



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. 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.



SENATE COMMITTEE ON JUDICIARY - SB2450 RELATING TO THE ELECTIONS
February 6, 2026, at 9:00 AM, State Capitol CR 016 and Videoconference

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

The current Presidential Preference Primary is threatened by SB2450 with layers of bureaucratic control and governance.

Thank you for allowing me to submit testimony **STRONG OPPOSITION** of SB2450 for the following reasons:

1. A threat to the current practice of conducting Party-run Presidential Preference Primaries (PPP)

Traditionally, these primaries allow political parties to manage the selection process for presidential candidates, ensuring that party members have a direct voice in choosing their nominee. This party-run system promotes internal debate, fair representation, and accountability within the party structure.

By introducing additional layers of bureaucratic control and government oversight as proposed in SB2450, the autonomy of political parties in conducting their own primaries is undermined. SB 2450 gives control to the Chief Elections Officer and County Clerks. Such changes could restrict the ability of parties to engage in meaningful discussions and debates, potentially limiting diverse perspectives and reducing the effectiveness of the nomination process. The imposition of bureaucratic governance may also complicate operations, making it more challenging for parties to organize transparent and solution-focused elections.

2. Increased cost for the taxpayers

The current cost of a PPP is \$0 for the taxpayers. PPP elections are managed and paid for by the respective parties with funds received from candidates. SB 2450 is requesting an appropriation of \$3,561,150 from the General Revenues Fund. This is a tax burden to the people of Hawaii.

Furthermore, SB 2450 proposes to hold the PPP elections in the month of April leading to low voter turnout and incurring costs for implementation for this out of cycle election.

3. Majority and Plurality voting practice undermines the value of each voter.

Majority voting, plurality voting, and ranked choice voting (RCV) are closely related concepts in electoral systems. Voters have reported difficulties with RCV, majority, and plurality voting instructions. Some states have rejected RCV and other states are working to return traditional voting procedures.

- Plurality voting (also called “first-past-the-post”): The candidate with the most votes wins, even if they receive less than 50% of the total votes. This is the most common system in U.S. elections (e.g., most congressional and state races). A candidate can win with just 35–40% if votes are split among multiple opponents.
- Majority voting: The winner must receive more than 50% of the votes (a true majority). If no one reaches this in the first round, a separate runoff election is typically held between the top two candidates to ensure a majority winner.
- Ranked choice voting (RCV, also known as instant-runoff voting): Voters rank candidates in order of preference (1st, 2nd, 3rd, etc.) instead of picking just one. Ballots are counted in rounds:
 - If a candidate gets a majority (>50%) of first-choice votes, they win immediately.
 - If not, the candidate with the fewest votes is eliminated, and their supporters’ ballots are redistributed to the next preferred candidate.
 - This process repeats until one candidate achieves a majority of the remaining active votes.

RCV is designed to guarantee a majority winner in a single election round, addressing a key weakness of plurality voting — where a candidate can win without majority support (e.g., due to vote splitting or “spoilers”). RCV effectively simulates a majority requirement (like a runoff) but does it instantly through ranking and vote transfers, without needing a second election.

- RCV is not a plurality system — it rejects pure plurality outcomes by continuing rounds until a majority is reached.
- RCV is a form of majority voting in its outcome: The final winner always has majority support among active ballots (often described as “majority rule” without the downsides of traditional runoffs, like lower turnout in second elections).
- In contrast, traditional majority systems often use two-round runoffs, while RCV achieves the same majority goal more efficiently.

4. Solutions, Recommendations, and Observations

- Keep the current practice of Presidential Preference Primaries in place.
- The Democrat Party of Hawaii held their PPP on March 6, 2024, and the Hawaii Republican Party held their PPP on March 12, 2024. Both parties conducted their elections without any issues as reported by Hawaii News Now.

For these reasons, please vote NO on SB 2450. Thank you for the opportunity to testify.

Respectfully submitted,

Jamie Detwiler, President
Hawaiian Islands Republican Women



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](#)



In OPPOSITION TO SB2450

The Libertarian Party of Hawaii vehemently opposes Senate Bill 2450. This measure is nothing but a blatant power grab dressed up as "democratic reform" that would saddle Hawaii taxpayers with yet another bloated, unnecessary government-run election circus. It is nothing short of fiscal recklessness and cronyist meddling in political affairs, and we demand the committee kill it dead. The state's election apparatus is already mired in incompetence, corruption allegations, and outright malfeasance under Chief Election Officer Scott Nago and his Office of Elections.

This bill is fiscal insanity on steroids. It dumps over \$8.6 million into the Office of Elections and another \$3.56 million in grants to the counties just to stage a standalone presidential preference primary in April 2028. Yet they can't even provide an adequate amount of polling facilities for the elections we already hold. Political parties already have their own processes for their selections. Let them remain autonomous here.

Hawaii's elections office already receives substantial federal HAVA (Help America Vote Act) grants year after year. These funds specifically meant to improve election administration, security, and integrity. Yet these same officials can't even allocate a fraction of those resources to an independent, outside audit of their own processes, despite mounting evidence of discrepancies, missing logs, unaccounted ballots, and chain-of-custody failures from multiple past elections. Counties like Kaua'i and Hawai'i showed hundreds to thousands of ballot mismatches between local and state counts with no plausible explanations, no proper records retained, electronic logs that are "unverifiable," and zero transparency. Nago's office has stonewalled, deflected, and refused to act, even as the Elections Commission repeatedly pushes for audits and the public demands accountability. Instead of cleaning house, their conversations in public meetings have now shifted toward begging the Legislature mid-session for emergency funds to do the bare-minimum verifications they should've handled long ago. How can anyone trust this crew with millions more and the massive task of designing and running an entirely new election system when they can't even get the basics right for the ones they already oversee?

Worse, this bill entrenches the same rigged, two-party stranglehold that crushes third parties and independents. Hawaii's primary system already forces voters to declare a single-party ballot with no crossover voting, no way to support nonpartisan candidates across races. SB2450 piles on by creating another party-exclusive presidential ballot that shuts out independents entirely, all while the state pays the tab. It's not reform; it's government rigging the game further against outsiders and liberty-minded voters.



The corruption and mishandling run deep: persistent complaints of suppressed evidence, failure to preserve records as required, discrepancies in ballot inventories, and Nago himself blocking hand counts or audits despite legal mandates and federal preservation rules. Lawsuits from the Republican National Committee, the U.S. Department of Justice, and public outcry have exposed these failures time and again. Yet the response? Deflection, delays, and more excuses—not reform, not transparency, and certainly not earning the right to more of our money.

Hawaii already has a general election for president. National conventions handle nominations without state meddling. SB2450 will expand a broken bureaucracy, waste resources, and further prop up the duopoly at the expense of fiscal sanity and individual liberty.

The Libertarian Party of Hawaii demands the committee **reject SB2450 outright**. Stop the spending. Stop the overreach. Fire the excuses, audit the failures, and let freedom and accountability prevail.

In Freedom,

Abbra Green | LPHI Secretary | LibertarianHawaii.com | (808)824-LPHI

LATE

SB-2450

Submitted on: 2/6/2026 7:39:33 AM
Testimony for JDC on 2/6/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Shirlene D Ostrov	Testifying for Hawaii Republican Party	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee—

My name is Shirlene Ostrov, and I am the Chair of the Hawai‘i Republican Party. I am writing in strong opposition to SB2450.

At its core, this bill represents costly state overreach that restricts participation, wastes taxpayer dollars, and intrudes into the internal affairs of political parties—without delivering any meaningful benefit to voters.

First, the cost. SB2450 would require nearly \$12.2 million to administer a state-run presidential preference primary—\$8.6 million in state funds and \$3.56 million in county funds. That is an extraordinary expense, especially considering this election does not determine which candidates appear on the general election ballot. Political parties already conduct nomination processes governed by national rules. This bill creates an additional, taxpayer-funded election that is symbolic and non-binding. It gives voters the impression they are making a decision, when in reality, they are not.

Second, SB2450 restricts participation rather than expanding it. Nonpartisan candidates are excluded entirely. Nonpartisan voters may only participate under party-controlled rules. At a time when Hawai‘i faces declining voter engagement and growing distrust in government, this bill narrows access and leaves many voters without a meaningful voice. Spending millions of dollars on an election that excludes large portions of the electorate is not sound public policy.

Third, and most concerning, SB2450 expands state control into the internal affairs of political parties. The bill inserts the State into party membership verification, candidate eligibility, objection procedures, and litigation timelines. Political parties are forced into state-defined structures for a nomination process that is governed at the national and federal level. This undermines party autonomy and raises serious constitutional concerns related to freedom of association.

Hawai‘i faces real and urgent challenges—cost of living, housing, public safety, and infrastructure. SB2450 diverts millions of taxpayer dollars away from those priorities and into an unnecessary process that does not resolve any of them.

Bottom line: SB2450 asks taxpayers to spend millions on an election that does not actually decide anything, limits participation instead of expanding it, and invites the State deeper into areas where it does not belong.

For these reasons, the Hawai'i Republican Party respectfully urges you to reject SB2450 and refocus on policies that respect voters, protect constitutional freedoms, and prioritize Hawai'i's real needs.

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

SB-2450

Submitted on: 2/5/2026 8:47:33 AM

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

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

Comments:

I oppose SB2450.

Don't waste taxpayer money on state run primaries. The parties are fully capable of handling them themselves, as they have been doing for years already.

LATE

SB-2450

Submitted on: 2/6/2026 2:24:16 AM

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

Submitted By	Organization	Testifier Position	Testify
Theresa Armbruster	Individual	Oppose	Written Testimony Only

Comments:

Strongly OPPOSE SB2450

Don't waste taxpayer \$\$ on State-run Primaries. Maintain Party-run Presidential Preference Primaries which cost \$0 to taxpayers!!!

Please Vote NO to SB2450.

Mahalo for the opportunity to testify