



STATE OF HAWAII
OFFICE OF ELECTIONS
802 LEHUA AVENUE
PEARL CITY, HAWAII 96782
elections.hawaii.gov

SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE SENATE COMMITTEE ON JUDICIARY
ON SENATE BILL NO. 114
RELATING TO ELECTIONS

January 31, 2024

Chair Rhoads and members of the Senate Committee on Judiciary, thank you for the opportunity to provide comments on Senate Bill No. 114. This bill establishes a presidential preference primary election for the 2028 Election Cycle.

The following outlines the operational matters related to the conduct of a presidential preference primary election and notes the legal considerations on specific sections of the bill.

Operational Matters

The presidential preference primary would be conducted as a single-party primary such that voters must first select a political party and then only vote for the candidate associated with their selected political party. Votes for the candidates of another political party would not be counted. Additionally, nonpartisan presidential candidates would not have the option of appearing on the presidential preference primary election ballot and would continue to need to petition and fulfill the requirements under HRS § 11-113 to appear on the general election ballot.

All expenses are to be borne by the State, including those attributable to voter registration by the counties, unlike in a combined election in which the counties are solely responsible for voter registration costs. Our initial estimate of the costs associated with the State's responsibilities under HRS § 11-110(b)(3)(B) is listed below and is based on servicing over 949,108 registered voters, estimated based on a 5% increase in registered voters for each of the

next 2 elections (2026 and 2028) from the most recently completed 2024 Election Cycle. It does not include the expenses associated with the responsibilities of the county clerks under HRS § 11-110(b)(3)(A), such as voter registration, absentee voting, voter service centers, and places of deposit, that the State will financially need to cover. Please note that these numbers are slightly lower than the numbers we provided in our testimony on Senate Bill 2386 during the last legislative session before this committee with slight adjustments in our estimate of the voter registration count and operational costs.

Mail ballot packet - Ballot & Envelopes	356,057
Ballot Printing Services	291,168
Ballot Mailing Services	271,700
Electronic Ballot System	20,350
Postage (Outgoing)	474,554
Postage (Incoming)	597,938
Ballot Tracking System	30,846
Counting Center Facilities	612,000
Counting Center Volunteers	417,560
Staff Overtime	128,588
Voting System Vendor	571,995
<u>Voter Education</u>	<u>421,311</u>
2028 Estimate	<u>\$4,194,067</u>

Based on the timing of the election, this would be part of our FY 2026-27 and FY 2027-28 annual budget request.

Another consideration may be to move the regularly scheduled primary election to an earlier date to include the presidential preference primary as a contest. Holding a presidential preference primary election with the primary election may improve voter participation, as historically, turnout for single contest elections is lower. Also, the costs would be reduced as it becomes part of the operation of the primary election.

Legal Considerations

We raise the following legal concerns:

Section 1: HRS § 11-62 Qualification of political parties; petition.

The bill establishes the deadline to qualify as a political party for the presidential preference primary election as no later than the 90th day prior to the close of candidate filing for the election. We envision there could be political parties that do not qualify prior to the presidential preference primary, but that they do meet the deadline to appear on the primary election ballot in August. HRS § 11-62(a)(1). In such a situation, we would understand HRS § 11-113 to permit such a duly qualified party to submit

names to our office for inclusion on the general election ballot for president and vice president.

Section 3: HRS § 11-174.5 Contests for cause in general, special general, special, and runoff elections

Given that the focus of the bill is on the presidential preference primary election, we would suggest removing Section 3 of the bill that addresses the general election. Any amendments to the handling of the presidential election itself in the general election might be better addressed in a separate bill.

Section 10: HRS § 12-6 Nomination papers: time for filing: fees

We would suggest the filing fees for federal offices be kept similar to that of state offices after factoring in the discounted filing fee provision of HRS § 12-6 that functionally caps the fee at \$75 for the statewide office of governor and lieutenant governor. We may face a challenge concerning the filing fees for federal offices being significantly higher than the discounted filing fee many state and county office candidates pay. Having said that, HRS § 12-6 does include a provision for waiving the filing fee for a person who is indigent and submits a petition with a requisite amount of signatures, but it also could be subject to challenge if it is considered to be too burdensome.

Section 12: HRS § 12-8 Nomination papers; challenge: evidentiary hearings and decisions

Given that the presidential preference primary election would be a stand-alone election implemented by the Chief Election Officer, unlike a typical election that could involve over 100 federal, state, and county contests, along with hundreds of candidates, we are concerned that the present language of the bill that adopts the section 12-8 challenge process for this single contest election might create the appearance of a conflict of interest or otherwise raise concerns over the impartiality of this office.

Specifically, the proposed amendments to the statute would provide for challenges of presidential preference primary election candidates to be made initially to the Chief Election Officer. At that point, the Chief Election Officer would make a “preliminary decision on the merits of the objection,” and, if it had merit, they would then file a circuit court action essentially advocating for the removal of the presidential preference primary election candidate. Regardless of whether the candidate is removed or not from the ballot by the circuit court, the Office of Elections might be accused of bias to the candidate or the political party associated with the candidate, especially if the candidate was the sole candidate for the political party.

Under these circumstances, we would propose that objections regarding the presidential preference primary election be filed directly in circuit court, as opposed to the Chief Election Officer. This would be similar to the existing language in HRS § 12-8(f) that provides that an officer of a political party is to file directly in circuit court if they are contending that a candidate is not actually a member of their party and thus should be disqualified.

Finally, as a housekeeping matter, we would recommend that HRS § 11-1 be amended to include a definition of a presidential preference primary election that would read as follows:

“Presidential preference primary” means an election whereby candidates associated with a political party receive votes to be its presidential nominee at its national convention. The political party will send delegates to its national convention in accordance with the convention’s rules concerning delegates from each state, which may or may not ultimately factor in the results of the presidential preference primary election.

Thank you for the opportunity to provide comments on Senate Bill No. 114.



ELECTIONS DIVISION

530 S KING ST RM 100
HONOLULU HI 96813
(808) 768-3800
WWW.HONOLULUELECTIONS.US

LATE

**TESTIMONY
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON SENATE BILL NO. 114
RELATING TO THE ESTABLISHMENT OF A
PRESIDENTIAL PREFERENCE PRIMARY**

January 31, 2025

Chair Rhoads and Committee members:

Thank you for the opportunity to provide testimony on Senate Bill 114, which proposes the establishment of a presidential preference primary election to be conducted in April of presidential election years.

The Office of the City Clerk takes no position on the merits of this proposal but wishes to highlight the logistical and financial impacts associated with its implementation.

This presidential preference primary election (poll) will require various adjustments to existing election administration schedules and staffing requirements.

Preliminary estimates indicate that the Honolulu Elections Division would incur approximately \$1,122,000 in additional costs to administer this Federal contest-only election. This estimate includes expenditures related to:

- Processing of returned vote-by-mail ballots, including signature verification and validation activities.
- The operation of the full complement of places of deposit and voter service centers.
- County specific voter information/education/messaging about the new election/poll.
- Labor for seasonal staff. The introduction of an April election would require accelerated recruitment and training of seasonal and temporary personnel at least four months earlier than the current election operational schedule.

We note that this estimate has been revised from the \$775,000 provided in 2023 due to increases in postal rates, labor, and other general costs. This estimate also includes outgoing and return ballot mail postage since the ballot mail originates as a county mail piece.

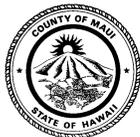


AN AGENCY OF THE CITY & COUNTY OF HONOLULU

Timely funding will be critical to enable county elections divisions to initiate the procurement of the various goods and services required to administer this election. As such, grant funding must be transferred and available for use by the counties by July 1, 2027.

Thank you for the opportunity to provide comment on SB114.

MOANA M. LUTEY, ESQ.
County Clerk



RICHELLE M. THOMSON, ESQ.
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

LATE

January 30, 2025

Hawaii Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

RE: Senate Bill No. 114

Dear Chair Rhoades, Vice Chair Gabbard, and members of the Senate Committee on Judiciary:

Thank you for the opportunity to provide comments on Senate Bill No. 114. This bill establishes presidential preference primaries and makes an appropriation. In its current form, the first presidential preference primary would be held in 2028.

Although the majority of the expenses associated with a presidential preference primary would be borne by the State Office of Elections, the counties – especially the neighbor islands – will have significant new costs and responsibilities. If Bill 114 passes, we request that the State provide Maui County with funding sufficiently in advance to allow us to fulfill the obligations required by this bill.

Under HRS §11-110(b)(3)(A), the Maui County Clerk's responsibilities include administration of candidate filing, voter registration, absentee voting, in-house mailing of ballots, receipt of ballots and operation of voter service centers on all three of the islands in Maui County, as well as deployment and servicing of places of deposit. To conduct a stand-alone presidential primary election, the Clerk's Office would need to increase its election year staffing earlier than usual, to allow sufficient time for training. Like many other offices in the state, we found it extremely difficult to attract and retain qualified temporary employees during the 2024 election cycle in spite of working with the County's Department of Personnel Services and utilizing the services of two staffing agencies.

We estimate that the initial cost of conducting a presidential preference primary election in Maui County would be approximately \$650,000.00. This

January 30, 2025
Page 2

cost estimate is based on providing similar services and resources used during the 2024 election cycle, with earlier implementation of the temporary staffing program.

In addition, the State and Maui County would need to locate a suitable location for the Counting Center. The Maui County Council Chambers have traditionally been utilized for this purpose for the primary and general elections; however, Council has indicated that this continued usage impedes its operations and have encouraged the Clerk's Office to investigate other locations for Counting Center operations.

With best regards,

A handwritten signature in black ink, appearing to read 'Moana M. Lutey', written in a cursive style.

MOANA M. LUTEY, Esq.
County Clerk

SB-114

Submitted on: 1/29/2025 12:31:21 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Alika Valdez	Testifying for The Hawaii Democratic Party	Support	Written Testimony Only

Comments:

I support this bill.



TESTIMONY
SENATE COMMITTEE ON JUDICIARY
SB114 RELATING TO ELECTIONS
Friday, January 31, 2025, at 9:15 AM, State Capitol Conference Room 016

Chair Rhoades, Vice Chair Gabbard, and Members of the Committee

According to Ballotpedia, a presidential preference primary is a primary election in which a voter indicates a preference for a particular candidate to be a party's nominee for the presidency. Caucuses may also be conducted as part of the presidential nominating process. Currently, the state's presidential primary or caucus is not a state-run direct election. Voters do not select the party's nominee directly. Whereas Democrat and Republican caucuses are currently conducted by the parties themselves in each county statewide.

SB114 proposes that the presidential preference primaries to be conducted by the state in accordance with state laws instead of by the respective parties.

The 2024 Hawaii Democratic presidential caucuses were on March 6, 2024 and the 2024 Hawaii Republican presidential caucuses were held on March 12, 2024. Both were conducted without any complaints or disputes according to multiple Hawaii media outlets. I spoke to people who volunteered at the Caucuses and they enjoyed the experience citing comradery and service to their community.

Therefore, Hawaiian Islands Republican Women stands in **STRONG OPPOSITION** to SB114 for the following reasons:

1. Control of the Presidential Primaries will shift from the people of both parties to the state.
2. SB114 will replace our in-person Presidential primaries with mail-in ballots. The cost to conduct the in-person Presidential primaries were carried by the parties and not the state.
3. SB114 will be cost-prohibitive as these are the budget allocations requested in this bill:
 - (1) \$258,075 to the county of Hawai'i;
 - (2) \$775,000 to the city and county of Honolulu;
 - (3) \$147,500 to the county of Kaua'i; and
 - (4) \$600,000 to the county of Maui.TOTAL: \$1,780,575 million (from the General revenues of the State of Hawaii)

The 2024 Hawaii Republican Presidential Caucus was a mere fraction of the cost of this proposed budget allocation request. I do not have the cost of the Hawaii Democratic presidential caucuses. That \$1.7 million would be better spent on programs for the homeless and underserved communities.

We are respectfully asking you to exercise fiscal responsibility and common sense. For these reasons, please vote NO on SB114. Thank you for the opportunity to testify.

LATE

To: JDC Chair Karl Rhoads, Vice Chair Mike Gabbard and committee members

Date of Hearing: Jan. 31, 2025, 9:15 a.m., Rm. 016

Re: Testimony in support of SB114 Relating to the Election of the President

Thank you for considering my testimony in support of SB1114 relating to the presidential primary election.

The strength of a democracy is in the participation of its citizens in the democratic process. It has never been more important to assure transparency and the widest possible participation of America's citizens and voters in the selection of their candidates and elected leaders.

The Hawai`i legislature should be congratulated for making voting easier and more convenient. Voting by mail and automatic registration at driver's license renewal were important advancements in citizen participation.

Forty-one states conduct state-run primaries including presidential primaries. This allows all voters to cast a ballot for a presidential candidate. There are 3 states that are caucus only states. Hawaii is one of six states that has both a state-run primary and caucus primary for selection of presidential candidates.

In 2024 the Democratic Party of Hawai`i held a presidential primary caucus where only 1,537 ballots were cast in a presidential primary where Joe Biden was selected. In the same year, the Republican Party cast a total of 4,416 votes and Donald Trump was selected with 4,348 votes. The two major party candidates were selected by less than 6,000 voters in a state where there are roughly 800,000 registered voters.

To get the widest voter participation possible we need to move to a State-run presidential primary. Please pass SB114.

SB-114

Submitted on: 1/30/2025 3:45:22 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Healy	Individual	Oppose	Remotely Via Zoom

Comments:

I oppose this bill and will provide testimony via zoom.

SB-114

Submitted on: 1/28/2025 3:59:17 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Oppose	Written Testimony Only

Comments:

Ludicrous!

SB-114

Submitted on: 1/28/2025 5:26:02 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

SB-114

Submitted on: 1/28/2025 7:57:33 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Hello Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

My name is Nanea Lo, and I am writing in **strong support of SB 114**, which establishes presidential preference primary elections for the 2028 election cycle.

I serve on the Sierra Club of Hawaii’s Executive Commission, sit on the board of the Hawai‘i Workers Center, and am a Kanaka Maoli, a lineal descendant of the Hawaiian Kingdom. As an advocate for fair and accessible elections, I believe that a presidential preference primary will increase voter participation, transparency, and representation in the selection process for presidential nominees.

A primary election allows more voters to have a direct say in who represents their party at the national level, making the process more democratic and inclusive. This reform is essential for ensuring that Hawai‘i voters have a stronger voice in shaping the leadership of our country.

I urge you to pass SB 114 to create a more accessible and participatory electoral process for the people of Hawai‘i.

Me ke aloha ‘āina,

Nanea Lo
Mō‘ili‘ili, HI 96826
Sierra Club of Hawai‘i Executive Commission Member
Board Member, Hawai‘i Workers Center
Kanaka Maoli / Lineal Descendant of the Hawaiian Kingdom

SB-114

Submitted on: 1/28/2025 9:54:18 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE this Bill which would remove the ability of the political Parties in Hawaii to conduct their own independent Presidential caucuses with hand-counted paper ballots. I urge all members of the Committee to **VOTE NO** on this Bill.

SB-114

Submitted on: 1/29/2025 7:32:06 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaiulani Bowers	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-114

Submitted on: 1/29/2025 7:35:20 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
karen Mountain	Individual	Oppose	Written Testimony Only

Comments:

Seems we voted on this last year, or at least something similar. NO TO VOTING MACHINES, NO to putting voting in the states hands instead of the party. The primary does not belong to the state , it is a primary for the pary to elect.

SB-114

Submitted on: 1/29/2025 7:43:56 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Janice Johnson	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE this Bill.

SB-114

Submitted on: 1/29/2025 7:51:36 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose

SB-114

Submitted on: 1/29/2025 7:55:53 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie Anne Bell	Individual	Oppose	Written Testimony Only

Comments:

Absolutely a no! You cannot find fair elections controlled by machines. Everyone knows this and any government forcing machines against the will of the people clearly must be questioned as to why. We can register to vote and vote in person without machines. Its our honor to get to vote in person in local precinct.

SB-114

Submitted on: 1/29/2025 7:59:57 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Deven English	Individual	Oppose	Written Testimony Only

Comments:

I am in strong opposition of this bill, elections in Hawaii have been a gigantic joke ever since we went to machine balloting, same day, paper balloting was the safest and fairest form of the election process, and I believe we should go back precincts and paper. Transparency.

SB-114

Submitted on: 1/29/2025 8:08:34 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Tiana Laranio	Individual	Oppose	Written Testimony Only

Comments:

Oppose. Mahalo nui

SB-114

Submitted on: 1/29/2025 8:21:40 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Griffin	Individual	Oppose	Written Testimony Only

Comments:

The Republican Party to have control and have hand counted votes to keep transparency of its party.

SB-114

Submitted on: 1/29/2025 8:52:35 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Darian	Individual	Oppose	Written Testimony Only

Comments:

I am writing to strongly oppose SB114, which would shift control of the Republican presidential primary to the state, replacing the traditional caucus with machine-counted mail-in ballots.

1. Loss of Party Autonomy

This bill removes the Republican Party's ability to organize its own primary, undermining party autonomy. Political parties should have the freedom to manage their internal processes, including selecting their presidential candidates.

2. Diminished Grassroots Engagement

Caucuses provide an opportunity for direct, in-person engagement. Switching to a mail-in ballot system diminishes the sense of community involvement and may disengage voters who value active participation.

3. Concerns About Voting Integrity

While mail-in voting is convenient, it raises concerns about transparency, security, and potential errors in machine counting. Hand-counted ballots in a caucus offer a more reliable and transparent process.

4. Undermining Local Values

Hawaii's Republican Party has a long-standing tradition of caucus voting. This bill would impose a system that does not reflect the values or needs of local voters.

For these reasons, I respectfully urge you to oppose SB114.

SB-114

Submitted on: 1/29/2025 8:53:53 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
John Bickel	Individual	Support	Written Testimony Only

Comments:

Having served on the Central Committee of the Democratic Party of Hawai'i for about three decades, I have seen the Party struggle at times to raise the funds or have the resources to properly run the presidential preference poll. I think the Republican Party would likely report they at times have also been strained by this process. This is an important part of our country's democratic process. Forty-three states have state-run presidential primaries. They find state resources to do it. So should we.

SB-114

Submitted on: 1/29/2025 9:24:54 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie West	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE

SB-114

Submitted on: 1/29/2025 9:50:53 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Keenan Place-Puaa	Individual	Oppose	Written Testimony Only

Comments:

I Keenan Place- Pua'a oppose SB114.

SB-114

Submitted on: 1/29/2025 9:59:19 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeffrey F Mizuno	Individual	Oppose	Written Testimony Only

Comments:

Text

SB-114

Submitted on: 1/29/2025 10:13:31 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Chiwa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Senator Rhoads, Vice Chair Senator Gabbard and Members of the Committee on Judiciary.

Please support SB114 which would establish presidential primary elections for 2028. I strongly support legislative proposals like SB114 which, I think, would help to take power away from political parties and give this power to voters.

Mahalo.

Jennifer Chiwa

Makiki

SB-114

Submitted on: 1/29/2025 12:42:23 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
kamakani de dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-114

Submitted on: 1/29/2025 12:44:41 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Dedely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

SB-114

Submitted on: 1/29/2025 12:48:28 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Bart Burford	Individual	Oppose	Written Testimony Only

Comments:

UNTIL HAWAII FIXES THEIR ELECTIONS (FIX THE FRAUD & GET RID OF THE MACHINES/ MAIL IN CHEATING/ NO CHAIN OF CUSTODY PROVIDED/ OUTDATED VOTER ROLLS, ETC.,) I OPPOSE ANY BILL RELATING TO OUR ELECTIONS - GIVEN THE FACT THAT THIS IS COMING FROM THE SAME GROUP WHO REFUSES TO DO ANYTHING ABOUT THE ABOVE VOTER FRAUD ISSUES!

SINCERELY, BART

SB-114

Submitted on: 1/29/2025 12:48:57 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Mallory De Dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

SB-114

Submitted on: 1/29/2025 1:24:23 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Bronson Teixeira	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this measure.

SB-114

Submitted on: 1/29/2025 1:24:50 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Lois Langham	Individual	Support	Written Testimony Only

Comments:

I support this bill. It's time for this change!

SB-114

Submitted on: 1/29/2025 1:30:47 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Madeleine D Fernandez	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE this bill! It is unconstitutional!

SB-114

Submitted on: 1/29/2025 1:36:22 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Tim Huycke	Individual	Support	Written Testimony Only

Comments:

I strongly support SB114.

SB-114

Submitted on: 1/29/2025 3:32:53 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Brown	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-114

Submitted on: 1/29/2025 3:50:28 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica Kuzmier	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing in favor of SB114. I believe a presidential primary is a great start to open the voting to more people. My true preference is for an open primary with nonpartisan ranked choice voting, so people can vote their conscience on all potential candidates, rather than be locked into one of the two major parties and/or the most popular candidates of their preferred party. But I do believe changing from a caucus to a primary is a good start and I support this bill.

SB-114

Submitted on: 1/29/2025 3:51:05 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruben Ongos	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE this Bill!!!!

SB-114

Submitted on: 1/29/2025 4:41:10 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Kerr	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. Hawaii must go back to in person voting with Voter ID on ONE election day, just like old times when we could count on the accuracy of the vote and the integrity of our elections. We no longer trust our election process in Hawaii, especially with Scott Nago in charge.

Thank you for your time and consideration.

Sincerely,

Michelle Kerr

SB-114

Submitted on: 1/29/2025 5:24:10 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee Members,

It is an unnecessary act for the state to take control of the presidential nominating process. Let the individual parties themselves organize and conduct this process!

SB-114

Submitted on: 1/29/2025 5:49:47 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

This should have been law years ago. Please support. We need to come in line with the other states.

SB-114

Submitted on: 1/29/2025 6:06:43 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Horie	Individual	Oppose	Written Testimony Only

Comments:

The state should not control a presidential primary election. I object.

SB-114

Submitted on: 1/29/2025 7:01:09 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherilyn Wells	Individual	Oppose	Written Testimony Only

Comments:

Machine counted ballots versus hand counted ballots - which one in recent decades has been more problematic, more subject to fraud and manipulation? When you watch a vote count for a candidate go BACKWARDS on the television screen (as happened in 2020), you know there's malice afoot in those software programs (or there's offsite manipulation via the internet, as Hawai'i Election Observer Austin Martin detected an internet connection in one of OUR election stations when he was an Election Observer - see my testimony on SB 780 for a summary of the serious irregularities that Austin Martin observed).

Think of the testimony of Clint Curtis to Congress (and, by the way, **last August Clint testified to OUR Election Commission that our system is extremely vulnerable to manipulation, so WHY would you take away hand counts and replace them with machine counts? I can think of only one reason and it's not flattering.**). Clint Curtis testified regarding being tasked to create an untraceable program that could alter election results 49/51. I include the transcript of that testimony by Clint Curtis after these Ten Points To TRUE Election Integrity by Capt. Seth Keshel:

Ten Points to True Election Integrity:

- I. [Clean Out the Voter Rolls](#)
- II. [Ban All Electronic Elections Equipment](#)
- III. [Voter ID with Paper Ballots Only](#)
- IV. [Ban Mail-In Voting*](#)
- V. [Ban Early Voting*](#)
- VI. [Drastically Smaller Precincts*](#)
- VII. [Ban Ballot Harvesting](#)
- VIII. [Election Day is a Holiday](#)
- IX. [New Reporting Requirements for Transparency](#)

X. [Heavy Prison Sentences for All Who Commit Fraud](#)

<https://skeshel.substack.com/p/the-ten-points-to-true-election-integrity>

Here is the transcript of Clint Curtis's testimony re the ease of creating undetectable software capable of rigging elections.

<https://wakeupsheeple.net/transcript-video-clinton-curtis-sworn-testimony-before-the-u-s-house-of-representatives-12-13-2004/>.

Transcript of sworn testimony by computer programmer Clint Curtis, before the U.S. HOUSE OF REPRESENTATIVES Democrats of the Judiciary Committee, December 13, 2004, as seen on video above follows below:

Attorney Cliff Arnebeck called Clint Curtis before the Committee, for the purpose of determining if the vote-counting process of the 2004 U.S. General Election in Ohio could have been manipulated by computer.

[Mr. Curtis is sworn in by the court reporter, on-camera, but without sound. Then sound commences.]

CLIFF ARNEBECK: Mr. Curtis, would you please state your full name for the record.

CLINT CURTIS: My name is Clinton Eugene Curtis.

ARNEBECK: And where do you reside?

CURTIS: Tallahassee, Florida.

ARNEBECK: And what is your profession?

CURTIS: I'm a computer programmer.

ARNEBECK: Would you please speak into the microphone so that the audience can hear your testimony.

CURTIS: I'm a computer programmer.

ARNEBECK: Mr Curtis, are there programs that can be used to secretly fix elections?

CURTIS: Yes.

ARNEBECK: How do you know that to be the case?

CURTIS: Because in October of 2000 I wrote a prototype for present Congressman Tom Feeney, at the company I work for in Oviedo, Florida, that did just that.

ARNEBECK: And when you say, “Did just that,” it would rig an election?

CURTIS: It would flip the vote fifty-one forty-nine to whoever you wanted it to go to, and whichever race you wanted it to win.

ARNEBECK: And would that program that you designed be something that elections officials, that might be on county boards of elections, could detect?

CURTIS: They’d never see it.

[Audience: “Hmmm!”]

ARNEBECK: Mr....[Audience speaks “... question again”] Would you answer that question once again?

CURTIS: They would never see it.

ARNEBECK: So how would such a program, a secret program that fixes the election, how could it be detected?

CURTIS: You would have to view it either in the source code, or you’d have to have a receipt, and then count the hard paper against the actual vote total. Other than that, you won’t see it.

ARNEBECK: Alright, Mr. Curtis, if you had been asked, you or others with your professional expertise, had been asked to design a protective program, a program that would protect the Ohio elections from against such software to fix the election, could you have done so?

CURTIS: If we’d been asked to make a program that could fix the election? Sure, anybody can do it.

ARNEBECK: No, could you have designed a program, a procedure, a protocol, that would have protected Ohio against this kind of rigging?

CURTIS: No, you have to look at the source code. You have to get, probably, programmers from both, or all, parties to look at the source code, and determine if there’s anything in there that shouldn’t be there. I mean, it’s a simple program, you’re adding one, two persons total. It’s a hundreds lines of code, tops. There’s.. [unintelligible]

ARNEBECK: Are you aware of whether there was any protective action in Ohio against this kind of vote rigging through software?

CURTIS: I don’t know.

ARNEBECK: You don’t know?

CURTIS: I don’t know.

ARNEBECK: You were not asked to assist in the development of any protective system, is that correct?

CURTIS: No I was not.

ARNEBECK: In your op.. uh..have you reviewed at all the elections results in Ohio?

CURTIS: No I haven't.

ARNEBECK: OK. Given the availability of such vote-rigging software, and the testimony that has been given under oath of substantial statistical anomalies, and gross differences between exit polling data and the actual tabulated results, do you have an opinion whether or not the Ohio election, the Presidential election, was hacked?

CURTIS: Yes I would say it was. I mean, if you ... have exit polling data that is significantly off from the vote, then it's probably hacked.

ARNEBECK: And your testimony is under oath?

CURTIS: Yes, sir.

ARNEBECK: And the testimony you've given is true?

CURTIS: Yes, sir.

ARNEBECK: Thank you.

[Applause, considerable.]

REP. STEPHANIE TUBBS JONES Congresswoman Waters and I have the same question:

[Curtis is directed: "Back to the podium." Curtis returns to podium.]

REP. STEPHANIE TUBBS JONES What did you say you were asked to prepare?

CURTIS: I was asked by Tom Feeney, he's now Congressman, at that time he was Speaker of the House of Florida; Yang Enterprises' — which is the company I worked for — lobbyist; and their corporate attorney. He wore a lotta hats.

REP. STEPHANIE TUBBS JONES And at that time, he was the Speaker of the House of Florida, is that what you said?

CURTIS: Yes.

REP. STEPHANIE TUBBS JONES Ok, thank you.

CONGRESSMAN JERROLD NADLER: You say he was the lobbyist for the voting machine company at the same time he was Speaker of the House?

CURTIS: I don't know what the voting machine company, but he was a lobbyist for Yang Enterprises. We had NASA contracts...

CONGRESSMAN JERROLD NADLER: Yang Enterprises did what, computers?

CURTIS: Computers.

REP. JERROLD NADLER: OK. And he was your lobbyist, your company's lobbyist?

CURTIS:
He was the lobbyist for Yang Enterprises.

REP. JERROLD NADLER: And he asked you to design a code to rig an election?

CURTIS: Yes.

REP. JERROLD NADLER: While he was Speaker of the Florida House?

CURTIS: Yes.

REP. JERROLD NADLER: Was that during, or previous to, the 2000 election?

CURTIS: Yes, October, end of September.

REP. JERROLD NADLER: Did he ever express why he wanted the code to rig an election?

CURTIS: No. I immediately assumed that they were trying to keep you guys from cheating on them. [Audience laughs.] So I wrote up the documentation of what you would look for in the source code, how you would make sure that you didn't get, you know, taken advantage of, make sure that all voting machines had receipts, because that way you could back count the ones that looked funny.

REP. JERROLD NADLER: By "receipts," you mean a paper trail?

CURTIS: Yes, paper trail. And I handed that in to Mrs. Yang and said, "Here's your report, here's your program." And she said, "You don't understand. We need to hide the fraud in the source, in the source code."

REP. JERROLD NADLER: Hide the fraud, not reveal it?

CURTIS: Not reveal the fraud, "Because we need it to control the vote in South Florida." That's what she it said.

[Audience: “Woh!!”]

REP. JERROLD NADLER: To your knowledge, was this used?

CURTIS: I have no idea, I, I was ready to leave. [Audience/Curtis laugh.] I retired and left the company.

REP. JERROLD NADLER: Your testimony just a moment ago I think you said just before you left in answer to Congresswoman ... Jones' question, would you just repeat what you said in reference to the exit polls?

CURTIS: The exit polls should not be significantly different from the vote.

REP. JERROLD NADLER: And if they were, you would conclude what?

CURTIS: I would conclude someone's playing with the vote.

REP. JERROLD NADLER: Not with the exit polls?

CURTIS: That's possible too.

REP. JERROLD NADLER: OK.

CURTIS: Something is definitely skewed.

REP. JERROLD NADLER: Something is skewed in one or the other?

CURTIS: Right. To select which one, you'd have to see where the problem is.

REP. JERROLD NADLER: Let me ask you one further question. Assuming for the moment that such software, that's what you call it? such software to rig a vote, was used, in one or more machines in Ohio or in Florida, could you today detect that, if you looked at the source code?

CURTIS: If you could get the machines, and they had not been patched yet, I mean once they get in and touch 'em, anything could happen. You could also set timers to do that, but then you'd see the timers. Then you'd have to take those machines, decompile 'em, which I couldn't do, but possibly a Microsoft or MIT something, could do, you might, you might, be able to do.

REP. JERROLD NADLER: You might.

CURTIS: Depends on how good they are at destroying what they had.

REP. JERROLD NADLER: Destroying what they had by tampering with the machine afterwards, or by programming it with destroying instruction in the first place?

CURTIS:
Right.

REP. JERROLD NADLER: Either or both?

CURTIS: Either or both. Because since you didn't actually see what's in there. So you don't actually know if the code is running in single executable, or running in various modules. If it's running in modules, you can make the code actually eat itself.

[Audience murmurs, then "Wow!"]

REP. JERROLD NADLER: Let me ask you just one further question. We've been told, I've been told, that people who assume that lots of the election results, a large fraction of the election results in this state may have been affected by computerware fraud in the computer are paranoid, because in order to do that you would have to have access to thousands of machines, and that would be readily detectable. Is that true?

CURTIS: It depends on the technology used. If you did a central tabulation machine that fed in, all you would have to do is set a flag. If you set a flag, the central tabulation machine would then flip your vote.

REP. JERROLD NADLER: So if you, so one person putting in bad code in a central tabulation machine could affect thousands and thousands, or tens of thousands, of votes?

CURTIS: Right. And you could activate it ...

[Congressman Nadler starts to speak, but stops]

CURTIS: ...you could activate it either automatically, or you could make it so that there's code existing on like an automatic [?] machine that feeds it, where you would punch it in, it would set the flag, server would receive the flag, and then...

REP. JERROLD NADLER: And if you had a recount ... [unclear] ... no paper trail — assuming that would happen — would that be revealable by seeing a discrepancy between what the tabulator, the central tabulator trail [unclear] the individual machines which had not been tampered with, have?

CURTIS: Not if I wrote it.

REP. JERROLD NADLER: Why not?

CURTIS: I would make it match.

REP. JERROLD NADLER: You could work back from the tabulator to the individual machines? So the tabulator would tell the machines to switch their results?

CURTIS: Yes. It talks both ways. You can flip it to do whatever you need.

REP. JERROLD NADLER: And they actually do talk to each other, the machines...?

CURTIS: Yes, once it's hooked up, if it's networked together, they can talk to each other.

REP. JERROLD NADLER: So there's absolutely no assurance whatsoever that anything could be [right?] with these machines?

CURTIS: Absolutely none, unless you look at the source code, and make sure it's safe before it goes out.

REP. JERROLD NADLER: Thank you very much.

[Madam Chair:] Thank you, Congressman Nadler. I know that Congresswoman Waters has questions, and then Senator Miller, and then Congresswoman Stephanie Tubbs-Jones.

REP. MAXINE WATERS: This will only a moment, if you will come back to the uh, microphone.

[Audience laughs]

CURTIS: I'm new at this.

REP. MAXINE WATERS: As you know, there has been a lot of discussion about, I think it was Diebold Company, their relationship to the President, and the administration, and supposedly comments about helping to insure that the President was re-elected. In your world, in your environment, have you heard any of this kind of discussion? Do you know people at Diebold? Do you have any sense of any actions that may have been taken?

CURTIS: Uh, I don't know anything about that at all.

REP. MAXINE WATERS: Thank you.

[Madam Chair calls Dr. Miller]

DR. MILLER: I suspect that people will attack you in terms of your credibility. Could you restate once again your, your credentials.

CURTIS: Uh, I'm a programmer, I worked for NASA, I worked for Exxon Mobil, I worked for um, Florida Department of Transportation, and other elements of my story, because this company, well, let's get into it. Why not? This company also had a NASA contract, and they were basically downloading tons of information, I mean, gigabytes' worth, and handing them off to this little Chinese guy named Henry Nee (?) And, it didn't seem right, and, he was hacking things

I wrote a program for DOT that allowed contractors to send information into DOT, and he was kind of the quality assurance guy for software. He put a wiretapping module into the program that went out to the contractors so that it actually sent everything they sent, back to Yang. So I reported all this, and just last March I think, he was arrested for attempting to send anti-tank missile chips to the capital of Communist China.

If that's correct, this is like a small thing...

Of course I think he only got a hundred dollar fine.

[Audience: HmMMM! HmMM!]

And no time.

[Audience: Oh God!]

[Madam Chair:] Thank you. Congresswoman Stephanie Tubbs-Jones....

[Audience: long, hearty applause]

We are now going to um go back to the public testimony and...

[*End*]

SB-114

Submitted on: 1/29/2025 8:51:39 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Support	Written Testimony Only

Comments:

Support

SB-114

Submitted on: 1/29/2025 9:47:56 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
L Miles	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

Thank you.

SB-114

Submitted on: 1/29/2025 11:32:02 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Doug Pasnik	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB114, which seeks to establish a state-run presidential preference primary in Hawaii. While proponents argue that this measure enhances voter participation, it introduces significant logistical and financial burdens, and undermines the democratic process.

First and foremost, the financial burden of implementing this primary is unjustifiable. The bill allocates \$4.3 million to the Office of Elections and \$1.78 million to counties for administration, diverting substantial taxpayer funds from more pressing public services such as education, housing, and healthcare. Hawaii's mail in election system is already 30% more expensive than was traditional in person voting. Given Hawaii's existing fiscal challenges, allocating over \$6 million for an additional election process is an inefficient use of resources, particularly when political parties are fully capable of administering their own caucuses or internal selection methods at no cost to the state.

Additionally, this bill compromises the autonomy of political parties by placing their internal candidate selection process under state control. Presidential primaries are inherently partisan functions, and forcing a state-managed election interferes with the ability of parties to determine their nominees according to their established rules and preferences. This measure may result in legal and constitutional challenges, as the First Amendment protects the right of political parties to govern their own affairs without undue government interference.

Furthermore, the necessity of this primary is questionable, given Hawaii's historically low participation in presidential primaries. The state has one of the lowest voter turnout rates in the nation, and shifting to a government-run primary will not necessarily increase engagement. Instead, it introduces additional voter fatigue by adding another election to an already lengthy and complex electoral process, and into a states mail in voting process that is already compromised. If the goal is to improve voter participation, efforts should instead focus on election integrity, education, outreach, and reforms to the general election system rather than creating an entirely new primary structure.

Moreover, the bill's provision that nonpartisan candidates are excluded from the ballot raises concerns about fairness and democratic inclusivity. While political parties would retain control over delegate allocation, limiting ballot access in a state-funded election contradicts the principles of fair and open electoral participation. If the state is to manage the process, all eligible candidates should be granted equal access to the ballot, rather than allowing major parties to dominate the system at taxpayer expense.

Ultimately, SB114 is a costly and unnecessary expansion of government that undermines party autonomy, diverts essential resources, and fails to address the root issues of election integrity and voter engagement. Instead of imposing an additional layer of bureaucracy, lawmakers should focus on strengthening existing democratic processes through voter education and accessibility reforms. For these reasons, I strongly urge the rejection of SB114 in order to preserve fiscal responsibility, political fairness, and integrity of the democratic process.

SB-114

Submitted on: 1/29/2025 11:43:28 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Cabjuan	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose this bill

SB-114

Submitted on: 1/30/2025 12:07:28 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Cordery	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill! I do not want state run Mail in Presidential Primaries!

In Person Voting is our constitutional right!

SB-114

Submitted on: 1/30/2025 5:32:25 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
julie schaus	Individual	Oppose	Written Testimony Only

Comments:

I oppose sb114 the state should not run mailed primaries.

I want in person primaries

SB-114

Submitted on: 1/30/2025 5:42:06 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg schaus	Individual	Oppose	Written Testimony Only

Comments:

I oppose sb114

SB-114

Submitted on: 1/30/2025 7:10:22 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheryl Rzonca	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB114. No mail in ballots

SB-114

Submitted on: 1/30/2025 7:52:19 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Kirk Powles	Individual	Oppose	Written Testimony Only

Comments:

In person voting is the only way to ensure accurate and true voting. Mail in voting is susceptible to fraud and deception and has no place in our state.

SB-114

Submitted on: 1/30/2025 8:11:15 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Corinne Solomon	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB114.

I was a volunteer for our Presidential Primary last year. We were well organized, well prepared, and ran a smooth primary election with in person voting and voter ID. Our primaries are a lot of fun and a great way to connect with our community!

Shifting this process to the state's control with mail in ballots will cost taxpayer money and is antithetical to everything Republicans want for elections; inperson voting with voter ID and hand counting of ballots.

Please vote NO on this bill.

SB-114

Submitted on: 1/30/2025 8:44:50 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Kean Salzer	Individual	Oppose	Written Testimony Only

Comments:

We object to this bill. Do not pass it.

SB-114

Submitted on: 1/30/2025 9:05:33 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Carina	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill, due to its longstanding undersatnding that this 'mail in ballot' option may be more convenient for a few; however 1. costs more and 2. It was proven from the 2024 general elections that Hawaii citizens prefer to do in person ballot drop offs. SAVE THE MONEY AND GIVE IT TOWARDS RAISING HAWAII'S EDUCATIONAL SCORES.

Carina Lara

LATE

SB-114

Submitted on: 1/30/2025 9:18:41 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Lolita Keni	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill, because we should go back to hand counting the ballots. I believe it would be best for all of Hawai'i, that both parties have people to do the tallying, by hand.

LATE

SB-114

Submitted on: 1/30/2025 11:23:05 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Smart	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB114. Vote no.