with the Primary Election, we followed established procedures in the execution and post-election process associated with the General Election.

**Military and Overseas Ballots**

By September 23, 2022, ballots were sent to military and overseas voters after the ballots could be finalized and printed. Finalization of the contents of the ballots was contingent on the result of various election contests and the receipt of ballot questions from the counties. This is a time-sensitive process as both federal and state law required these ballots to be transmitted at least 45 days before the General Election.

**Official Observers' Test**

Consistent with what occurred with the Primary Election, official observers test and secure the voting equipment deployed to the voter service centers. The tests were conducted between October 1 and 8, 2022, with a day of testing scheduled separately in each county.

### **Ballot Mailing to General Public**

The United States Postal Service (USPS) took custody of the City and County of Honolulu's ballots on October 17 and 18, 2022 for mailing. Likewise, it took custody of the neighbor islands' ballots on October 19, 2022. The County Elections Divisions posted notices of the ballot mailing and took steps to have ballot drop boxes available to receive ballots.

### **Ballot Tracking Service**

BallotTrax, our ballot tracking service, continued to build on its implementation from the Primary General Election. Specifically, voters who had used the service in the last election were automatically signed up for the same service in the General Election. This was in addition to new voters who chose to sign up. The service, while operated by each county, was managed by our office.

While the service largely had no issues, it is important to note one incident that the County of Hawaii experienced on October 20, 2022, before ballots had even been mailed out. The incident involved a message sent in error to 2,379 voters stating that their "General Election ballot had been received, validated, and accepted for counting." The cause was the upload of a voter eligibility file from the Primary Election, as opposed to the General Election. Essentially, the service reported out-of-date information from the Primary Election. Within an hour, the County of Hawaii informed voters, through a new message, of the error and corrected the situation.

The County of Hawaii revisited its procedures based on what it learned from the experience and we worked with the vendor to add in additional safeguards to the program to ensure such an error did not occur again.

### **Statewide Observers' Test**

On October 22, 2022, a statewide observers' test was conducted. This test involved the counting center voting equipment and program for the four counting centers.

### **Processing Voted Ballots**

The counting centers began to process validated voted ballots on October 25, 2022. The schedule at each counting center varied based on the number of return identification envelopes that had been validated by the counties for processing. No tabulation of the results are compiled as part of this process. Results are compiled and released starting on Election Day.

### **Results Reporting**

On General Election Day, November 8, 2022, the counting centers opened to continue the processing of voted ballots and prepare for the release of results at the close of voting. Election results were posted to the Office of Elections' website, <https://elections.hawaii.gov/election-results/>, from the close of voting on election day to the final report days later after the post-election process was completed.

The report was printed at 7:04 p.m. and issued after election officials confirmed the voter service centers had been closed. The first statewide report was entitled "GENERAL ELECTION 2022 – State of Hawaii – Statewide, November 8, 2022, SUMMARY REPORT, Run 1." The report contained the majority of ballots validated and transferred by the counties to the counting centers up to the day before election day. In conjunction with this report, each of the four counties had "Run 1" summary report for their county.

This report was followed by "GENERAL ELECTION 2022 – State of Hawaii – Statewide, November 8, 2022, SUMMARY REPORT, Run 2" that was printed at 9:42 p.m. This new run included the results of the voter service center ballots, along with further ballots that had been opened and scanned. In conjunction with this report, each of the four counties had a "Run 2" summary report for their county.

The third statewide report was entitled "GENERAL ELECTION 2022 – State of Hawaii – Statewide, November 8, 2022, SUMMARY REPORT, Run 4" and printed on November 9, 2022 at 9:20 p.m. There was no statewide report named "Run 3." This statewide report was entitled "Run 4" as it contained the Honolulu

"Run 4" county report. Specifically, since the second statewide report, two county reports for the City and County of Honolulu ("Run 3" and "Run 4") had been issued, along with a single county specific report ("Run 3") for the County of Hawaii, County of Maui, and County of Kauai. The statewide report naming convention was to correspond to the highest county run number contained in it.

With the conclusion of the initial results reporting, pursuant to HRS § 11-158, we next turned to recounts. There were two contests that met the statutory trigger and were recounted. One recount was held for the County of Kauai's Council contest at the Kauai counting center, while another was held for the State Senate, District 22 contest at the Oahu counting center. Both recounts were held on November 10, 2022, and neither ultimately had an impact on the outcome of their respective contests.

While this was going on, the five-business-day timeframe for voters to cure deficiencies with return identification envelopes after the election with their county clerk had begun. These deficiencies related to return identification envelopes not being signed or the signature not matching a possible outdated reference image on file. The counties continued to manage the receipt and validation of the return envelopes before they were transferred to the counting center to be opened and scanned.

With the previously mentioned recounts being completed, the Office of Elections began its post-election audit and counting of cured ballots. This took place over a series of days and concluded with a final report, entitled "GENERAL ELECTION 2022 – State of Hawaii – Statewide, November 8, 2022, SUMMARY REPORT, FINAL REPORT," printed at 12:39 p.m. on November 22, 2022.

### **General Election Contests**

A total of four election contests were filed with the Hawaii State Supreme Court by the deadline of November 28, 2022.

## **LEGISLATION**

For the upcoming legislative session, the office plans to propose bills related to automatic recounts, the special needs advisory committee, and the timeline for curing ballot return envelopes. This specifically includes:

- Propose changing the trigger of the recount to be a quarter of a percent or 100 votes, whichever is less.
- Propose changing the name of the special needs advisory council to be more inclusive.
- Propose syncing the deadline for voters to cure a deficiency with the ballot return envelope with the deadline for the Clerk's office to validate ballots for counting for clarity and consistency.

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

**§11-1.6 Appointment of the chief election officer; requirements; term; restrictions; salary; reappointment; removal.** (a) The chief election officer shall be appointed by the elections commission, without regard to chapter 76. The appointment shall not be subject to the advice and consent of the senate. In the event of a vacancy, the elections commission shall meet expeditiously to select and appoint a new chief election officer to serve the remainder of the unexpired term.

(b) The person appointed to be chief election officer shall be a citizen of the United States, a resident of the State, and a registered voter of the State.

(c) The chief election officer shall serve for a term of four years. The term shall begin on February 1 following the appointment.

(d) The chief election officer shall devote full time to the duties of the office and shall hold no other public office during the individual's term of office. Except for exercising the right to vote, the individual shall not support, advocate, or aid in the election or defeat of any candidate for public office. The chief election officer shall refrain from financial and business dealings that tend to reflect adversely on the individual's impartiality, interfere with the proper performance of election duties, or exploit the individual's position. Subject to the requirements above, the individual may hold and manage investments, including real estate, and engage in other remunerative activity, but shall not serve as an officer, director, manager, advisor, or employee of any business.

(e) The chief election officer shall be paid a salary not to exceed eighty-seven per cent of the salary of the director of human resources development.

(f) The chief election officer may petition the elections commission for reappointment. The elections commission may reappoint an incumbent chief election officer based on the performance of the chief election officer. The elections commission may authorize the chief election officer to hold office until a successor is appointed.

(g) The chief election officer is an at-will employee. The elections commission shall provide written notification of any removal and state the reason for the removal. [L Sp 1995, c 27, pt of §2, §15; am L 1999, c 141, §§3, 6; am L 2000, c 253, §150; am L 2002, c 16, §1; am L 2003, c 117, §1; am L 2004, c 57, §9; am L 2005, c 226, §2; am L 2015, c 173, §1]

### Executive Branch

In reaching its recommendations for the “executive salaries,” the Commission reviewed the compensation of county executives (i.e., mayors, deputy managing directors, department directors, deputy department directors, prosecuting attorneys) for the City and County of Honolulu, Hawai‘i County, Maui County and Kaua‘i County. *The Book of the States 2018* edition was reviewed to determine how other jurisdictions compensated their respective governors, lieutenant governors, and comparable department directors.

After reviewing the materials cited above and additional information, the Commission determined that pay equity and compensation levels need to be addressed for executive salaries if the State is to recruit and retain qualified executives to the executive branch of government. It is important to remember that the governor, lieutenant governor, administrative director, department directors, deputy directors, et al., administer programs that affect the health and welfare of our residents, and which have annual budgets that collectively exceed \$14 billion per year. The State needs to recruit and retain the “best and brightest” for these positions because of the daily impact these positions have on our State.

Executives in the public service are expected to work extended hours; participate in community service events, forums and meetings; be accessible on a 24-hour, 7-day-a-week basis for emergency situations; and exercise effective leadership in addressing emergency and crisis situations. Many could easily secure higher paying jobs in the private sector but instead chose to take on these high impact, high profile, demanding and time-limited jobs because of their commitment to public service. It was also noted by the Commission that directors and deputy directors are generally at the top of their professions, often with graduate degrees (including JDs, MDs, Masters’, PhDs in various fields) and several years of specialized experience qualifying them for the positions. Because of these reasons, it can be very difficult to attract and recruit for director and deputy director positions.

Externally, there are no comparable positions in the other jurisdictions in Hawai‘i to match the governor, lieutenant governor, and attorney general positions since they are unique with their statewide scope and responsibility. However, comparison with the City and County of Honolulu Mayor, managing director, and prosecuting attorney show all three State positions are paid below these three City jobs.

To address the issue of pay equity and compensation level, the following recommendations are made by the Commission (see Figure 1).

- Effective July 1, 2019 and July 1, 2020, increase the governor’s salary by 4% each year;

- Effective July 1, 2019 and July 1, 2020, increase other executive branch salaries and salary ranges by 5% each year;
- Effective July 1, 2021; July 1, 2022; July 1, 2023; July 1, 2024, increase the salaries and salary ranges of all positions by 2.5% each year.
- Section 26-52, HRS, provides that if the adjutant general, Department of Defense salary conflicts with the pay and allowance fixed by the tables of the regular army or air force of the United States, the latter shall prevail in setting the salary. Therefore, the Commission recommends that the salaries and future salary increases for the adjutant general and deputy adjutant general be set by the pay and allowance tables of the regular army or air force of the United States for officers of comparable rank and time in service over the period covered by this Commission's recommendation.

**Figure 1 - Executive Salary Recommendations**

Position	No. of Pos	7/1/2019	7/1/2020	7/1/2021	7/1/2022	7/1/2023	7/1/2024
Governor	1	165,048	171,648	175,944	180,348	184,860	189,480
Lieutenant Governor	1	162,552	170,676	174,948	179,316	183,804	188,400
<b>Tier 1</b> Admin. Director of the State, Attorney General, Director of Budget and Finance	3	162,552	170,676	174,948	179,316	183,804	188,400
<b>Tier 2 Dept. Directors</b> DAGS, DBEDT, DCCA, DHHL, <b>DHRD</b> , DHS, DLIR, DLNR, DOA, DOH, DOT, PSD, TAX	13	154,812	162,552	166,620	<b>170,784</b>	175,056	179,436
<b>Tier 1 Deputy Dept. Directors</b> Attorney General, Budget and Finance	2	141,420 - 149,544	148,488 - 157,020	152,196 - 160,944	156,000 - 164,964	159,900 - 169,092	163,896 - 173,316
<b>Tier 2 Deputy Dept. Directors</b> DAGS, DBEDT, DCCA, DHHL, DHRD, DHS, DLIR, DLNR, DOA, DOH, DOT, PSD, TAX	24	134,676 - 142,416	141,408 - 149,532	144,948 - 153,276	148,572 - 157,104	152,292 - 161,028	156,096 - 165,048

The chief election officer shall be paid a salary not to exceed eighty-seven per cent of the salary of the director of human resources development. HRS §11-1.6(e).

$$170,784 \times 0.87 = \textbf{\$148,582 (recommended)}$$





F.M. SCOTTY ANDERSON  
ELECTIONS COMMISSION CHAIR

**STATE OF HAWAII  
ELECTIONS COMMISSION**

December 14, 2018

Ms. Daeleen Liu, Personnel Officer  
Department of Accounting and General Services  
Kalanimoku Building  
1151 Punchbowl Street, Room 420  
Honolulu, Hawaii 96813

RE: SALARY INCREASE FOR SCOTT T. NAGO

Dear Ms. Liu:

At the meeting on December 13, 2018, the Elections Commission voted and approved a salary increase for Mr. Scott T. Nago, Chief Election Officer, from an annual amount of \$100,800 to \$119,664, which is within the limits as provided by statute, HRS §11-1.6(e).

The effective date of the annual increase is July 1, 2018.

If you have any questions or need additional information, please call the Office of Elections at (808) 453-VOTE (8683). Thank you for your assistance in this matter.

Sincerely,

F.M. Scotty Anderson  
Elections Commission Chair

SA:JK  
EC-18-008

c: Mr. Roderick K. Becker, Comptroller  
Mr. Scott T. Nago, Chief Election Officer  
Elections Commission



F.M. SCOTTY ANDERSON  
ELECTIONS COMMISSION CHAIR

**STATE OF HAWAII  
ELECTIONS COMMISSION**

January 21, 2021

The Honorable Ronald D. Kouchi  
President and Members  
of the Senate  
Thirty First State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Scott Saiki  
Speaker and Members of the  
House of Representatives  
Thirty First State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting the "*Elections Commission's Biennial Evaluation of Elections Operation*," in accordance with Hawaii Revised Statutes §11-8.5.

Should you have any questions, please contact me at (808) 453-VOTE (8683).

Sincerely,

F.M. SCOTTY ANDERSON  
Elections Commission Chair

SA:jk  
EC-21-001a

**Enclosure**

c: Legislative Reference Bureau Library  
Hawaii State Public Library System- Publications Distribution Center  
UH Manoa Hamilton Library- Serials Department  
Governor's Office  
Lieutenant Governor's Office  
Legislative Auditor  
Department of Budget and Finance



F.M. SCOTTY ANDERSON  
ELECTIONS COMMISSION CHAIR

**STATE OF HAWAII  
ELECTIONS COMMISSION**

January 21, 2021

**Elections Commission's Biennial Evaluation of Elections Operation**

Pursuant to Hawaii Revised Statutes § 11-8.5, we are pleased to submit the following report concerning the operation of elections.

The 2020 election cycle involved the transition to elections by mail from the prior polling place model. The transition to elections by mail was mandated by Act 136, Session Laws of Hawaii 2019. While the election community had noted that this was the natural progression from the ever-increasing role of absentee voting in our past elections, it still required a reconsideration of the optimal manner in which to conduct our elections and the concerted effort of all involved in the election community.

In the end, the 2020 election cycle was largely successful, even in the face of the challenges that COVID-19 brought to the administration of elections. Many lessons were learned that will help to improve the administration of elections moving forward.

We are continuing to see an increase in registration. The 2018 General Election included 756,751 registered voters, while the 2020 General Election recorded 832,466 registered voters.

A record 407,190 voters cast their ballot in the 2020 Primary Election, and 579,784 voters cast their ballot in the 2020 General Election. In the Primary Election, 99% of voters mailed their ballot or dropped it off at a place of deposit, while the remaining 1% voted in person at a voter service center. Similarly, in the General Election, over 93% cast their ballot by either mail or place of deposit, and less than 7% voted in person at a voter service center.

The 2020 Elections would not have been possible without the assistance from the volunteers and various government agencies. Each person serves a critical role in providing secure, accessible, and convenient election services for each voter. Going forward, we will continue to review procedures to ensure voters and volunteers have a smooth experience.

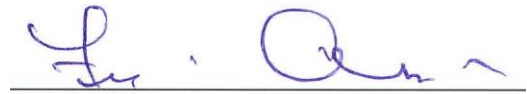
Finally, on Election Day and through the post-election audits and reconciliations conducted by the Office of Elections, no evidence of fraud or errors were found that would suggest our election had been tampered with.

We are very proud of the job done by the Chief Election Officer, Scott Nago, and his entire team of staff and volunteers.

The Elections Commission notes that it was unable to review the meeting minutes from its December 15, 2020 meeting. After review and approval of the minutes, the Elections Commission may submit an addendum to this report if necessary.

Should you have any questions, you may contact me via email at [elections@hawaii.gov](mailto:elections@hawaii.gov), Attn: Scotty Anderson.

Respectfully submitted,



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F.M. Scotty Anderson  
Elections Commission Chair



F.M. SCOTTY ANDERSON  
ELECTIONS COMMISSION CHAIR

**STATE OF HAWAII  
ELECTIONS COMMISSION**

February 10, 2021

The Honorable Ronald D. Kouchi  
President and Members  
of the Senate  
Thirty First State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Scott Saiki  
Speaker and Members of the  
House of Representatives  
Thirty First State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a supplemental report to the "*Elections Commission's Biennial Evaluation of Elections Operation*," in accordance with Hawaii Revised Statutes §11-8.5.

Should you have any questions, please contact me at (808) 453-VOTE (8683).

Sincerely,

F.M. SCOTTY ANDERSON  
Elections Commission Chair

SA:jk  
EC-21-002a

**Enclosure**

c: Legislative Reference Bureau Library  
Hawaii State Public Library System- Publications Distribution Center  
UH Manoa Hamilton Library- Serials Department  
Governor's Office  
Lieutenant Governor's Office  
Legislative Auditor  
Department of Budget and Finance



F.M. SCOTTY ANDERSON  
ELECTIONS COMMISSION CHAIR

**STATE OF HAWAII  
ELECTIONS COMMISSION**

February 10, 2021

Elections Commission's Supplemental Biennial Evaluation of Elections Operation

Pursuant to Hawaii Revised Statutes § 11-8.5, the Elections Commission submits the following supplemental report concerning the operation of elections.

The Elections Commission recommends that the Legislature prioritize the following items:

- 1) Verifiable chain of custody of ballots at every stage of transportation and handling; and
- 2) Ensure ballot tracking is in place for the 2022 Elections in coordination with the United States Postal Service.

Please note that the meeting minutes of the Elections Commission's December 15, 2020 and January 21, 2021 meetings may be found at the following links:

- December 15, 2020: <https://elections.hawaii.gov/wp-content/uploads/2020-12-15-EC-Regular-Mtg-Minutes-FINAL.pdf>
- January 21, 2021: <https://elections.hawaii.gov/wp-content/uploads/2021-01-21-EC-Regular-Mtg-Minutes-FINAL.pdf>

Should you have any questions, you may contact me via email at [elections@hawaii.gov](mailto:elections@hawaii.gov), Attn: Scotty Anderson.

Respectfully submitted,

F.M. Scotty Anderson  
Elections Commission Chair