

Statement Before The
HOUSE COMMITTEE ON GOVERNMENT REFORM
Wednesday, March 23, 2022
9:30 AM
Via Videoconference and Conference Room 309

in consideration of
SB 741, SD1
RELATING TO ELECTIONS.

Chair McKELVEY, Vice Chair WILDBERGER, and Members of the House Government Reform Committee

Common Cause Hawaii supports SB 741, SD1, which increases (1) requires an elector to vote for the candidates whose names appeared on the presidential general election ballot and who are of the political party or group they represent and invalidates an elector's vote for failure to vote accordingly, (2) requires an alternate to vote in place of the original elector if the original elector fails to vote for the proper candidate, and (3) requires an alternate elector to vote for the candidates whose names appeared on the presidential general election ballot and who are of the political party or group that the alternate elector represents and invalidates an alternate elector's vote for failure to vote accordingly.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening our representative democracy.

Faithless electors are rare and have never affected a presidential election. Hawaii has not yet had a faithless elector. The U.S. Supreme Court has held that states may remove presidential electors. Chiafalo v. Washington, 591 U.S. ___, 140 S. Ct. 2316 (2020).

Even though rare, there have been faithless electors throughout the nation's history. See https://www.fairvote.org/faithless_electors_old (retrieved Jan. 22, 2022). Faithless electors seek to overturn the will of the people expressed at the ballot box, which violates the very foundations of our democratic society and governance.

Common Cause Hawaii supports SB 741, SD1 to ensure that the political will of the people as expressed at the ballot box is not overturned by a faithless elector. The Uniform Law Commission has approved the Uniform Faithful President Electors Act and recommends states adopt a faithless elector law to address this persistent issue. See <https://www.uniformlaws.org/viewdocument/enactment-kit-21?CommunityKey=6b56b4c1-5004-48a5-add2-0c410cce587d&tab=librarydocuments> (retrieved Jan. 22, 2022).

Thank you for the opportunity to testify in support of SB 741, SD1. If you have further questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii

SB-741-SD-1

Submitted on: 3/19/2022 9:16:34 AM

Testimony for GVR on 3/23/2022 9:30:00 AM

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

Comments:

Aa a twice faithful elector including the 2016 when there was a faithless elector, I appreciate the provisions of this bill to invalidate a faithless elector.

SB-741-SD-1

Submitted on: 3/19/2022 11:47:11 AM

Testimony for GVR on 3/23/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michele Mitsumori	Individual	Support	Written Testimony Only

Comments:

While faithless electors are rare, recent history has shown that we can't rest in complacency just because attempts to undermine our democracy have not yet been tried or found success.

Faithless electors seek to overturn the will of the people expressed at the ballot box. This violates the very foundations of our democratic society and governance, and erodes the public trust in our elections.

I support SB 741 SD1 to ensure that the political will of the people as expressed at the ballot box is not overturned by a faithless elector. The Uniform Law Commission has approved the Uniform Faithful President Electors Act and recommends states adopt a faithless elector law to address this persistent issue.

Thank you for the opportunity to submit my testimony in **support of SB 741 SD1**.

SB-741-SD-1

Submitted on: 3/19/2022 2:16:58 PM

Testimony for GVR on 3/23/2022 9:30:00 AM

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

Comments:

I cannot believe it has come to this. I was very active in a political party for many years and we expected the electors to vote for the candidate that was on the ballot. How times have changed that this must now be enacted into law. You might also want to look at what has occurred in at least seven mainland states where Joe Biden won the vote and republicans submitted, to the national archives, their bogus list of electors. None of these passed muster, but... In those states these fraudulent lists are now being investigated by state attorneys general and the justice department. We need to be sure that does not happen here.

Please support this bill.

SB-741-SD-1

Submitted on: 3/19/2022 2:59:13 PM

Testimony for GVR on 3/23/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
tlaloc tokuda	Individual	Support	Written Testimony Only

Comments:

Dear GVR Chair and Committee,

Please pass out of committee. This is a timely bill. We have seen how Trump and his cronies keep pushing the big lie and tried to pull off a faithless election. All states should be passing similar bills...however there are a number of states (Republican controlled) that want to overturn an election! So lets have Hawaii be guarded against this.

Uniform Law Commission has approved the Uniform Faithful President Electors Act and recommends states adopt a faithless elector law to address this persistent issue.

Mahalo for your consideration,

Tlaloc Tokuda

Kailua Kona HI 96740

SB-741-SD-1

Submitted on: 3/20/2022 11:24:11 AM

Testimony for GVR on 3/23/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
laurie boyle	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support SB741 for the simple reason that our votes should be represented by our electors, not someone who decides to vote for another candidate after being held to vote for the will of the people. As long as we continue with our electoral college of representatives, they must be held accountable to our vote.

Mahalo for your time.

SB-741-SD-1

Submitted on: 3/20/2022 7:03:29 PM

Testimony for GVR on 3/23/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathy Jaycox	Individual	Support	Written Testimony Only

Comments:

Aloha --

Thank you for this opportunity to express my support for SB741. It is vital for people to know that electors will represent the will of the voters.

SB-741-SD-1

Submitted on: 3/21/2022 1:33:51 AM

Testimony for GVR on 3/23/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David Anderson	Individual	Support	Written Testimony Only

Comments:

Faithless electors are rare and have never affected a presidential election. Hawaii has not yet had a faithless elector. The U.S. Supreme Court has held that states may remove presidential electors.

Even though rare, there have been faithless electors throughout the nation's history. These faithless electors seek to overturn the will of the people expressed at the ballot box, which violates the very foundations of our democratic society and governance.

I support SB 741, SD1 to ensure that the political will of the people as expressed at the ballot box is not overturned by a faithless elector. The Uniform Law Commission has approved the Uniform Faithful President Electors Act and recommends states adopt a faithless elector law to address this persistent issue.

Thank you for the opportunity to submit testimony in support of this bill.

SB-741-SD-1

Submitted on: 3/21/2022 7:55:42 AM

Testimony for GVR on 3/23/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Morgan	Individual	Support	Written Testimony Only

Comments:

I support SB 741, SD1 to ensure that the political will of the people as expressed at the ballot box is not overturned by faithless electors. Recent attempts to overturn the 2020 presidential election with faithless electors makes the need for this law very clear.

Please support SB741 SD1.

SB-741-SD-1

Submitted on: 3/22/2022 8:14:43 AM

Testimony for GVR on 3/23/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Huynh Eller	Individual	Support	Written Testimony Only

Comments:

I support SB 741, SD1 to ensure that the political will of the people as expressed at the ballot box is not overturned by a faithless elector. The Uniform Law Commission has approved the Uniform Faithful President Electors Act and recommends states adopt a faithless elector law to address this persistent issue. See <https://www.uniformlaws.org/viewdocument/enactment-kit-21?CommunityKey=6b56b4c1-5004-48a5-add2-0c410cce587d&tab=librarydocuments> (retrieved Jan. 22, 2022).