



**STATE OF HAWAII**  
**DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES**

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY  
OF  
DOUGLAS MURDOCK, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
HOUSE COMMITTEE  
ON  
JUDICIARY  
ON  
MARCH 20, 2015

S.B. 622, S.D. 1

RELATING TO THE ELECTIONS COMMISSION

Chair Rhoads and members of the Committee, thank you for the opportunity to submit written testimony on S.B. 622, S.D. 1.

The Department of Accounting and General Services (DAGS) supports the intent of S.B. 622, S.D. 1 and provides the following comment.

DAGS respectfully requests that S.B. 622, S.D. 1 be amended at page 1, line 14 to include the Governor as a recipient of the Elections Commission's written performance evaluation report of the chief election officer as the Elections Commission and Office of Elections are administratively attached agencies of the Executive Branch.

Thank you for the opportunity to submit written testimony on this measure.



House Judiciary Committee  
Chair Gilbert Karl Rhoads, Vice Chair Joy San Buenaventura

Friday 03/20/2015 at 2:00 PM in Room 325  
SB622 Relating to the Elections Commission.

TESTIMONY — SUPPORT  
Carmille Lim, Executive Director, Common Cause Hawaii

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Dear Chair Rhoads, Vice Chair San Buenaventura and members of the Committee:

**Common Cause Hawaii supports SB622**, which would require the elections commission to evaluate the chief election officer's performance after each general election, and submit a written evaluation report to the state legislature.

During the 2012 and 2014 elections, there were several examples of perceived underperformance from the chief elections officer – including late opening/closing of polls, ballot shortages, and delayed tallying of votes from a misplaced electronic voting card. These events coupled with lack of communication from the Chief Elections Officer has led to low public opinion – and lack of confidence – in the Office of Elections.

Further public frustration ensued upon learning\* that Hawaii's elections law only allows the Elections Commission to hire and advise the CEO, but does not empower the Commission to take disciplinary action toward the CEO if and when needed. The Elections Commission is currently not required to conduct a performance appraisal for the CEO. Thus, the Elections Commission does not have a formal record of the CEO's performance.

We believe that requiring a performance evaluation is a constructive way to help the CEO improve her/his performance. Requiring a performance review would also give the Elections Commission a basis for holding the CEO accountable for performance shortcomings.

Thank you for the opportunity to testify in support of SB622.

\*Note-- Media report: "Chief election officer grilled by commission, many call for his ousting" KHON2, August 22, 2014:  
<http://khon2.com/2014/08/22/chief-election-officer-grilled-by-commission-over-primary-problems/>



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#### COMMITTEE ON JUDICIARY AND LABOR

Friday, March 20, 2015, 2:00 a.m., Conference Room 325  
SB 622, SD1 RELATING TO ELECTIONS COMMISSION  
TESTIMONY

Susan Irvine, Legislative Committee, League of Women Voters of Hawaii

Chair Rhoads, Vice Chair San Buenaventura and Committee Members:

**The League of Women Voters of Hawaii would like to support the intent of SB 622 which requires the elections commission to conduct a performance evaluation of the chief election officer after each general election and submit a written report regarding the evaluation to the legislature.**

The League supports the Elections Commission evaluating the performance of the Chief Elections Officer after a general election. However, a performance evaluation is a confidential personnel matter, and the written evaluation should not be available to the public. We have no objection to submitting "a written report regarding the evaluation to the legislature" as long as this confidentiality is protected. Perhaps the report to the legislature language in the bill could be clarified to make the scope of this report more clear.

We urge you to consider our testimony and then support this bill. Thank you for the opportunity to submit testimony.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Polk	Individual	Support	No

Comments: I strongly support SB 622 to allow the Elections Commission to evaluate the Chief Elections Officer (CEO). At present, although the Commission can hire the CEO, they cannot evaluate or dismiss him. As a result, when there are problems with election procedures, the public is left to speculate about the issues, with only the CEO's own explanation, if that. Having an independent evaluation by the Commission after each election will allow a more objective assessment of any issues which have arisen and will allow the Commission to direct the CEO in making improvements. I urge you to support this bill.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brodie Lockard	Individual	Support	No

Comments: I write in support of SB622. After the last election's hiccups, a more frequent performance evaluation of the chief election officer will help bolster the public's faith in Hawaii's democracy.