



MICHAEL CURTIS
ELECTIONS COMMISSION CHAIR

STATE OF HAWAII ELECTIONS COMMISSION

WRITTEN SUMMARY FOR VIDEO RECORDING

REGULAR MEETING OF THE ELECTIONS COMMISSION

March 11, 2026 at 10:00 AM

The video of the meeting may be viewed on our website at:
<https://elections.hawaii.gov/about-us/boards-and-commissions/elections-commission/>.

PROCEEDINGS

I. Call to order [10:00 AM]

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

II. Roll call and determination of a quorum [10:00 AM]

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

III. Approval of written minutes from the February 4, 2026 meeting [10:01 AM]

Public testimony was provided by Vivian Toellner and Shelby Billionaire.

Commissioner Dalton moved to approve the written minutes from the February 4, 2026 meeting. The motion was further amended to include the written opinion that Deputy Attorney General Ching sent to the Elections Commission. The motion was seconded by Commissioner Sabas and **carried** noting the excused absence of Commissioner Apana. [10:04 AM]

YES: Andrion, Cushnie, Kamm, Papalimu, Sabas, Curtis

NO: Dalton, Osterkamp

Commissioner Cushnie moved to amend the motion, to approve the written minutes from the February 4, 2026 meeting, to include the written opinion that Deputy Attorney General Ching sent to the Elections Commission. The motion was seconded by Commissioner Papalimu and **carried** noting the excused absence of Commissioner Apana. [10:05 AM]

YES: Andrion, Cushnie, Kamm, Papalimu, Sabas, Curtis

NO: Dalton, Osterkamp

IV. Unfinished business [10:08 AM]

- a) Report from Commissioner Andrion's PIG regarding chain of custody
- b) Update from Commissioner Dalton on contact with USPS
- c) Update from Chair Curtis on letter to county auditors
- d) Letter from Commission to the Legislature requesting funding for Hawaii County audit

Public testimony was provided on Agenda Item IV (a) by Shelby Billionaire, Jennifer Hunt, Vivian Toellner, Brennon Cabral via Andrew Aker, Austin Martin, Sherilyn Wells, Jamie Detwiler, Keoni Payton, Faith Burns, Susan Strom, Michelle Stefanik, Doug Pasnik, Jaerick Medeiros, Tammy Ash Perkins, Bruce Yoakum, Wallyn Christian, Joseph Akana, Victoria Thompson, Tamara McKay, Tara Malia Gregory, Andrew Aker, Robyn, iPhone, Rob Burns, Elizabeth C.

Public testimony was provided on Agenda Item IV (b), (c), (d) by Keoni Payton, Jamie Detwiler, Sherilyn Wells, Joseph Akana, Shelby Billionaire, Jennifer Hunt, Victoria Thompson, Vivian Toellner, Michelle Stefanik, Linda, Wallyn Christian, Tara Malia Gregory, Austin Martin, Enoka Shayne Bingo, Sheryl Bieler, Susan Strom, Jaerick Medeiros.

Commissioner Andrion moved that the Elections Commission take public testimony after the PIG report is presented. The motion was seconded by Commissioner Cushnie and **carried** noting the excused absence of Commissioner Apana. [10:10 AM]

YES: Andrion, Cushnie, Kamm, Osterkamp, Papalimu, Curtis

NO: Sabas

ABSTAIN: Dalton

Commissioner Cushnie moved that Chair Curtis write a follow up letter to the County Auditors. The motion was seconded by Commissioner Kamm **failed** noting the excused absence of Commissioner Apana. [11:38 AM]

YES: Andrion, Cushnie, Kamm, Papalimu

NO: Dalton, Osterkamp, Sabas, Curtis

Commissioner Cushnie moved to add the following items to unfinished business on the next agenda: Doug Pasnik's complaint ECC-25-006 from the October 29, 2025 meeting for referral to the Attorney General and the motion made on June 19, 2024 regarding an investigation on signature verification. The motion was seconded by Commissioner Papalimu and **failed** noting the excused absence of Commissioner Apana. [11:41 AM]

YES: Andrion, Cushnie, Kamm, Papalimu

NO: Osterkamp, Sabas, Curtis

ABSTAIN: Dalton

Commissioner Papalimu moved that Scott Nago designate the Elections Commission as an interested party so they can legally audit the County of Hawaii votes. The motion was further amended to change the term from interested party to designated representative. The motion was seconded by Commissioner Cushnie and **carried** noting the excused absence of Commissioner Apana. [12:29 PM]

YES: Andrion, Cushnie, Kamm, Papalimu, Curtis

NO: Dalton, Osterkamp, Sabas

Commissioner Kamm moved to amend the motion, that Scott Nago designate the Elections Commission as an interested party so they can legally audit the County of Hawaii votes, to change the term from interested party to designated representative. The motion was seconded by Commissioner Papalimu and **carried** unanimously noting the excused absence of Commissioner Apana. [12:35 PM]

- V. Discussion on the procedure for appointing a new Commission Chair following Chair Curtis' term expiration on June 30, 2026 [12:48 PM]

Public testimony was provided by Shelby Billionaire, Austin Martin, Alohalani Hope Cermelj, Susan Strom, Michelle Stefanik, Tamara McKay, Jennifer Cabjuan, Tara Malia Gregory, Keoni Payton, Wallyn Christian, Melvin Amaral.

Commissioner Cushnie moved that the Office of Elections immediately publish the advertisement for the anticipated Elections Commission Chair vacancy, with the term beginning July 1, 2026, and for the Commission to begin accepting applications and conduct the selection process over the next several meetings. The motion was seconded by Commissioner Andrion. The motion was further amended by Commissioner Papalimu to include an application deadline of April 30, 2026. The amendment was seconded by Commissioner Kamm. The motion **carried** unanimously noting the excused absences of Commissioners Apana and Osterkamp. [12:57 PM]

Commissioner Papalimu moved that the Elections Commission return to Agenda Item IV (d) so that Scott Nago can address the motion that was just passed regarding designating the Elections Commission as a designated representative. The motion was seconded by Commissioner Cushnie and **failed** noting the excused absences of Commissioners Apana and Osterkamp. [1:34 PM]

YES: Andrion, Cushnie, Kamm, Papalimu

NO: Dalton, Sabas, Curtis

VI. Formal complaints [1:37 PM]

- a) ECC-25-013
- b) ECC-25-014
- c) ECC-25-015
- d) ECC-25-016
- e) ECC-25-017

Public testimony was provided on Agenda Item VI (a) by AnnMarie Hamilton, Shelby Billionaire, Jennifer Hunt, Keoni Payton, Jennifer Cabjuan, Austin Martin, Tara Malia Gregory, Sherilyn Wells, Michelle Stefanik, Jamie Detwiler.

Public testimony was provided on Agenda Item VI (b) by Keoni Payton.

Public testimony was provided on Agenda Item VI (c) and (d) by Shelby Billionaire, Jennifer Hunt, Tamara McKay, Jaerick Medeiros, Victoria Thompson,

Sherilyn Wells, Michelle Stefanik, Jamie Detwiler, Austin Martin, Keoni Payton, Tara Malia Gregory, Bruce Yoakum, Jennifer Cabjuan.

Public testimony was provided on Agenda Item VI (e) by Peter Bernegger, Michelle Stefanik, Tammy Ash Perkins, Shelby Billionaire, Sherilyn Wells, Jennifer Hunt, Tamara McKay, Jennifer Cabjuan, Victoria Thompson, Tara Malia Gregory, Susan Strom, Austin Martin.

Commissioner Cushnie moved to assert attorney client privilege on the redacted emails from ECC-25-013. The motion was seconded by Commissioner Andrion and **failed** noting the excused absences of Commissioners Apana and Osterkamp. [2:13 PM]

NO: Andrion, Cushnie, Kamm, Papalimu

ABSTAIN: Dalton, Sabas, Curtis

Commissioner Dalton called for the question, and it **failed** noting the excused absences of Commissioners Apana and Osterkamp. [2:17 PM]

YES: Dalton, Kamm, Curtis

Commissioner Cushnie moved to refer complaint ECC-25-013 to the Department of Justice. The motion was seconded by Commissioner Andrion and **failed** noting the excused absences of Commissioners Apana and Osterkamp. [2:23 PM]

YES: Andrion, Cushnie, Kamm, Papalimu

NO: Dalton, Curtis

ABSTAIN: Sabas

Commissioner Cushnie moved to request that Scott Nago and a team of observers conduct a hand count of the Hawaii 2024 Election ballot return envelopes to determine the total number of envelopes received. The ballot envelopes are to be sorted into two groups: (1) envelopes returned through the mail and (2) envelopes returned through drop boxes. The removal from storage, unsealing, and counting of envelopes shall be done in the presence of official observers and any Commissioners who would like to attend. The motion was seconded by Commissioner Andrion and **carried** noting the excused absence of Commissioner Apana. [2:50 PM]

YES: Andrion, Cushnie, Kamm, Papalimu, Curtis

NO: Dalton, Osterkamp, Sabas

Commissioner Cushnie moved to have the audit that was approved in the previous motion, conducted before the next meeting. The motion was seconded by Commissioner Papalimu and **failed** noting the excused absence of Commissioner Apana. [3:04 PM]

YES: Andrion, Cushnie, Kamm, Papalimu

NO: Dalton, Osterkamp, Sabas, Curtis

Commissioner Cushnie moved to request a written opinion from Attorney General Anne Lopez regarding the 22-month rule and whether the Elections Commission, Scott Nago, or anyone can inspect the records within the 22-month period. The motion was seconded by Commissioner Andrion and **carried** noting the excused absence of Commissioner Apana. [3:40 PM]

YES: Andrion, Cushnie, Kamm, Papalimu, Sabas

NO: Dalton, Osterkamp, Curtis

Commissioner Dalton moved to defer discussion of Mr. Bernegger's complaint ECC-25-017, as Deputy Attorney General Ching has recommended. The motion was seconded by Commissioner Osterkamp and **failed** noting the excused absence of Commissioner Apana. [4:15 PM]

YES: Dalton, Osterkamp, Sabas, Curtis

NO: Andrion, Cushnie, Kamm, Papalimu

Commissioner Dalton called for the question, and it **failed** noting the excused absence of Commissioner Apana. [4:17 PM]

YES: Dalton, Osterkamp, Sabas, Curtis

NO: Andrion, Cushnie, Kamm, Papalimu

Commissioner Cushnie moved that the Elections Commission direct the Chief Election Officer to prepare and amend a HAVA state plan that fully complies with all current HAVA requirements within 60 days. The motion was seconded by Commissioner Papalimu and **carried** noting the excused absence of Commissioner Apana. [4:21 PM]

YES: Andrion, Cushnie, Kamm, Papalimu, Curtis

NO: Osterkamp

ABSTAIN: Dalton, Sabas

Commissioner Cushnie moved that the Commission document in the official record that the Chief Election Officer does not have a compliant HAVA plan and note that the absence of a compliant HAVA plan may place Hawaii at risk of losing federal election funding. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Apana. [4:31 PM]

YES: Andrion, Cushnie, Kamm, Papalimu

NO: Dalton, Osterkamp, Curtis

ABSTAIN: Sabas

Commissioner Dalton moved to return Elections Commission meetings to in-person with a remote hybrid option. The motion was seconded by Commissioner Cushnie and **carried** noting the excused absence of Commissioner Apana. [4:33 PM]

YES: Andrion, Cushnie, Dalton, Kamm, Papalimu, Sabas, Curtis

NO: Osterkamp

Commissioner Cushnie moved to request a written opinion from Scott Nago regarding the 22-month holding period for access to the ballots and envelopes. The motion was seconded by Commissioner Kamm and **failed** noting the excused absence of Commissioner Apana. [4:37 PM]

YES: Andrion, Cushnie, Kamm, Papalimu

NO: Dalton, Osterkamp, Curtis

ABSTAIN: Sabas

VII. Adjournment [4:43 PM]

Chair Curtis adjourned the meeting at 4:43 PM.