



**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 HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
ON HOUSE BILL NO. 1485
RELATING TO THE ELECTION OF THE PRESIDENT

February 24, 2023

Chair Tarnas and members of the House Committee on Judiciary & Hawaiian Affairs, thank you for the opportunity to provide comments on House Bill No. 1485. This bill establishes a date for presidential primaries, as well as signature and fee requirements for a person to be nominated as a presidential primary candidate.

We want to emphasize that our office does not conduct closed primary elections and political affiliation is not collected nor is it a requirement to register to vote. The conduct of a presidential preference primary election would need to comply with Article II, Section 4, of the Hawaii State Constitution, which provides “[s]ecrecy of voting and choice of political party affiliation or nonpartisanship shall be preserved.” Our voter registration laws do not involve individuals registering or affiliating with a particular party. Instead, voters select the political affiliation to vote on at the primary election.

Additionally, a question was raised whether a political party could opt out of the State-conducted presidential primary in favor of conducting their own nomination process. We do not believe this is feasible since all registered voters would be eligible and automatically receive a ballot in the mail, not just members of qualified political parties participating in the State-conducted election. The conduct of a presidential preference primary election would have to be at the same time, date, and manner for all voters to eliminate voters from voting in the State-conducted presidential primary and participating in their party-run nomination process and to comply with the provisions of the State Constitution.

We also have comments on operational matters regarding funding and additional legal considerations regarding candidate filing and clarification for nonpartisan presidential candidates.

Operational Matters

The conduct of a presidential preference primary election would require the Office of Elections to conduct candidate filing, including an objection and appeal process, print and mail ballots to all registered voters, support and maintain the voting equipment, and count, report, and audit the ballots. The County Clerks would also be responsible for voter registration, absentee voting, voter service centers, and places of deposit at the cost of the State. Our initial estimate of the costs of State responsibilities is \$2,787,705 for over 900,000 registered voters. This does not include any costs accrued by the counties.

Mail ballot packet - ballot and envelopes	\$ 232,259
Ballot printing services	189,930
Ballot mailing services	237,774
Postage (Outgoing)	452,213
Postage (Incoming)	569,789
Balloting tracking	60,000
Counting Center Volunteers	192,500
Counting Center Facility	400,000
Staff Overtime	155,400
Voting System Vendor	147,840
Voter education campaign	150,000
Initial Estimate	<u>\$2,787,705</u>

Legal Considerations

There are some fundamental differences between a presidential preference primary election and a traditional primary election that would need to be addressed in the bill. Most notably, results of the presidential preference primary election do not guarantee that one's preferred presidential candidate appears on the general election ballot as described below in HRS § 11-113. Also, nonpartisan candidates have no involvement in the presidential preference primary election unlike in a typical primary election.

The bill as written would provide for a presidential preference primary election that would precede the deadline in HRS § 11-113(c)(1) (i.e., 60 days prior to the general election) for a recognized political party to hold its state and national conventions to select who it ultimately nominates for president and vice-

president to appear on the general election ballot. The winner of the presidential preference primary election is not guaranteed to appear on the general election ballot. Instead, voters are voting for a political party to send delegates associated with a candidate to their national convention.

This bill in concert with the current statute, HRS § 11-113, would establish a presidential preference primary for the state and national party of a recognized political party to follow certain procedures to have its nominees appear on the general election ballot. A recognized political party would be one defined in HRS § 11-61.

Additionally, individuals not associated with a recognized political party would retain the ability to petition for the inclusion of their presidential candidate and vice-presidential candidate on the general election ballot. A party or group not qualified under HRS § 11-61 may submit a petition for the inclusion of a presidential candidate and a vice presidential candidate for the inclusion on the general election ballot. This process would need to be completed by the 90th day prior to the general election.

We propose the following amendments to the various statutes related to the conduct of a presidential preference primary to distinguish it from a traditional primary election.

1. HRS § 12-1 Application of chapter

To the extent Chapter 12, HRS, is intended to be used for purpose of the presidential preference primary election, as opposed to creating a new chapter, HRS § 12-1 should be amended to reflect that Chapter 12, HRS, is also applicable to the presidential preference primary, but that it in no way will supersede HRS § 11-113 in terms of the names that will appear on the general election ballot.

2. HRS § 12-2 Primary held when; candidates only those nominated

We propose adding a sentence stating the date of the presidential preference primary election and making it clear that presidential candidates are not precluded from appearing on the general election ballot if they were not the winner of the presidential preference primary election (i.e., HRS § 11-113 controls who will appear on the general election ballot).

3. HRS § 12-2.5 Nomination papers; when available

We propose adding a sentence designating when nomination papers for the presidential preference primary election will be available and that the papers will only be for political parties recognized under HRS § 11-61.

4. HRS § 12-4 Nomination papers; qualification of signers

We propose adding a sentence to clarify the applicability of this section to candidates seeking to appear on the presidential preference primary ballot for a political party recognized under HRS § 11-61.

5. HRS § 12-6 Nomination papers: time for filing; fees

As to the proposed language of the bill regarding the deadline for the close of candidate filing, we would recommend that it be the 85th day prior to the date of the election.

6. HRS § 12-7 Filing of oath

We would recommend a sentence being added to clarify that an oath is required for purposes of appearing on the ballot for the presidential preference primary election.

7. HRS § 12-8 Nomination papers; challenge; evidentiary hearings and decision

We would recommend the deadline for a challenge to the nomination paper of someone for the presidential preference primary election be the 75th day prior to the election, as opposed to the 60th day.

8. HRS § 12-9 List of candidates

We would recommend a sentence be added to address the presidential preference primary election. As currently written, it may be misinterpreted as authorizing nonpartisan candidates for the election.

9. HRS § 12-21 Official party ballots

We would recommend a sentence be added to address that the ballot for the presidential preference primary election will not include nonpartisan candidates.

10. HRS § 12-31 Selection of party ballot; voting

We would recommend a sentence be added to address that one cannot vote for nonpartisan candidates in the presidential preference primary election.

11. HRS § 12-41 Result of election

We would recommend a subsection be added to address the consequences of receiving the greatest number of votes as a candidate of a party in a presidential preference primary election. Specifically, the current language of HRS § 12-41 indicates that the candidate with the most votes appears on the general election ballot. However, the language of HRS § 11-113, taking into consideration the relevant national convention, determines who appears on the general election ballot. As such, the statute should be amended to specify the exact wording of the direction the political party is being given after the results of the presidential preference primary election as to the designation of its delegates and how they are to vote at the national convention.

12. HRS § 12-42 Unopposed candidates declared elected

We would recommend additional language for HRS § 12-42 to clarify that an unopposed candidate in a presidential preference primary election would not be considered to have been elected outright. Again, the political party would merely be sending delegates to their national convention.

Thank you for the opportunity to provide comments on House Bill No. 1485.



Legislation Committee of the Democratic Party of Hawai'i Supports H.B. NO. 1485

On behalf of the Democratic Party of Hawai'i ("DPH"), the DPH Legislation Committee testifies in further support of H.B. NO. 1485, which amends the state election law to provide for a state-run Presidential Primary to permit the voters of the State of Hawai'i to select by ballot party candidates for the office of President of the United States of America in primary elections organized and controlled by the State of Hawai'i.

Article I, Section 1 of the DPH Constitution provides as follows:

Section 1. General. The Democratic Party of Hawai'i shall be open to all persons who desire to support the Party, who wish to be known as Democrats, and who live in Hawai'i. The Democratic Party of Hawai'i believes that its primary election, a state-imposed mandatory nomination procedure, ought to be open to participation of only such persons as are willing to declare their affiliation with and support for the Party, either through public registration to vote, or through maintenance of membership in the Party. The Party further believes that the current Constitution and laws of the State of Hawai'i, by maintaining secrecy of affiliation, and by compelling the Party to admit to its nomination procedures those who may have no interest in, or actually oppose the interests, values, and platform of the Party, do violence to the Party's associational freedoms and the individual freedoms of its membership to define their own political views, guaranteed under the Constitution of the United States.

Notwithstanding the above, we wholeheartedly support H.B. No. 1485, because we accept the reality of modern politics. State run caucuses reach out and touch a much smaller number of prospective voters, who may or may not reflect the economic, geographical, and social diversity of our people, even despite our best efforts of our state parties to be inclusive. Our last state-run caucus reached out to approximately 80,000 prospective voters. Compare this number with the number of how many more people vote in our primaries to vote for our candidates for governor.

The President of the United States of America is arguably the most important leader in the free world. It makes a difference who we elect to sit in the Oval Office. So consequential is this matter that we ought to do everything within our power to bring the question of who should be President to each and every registered voter in the State of Hawai'i. This proposal would make it easier for citizens of Hawai'i to participate and vote in selecting their national leader.

H.B. 1485 recognizes the need for a special election during the time when our nation turns its attention to the question of who should be President. H.B. 1485 gives voice to the people of Hawai'i. H.B. No. 1485 encourages all of our political parties to engage in a uniform process to bring forth their best candidates and to give choice to the people of Hawai'i. We therefore urge passage of H.B. No. 1485.

DEMOCRATIC PARTY OF HAWAII

PO Box 2041 • Honolulu, HI 96805 • www.hawaiidemocrats.org



Democratic Party of Hawai'i Supports H.B. No. 1485

Aloha,

The Democratic Party of Hawai'i (DPH) supports H.B. No. 1485, which amends the state election law to provide for a Presidential Primary to permit the voters of the State of Hawai'i to select by ballot party candidates for the office of President of the United States of America in primary elections organized and controlled by the State of Hawai'i.

Article I, Section 1 of the DPH Constitution provides as follows:

Section 1. General. The Democratic Party of Hawai'i shall be open to all persons who desire to support the Party, who wish to be known as Democrats, and who live in Hawai'i. The Democratic Party of Hawai'i believes that its primary election, a state-imposed mandatory nomination procedure, ought to be open to participation of only such persons as are willing to declare their affiliation with and support for the Party, either through public registration to vote, or through maintenance of membership in the Party. The Party further believes that the current Constitution and laws of the State of Hawai'i, by maintaining secrecy of affiliation, and by compelling the Party to admit to its nomination procedures those who may have no interest in, or actually oppose the interests, values, and platform of the Party, do violence to the Party's associational freedoms and the individual freedoms of its membership to define their own political views, guaranteed under the Constitution of the United States.

Notwithstanding the above, we whole heartily support H.B. No. 1485, because we accept the reality of modern politics. State run caucuses reach out and touch a much smaller number of prospective voters, who may or may not reflect the economic, geographical, and social diversity of our people, even despite our best efforts of our state parties to be inclusive. Our last state-run caucus reached out to approximately 80,000 prospective voters. The number of caucus participants who responded was substantially less. Compare this number with the number of how many people vote in our primary and general elections for our candidates for governor.

I recently attended a meeting of the Democratic National Committee ("DNC"). I was told by a member of the DNC senior leadership that they seldom think about the State of Hawai'i. We admittedly give them few reasons to think about us. The DNC has Ohio, Michigan, Wisconsin, Pennsylvania, Florida, Georgia, Arizona, and Nevada to consider. On the other hand, New Hampshire is a state with a population about the same size as Hawai'i, but candidates for the Presidency visit New Hampshire all the time. Iowa is concerned with corn, and for decades, we have listened to future Presidents gush over Iowa corn to no reasonable end. All the while, we here in Hawai'i are ignored. I would be very happy if future Presidents would care about us the way they care about Iowa. We need to give them reason to care about us. We need to matter.

DEMOCRATIC PARTY OF HAWAII

PO Box 2041 • Honolulu, HI 96805 • www.hawaiidemocrats.org

I remember thinking about voting for President when I was sixteen years old. I registered to vote as soon as I was eligible. I did so because I realized as a young person that voting for the President of the United States of America was one of the most consequential things that I could do as a young person growing up amidst times of high controversy and social change.

Right now, there are serious issues floating around the national discourse, about a person's freedom to choose, gun safety, climate change, the new green economy, the right to work, student loans, access to education, jobs, housing, homelessness, the right to marry the one we love, and the right to live in a lifestyle that may not conform with the expectations of "traditional society."

If I were a young person, I would want to vote, because decisions are being made right now that may very well affect me for the rest of my life.

We need to encourage young people to participate in the Presidential selection process. I may be "speaking out of turn," but I must question why a young person should be required to join a political party to exercise a right to vote.¹ I may be wrong, but I imagine that participating in a Presidential caucus run by a political party might be seen as a rather daunting experience to a young person. When I was a young person, I was a bit terrified to join a political party. I joined later, after college.

We need to make the process of voting accessible to young people. We encourage all members of the Legislature of the State of Hawai'i to vote for and/or to support H.B. No. 1485. Mahalo.

Dennis W. Jung
State Party Chair
Democratic Party of Hawai'i

¹In all other contexts, I whole heartedly invite young people to join political parties and to actively participate in the political process.

STONEWALL CAUCUS

FORMED IN 2001



THE FIRST CAUCUS OF THE DEMOCRATIC PARTY OF HAWAII

February 22, 2023

House's Committee on Judiciary & Hawaiian Affairs
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Friday, February 24, 2022 at 2:00 PM

RE: **OPPOSITION** for House Bill 1485

Aloha Chair Tamas, Vice-Chair Takayama and fellow committee members,

I am writing opposition for House Bill 1485 on behalf of the Stonewall Caucus of the Democratic Party of Hawaii, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization, in its current form.

HB 1485 would establish a date for presidential primaries, as well as signature and fee requirements for a person to be nominated as a presidential primary candidate.

The Stonewall Caucus held a talk-story on Monday, January 9 at 6:00 PM via Zoom to discuss the subject of this bill. Everyone, caucus member or not, were invited to attend.

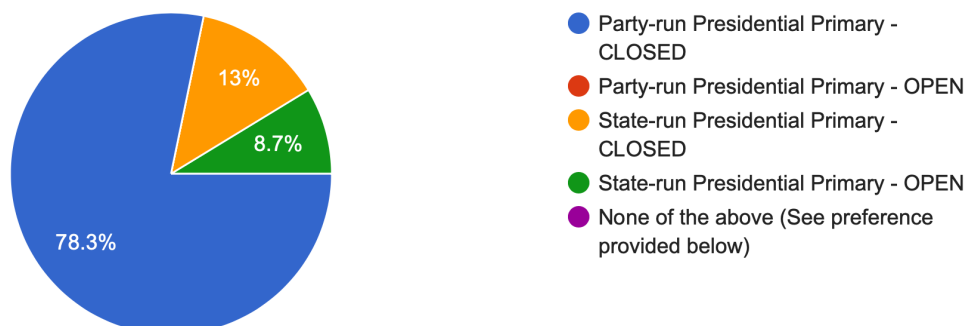
Here are the resources from that event:

1. Recording of the primer that was used before we opened the floor for discussion: <https://youtu.be/3-3TIm8GxM> (13 minutes long)
2. Slide deck used for the talk-story: https://drive.google.com/file/d/1VQH-cS2E7Pqcrz7Uut1Lvt5FXwwSRL5Q/view?usp=share_link

The results from the survey show **OVERWHELMING** support (91.3%) for a Closed Primary no matter who runs it, which coincides with what is dictated to the DPH by our foundational documents.

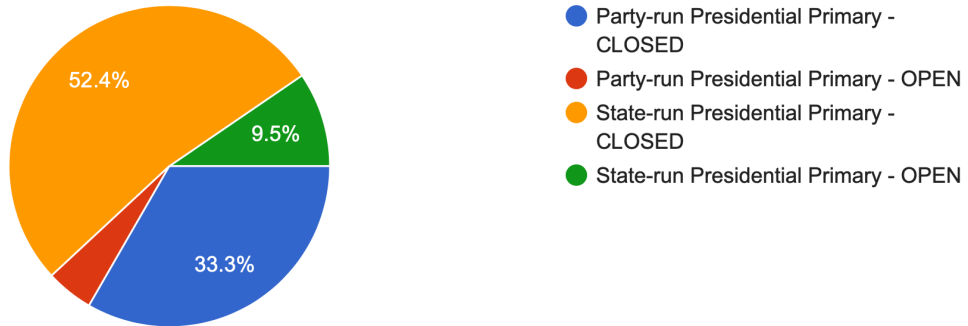
For the 2024 Presidential Primary which of the following proposals do you support the most:

23 responses



For the 2024 Presidential Primary which of the following proposals do you support the second most:

21 responses



It should be noted that the 2 people that did not give a 2nd choice picked “Party-run Presidential Primary – CLOSED” as their 1st choice.

Given the responses from our members, plus the Caucus’ long-standing position on this matter, and what is in the Democratic Party of Hawai’i’s foundational documents in our Constitution¹ and Resolution² the Stonewall Caucus can ONLY be able to support a CLOSED Presidential Primary. The Caucus understands for the State to run a closed Presidential Primary it would require an amendment to the State Constitution.

The Caucus can also think of a lot of better ways of spending \$2.7+ million dollars.

Without any amendments to the bill to ensure a closed Presidential Primary we must oppose HB 1485.

Mahalo for your time and consideration,

Michael Golojuch, Jr. (he/him)
Chair and SCC Representative
Stonewall Caucus for the DPH

¹ Article 1, Section1 - DPH State Constitution - https://www.hawaiidemocrats.org/files/ugd/cac0ab_e0fbaa66facd465fa9fd16f24cb10dc0.pdf

² GOV 2010-02 Limitation of Voting in Democratic Party Primaries to Party Members - https://drive.google.com/file/d/1fYib_Dca9bR4K1kjP-flEfoAiXfW-Ih7/view

DPH Constitution as amended by the State Convention 05/28/2022

Art. I, Sec. 1

The Democratic Party of Hawai'i believes that its primary election, a state-imposed mandatory nomination procedure, ought to be open to participation of only such persons as are willing to declare their affiliation with and support for the Party, either through public registration to vote, or through maintenance of membership in the Party. The Party further believes that the current Constitution and laws of the State of Hawai'i, by maintaining secrecy of affiliation, and by compelling the Party to admit to its nomination procedures those who may have no interest in, or actually oppose the interests, values, and platform of the Party, do violence to the Party's associational freedoms and the individual freedoms of its membership to define their own political views, guaranteed under the Constitution of the United States.

Art. VIII, Sec. 8

The **resolving clauses of resolutions**, except for those clauses that refer to a specific date, event, or legislative session, **once adopted by delegates at a convention of the Democratic Party of Hawai'i shall represent the official policies of the Party and shall remain in force and effect until rescinded or amended by the delegates at an annual or special convention.**

GOV 2010-02 Limitation of Voting in Democratic Party Primaries to Party Members

https://drive.google.com/file/d/1fYib_Dca9bR4K1kjP-flEfoAiXfW-lh7/view

Be It Resolved, That the Democratic Party of Hawai'i take all action necessary and proper to limit participation in all Democratic Party primaries within the State of Hawai'i to persons who are bona fide members of the Democratic Party of Hawai'i, and to cause the Hawai'i State Government to institute such limitations in all future primaries as soon as possible; and

TESTIMONY BEFORE THE HOUSE COMMITTEE ON JUDICIARY &
HAWAIIAN AFFAIRS

RE: HB 1485 – RELATING TO THE ELECTION OF THE PRESIDENT

FRIDAY, FEBRUARY 24, 2023

JASON BRADSHAW, CHAIR
DEMOCRATIC PARTY OF HAWAII LABOR CAUCUS

Chair Tarnas and Members of the Committee:

The Democratic Party of Hawaii Labor Caucus **offers comments on HB 1485**, relating to the election of the president. This bill establishes a date for presidential primaries, as well as signature and fee requirements for a person to be nominated as a presidential primary candidate.

As part of the Democratic Party of Hawai'i Labor Caucus we support a state run presidential primary; **however, it would have to be a closed primary with only those registered as members of the Democratic Party voting, and that would require a State Constitutional Amendment for it to be state run.** In a recent Democratic Party of Hawaii SCC meeting, it was specifically stated that only members of the Democratic Party should be able to vote for the choice of which candidate should be the choice of the Democratic Party of Hawai'i for president. If this cannot be done by the state, then the Democratic Party must continue to run our own Presidential Preference Poll with our members to ensure that our choice of a primary candidate for president is indeed, a choice of the Democratic Party of Hawai'i members.

The Labor Caucus supports a closed primary for the Presidential Preference Poll, which would deter crossover voting. An open primary would allow all unaffiliated voters to cast a vote for a Primary candidate and crossover voting.

As members of the Democratic Party of Hawai'i, we must abide by our DPH Constitution as amended by our last State Convention on 05/28/2022

Art. I, Sec. 1

The Democratic Party of Hawai'i believes that its primary election, a state-imposed mandatory nomination procedure, ought to be open to participation of only such persons as are willing to declare their affiliation with and support for the Party, either through public registration to vote, or through maintenance of membership in the Party. The Party further believes that the current Constitution and laws of the State of Hawai'i, by maintaining secrecy of affiliation, and by compelling the Party to admit to its nomination procedures those who may have no interest in, or actually oppose the interests, values, and platform of the Party, do violence to the Party's associational freedoms and the individual freedoms of its membership to define their own political views, guaranteed under the Constitution of the United States.

Art. VIII, Sec. 8

The **resolving clauses of resolutions**, except for those clauses that refer to a specific date, event, or legislative session, **once adopted by delegates at a convention of the Democratic Party of Hawai'i shall represent the official policies of the Party and shall remain in force and effect until rescinded or amended by the delegates at an annual or special convention.**

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David Tarnas, Chair
Rep. Gregg Takayama, Vice Chair
Friday, February 24, 2023 2p.m.

HB1485, RELATING TO THE ELECTION OF THE PRESIDENT

Good afternoon, Chair Tarnas, Vice-Chair Takayama and Members of the Committee,

My name is Bart Dame and I am testifying as an individual in **SUPPORT** of HB1485, but urge you to **AMEND** the bill to reflect the changes to SB1005 adopted by the Senate Judiciary Committee in response to suggestions from the Office of Elections, the AG's office and other individuals.

I am the Democratic National Committeeman from Hawaii. But I am testifying as an individual so I can speak freely. My views have also developed from having worked on several Democratic presidential campaigns over the years, going back to 1988 race between Michael Dukakis and Jesse Jackson. I have also been an official Election Observer for six years, working in the Counting Center in the Capitol basement. And I was one of the lead advocates with the group, Safe Vote Hawaii, which led to the passage of the law requiring that any electronic voting machines used in Hawaii elections produce a Voter Verifiable Paper Audit Trail, to ensure the accuracy and auditability of our election system.

My testimony today is informed by these varied experiences.

In the 1988 Democratic presidential preference caucuses, 4,975 votes were cast statewide by people gathering in their communities, usually in school cafeterias, and casting their votes. The party was able, with volunteers, to handle that vote while using simple safeguards to ensure accuracy. But by 2008, when the contest was between Barack Obama and Hillary Clinton, the turnout jumped to about 36,000. That turnout stressed our ability to handle. There were long lines across the state, some places ran out of ballots and voters were frustrated by our obvious amateurism, expecting smooth operations like those in regular elections handled by the State and county. 2016 saw a similar turnout of about 35,000 voters. Again, taxing our abilities.

As 2020 approached, we initially planned to offer in-person voting similar to in previous years. But to also offer mail-in voting for those voters whose jobs or family obligations made in-person voting inconvenient or impossible. As the public health problems inherent in holding public gatherings became obvious, we shifted to an all mail-in vote. About 34,000 people voted in our 2020 presidential primary.

My work on election integrity issues, including as an Official Observer of State-run elections, makes me concerned about the difficulty in maintaining even basic safeguards under a party-run mail-in primary. The best safeguard for mail-in voting systems is the ability to confirm the identity of a voter, through access to records such as driver's licenses, and through signature verification. The state and county election agencies have this ability, none of the political parties can do this.

The amateurism of the earlier party caucus system had its charm. So long as turnout was small, we could handle it. But IF we want to provide Hawaii voters with the opportunity to participate in picking the next president, we need to shift to a more professional and secure way of conducting the vote.

I urge you to pass this bill. Thank you for the opportunity to testify. I am available for questions.

HB-1485

Submitted on: 2/22/2023 8:35:39 PM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steve Canales	Individual	Support	Written Testimony Only

Comments:

Aloha Members of the Judiciary and Hawaiian Affairs,

In SUPPORT of HB1485

HB1485 supports the voter in choosing the President of The United States in any party, thereby having many more people participate in the process. Right now, many people don't believe in this process, because it limits the voice of the people; by having a selected few determine who will be eligible to run for the President. To have true transparency for this Presidential Primary put it in the hands of the People.

In SUPPORT, Mahalo

Steven Canales

HB-1485

Submitted on: 2/22/2023 8:43:56 PM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lorna Takehara Strand	Individual	Support	Written Testimony Only

Comments:

It is with deep gratitude and appreciation that I write this letter of support for HB1485. In order to maintain our democracy, it is vital that all citizens have the opportunity to participate in the election of the President of the United States.

The caucus system used by the Democratic Party of Hawaii (DPH) prior to 2020 is now null and void as an option for election of the President. As President Joe Biden wrote in his recent letter to the Rules and Bylaws Committee of the DNC:

Our party should no longer allow caucuses as part of our nominating process. We are a party dedicated to ensuring participation by all voters and for removing barriers to political participation. Caucuses - requiring voters to choose in public, to spend significant amounts of time to caucus, disadvantaging hourly workers and anyone who does not have the flexibility to go to a set location at a set time - are inherently anti-participatory. It should be our party's goal to rid the nominating process of restrictive, anti-worker caucuses.

As Chair of Oahu County Democrats and Co-Chair of the Presidential Preference Poll Committee, I was involved in changing the party's election process in 2020 from the 2016 caucus system to a Party-run Presidential Primary (PRPP) that was conducted via vote-by-mail. App. 34,000 DPH members participated in the 2016 caucus, and app. 35,000 DPH members participated in the 2020 PRPP. In the 2020 Hawaii state-run general election Biden received 366,130 votes indicating that the PRPP reached only 10% of the potential Democratic voters. Unlike these party operations, the Hawaii Presidential Primary would hopefully ensure "participation by all voters."

Mahalo for selecting the "first Tuesday after the first Monday in March" as the date for the Hawaii Presidential Primary. As President Biden stated: "We must ensure that voters of color have a voice in choosing our nominee much earlier in the process and throughout the entire early window. ... and that includes Black, Brown and Asian American and Pacific Islander voters." Hawaii's multicultural voice will be heard loudly across the nation in early March.

SB1005 successfully passed the Senate's Judiciary Committee with excellent clarifying amendments, many of which were suggested by the Office of Elections. Hopefully, these amendments will be added to HB1485.

In this time when voter suppression schemes are proliferating and voting processes are being challenged at local polling stations around the country, I am grateful that Hawaii is now moving towards greater access and inclusion and tested voting procedures to strengthen and preserve our democracy with a government-run presidential primary.

Lorna Takehara Strand

HB-1485

Submitted on: 2/22/2023 9:01:10 PM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1485. I would only support this bill if it states that it is a closed primary. If it cannot be a closed primary, then it is not worth the cost to the State to have it run a Presidential primary. Further, as a Democrat, our current Democratic Party of Hawaii fundamental documents state that we support a closed primary.

As noted, I'm submitting this testimony as an individual. I'm a member of the Democratic Party of Hawaii State Central Committee, SD21; District 43 Chair; Labor Caucus Committee Member

Mike Golojuch, Sr.

HB-1485

Submitted on: 2/22/2023 9:14:02 PM

Testimony for JHA on 2/24/2023 2:00:00 PM

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

Comments:

I am testifying for this bill as an individual. I have had experience with the Central Committee of the Democratic Party, the Affirmative Action Committee of the Party, and the Presidential Preference Poll committee of the Party. I am familiar with the Democratic Party rules for state parties as they choose their delegates to the Democratic National Convention. The Democratic National Committee has been urging us to hold a state run primary. In 2020, we did our first Party-run Presidential Primary. This opened the process to a lot more people than the old caucus system. One reason I like the state-run primary is it opens the process even more. Admittedly I like a closed primary, but I understand the State Constitution makes that unlikely. Yet a primary gives the parties key data that enables the parties to award delegates to national conventions. I also like ranked choice voting. We did it in 2020. You may want to amend the bill to accommodate this. The Democratic Party nationally gives an incentive to hold primaries a little later in the calendar. So Hawaii Democrats got a bonus of two extra delegates in 2020 for holding the primary on or after April 1. Therefore I encourage you to amend this bill to move the date to early April. For Democrats it is helpful to get the bonus delegates but also to have time between the primary and the state convention. The state conventions usually translate the numbers to named individuals who will go to the national convention. So it is helpful to have some lead time. The mail-in voting system is fine for the Democratic National Committee. They do want drop boxes. We want our presidential nominees to be the ones supported by the party members. President Biden has indicated he wants to see primaries more than caucuses. This bill would help make that a reality. It is big task to ask the parties to run their primaries. Having the state do it ensures it is fair and done with enough resources to do the job.

HB-1485

Submitted on: 2/22/2023 9:57:04 PM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynn Otaguro	Individual	Support	Written Testimony Only

Comments:

I support HB1485 and the amendments contained in the companion bill, SB1005 SD1. Having state run presidential primary elections will open up the process to more voters and ensure that more of our citizens have a voice.

HB-1485

Submitted on: 2/23/2023 1:19:09 AM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Larry Meacham	Individual	Support	Written Testimony Only

Comments:

Testimony in SUPPORT of HB 1485

Thank you for the opportunity to offer testimony in support of HB 1485, Relating to the Election of the President.

Most states have a Presidential Primary, which allows all voters to have a say in deciding which candidate to support in our country's most important election.

However, in Hawai'i the parties have to run their own elections, which reach only the fraction of voters who have signed up as party members. For example, in 2020 the Democratic Party of Hawaii polled its 80,000 enrolled members, who are only 20% of the approximately 400,000 registered voters in Hawaii, and received about 40,000 votes.

HB 1485 would remedy this by setting up a Presidential Primary every four years, so that all voters would have an opportunity to express their preference. This expansion of democracy would reinforce our state's modern history of increased inclusion and opportunity, and bring us in line with practices in the rest of the country.

This is to urge you to continue this effort to broaden participation in our most important election.

I would also urge you to consider the amendments offered by the Senate Judiciary Committee to companion bill SB 1005.

In regard to the expense, we should be mindful that this is only once every four years, and perhaps consider an annual appropriation to take care of this.

Thank you for the opportunity to offer testimony.

Larry Meacham

HB-1485

Submitted on: 2/23/2023 8:30:21 AM

Testimony for JHA on 2/24/2023 2:00:00 PM

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

Comments:

Support as a means to encourage wider participation of voters and because costs to conduct the Presidential Primary by political parties is no longer feasible. An open presidential primary places each Party at risk of having a candidate elected who may not fully support its Party Platform. Even though, a state-run Presidential Primary would enable more of Hawaii's citizens, including more members of political parties, to engage in this critical process.

HB-1485

Submitted on: 2/23/2023 9:22:40 AM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Abby Simmons	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Esteemed Committee,

I'm testifying in opposition to HB1485. The democratic presidential primary should be a CLOSED primary.

Thank you for considering my testimony.

HB-1485

Submitted on: 2/23/2023 9:46:04 AM

Testimony for JHA on 2/24/2023 2:00:00 PM

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

Comments:

This measure is out of touch with reality. The national parties control the presidential election-- what states caucus and what states run primaries, when a state gets to hold their caucus or primary. Recent news reports from the Democratic National Committee demonstrate that, where the party is overriding state law. What you need to do is kill this bill now. What to see how it primary election dates play out in the next few years. Don't get into a situation where lawsuits may occur.

The parties pick their candidates for president and they should determine the timing. Not the legislature.

Who is the BR. The public must be told, on all bills, who requested that it be introduced. Otherwise it is another reason not to trust government. Who is driving this? Do we need to see if there are people in the state with the name By Request? Does By Request really exist? Please kill this bill now.

HB-1485

Submitted on: 2/23/2023 10:59:45 AM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Betty B Vega	Individual	Support	Written Testimony Only

Comments:

I support HB1485. A state-run Presidential preference primary will be more accurate, fair and will give every voter an equal opportunity to participate. Political party membership usually represents less than a quarter of the voters who vote along party lines. A state-run Presidential preference primary allows every voter in the state of Hawaii the opportunity to weigh in on who should run for President of the United States, regardless of whether the voter is a member of a political party or not. In addition, political parties other than the dominant two, are afforded the opportunity to to post candidates in the Presidential preference primary. Every voter in the state of Hawaii deserves to have their voice heard in a state-run Presidential preference primary, on the designated date.

HB-1485

Submitted on: 2/23/2023 1:01:20 PM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Larry Smith	Individual	Support	Written Testimony Only

Comments:

Please support HS1485 authorizing the State to carry out a Presidential Primary Election in early 2024 to select candidates to be supported by Hawaii delegates for President in Party National Conventions later in 2024. A State run Primary is necessary to allow Hawaii voters to participate in the selection of a political party's candidate.

Only the proposed State run Presidential Primary Election as outlined in HB1485 allows all Hawaii registered voters the opportunity to participate. Options used historically limited participation to a small percentage of registered voters who were formally enrolled in the state political parties.

In 2020 only 10% of potential Democratic voters participated in the selection process. In the 2020 General Election over 366,000 voters voted for the Democratic candidate BUT only 35,000 Democrats enrolled in the Democratic Party voted in the Primary election that had been done earlier that year.

In this period in our Country's history where election results are open to attack, a safe and open voting process is key. The State has an excellent, safe process that can be available to all Hawaii registered voters.

Larry Smith

3178 Kaohinani Drive

Honolulu, HI 96817

To: JHA Chair David Tarnas, Vice Chair and JHA Committee members

Date of Hearing: Feb. 24, 2023, at 2:00 p.m., Rm. 325

Re: Testimony in support of HB1845 Relating to the Election of the President

Thank you for considering my testimony in support of HB1845 relating to the election of the President.

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.

Prior to 2016, the selection of the Democratic candidate for President was done in caucuses. I recall how across the state, in schools and community centers, registered Democrats gathered to select their Presidential candidate. Democrats gathered at a specific date and time to cast their vote for the candidate of their choice. But not those who didn't drive at night, were disabled, had to work, had childcare or family issues, or, as in the 2008 or 2012 elections, couldn't find parking or get through the crowds to cast a vote.

In 2020, in an effort to expand participation beyond caucuses, the Democratic Party of Hawai'i held a Party-run Presidential Primary. It was a mail-in ballot, so access was not a problem. However, not all Democrats are registered, and only registered Democrats received a ballot. Of the registered Democrats who were mailed ballots, 35,000 voted in the 2020 Party-run Presidential Primary; by contrast, over 131,000 voted for Congressman Ed Case in the uncontested CD-1 Primary race.

I should mention that some the Party prefer a closed primary, which would deter crossover voting. Hawai's open primary would allow all unaffiliated voters to cast a vote for a Primary candidate of their choice.

The House should include the amendments added to SB1005. They improve the bill.

The only certainty is to get the widest voter participation we need to move to a Government-run presidential primary. Please pass SB1005.

Thank you,

Amy Monk

DNC Committeewoman for Hawai'i

HB-1485

Submitted on: 2/23/2023 1:19:50 PM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Young	Individual	Support	Written Testimony Only

Comments:

Aloha Committe Members,

I am testifying in support of HB1485. It is necessary to have a state government run presidential primary for two (2) important reasons.

1. It will be more efficient and secure. Our state Office of Election has done an outstanding job running our state elections via mail, drop boxes, and in-person voting.
2. An open primary allows for all Hawaii registered voters to vote for Hawaii's presidential nominee for the party of their choosing. This will increase the number of Hawaii's citizens having a direct say in who they want as their presidential nominee.

Mahalo!



Restore the Commons

Friday, February 24, 2023, 2:00 pm

House Committee on the Judiciary and Hawaiian Affairs

HOUSE BILL 1485 – RELATING TO THE ELECTION OF THE PRESIDENT

Position: Support

Me ke Aloha, Chair Tarnas, Vice-Chair Takayama, and Members of the House Committee on the Judiciary and Hawaiian Affairs

HB1485 establishes presidential preference primaries and makes an appropriation.

This bill would replace the political party Presidential Preference Polls that Hawaii has historically held with a party-blind Presidential Preference Election, to be held at approximately the same time as the former preference poll. The usual State Primary elections would not be affected.

The cost would be similar to a special election cost, and would be spread over the four-year period between presidential elections.

The purpose would be to assure better turnout and complete election security by having the State Elections Office operate the election. Ballot secrecy would be preserved through the issuance of a party-blind ballot, allowing the voter to choose any one party on the ballot without having their name attached. Party enrollment would not be required. All of potentially multiple candidates for any party nomination for the Presidency would be included, assuming they paid the nominal fee as always.

As a poll worker (Non-partisan Precinct Polling Place Chair) for many years, and particularly during the famously challenging 2008 Presidential Preference Polls, I am aware that this issue can be confusing, so I have tried to identify the principle points represented in this proposal. Our hope, of course, is to set an example for other states to assure election integrity by assuring all citizens equal access and equal voice in their party's election outcome and to improve efficiency of the election effort and expenditure by dovetailing all parties into an equal opportunity. Hawaii practice offers a few different vehicles for issuance of a single ballot to each voter, and venues for ballot collection, to assure ready access for all voters and to assure a single vote per voter.

Please join me in support of this forward step in election access and security.

Mahalo for the opportunity to address this issue,

/s/ Charley Ice, Hoa'āina; active political party member; former elections official (Precinct Chair) for many election cycles

**Building the new normal with People and Land: Food Security Health Care Public Banking
Regenerating Soils Cutting Waste Eliminating GHG emissions**

HB-1485

Submitted on: 2/23/2023 1:35:46 PM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Medeiros	Individual	Support	Written Testimony Only

Comments:

Aloha,

I stand in strong support of Hawaii having a government run presidential primary as this would ensure greater participation and voter security.

Mahalo,

Richard

HB-1485

Submitted on: 2/23/2023 3:27:41 PM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elton Fukumoto	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas and members of the Judiciary and Hawaiian Affairs Committee:

I write in support of this bill.

In 2014 I returned home after spending 19 years on the Mainland. In 2016 I wanted to vote for Hillary Clinton in the presidential primary. I somehow never got a ballot. I did not know that I had to be a member of the Democratic Party and had to attend a caucus. I thought the State would run that election. I was effectively disenfranchised.

People moving here or new voters who have recently turned 18 do not necessarily know that they have to take some extra steps to vote in a presidential primary.

This bill would remedy this problem by conducting the presidential primary in the same way that all other State-run elections are done.

Elton Fukumoto

HB-1485

Submitted on: 2/24/2023 11:20:34 AM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah Ward	Individual	Support	Written Testimony Only

Comments:

Aloha,

As a multi-year volunteer in the Hawai`i presidential preferential polling process, I strongly recommend that Hawai`i join the majority of states in the country, and that we pass this legislation to establish a state-run presidential primary. This would **increase voter participation**, make the process more efficient, and would establish Hawai`i as a more serious contributor to the democratic process.

Mahalo for considering this late submission.

Deborah Ward

HB-1485

Submitted on: 2/24/2023 11:32:46 AM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lanny Sinkin	Individual	Support	Written Testimony Only

Comments:

Voter participation in the primary process is very low. This bill to establish a state-run presidential primary implements a good improvement to the primary process. Such a primary would be more likely to attract voter participation in the primary process. I encourage you to pass HB 1485. I am aware this testimony is submitted late and request you consider it.

HB-1485

Submitted on: 2/24/2023 11:43:51 AM

Testimony for JHA on 2/24/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Dalton	Individual	Support	Written Testimony Only

Comments:

I write to support and urge the swift passage of HB 1485.

Voters in the 50th state have been effectively denied a voice in choosing the national nominees for President. With our own biennial primary election occurring after the major political parties have convened to select their national nominee, we've had to rely on, among other things, haphazard caucusing, informal preference polling, or a party-run "primary" to have our voices heard. Or, worse, party leaders have unilaterally decided who to back with little or no input from voters.

The creation of a Presidential Primary Election will encourage participation and allow Hawai'i voters to cast our votes for the Presidential nominees. With the lowest voter turnout nationwide, we MUST take active measures to amplify the voice of the Hawai'i electorate. The best way to ensure that is for the Office of Elections to conduct a statewide election. HB 1485 and its companion SB 1005, SD1 will eliminate the confusion that invariably accompanies the party processes used in presidential election years.

Those who do not avidly follow politics or serve as party officials simply don't pay much attention to how they may support a presidential candidate. Since 2008, inspired voters have been moved to turn out for a candidate that speaks to them, but, from my experience as a Democratic Party leader on the Big Island, they have little grasp of the process that (barely) allows them to do so. A state-run election would solve this.

I refer you to the Senate Judiciary Standard Committee Report Number 636, issued after the committee voted in favor of SB 1005 on February 16. It provides an excellent synopsis of the amendments that improve the original version of SB 1005 and the benefit of conducting a Presidential Primary election every four years in Hawai'i. Please note, too, that the estimated election costs projected by the State Office of Elections would be incurred only every four years, rather than in every 2-year election cycle.

Thank you for this opportunity to testify. I do so with more than ten years' experience organizing and executing the process for Hawai'i Island Democrats to express their preference for president. We need the Office of Elections to help make the process successful.