



**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 WAYS AND MEANS  
ON SENATE BILL NO. 1298, SD 1  
RELATING TO CONSTITUTIONAL AMENDMENTS**

**February 27, 2015**

Chair Tokuda and members of the Senate Committee on Ways and Means, thank you for the opportunity to testify on Senate Bill No. 1298, SD 1. The purpose of this bill is to appropriate funds for duties needed to be undertaken to enable the people to vote at the 2016 General Election on amendments to the Hawaii State Constitution proposed by the legislature.

The Office of Elections supports the intent of this bill because it is important for the electorate to have the opportunity to understand measures before them. However, we would ask for clarification to the "duties needed to be undertaken to enable the people to vote". If the intent of this bill is to produce educational materials to voters, it is not within the scope or mission of this office to interpret constitutional amendments proposed by the legislature. As such, we believe that educational materials would be better produced by subject matter experts.

Prior to the amendment of HRS § 11-2 in 2003, the Office of Elections was statutorily responsible for distributing educational materials produced by the Legislative Reference Bureau based on its interpretation of proposed constitutional amendments, including valid arguments for and against ratification. We propose the following based on the prior language of HRS § 11-2.

SECTION \_\_\_\_ Chapter 11, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**"§11- Proposed constitutional amendments.** Upon the certification of any bill that sets forth a question for vote by the electorate, the chief election officer shall coordinate the preparation of appropriate voter education materials with the \_\_\_\_\_. The \_\_\_\_\_ shall be responsible for the interpretation of the bill and shall submit to the chief election officer, not later than ninety days prior to the general election, the following items in final form:

- (1) A summary, factsheet, and digest of the proposed constitutional amendment, which includes the purpose and intent of the proposed constitutional amendment, and ramifications of the proposed constitutional amendment if ratified by the electorate; and
- (2) Arguments for and against ratification of the proposed constitutional amendment.

The printing and postage costs associated with a Constitutional Amendment Brochure would vary depending on the size, style, and weight of the brochure, as well as the number of questions, and length of the content. Currently, the Office of Elections produces a "Hawaii Votes Brochure" which is mailed to all registered voter households. The total cost for this project in 2014 was approximately \$95,000. This document was a single sheet that was folded and mailed to over 400,000 households.

We estimate the cost for a Constitutional Amendment Brochure to be at most \$142,000 based on the following:

Graphic Design and Translation:	\$7,000
Mail Sorting/Mailing Services:	\$15,000
Printing (assuming digest sized, stapled):	\$50,000
Postage (assuming non-profit rate):	<u>\$70,000</u>
Total:	\$142,000

Ballot production costs are built into our vote system contract. Any additional costs for ballot production would occur if a second ballot sheet is required depending on the number of amendment questions.

Thank you for the opportunity to testify on Senate Bill No. 1298, SD 1.



Senate Ways and Means Committee  
Chair Jill Tokuda, Vice Chair Ronald Kouchi

Friday 02/27/2015 at 9:00 AM in Room 211  
SB1298 Relating to Constitutional Amendments

COMMENTS  
Carmille Lim, Executive Director, Common Cause Hawaii

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Dear Chair Tokuda, Vice Chair Kouchi and members of the Committee:

**Common Cause Hawaii offers comments to SB1298.** This bill would appropriate money in fiscal year 2016-2017 to the office of elections, senate, and house of representatives for duties needed to be undertaken to enable registered voters to vote at the 2016 general election on state constitutional amendments proposed by the legislature during the 2015 and 2016 regular sessions.

#### COMMENTS

We ask the Committee to:

- Include an introduction explaining the purpose and need for this bill, since it is unclear.
- Clarify what “duties” are involved or may be involved. We believe that this is too broad, and can lead to misunderstanding and misinterpretation from the public on what these duties entail.

Thank you for the opportunity to provide comments on **SB1298**.

**SB1298**

Submitted on: 2/26/2015

Testimony for WAM on Feb 27, 2015 09:00AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shawna L. Kaanaana	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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