



**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 17, 2016

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):	\$70,000
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 was required, depending on the number of amendment questions.

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



League of Women Voters of Hawaii

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COMMITTEE ON WAYS AND MEANS
SB 1298, SD1 RELATING TO CONSTITUTIONAL AMENDMENTS
Wednesday, February 17, 2016, 8:55 A.M., Room 211

TESTIMONY

Saki Migliorato, Legislative Committee Member, League of Women Voters of Hawaii

Chair Tokuda, Vice-Chair Dela Cruz and Committee Members:

The League of Women Voters of Hawaii strongly supports the intent of SB1298, SD1 that makes an appropriation to the Office of Elections, Senate and House of Representatives for duties to be undertaken to enable registered voters to vote on state constitutional amendments during the 2016 general election.

Is the appropriation for voter education conducted by the office of elections, the house of representatives and the senate? We hope the bill would be amended to explain the roles of each party, including a description of the actual work to be undertaken.

Education about proposed constitutional amendments is important, so that voters understand the proposal and make an informed choice. Each proposed amendment should be explained in simple, everyday language. Additionally, "pros and cons" for each change should be presented in a factual, nonpartisan fashion.

For years, the League has advocated voter information, especially on issues, and has provided impartial information ourselves, when possible. But it would be better if this was a routine aspect of voter service provided to all Hawaii residents by the State Office of Elections in both online and paper formats. What can be more important than an informed electorate? Thank you for the opportunity to submit testimony.