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JAMES R. AIONA, JR.
LIEUTENANT GOVERNOR

January 24, 2008

**TESTIMONY ON HOUSE CONCURRENT RESOLUTION 231
REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE
COST OF CONVENING A CONSTITUTIONAL CONVENTION IN 2010
Office of the Lieutenant Governor**

**House Committee on Judiciary
Representative Tommy Waters, Chair
Representative Blake Oshiro, Vice Chair**

**Tuesday, March 25, 2008
State Capitol Conference Room 325**

Good Afternoon Chair Waters, Vice Chair Oshiro, and Members of the Committee on Judiciary. Thank you for the opportunity to testify.

My name is Kevin A. Souza, and I am the Chief of Staff for the Office of the Lieutenant Governor.

The Office of the Lieutenant Governor respectfully opposes HCR 231 because we believe that the Legislative Reference Bureau ("LRB"), acting alone, does not possess the wherewithal to render an accurate opinion on the cost of a Constitutional Convention ("Con Con").

While we strongly support the concept of assessing the projected costs of a Con Con, we believe that any such study must involve other governmental agencies that possess the specific information necessary to render an accurate and educated opinion. Specifically, it is our position that a task force should be assembled to study this issue, with representatives from the Office of Elections, the Campaign Spending Commission, the Department of

Budget and Finance, the Department of Accounting and General Services, and the Attorney General's Office. The LRB could potentially be included as a member of the task force. Additionally, select public interest groups like the League of Women Voters should also be considered.

As an alternative to this proposal, we urge this Committee to hear and pass HCR 165, which proposes to create a similar task force to study this important issue.

Finally, the Office of the Lieutenant Governor would welcome the opportunity to work collaboratively with the Legislature on formulating a task force to study the potential cost of a Con Con.

Thank you for the opportunity to testify.



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

LATE TESTIMONY

Representative Tommy Waters, Chair
Representative Blake K. Oshiro, Vice-chair
House Committee on Judiciary

Tuesday, March 25, 2008
4:05p.m.

Support of Intent of H.C.R. No. 231 Requesting the Legislative Reference Bureau to Study the Cost of Convening a Constitutional Convention in 2010

Written Testimony

I am Representative Della Au Belatti, representative of the 25th House District. I support the intent of House Concurrent Resolution 231, Requesting the Legislative Reference Bureau to Study the Cost of Convening a Constitutional Convention in 2010.

Determining the cost of a Constitutional Convention is important to voters in this general election. The People's Pulse survey has already polled a sampling of voters that demonstrate that the cost of a convention could sway voters significantly on whether to vote for or against the holding of a Constitutional Convention. Voters should have the best and most reliable information on as many aspects of a possible Constitutional Convention, including the possible

I applaud the intent of this resolution, but I think that the Legislature can craft an even better approach that can be used to determine the cost of a Constitutional Convention. HCR 231, the current resolution being considered by this Committee, considers using the highly capable Legislative Reference Bureau, but does not utilize the knowledge of other administrators and agencies who will be directly involved in the process of implementing a Constitutional Convention.

Another resolution, HCR 165 and HR 139, that has been introduced by a bi-partisan group of Representatives proposes an approach that would determine the cost of a Convention utilizing state administrators and agencies who have first-hand experience and insights into the election process and the costs of using state facilities, a bi-partisan group of legislators, and a citizen representative from a respected community group. The members that have been identified are all qualified to determine the actual costs and will play an integral role in the Constitutional Convention process from voter education to the election process and to the actual convening of a Convention.

Representative Della Au Belatti
25th House District
Hawaii State Capitol, Room 331

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Representative Tommy Waters, Chair
Representative Blake Oshiro, Vice-Chair
Committee on Judiciary
Written Testimony, Page 2 of 2
25 March 2008
4:05pm

The resolution before this Committee is an opportunity to craft a better process that incorporates both HCR 231 and HCR 165/HR 139. I humbly request that this Committee consider creating a Task Force as contemplated in HCR 165/HR 139 and add the Director of the Legislative Reference Bureau, or a representative of the Director, to this Task Force.

Knowing the cost of a Constitutional Convention will help voters make an informed decision. Having a reliable figure that has been determined by a bi-partisan group that has the type of information available to determine the costs will provide voters with the best and most reliable information when voters cast their vote in 2008 elections.

Thank you for this opportunity to testify in fierce support of H.C.R. No. 231.

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25th House District
Hawaii State Capitol, Room 331

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HOUSE CONCURRENT RESOLUTION

REQUESTING A TASK FORCE TO DETERMINE AND REPORT THE COST OF
FUNDING A CONSTITUTIONAL CONVENTION IN THE STATE OF HAWAII.

1 WHEREAS, in 2008, a question will be placed on the general
2 election ballot asking voters whether a Constitutional
3 Convention should be held to amend the Constitution of the State
4 of Hawaii (Hawaii Constitution); and

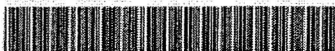
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6 WHEREAS, the last Constitutional Convention occurred in
7 1978, at which time the public was provided a forum to discuss
8 and recommend possible amendments to the Hawaii Constitution;
9 and

10
11 WHEREAS, the question of whether to hold a Constitutional
12 Convention was last submitted to the electorate in 1998, and the
13 voters answered "no"; and

14
15 WHEREAS, a Constitutional Convention is a major investment
16 of both time and money for the State and should not be voted for
17 lightly; and

18
19 WHEREAS, the cost of holding a Constitutional Convention is
20 currently undetermined, and knowledge of the estimated cost
21 would help voters determine the worthiness of using funds for
22 such an undertaking; and

23
24 WHEREAS, in an effort to educate voters before they vote on
25 this important question, the Legislature finds that providing
26 information, such as the estimated cost of holding a
27 Constitutional Convention, will promote well-informed decisions
28 when citizens cast their ballots prior to or on Election Day
29 2008; now, therefore,



1 BE IT RESOLVED by the House of Representatives of the
2 Twenty-fourth Legislature of the State of Hawaii, Regular
3 Session of 2008, the Senate concurring, that a Constitutional
4 Convention Cost Task Force (Task Force) be established to
5 determine the cost of holding a Constitutional Convention, to
6 examine ways to reduce such costs, and to report its findings;
7 and

8
9 BE IT FURTHER RESOLVED that the Task Force shall consist of
10 the following nine members, who each have one vote:

- 11 (1) The Comptroller, or the Comptroller's designee;
12
13 (2) The executive director of the Campaign Spending
14 Commission, or the executive director's designee;
15
16 (3) The Chief Elections Officer, or the Chief Elections
17 Officer's designee;
18
19 (4) The Director of Finance, or the director's designee;
20
21 (5) One senator appointed by the President of the Senate,
22 and one senator appointed by the Senate Minority
23 Leader;
24
25 (6) One representative appointed by the Speaker of the
26 House of Representatives (House), and one
27 representative appointed by the House Minority Leader;
28 and
29
30 (7) The president of the League of Women Voters of Hawaii,
31 or the president's designee;
32

33
34 and

35
36 BE IT FURTHER RESOLVED that the members of the Task Force
37 shall select a chairperson from among themselves; and

38
39 BE IT FURTHER RESOLVED that four members of the Task Force
40 shall constitute a quorum to conduct business; and



1 BE IT FURTHER RESOLVED that an affirmative vote by a
2 majority of the members present and voting at a meeting at which
3 quorum exists shall be necessary to validate any action of the
4 Task Force; and

5
6 BE IT FURTHER RESOLVED that the Attorney General, or the
7 Attorney General's designee, shall serve in an ex officio
8 capacity as an advisor to--but not as a voting member of--the
9 Task Force; and

10
11 BE IT FURTHER RESOLVED that the Task Force shall have 90
12 working days, beginning on May 2, 2008, to:

- 13 (1) Determine the cost of holding a Constitutional
- 14 Convention; and
- 15
- 16 (2) Submit a report to the President of the Senate,
- 17 Speaker of the House, and Governor so that voters will
- 18 be able to make a well-informed decision on or before
- 19 November 4, 2008, about whether to hold a
- 20 Constitutional Convention;
- 21
- 22

23 and

24
25 BE IT FURTHER RESOLVED that the Task Force will cease to
26 exist on November 5, 2008; and

27
28 BE IT FURTHER RESOLVED that certified copies of this
29 Concurrent Resolution be transmitted to the Governor,
30 Comptroller, Director of Finance, Attorney General, Chief
31 Elections Officer, executive director of the Campaign Spending
32 Commission, and president of the League of Women Voters of
33 Hawaii.

34
35
36 OFFERED BY:

Debra A. Belatti

Barbara Mammets
Gen. Carl A. Anderson
Paul K. Shinohara
Colleen Meyer

HCR HMS 2008-2850


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HOUSE RESOLUTION

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33
34
35 OFFERED BY:

Debra A. Belatti

Barbara Norwood
Ben

[Signature]

Richard Smith

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[Signature]

Paul Khooch
Calla Mey

HR HMS 2008-2850



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