



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:
H.B. NO. 1716, RELATING TO ELECTIONS.

BEFORE THE:
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

DATE: Thursday, February 19, 2026 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Jung Min (Charles) Lee, Deputy Attorney General

Chair Tarnas and Members of the Committee:

The Department of the Attorney General provides the following comments.

This bill creates a new pathway for political parties to remain on the general election ballot. Any party that has appeared on the general election ballot for twenty consecutive years would be deemed continuously qualified and exempt from further petition requirements. The chief election officer would confirm eligibility using historical ballot records, and a party would retain this status unless it dissolves, withdraws, or fails to meet required organizational, reporting, or filing obligations. The bill would also apply immediately by allowing the twenty-year requirement to be satisfied through prior ballot appearances.

This bill raises a constitutional concern, particularly under the Equal Protection Clause. By permanently exempting parties that meet the twenty-year threshold from requalification requirements while continuing to apply petition and performance rules to all other parties, the bill creates a two-tier system for ballot access. Even if the purpose is to reduce administrative burden, selectively lifting requirements for one class of parties may invite challenge if the distinction is not supported by a clear, generally applicable governmental rationale. The risk is heightened where the bill's findings identify only a single qualifying party by name, which could make the classification appear tailored rather than neutral.

The bill also raises practical concerns about ensuring that ballot access reflects ongoing voter support. Under the proposed new section, a continuously qualified party would retain its status until it "[d]issolves," "[v]oluntarily withdraws from participation in the election ballot," or "[f]ails to comply with applicable organizational, reporting, or filing requirements." Page 3, lines 8–13. Notably absent from these conditions is any requirement that the party maintain a minimum level of voter support. By contrast, section 11-61(b), Hawaii Revised Statutes, requires all other parties to demonstrate specific vote thresholds — such as receiving at least ten percent of votes cast for statewide offices, or at least two percent of combined votes for state senate and state representative races — to avoid disqualification. Page 5, lines 6–21. The bill expressly exempts continuously qualified parties from these thresholds, providing that section 11-61(b) "shall not apply to any political party deemed continuously qualified." Page 6, lines 1–2. The result is that a long-established party could retain ballot access with negligible electoral support indefinitely, while a newer party with demonstrably greater voter backing would still face disqualification if it falls short of the statutory vote-share requirements.

If the Committee wishes to proceed, narrower alternatives could achieve the bill's objectives while reducing these concerns. Rather than a permanent exemption, the bill could provide a simplified requalification process for long-established parties, such as a longer requalification cycle or reduced signature threshold. The bill could also pair any exemption with a minimal ongoing support standard. Finally, broadening eligibility—by adjusting the twenty-year threshold or incorporating cumulative vote performance—would make the classification more generally applicable and reduce the perception that it is designed to benefit a single named party.

Thank you for the opportunity to provide comments.

HB-1716

Submitted on: 2/17/2026 9:29:03 AM

Testimony for JHA on 2/19/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan B Roberts Emery	Green Party of Hawai'i	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is Susan RobertsEmery, as Co Chair of the Green Party of Hawai'i, we are grateful to see this Bill see the light of day. On behalf of the Green Party of Hawai'i membership we are in Very STRONG Support of HB1716.

This bill recognizes that political parties that have maintained ballot access for twenty consecutive years have already demonstrated sustained voter support and compliance with election laws. This will save money in the future as the petitioning process can be eliminated for Political Parties in good standing. Less bureaucracy is a win for everyone.

HB 1716 promotes fairness and consistency while preserving the authority of election officials to enforce all other legal requirements.

The Green Party of Hawai'i asks for your Support for HB 1716

Mahalo,

Susan RobertsEmery

Green Party of Hawai'i

Paauilo



**House Committee on Judiciary and Hawaiian Affairs
Hawai'i Alliance for Progressive Action (HAPA) Supports HB 1716
February 19th, 2:00 PM in Conference Room 325 & Videoconference**

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

Hawai'i Alliance for Progressive Action supports HB 1716. This bill establishes a process by which any political party that has been continuously listed on the general election ballot for twenty or more years shall be deemed continuously qualified for ballot placement.

Under the current statutes, political parties must repeatedly petition to retain ballot access, even after decades of demonstrated voter support and uninterrupted qualification. This creates unnecessary administrative and financial burdens on both the party and the Office of Elections.

HB 1716 recognized that long-term, continuous ballot qualification reflects sustained voter support, organizational stability, and compliance with election law. When a party has met qualification requirements for twenty consecutive years, requiring repeated petitioning does not advance election integrity or voter participation.

HB 1716 promotes fairness, reduces administrative redundancy, and ensures consistent and predictable ballot access standards. At the same time, it preserves the Office of Elections' authority to enforce compliance with all other election laws.

We respectfully urge support for HB 1716.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Anne Frederick', is positioned above the typed name.

Anne Frederick, Executive Director
Hawai'i Alliance for Progressive Action

HB-1716

Submitted on: 2/18/2026 1:39:35 PM

Testimony for JHA on 2/19/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dave Mulinix	Greenpeace Hawaii	Support	Remotely Via Zoom

Comments:

Aloha Chair, Vice Chair, & JHA Committee Members,

My name is Dave Mulinix, Co-Founder & Hawaii State Representative of Greenpeace Hawaii. On behalf of our thousands of members and supporters in the State of Hawaii we stand in **STRONG SUPPORT** of HB1716 that Establishes a process by which any political party continuously listed on the general election ballot for twenty or more years shall be deemed continuously qualified for ballot placement.

The wording in this bill sums up our position, to note:

The purpose of this Act is to promote fairness and equal treatment among political parties, reduce unnecessary administrative burdens on long-established political parties and the State, recognize sustained voter support and organizational stability, and ensure consistent, predictable, and nondiscriminatory ballot access in Hawaii elections.

Specifically, this Act establishes a process by which any political party continuously listed on the general election ballot for twenty or more years shall be deemed continuously qualified for ballot placement.

To ensure a fair, equitable, open, and democratic election process please pass HB1617.

Mahalo

Dave Mulinix

Co-Founder & Hawaii State Representative

Greenpeace Hawaii

HB-1716

Submitted on: 2/16/2026 10:26:25 AM

Testimony for JHA on 2/19/2026 2:00:00 PM

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

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

I am writing in support of HB 1716.

This bill recognizes that political parties that have maintained ballot access for twenty consecutive years have already demonstrated sustained voter support and compliance with election laws.

Let's make the system easier to navigate for all political parties that have a proven track record.

HB 1716 promotes fairness and consistency while preserving the authority of election officials to enforce all other legal requirements. Please support HB 1716

Mahalo,

John "Fitz" Fitzpatrick
Makawao

HB-1716

Submitted on: 2/16/2026 10:54:16 AM

Testimony for JHA on 2/19/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Kahn	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

I am writing in support of HB1716.

I believe that political parties that have maintained ballot access for 20 consecutive years have already demonstrated sustained voter support and compliance with election laws.

This bill also strengthens the democratic process by easing restrictions in ballot access for candidates and increasing candidate and party choices for voters.

HB1716 promotes fairness and consistency while preserving and improving election integrity.

Please support HB1716.

Mahalo,

Greg Kahn

Mo;okai

HB-1716

Submitted on: 2/16/2026 3:48:13 PM

Testimony for JHA on 2/19/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kimdonghyeon	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

I am writing in support of HB 1716.

This bill recognizes that political parties that have maintained ballot access for twenty consecutive years have already demonstrated sustained voter support and compliance with election laws.

HB 1716 promotes fairness and consistency while preserving the authority of election officials to enforce all other legal requirements. Please support HB 1716

Mahalo,

kimdonghyeon

HB-1716

Submitted on: 2/16/2026 6:18:05 PM

Testimony for JHA on 2/19/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ann Dorsey	Individual	Support	Written Testimony Only

Comments:

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

I urge you to support of HB 1716.

This bill recognizes that political parties that have maintained ballot access for twenty consecutive years have already demonstrated sustained voter support and compliance with election laws.

HB 1716 promotes fairness and consistency while preserving the authority of election officials to enforce all other legal requirements. Please support HB 1716

Thank you

HB-1716

Submitted on: 2/17/2026 8:46:25 AM

Testimony for JHA on 2/19/2026 2:00:00 PM

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

Comments:

Hello Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is **Nanea Lo**, and I am writing in **strong support of HB 1716**.

This bill appropriately recognizes that political parties which have maintained ballot access for twenty consecutive years have already demonstrated sustained voter support, organizational stability, and long-term compliance with Hawai‘i’s election laws. Requiring such parties to repeatedly re-qualify for ballot access imposes unnecessary administrative burdens without providing any meaningful public benefit.

HB 1716 promotes fairness and consistency in election administration by aligning statutory requirements with demonstrated electoral reality. It allows election officials to focus limited resources on oversight, voter access, and election integrity rather than redundant procedural hurdles. Importantly, this measure does **not** weaken regulatory authority—the Hawai‘i Office of Elections retains full power to enforce all other legal requirements governing transparency, reporting, and compliance.

By reducing unnecessary barriers while preserving accountability, HB 1716 supports a more efficient, accessible, and democratic electoral system.

For these reasons, I respectfully urge the Committee to **SUPPORT HB 1716**.

me ke aloha ‘āina,

Nanea Lo, 96826

Sierra Club of Hawai‘i Member

Hawai‘i Workers Center Board Member

Honolulu Tenants Union Member

350 Hawai‘i Member

Carbon Cashback Hawai‘i Member

Hawai'i Tax Fairness Coalition Member

HB-1716

Submitted on: 2/17/2026 7:00:11 PM

Testimony for JHA on 2/19/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cristina Holt	Individual	Support	Written Testimony Only

Comments:

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

I am submitting testimony in STRONG SUPPORT of HB 1716.

Imagine having to prove you live in your house every single year, not because anything has changed, but just because that is the rule. That is essentially what Hawaii currently asks of political parties that have been on the ballot continuously for decades. The Green Party of Hawaii has been qualifying since 1992. That is over thirty years of demonstrated voter support and organizational stability. Making them petition again and again does not protect election integrity. It just wastes everyone's time and money.

HB 1716 says simply: if you have shown up, played by the rules, and earned your place on the ballot for twenty or more consecutive years, you have proven yourself. You should not have to keep proving it.

The bill removes a redundant administrative hurdle that serves no real purpose except to drain resources from smaller parties that are already doing the work.

Fair elections mean fair rules for everyone. I urge the committee to pass HB 1716.

Mahalo for your time and consideration.

HB-1716

Submitted on: 2/17/2026 8:34:57 PM

Testimony for JHA on 2/19/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leimomi Khan	Individual	Support	Written Testimony Only

Comments:

strongly support H.B. 1716.

This measure promotes fairness, efficiency, and stability in Hawai‘i’s democratic process by recognizing the long-standing presence and demonstrated voter support of political parties that have remained continuously on the general election ballot for twenty or more years. By allowing these parties to be deemed continuously qualified, the bill removes unnecessary and repetitive petition requirements while maintaining full compliance with organizational, reporting, and election laws.

Hawai‘i’s election system should encourage consistent civic participation and reduce administrative burdens that do not meaningfully improve voter access or election integrity. Political parties that have sustained decades of voter engagement have already demonstrated their legitimacy, organizational capacity, and public support. Requiring them to repeatedly re-qualify through petition does not strengthen democracy; rather, it diverts time and resources from voter outreach, issue education, and meaningful participation in the electoral process.

H.B. 1716 also:

- **Creates greater predictability and stability** in our elections by ensuring that long-standing parties can plan for candidate recruitment and voter engagement without uncertainty;
- **Reduces administrative workload** for the Office of Elections, allowing resources to be focused on voter services and election security; and
- **Supports a more inclusive and representative democracy**, where voters continue to have access to a consistent range of political voices and choices on the ballot.

From a public policy perspective, this measure does not weaken accountability. A party deemed continuously qualified would still be required to comply with all applicable election laws and filing requirements, and it could still lose its status if it fails to do so. This maintains the integrity of the system while eliminating redundant procedural barriers.

A healthy democracy depends on participation, continuity, and public confidence. By recognizing sustained voter support and organizational stability, H.B. 1716 strengthens all three.

For these reasons, I respectfully urge the Committee to **PASS H.B. 1716.**

Mahalo for the opportunity to testify.

Me ka ha'aha'a,

Leimomi Khan

HB-1716

Submitted on: 2/18/2026 11:29:23 AM

Testimony for JHA on 2/19/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jackie Keefe	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is Jackie Keefe, I am a member of the Green Party, and I am **in strong support of HB1716**, which allows political parties that have been continuously listed on Hawai'i's general election ballot for twenty or more years to remain qualified without having to repeatedly re-petition for ballot access.

I joined the Green Party in 2024 and have collected signatures to get the party qualified to be on the ballot in both 2024 and 2025. It is a process that has aroused in me some frustration against "the system," as neither the Democrat or Republican Party has to do the same. The Green Party has successfully petitioned to get on the ballot every cycle for decades now, but this barrier is inherently undemocratic. If a political party has appeared on the ballot for twenty plus years, it has already demonstrated real and sustained voter support. Requiring such parties to repeatedly re-petition creates unnecessary administrative work for both the party and the State without improving election integrity. Rather than focus on growing the Green Party, the members have to spend their time every year or two working to requalify for the be on the ballot.

Please **pass HB1716** to enable a more democratic process for Hawai'i voters.

Mahalo for your consideration,

Jackie Keefe, Lahaina

HB-1716

Submitted on: 2/18/2026 1:59:18 PM

Testimony for JHA on 2/19/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
NIKHILANANDA	Individual	Support	Remotely Via Zoom

Comments:

Aloha State of Hawai'i House Committee on Judiciary and Hawaiian Affairs:

My name is Nikhilaranda, a resident of Huelo on Maui.

I strongly support this bill, HB1716 requesting that *HRS §11-61§11-62* be amended so that a political party, which has been continuously qualified and on the ballot in Hawai'i for twenty consecutive years or more, be permanently secured and listed on the ballot in Hawai'i without the need to re-petition the State of Hawai'i to remain on the ballot.

This is a matter of fairness, equity and justice. Two political parties seem to be treated differently; not being required to petition year after year to remain on the ballot in Hawai'i. This additional inconvenient burden required of other parties is discriminatory and serves little beneficial purpose for our State, other than demand that certain political parties need to maneuver discriminatory, burdensome and onerous rules and regulations.

The Green Party of Hawai'i [GPH] has been and continuously remained on the ballot in Hawai'i since first qualifying in 1992 over thirty-four years ago! Since then, the GPH has successfully petitioned seven times over the years. In 1994, the GPH qualified to be on the ballot as a result of obtaining over the minimum amount of votes required in 1992 in a state-wide race, in this case for U.S. Senate. The GPH successfully re-petitioned to be on the ballot in 1996. In 1998, the State of Hawai'i demanded that the GPH had to re-petition because they had not met the requirement at that time of successfully petitioning in three consecutive election years. The GPH challenged this rule since the GPH did NOT have to petition in 1994 because the GPH had received enough votes in 1992 and thus in 1994 there was no need to petition for the GPH to be included on the ballot. The GPH sued and challenged this requirement and were successful in having this rule, law and requirement changed!

The GPH thus was on the ballot in Hawai'i in 1998, 2000, 2002, 2004 and 2006 as a result of the law in *HRS §11-62* which stated after three successive petitioning and/or qualifying successfully and meeting the rules to be included on the ballot, a political party will be on the ballot for ten election years. In 2008, 2010 and 2012, once again, the GPH successfully re-petitioned the State. Thus, the GPH was included on the ballot in Hawai'i in 2014, 2016, 2018, 2020 and 2022.

The GPH has now successfully petitioned the State of Hawai'i to be on the ballot in 2024 and recently for 2026.

The additional requirements about meeting certain number of votes in State-wide races adds even further burden and again are discriminatory!

I also suggest deleting “*HRS §11-61* parts b). (2) – (5)”! These burdens are unacceptable for fairness and equality!

Enough is enough!

It is time to stop the discriminatory practice against the GPH plus other political parties and it is time to treat all political parties equally!

When voters of the State of Hawai'i are approached to sign the petition, an overwhelming majority not only support the Green Party and other political parties on the ballot, they feel the requirements are unnecessary are overly burdensome and want the Green Party on the ballot!

Change/Amend *HRS §11-61* and *§11-62*, plus all other relevant laws, rules and regulations, so that after a certain amount of time a political party is permanently included on the ballot in the State of Hawai'i without the need to re-petition to be on the ballot!

Mahalo

--

NIKHILANANDA

P.O. Box 1704

Makawao Maui, Hawai'i

96768-1704

102 West Waipi'o Road

Huelo Maui, Hawai'i

96708-5760

nikhilananda@hawaiiantel.net

808-572-USUS(8787)

808-269-2218(cell)

HB-1716

Submitted on: 2/18/2026 3:30:10 PM

Testimony for JHA on 2/19/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ramona Hussey	Individual	Support	Written Testimony Only

Comments:

Strongly support HB1716 which provides for smaller political parties which have managed to get on the ballot for 20 years in a row to be exempted from having to petition each election.