

# STATE OF HAWAII ELECTIONS COMMISSION

MICHAEL CURTIS ELECTIONS COMMISSION CHAIR

#### AMENDED

#### WRITTEN SUMMARY FOR VIDEO RECORD

## REGULAR MEETING OF THE ELECTIONS COMMISSION

March 19, 2024 @ 1:30 p.m.

Note: The video of the meeting may be viewed on our website

at <a href="https://elections.hawaii.gov/about-us/boards-and-commissions/elections-commission/">https://elections.hawaii.gov/about-us/boards-and-commissions/elections-commissions-c

#### **PROCEEDINGS**

The time reference below indicates the point in the video when the stated action begins.

I. Call to Order [1:30 p.m.]

The regular meeting of the Elections Commission was called to order by Chair Curtis.

II. Roll Call and Determination of a Quorum [1:30 p.m.]

All members of the Elections Commission were present at the meeting with the exception of Commissioner Andrion.

III. Approval of Minutes for the February 20, 2024, meeting [1:32 p.m.]

Commissioner Andrion was acknowledged as present at the meeting.

Commissioner Takenaka made a motion to approve the minutes of the meeting of February 20, 2024 which was seconded by Commissioner McAdam.

Commissioner Cushnie made a motion to amend the minutes of the meeting of February 20, 2024, which was seconded by Commissioner Papalimu. The motion to amend the minutes failed.

YES (4): Commissioners Andrion, Aquino, Cushnie, and Papalimu

- NO (5): Commissioners Curtis, Kiguchi, Kuwada, McAdam, and Takenaka The motion to approve the minutes of the meeting of February 20, 2024, was approved by the Commission.
- YES (5): Commissioners Curtis, Kiguchi, Kuwada, McAdam, and Takenaka
- NO (4): Commissioners Andrion, Aguino, Cushnie, and Papalimu
- IV. Public Testimony [1:40 p.m.]

Public testimony was provided by Jamie Detwiler, Rosemarie Jauch, Judith Wong, Janet Mason, Steve Pasnik, Charles Kaui Jochanan Amsterdam, Andy Crossland, Tom Stanton, AnnMarie Hamilton, Hui Hoola Aina, Karl Dicks, Adriel Lam, Keikilani Kealoha, Richelle Thomson, David Callahan, Moana Lutey, Wallyn Christian, Steve Yoder, Forest Callahan, Rami Donahoe, Belinda Jacobs, Boyd Ready, and Martin Choy.

V. Communications & Correspondence [3:11 p.m.]

Commissioner Cushnie made a motion to pursue adopting a rule in accordance with HRS § 11-7.5(3) to require the county clerks and the chief election officer to individually certify under penalty of perjury that chain of custody was maintained in accordance with HAR 3-177-61 and HAR 3-177-453, which was seconded by Commissioner Papalimu. The motion carried.

- YES (5): Commissioners Andrion, Aquino, Cushnie, Papalimu, and Curtis
- NO (4): Commissioners Kiguchi, Kuwada, McAdam, and Takenaka
- VI. Discussion of the evaluation and reappointment of the Chief Election Officer [3:34 p.m.]
- VII. Executive Session [3:37 p.m.]
  - A. Pursuant to section 92-5(a)(8), Hawaii Revised Statutes (HRS), the Commission anticipates going into executive session to discuss the approval of the executive session minutes from February 20, 2024

B. Pursuant to section 92F-5(a)(2), HRS, the Commission anticipates going into executive session to discuss and evaluate the performance of and the reappointment of the Chief Election Officer

Commissioner Takenaka made a motion to enter Executive Session to approve the minutes for the Executive Session for the meeting of February 20, 2024, and to discuss and evaluate the performance of and the reappointment of the chief election officer, which was seconded by Commissioner Kuwada. The motion failed.

YES (5): Commissioners Kiguchi, Kuwada, McAdam, Takenaka, and Curtis

NO (4): Commissioners Andrion, Aquino, Cushnie, and Papalimu

## [3:46 p.m.]

Commissioner Papalimu made a motion to approve the minutes of the Executive Session of February 20, 2024 which was seconded by Commissioner Aquino. The motion was approved unanimously by the Commission.

## [3:52 p.m.]

Commissioner Cushnie made a motion to postpone the motion to reappoint the chief election officer until a properly noticed public hearing has been held in accordance with HRS 11-7.5 and the chief election officer petitions the Elections Commission for reappointment in accordance with 11-1.6(f), which was seconded by Commissioner Aquino. The motion failed.

YES (4): Commissioners Andrion, Aquino, Cushnie, and Papalimu

NO (5): Commissioners Kiguchi, Kuwada, McAdam, Takenaka, and Curtis

## [3:56 p.m.]

XI. Summary of the criteria and key points in the evaluation of the Chief Election Officer. Vote on the reappointment of the Chief Election Officer [3:56 p.m.]

Commissioner Andrion made a motion to reappoint the chief election officer by 2/3 vote which was seconded by Commissioner Cushnie. The motion failed.

YES (2): Commissioners [Andrion], Cushnie, Papalimu

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NO (7): Commissioners, <u>Andrion</u>, Aquino, Kiguchi, Kuwada, McAdam, Takenaka, and Curtis

[3:58 p.m.]

Commissioner McAdam made a motion to reappoint Scott Nago to chief election officer effective February 1, 2024 which was seconded by Commissioner Kuwada and approved by the Commission.

YES (5): Commissioners Kiguchi, Kuwada, McAdam, Takenaka, and Curtis

NO (4): Commissioners Andrion, Aquino, Cushnie, and Papalimu

## XII. Adjournment [4:14 p.m.]

Commissioner Takenaka made a motion to adjourn the meeting which was seconded by Commissioner Kuwada and approved by the Commission.

YES (7): Commissioners Andrion, Aquino, Kiguchi, Kuwada, McAdam, Takenaka, and Curtis

NO (1): Commissioner Papalimu

ABSTAIN (1): Commissioner Cushnie