



**STATE OF HAWAII  
OFFICE OF ELECTIONS**

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**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. 2450  
RELATING TO ELECTIONS**

February 6, 2026

Chair Rhoads and members of the Senate Committee on Judiciary, thank you for the opportunity to provide comments on Senate Bill No. 2450. 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 will be the responsibility of 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.

Mail ballot packet - Ballot & Envelopes	275,678
Ballot Printing Services	265,335
Ballot Mailing Services	249,755
Electronic Ballot System	20,350
Postage (Outgoing)	562,822
Postage (Incoming)	702,340
Ballot Tracking System	26,000
Counting Center Facilities	680,000
Counting Center Volunteers	265,305
Staff Overtime	56,043
Voting System Vendor	529,575
<u>Voter Education</u>	<u>401,722</u>
2028 Estimate	<u>\$4,034,925</u>

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

Moving the regularly scheduled primary election to an earlier date to include the presidential preference primary as a contest will significantly lower the cost. It may also improve voter participation, as historically, turnout for single contest elections (i.e. special elections), are lower.

### Legal Considerations

We raise the following legal concerns:

#### **Section 1: HRS § 11-1 Definitions**

We would recommend that the proposed definition of a presidential preference primary election in the bill be amended to clarify that ultimately the results of the presidential preference primary election reflect a preference as opposed to anything that is binding on a political party and its national convention. Specifically, the political party will continue to 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. This would be consistent with the language in Section 17 of the bill that acknowledges this.

As such, we would propose that the definition of a presidential preference primary be amended to 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.

**Section 2: 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 4: 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 11: 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 13: 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.

Thank you for the opportunity to provide comments on Senate Bill No. 2450.



February 2, 2026

Senate's Committee on Judiciary  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Hearing: Monday, January 9, 2026 at 9:30 AM

RE: **STRONG OPPOSITION for House Bill 2450**

Aloha Chair Rhoads, Vice-Chair Gabbard and fellow committee members,

Pride at Work – Hawai'i is an official chapter of [Pride at Work](#) which is a national nonprofit organization that represents LGBTQIA+ union members and their allies. We are an officially recognized constituency group of the AFL-CIO that organizes mutual support between the organized Labor Movement and the LGBTQIA+ Community to further social and economic justice. We write in **strong opposition of Senate Bill 2450**.

Pride at Work – Hawai'i's opposition is based on the following facts:

#### **Fiscal Impact**

- Estimated cost of approximately **\$6 million** (2024 estimate), combining State and County expenditures.
- Represents a significant public investment during a time of competing budget priorities and unmet community needs.

#### **Public Purpose and Governmental Interest**

- The bill establishes an election mechanism that does not serve a clearly articulated governmental function applicable to all voters.
- Presidential preference primaries primarily benefit internal party processes rather than the general electorate.

#### **Equity and Access Concerns**

- Results may only be utilized by **certain political parties**, raising questions about whether public funds are being used to support activities that do not provide universal public benefit.
- Taxpayer-funded elections are traditionally expected to serve all voters equally, regardless of party affiliation.

#### **Opportunity Costs**

- The same funds could alternatively be directed toward programs that address pressing needs such as:
  - Workforce development
  - Mental health services

- Housing stability
- Public education and essential services
- Supporting food security
- Wildfire protection and proper land management

**Administrative Considerations**

- Adds complexity and administrative burden to State and County election operations for a limited-purpose election.

We appreciate the intent behind SB 2450 to increase voter participation and civic engagement, goals we strongly support. However, investing an estimated \$6 million in a presidential preference primary is not the most effective or equitable use of taxpayer dollars to achieve that outcome. Those funds could have a far greater impact if directed toward proven voter engagement strategies such as expanded voter education and outreach programs, particularly for young, working-class, rural, and marginalized voters, or improving access through expanded voter service centers, and language access assistance. These approaches strengthen democracy broadly, benefit all voters regardless of party affiliation, and deliver a clearer public return on investment.

For these reasons, **Pride at Work – Hawai'i strongly urges you to hold SB 2450 in committee.**

**Mahalo nui loa for the opportunity to testify.**

In Solidarity,

Michael Golojuch, Jr. (he/him)  
President  
[Pride at Work – Hawai'i](#)

**SB-2450**

Submitted on: 2/2/2026 3:34:35 PM

Testimony for JDC on 2/6/2026 9:00:00 AM

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

## Comments:

For those of us old enough to remember the race between Obama and Hillary Clinton in 2008 and between Bernie Sanders and Hillary Clinton in 2016, the system of voting by caucus is cumbersome at best. Waiting for hours in long lines to vote in a caucus turns people off to the political process. The political parties in our state don't have the resources to pay for their own primaries. So this is the logical solution. Please pass this bill.

**SB-2450**

Submitted on: 2/3/2026 1:40:45 PM

Testimony for JDC on 2/6/2026 9:00:00 AM

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

Comments:

I most strongly oppose SB2450.

The Officer of Elections already is failing in running elections. We know there were excess votes in both Kauai and the Big Island. It is likely that the voter rolls in the state is corrupted on all islands but the Office of Elections does nothing to correct their files and even refuses to provide voter rolls to the Department of Justice. There has been one failure after another from not having sufficient ballots, not mailing out military ballots on time, not conducting audits with original ballots as the Hawaii law required. There is no way the Office of Elections is sufficiently competent to run primary elections.

The attempt to take over primary voting seems to be a step forward in implementing ranked choice voting beyond the areas that it is currently being implemented. Ranked choice voting is more complex and more difficult to achieve the transparency needed to ensure Hawaii has valid elections.

Hawaii voters have little confidence in the Office of Elections.

Do not pass SB2450.



**SB-2450**

Submitted on: 2/3/2026 11:11:30 PM

Testimony for JDC on 2/6/2026 9:00:00 AM

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

Comments:

Aloha Committee Members,

The primary election system has **FAILED** us. A noble experiment to enhance democratic participation in our politics, the primary election system has instead directly empowered fringe political actors on the left and right. Instead of delving more into our disastrous experiment, we should abandon primaries in general.

I **STRONGLY URGE** the committee to **REJECT** SB2450!

**SB-2450**

Submitted on: 2/4/2026 8:33:37 PM

Testimony for JDC on 2/6/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Rita Kama-Kimura	Individual	Oppose	Written Testimony Only

Comments:

Please note that I strongly oppose the passing of this bill. The last thing we need or want is interference by our local government.

So let's just stop it now ... Mahalo Rita K-K