



PATRICIA MORRISSEY
STATEWIDE ELECTIONS
ACCESSIBILITY NEEDS ADVISORY
COMMITTEE
CHAIR

**STATE OF HAWAII
STATEWIDE ELECTIONS ACCESSIBILITY NEEDS
ADVISORY COMMITTEE**

MINUTES - DRAFT

REGULAR MEETING OF THE
STATEWIDE ELECTIONS ACCESSIBILITY
NEEDS ADVISORY COMMITTEE

MARCH 12, 2024 @ 1:30 PM

Pursuant to Section 92-3.7, Hawaii Revised Statutes, the Statewide Elections Accessibility Needs Advisory Committee will be meeting remotely using interactive conference technology. Members of the public may have participated in the meeting via Zoom.

Committee Members in Attendance:

Patricia Morrissey, Chair
James Gashel, Vice Chair
Kathryn Keim
Sheryl Nelson

PROCEEDINGS

I. Call to Order

The regular meeting of the Statewide Elections Accessibility Needs Advisory Committee was called to order by Chair Morrissey at 1:30 p.m.

II. Roll Call and Determination of a Quorum

All members of the Statewide Elections Accessibility Needs Advisory Committee were present at the meeting with the exception of Committee Member Anand.

III. Approval of minutes for the January 12, 2024 meeting

Vice Chair Gashel made a motion to approve the minutes for the meeting of January 12, 2024, which was seconded by Committee Member Keim, and

approved by the Committee.

IV. Discussion relating to the drafting process of county charter amendments

Glen Takahashi, City and County of Honolulu Clerk, provided an overview of the City and County of Honolulu's process for proposing amendments to the city charter. He shared that the process for this year's charter amendment questions started after the 2022 General Election as the city council started considering what they may place on the ballot.

Mr. Takahashi shared that the process to propose charter amendments is similar to how bills are passed and any proposed charter amendments must receive the mayor's approval. He explained that the resolutions are referred to committees where they further refine the language and how it is presented to voters. As of the meeting, there is one proposed charter amendment question approved by the mayor, and one awaiting approval. He added that it takes at minimum three months to pass a resolution, which then can be provided to the mayor's office for approval.

Mr. Takahashi emphasized that his office has an administrative role in the process, which includes translating the materials and working with the Library for the Blind to make the materials accessible. He further emphasized that the role of the Honolulu Clerk's office is not to provide education or interpretation of the charter amendment questions. Regarding resources, he added that there will be a digital voter guide available this year which will include an explanation of the charter amendment questions drafted by the Corporation Counsel. Additionally, information will be published on their website and print brochures will be available at satellite city halls.

Jon Henricks, Hawaii County Clerk, provided an overview of the process regarding Hawaii County's charter amendment questions. He explained that most proposals for charter amendment questions come through the county council's policy making duties. He shared the following: a bill requires three readings, six votes at each reading to make it through to the mayor, the mayor then would approve it as an ordinance, if approved it becomes a proposal to be placed on the ballot.

Mr. Henricks explained that the Hawaii County Clerk's office composes the ballot questions, and a team that includes the Corporation Counsel reviews the questions. He described that they consider if the language is simple, neutral, and that the question is complete and captures the matters that are most substantial.

Mr. Takahashi clarified that unlike Hawaii County, his office does not have a

role in drafting the questions. The ballot question is drafted by the city council and the question is included within the resolution that they eventually adopt. He explained that because the resolution goes through public hearings, the public has an opportunity to provide input or comment on the question throughout that process.

Chair Morrissey asked for clarification on what becomes a ballot question versus a bill. Mr. Henricks explained that the county charter is similar to a constitution and that everything in the charter has been voted on. He added that there is a higher threshold for charter amendment questions versus ordinances, providing the example that ordinances only have two readings. Mr. Henricks further discussed the difference between how votes are counted for charter amendment questions versus how votes are counted for constitutional amendment questions.

Mr. Takahashi and Mr. Henricks shared further insight including the rate of approval for ballot questions, voter fatigue, and whether the order of the questions on the ballot has an impact.

Chair Morrissey and Committee Members Keim and Nelson shared the importance of people knowing that the Committee exists, and offered their support and input as they have experience in writing and reviewing legislation. Mr. Takahashi suggested that the Committee consider putting it into statute that they are to be involved in drafting the language.

Committee Member Nelson joined the meeting at 1:37pm.

- V. Update from the Office of Elections on the status of the Committee's previous recommendations relating to voter education, outreach, and accessible voting

Anthony Akamine, Election Information Specialist, Office of Elections (OE), provided an update on the accessible electronic ballot. Mr. Akamine shared that OE reached out to the accessible electronic ballot vendor, Enhanced Voting, and confirmed that electronic ballots are compatible with braille devices.

- VI. Discussion relating to electronic ballot delivery and return process from the January 12, 2024 meeting report

Mr. Akamine provided an update on the accessible voting system. He shared that a demonstration ballot has been placed on OE's website via the Voters Requiring Assistance page. He explained that the website provides login information which the public can use to access the demonstration portal and practice using an accessible electronic ballot. Mr. Akamine confirmed that he

sent notice to the Committee about the demonstration ballot, however, he will resend.

VII. HB1976/SB2752 status update

Vice Chair Gashel provided an update on HB 1976. He shared that the bill was put together by the Committee and introduced by Senator San Buenaventura, Chair of the Health and Human Services Committee. The bill has passed both committees in the House of Representatives and is pending a hearing. He expressed that the bill has received good reception and expects it to pass.

VIII. Mailing of accessibility-related information before or with ballot

Vice Chair Gashel asked about broad dissemination of voter information to voters, stating that he feels that there should be broad dissemination about the accessible voting options. Vice Chair Gashel and Chair Morrissey discussed

Mr. Akamine shared that OE uses messaging tactics including social media and newsletters. He explained that in addition to individuals who subscribe to the newsletter, it is also sent to agencies that share within their own networks. Further, he shared that an upcoming newsletter will discuss accessible voting options, and he will share the newsletter with the Committee.

Nedielyn Bueno, Voter Services Section Head, OE, shared about OE's messaging tactics which include a media campaign and a forthcoming accessibility brochure. Ms. Bueno clarified that the media campaign for the 2022 Elections included language about accessibility options and reinforced that the media campaign for the 2024 Elections will include the same.

IX. 10 actions that will enhance the voter accessibility experience

Chair Morrissey recommended the agenda item to be moved to the next meeting.

X. General discussion on issues for voters with disabilities

Committee Member Nelson expressed that information about accessibility should be built into general voter education, and not be made separate.

Committee Member Keim shared that there were recent appointments for the county accessibility committees. She suggested that the Committee present

at the meetings for the county accessibility committees to present what they are doing.

XI. Adjournment

Committee Member Nelson made a motion to adjourn the meeting, which was seconded by Committee Member Keim, and approved by the Committee.

To: Statewide Elections Accessibility Needs Advisory Committee

From: Office of Elections

Re: Status Report Relating to Recommendations Received by the Statewide Elections Accessibility Needs Advisory Committee

The following is a status update relating to recommendations to OE relating to accessible voting:

- OE is currently drafting language on instructions for voting and returning an electronic ballot. The instructions will be added to the electronic ballot delivery system portal.

The following is a status update relating to discussion from the Statewide Election Accessibility Needs Advisory Committee at the **January 15, 2024** meeting:

- The committee provided the following recommendations to OE as it relates to accessible voting:
 - Recommend that the electronic ballot be compatible with braille refreshable display devices.
 - OE confirmed with Enhanced Voting, vendor of the electronic ballot delivery system, that the electronic ballot is compatible with assistive technology such as screen readers and refreshable braille displays.

The following is a status update relating to discussions from the Statewide Election Accessibility Needs Advisory Committee at the **November 14, 2023** meeting:

- Enhanced Voting
 - Enhanced Voting and OE completed a demonstration ballot for the public to utilize practicing to mark the ballot. The demonstration ballot will be posted on the Office of Elections' website at elections.hawaii.gov.

The following is a status update relating to discussions from the Statewide Election Accessibility Needs Advisory Committee at the **October 3, 2023** meeting:

- Outreach

The Office of Elections have secured voter education presentations and resource tabling with the following organizations:

- United Self Help
- Hawaii Youth Challenge Academy
- Active Senior Fair
- White Cane Walk and Vision Awareness

- Hope Services Hawaii
- East Hawaii Disability Forum
- Long-Term Care Ombudsman Program
- DOE Transition Coordinator quarterly meeting
- Access To Independence
- Access To Independence Youth

OE recently disseminated its first e-newsletter for the 2024 Elections to various groups and organizations. A link to subscribe to the Office of Elections' e-newsletter has been added to the Elections Accessibility Needs Advisory Committee webpage.

- Election laws referencing “voter with special needs”

The committee requested that OE review the election laws and identify statutes that include the term “voter with special needs” and look into amending the term to “voter with accessibility needs”.

In reviewing the state capitol’s website, which provides the text of all state statutes, OE identified HRS §§ 11-10.5, 11-10.6, 11-107, and 15-5 as referencing the term “voter with special needs.”

Of these statutes, HRS §§ 11-10.5 and 11-10.6, were changed to “voter with special needs” with the passage of Act 14, SLH 2023. The website is expected to be updated by the end of the year by the Revisor of Statutes with the updated language.

In regard to the remaining statutes, HRS §§ 11-107 and 15-5, they use the term “voter with special needs” to refer not only to voters who may have a disability but also to voters who have circumstances that would not otherwise allow them to receive and return a ballot by mail in a timely manner (e.g. a military, overseas, or similar voter who is out of the state). These voters are permitted to receive and return their ballot by electronic transmission. Given that these statutes are not solely specific to accessibility and there could be unforeseen consequences from amending them, we do not plan on submitting a bill regarding them.

The following is a status update relating to discussions from the Statewide Election Accessibility Needs Advisory Committee at the **September 5, 2023** meeting:

- The committee recommended the Office of Elections to look at ways to streamline the ballot return process.

The Office of Elections is working with Enhanced Voting to streamline the electronic ballot delivery and return processes.

Receiving the electronic ballot – The voter will receive an email from their County Elections Division with instructions on how to access their electronic ballot using a link that will direct the voter to an online ballot delivery and return portal. The voter logs into the portal using credentials associated with their voter registration.

Marking the electronic ballot – Once the voter is logged on to the portal, the voter may choose to mark their ballot within the portal or mark offline using their own compatible device.

Returning the electronic ballot – After voting the ballot, the voter has the option to return their voted ballot through the portal. The voter will still have the option to return their voted ballot via email, mail or fax.

Demonstration HTML Ballot and Portal – The vendor is finalizing the HTML demonstration ballot that will be available to the public and incorporated within the office’s voter education efforts.

The Office of Elections is targeting to test the system in the coming weeks to review the workflow. The Office of Elections will continue to keep the committee apprised on its progress.

The following is a status update relating to discussions from the Statewide Election Accessibility Needs Advisory Committee at the **May 23, 2023** meeting:

- The committee recommended the Office of Elections to look at ways to streamline the ballot return process.

The Office of Elections is working with Enhanced Voting to streamline the electronic ballot delivery and return processes.

Receiving the electronic ballot – The voter will receive an email from their County Elections Division with instructions on how to access their electronic ballot using a link that will direct the voter to an online ballot delivery and return portal. The voter logs into the portal using credentials associated with their voter registration.

Marking the electronic ballot – Once the voter is logged on to the portal, the voter may choose to mark their ballot within the portal or mark offline using their own compatible device.

Returning the electronic ballot – After voting the ballot, the voter has the option to return their voted ballot through the portal. The voter will still have the option to return their voted ballot via email, mail or fax.

Demonstration HTML Ballot and Portal – The vendor is finalizing the HTML demonstration ballot that will be available to the public and incorporated within the office’s voter education efforts.

The Office of Elections is targeting to test the system in the coming weeks to review the workflow. The Office of Elections will continue to keep the committee apprised on its progress.

The following is a status update relating to discussions from the Statewide Election Accessibility Needs Advisory Committee at the **February 15, 2023** meeting:

- Legislation relating to the Statewide Voters with Special Needs Advisory Committee.

Senate Bill 179 passed through the Legislature and has been enacted as Act 14 renaming the committee to the Statewide Elections Accessibility Needs Advisory Committee. Likewise, the name change also applies to the county committees renaming them to County Elections Accessibility Needs Advisory Committees.

The webpage has been updated with the new name.

The committee requested assistance from the Office of Elections to inquire with the County Elections Divisions regarding the number of alternate format ballot (AFB) voters.

There are about 300 voters that have requested to receive an AFB ballot statewide.

The committee requested for the Office of Elections to arrange for a representative who manages the electronic ballot process to attend a future meeting

The Office of Elections has arranged a meeting on May 19 with James Gashel and an Office of Election staff who manages the electronic ballot process.

The following is a status update relating to discussions from the Statewide Voters with Special Needs Advisory Committee meeting on **December 7, 2022**.

- The committee requested assistance from the Office of Elections to disseminate the committee’s 2022 Elections Voter Experience Survey.

The Office of Elections assisted in the dissemination of the 2022 Elections Voter Experience Survey to state departments, county agencies, organizations that work directly with persons with disabilities and special needs, and media. The following confirmed dissemination of the survey within their network via avenues such as newsletters and social media platforms.

- Hawaii State DD Council
- SPIN Network

- DVR/DHS service for the Blind
 - Access To Independence
 - Aloha Independent Living Hawaii
 - Hawaii Club House network
 - Hawaii SAAC Network
 - Lanakila Multi-purpose Senior center
 - Oahu Veterans Center
 - Maui Economic Opportunity Senior Group
- The committee requested assistance in drafting a bill to be submitted to the Legislature to consider amending the committee name from Special Needs Advisory Committee to the Statewide Voters Elections Accessibility Advisory Committee. Likewise, the bill also includes a request to amend the committee names for all four counties for consistency.

The Office of Elections drafted a bill that has since been introduced by both legislative bodies, House Bill 131 and Senate Bill 179.

- The committee agreed to have written meeting minutes to replace written summaries as its official record of meetings.

The Office of Elections will provide assistance in drafting minutes to serve as the committee's official record of meetings. The minutes from the December 7, 2022 meeting were forwarded to committee members for review and for approval at the February 15, 2023 meeting. Approved minutes will be posted to the Statewide Voters with Special Needs Advisory Committee webpage and the Office of Elections will keep on file all written minutes on behalf of the committee.