



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-NINTH LEGISLATURE, 2017**

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**ON THE FOLLOWING MEASURE:**

H.C.R. NO. 50 & H.R. NO. 25, URGING THE UNITED STATES CONGRESS TO RESTORE FREE AND FAIR ELECTIONS BY APPLYING FOR A CONVENTION TO PROPOSE AMENDMENTS TO THE UNITED STATES CONSTITUTION.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY

**DATE:** Tuesday, April 4, 2017

**TIME:** 2:15 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** Douglas S. Chin, Attorney General, or  
Deirdre Marie-Iha, Deputy Attorney General

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Chair Nishimoto and Members of the Committee:

The Department of the Attorney General submits this testimony for both H.C.R. No. 50 and H.R. No. 25. At the outset, we note that, because the resolution would operate as *the Legislature's* application for a constitutional convention under Article V of the federal constitution, we believe only H.C.R. No. 50 is an appropriate vehicle. H.R. No. 25 would be the statement of the House alone and thus is constitutionally insufficient to speak for the entire Legislature. Haw. Const. art. III, § 1.

As to H.C.R. No. 50, the Department has no legal objection to this concurrent resolution, but raises concerns because it is potentially of great legal significance and operates in a highly uncertain area of law. This resolution would be the Hawaii Legislature's application for a constitutional convention under Article V of the federal constitution. It would request that the convention propose an amendment to address Citizens United v. Federal Election Comm'n, 558 U.S. 310 (2010). The Department submits this testimony to advise the Legislature of the significance of this resolution and to identify some of the outstanding questions about federal constitutional conventions. Should the Committee elect to pass this resolution, we recommend that the resolution be made more specific about exactly what kind of constitutional amendment it seeks.

Under Article V of the U.S. Constitution, amendments may be proposed by Congress or by constitutional convention. U.S. Const. art. V. All twenty-seven of our

current constitutional amendments were proposed by the first method. U.S. Const., Amend. I – XXVII; 2 Ronald D. Rotunda, *Treatise on Constitutional Law* § 10.10(b). Both methods require a ratification vote by three-quarters of the states. U.S. Const. art. V. The second method has never been used to propose a constitutional amendment and there is no controlling and relevant case law.

Proposing constitutional amendments using a convention was included to allow the states to act when Congress would not. See 2 Rotunda at § 10.10(b)(iii) ("The framers provided for the alternative route of allowing the state legislatures to call for amendments as a political check in case Congress was unresponsive to any felt need for change."); Alexander Hamilton, *The Federalist No. 85* (describing the convention mechanism as necessary to "erect barriers against encroachments of the national authority."). Because no federal constitutional convention has been held in more than two hundred years, how it would operate is largely unknown. It is not known, for example, how the states would be represented at a convention; how those representatives would be chosen; or whether Congress could enact legislation that would control the procedures at such a convention. 2 Rotunda at § 10.10(b)(iii). The federal constitution gives no guidance on these questions. U.S. Const. art. V.

Even more importantly, there has been academic debate for decades on whether an Article V convention can be limited to one topic or must be a general convention, which could hypothetically propose amendments for *any* provision of the federal constitution, or propose a totally novel amendment unrelated to existing constitutional provisions. See, e.g., 2 Rotunda at § 10.10(b)(iii) at n.10 and the authorities cited there; James Kenneth Rogers, *The Other Way to Amend the Constitution: The Article V Constitutional Convention Amendment Process*, 30 Harv. J. L. & Pub. Pol'y 1005 (2007), and authority cited there; *Constitutional Convention—Limitation of Power to Propose Amendments to the Constitution*, 3 U.S. Op. Off. Legal Counsel 390 (1979), 1979 WL 16606, and authority cited there. Because there has never been an Article V convention, these and many other questions remain unanswered. We also note that four other states have recently passed resolutions calling for a federal constitutional convention on the same topic. Calif. Assem. Joint Res. No. 1, Res. Ch. 77 (2014); Ill.

Sen. Joint Res. No. 42 (2014); N.J. Sen. Con. Res. No. 132 (2015); Vt. Joint Res. No. R-454 (2014). The Rhode Island House and Senate separately adopted similar resolutions, but not jointly. R.I. H. Reso. 7690 (2016); S. Reso. 2589 (2016). (All of these are identified in the resolution. Page 2, lines 15-18). All of them contain wording expressing each state's understanding that the convention would be limited to this specific topic. Id. This resolution would do the same. This is certainly advisable, but whether a constitutional convention could be effectively limited in this way is unknown.

We suggest one amendment to this resolution, should the committee elect to pass it. The specific legal issue the State wishes to address at a constitutional convention should be made more specific. At present the resolution identifies primarily "issues" raised by Citizens United "and related cases and events[.]" (Page 1, lines 26-29). Later the resolution calls for "amendments to restore free and fair elections[.]" (Page 2, lines 21-22 and 32-32). Both the word "issues" and the phrase "free and fair elections" are imprecise and would benefit from greater specificity.

Vermont's resolution, for example, identifies "the corrupting influence of money in our electoral process" as the concern it wishes to address. Illinois' resolution states that Citizens United "removed restrictions on amounts of independent political spending[.]" Given the federal case law, to make money spent to influence American elections subject to reasonable regulation, a federal constitutional amendment should consider: (1) whether money spent on candidate elections and ballot measures should constitute "speech" under the First Amendment, (2) how "corruption" is defined, for purposes of the government's interests in protecting the democratic process, and/or (3) that independent expenditures do corrupt the political process. In our view, the intent of the resolution would be strengthened by including one or more of these concepts in the resolution itself. This is especially true for the first of these concepts (whether money spent to influence an election is "speech"), because that is the fundamental premise underlying this entire area of law.

We respectfully urge this Committee to pass this resolution only if this suggestion is incorporated. Thank you for the opportunity to testify.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, April 2, 2017 2:25 PM  
**To:** JUDtestimony  
**Cc:** wao-hsl@WeAreOne.cc  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/2/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Kohn MD	We Are One, Inc. - <a href="http://www.WeAreOne.cc">www.WeAreOne.cc</a> - WAO	Support	No

Comments: Strongly support eliminating corruption at all levels of government.  
[www.WeAreOne.cc](http://www.WeAreOne.cc)

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House Judiciary Committee  
Chair Scott Nishimoto and Vice Chair Joy San Buenaventura

04/04/2017 at 2:15 PM in Room 325  
HR50 – Urging the United States Congress to Restore Free and Fair Elections by Applying for a Convention to Propose Amendments to the United States Constitution

TESTIMONY / STRONG OPPOSITION  
Corie Tanida, Executive Director, Common Cause Hawaii

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Dear Chair Nishimoto, Vice Chair San Buenaventura, and committee members:

**Common Cause Hawaii strongly opposes HCR50** which calls for an Article V Constitutional Convention to propose an amendment to restore free and fair elections.

While we support free and fair elections and agree that we need to address the consequences of the 2010 Supreme Court case *Citizens United v. Federal Election Commission*, an Article V Constitutional Convention is not the solution.

**The Convention process is too ambiguous and states cannot limit the agenda of a Constitutional Convention.** Convention procedures and delegate rules do not exist. Thus a Constitutional Convention would open the Constitution to whatever amendments its delegates chose to propose. According to one of the nation's most esteemed constitutional law scholars, Dean Erwin Chemerinsky, "no one knows how the convention would operate. Would it be limited to considering specific proposals for change offered by the states or could it propose a whole new Constitution? After all, the Constitutional Convention in 1787 began as an effort to amend the Articles of Confederation, and the choice was made to draft an entirely new document."<sup>1</sup>

Some proponents of measures similar to HCR50 in other states have argued that a convention convened pursuant to Article V of the Constitution could be limited to a single topic, and that any proposed amendments will still need to be ratified by 38 states as a "check" on a runaway convention.

There are no guideposts or rules, however, to prevent delegates from lowering the threshold of 38 states currently necessary for ratification or going beyond the purpose for which it convenes. At the most recent Constitutional Convention in 1787, for example, attendees re-wrote the rules for ratification – indeed, they re-wrote the entire governing charter – and reduced the number of states needed to agree to the new Constitution.

Simply put, a Constitutional Convention would create an unpredictable Pandora's Box. There is far too much at stake to risking putting the entire Constitution up for a wholesale re-write as part of a Constitutional Convention. We urge you to **defer HCR50**.

Thank you for the opportunity to testify in **strong opposition to HCR50**.

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<sup>1</sup> Erwin Chemerinsky, "Is It a Good Time to Overhaul Constitution?," Orange County Register, Jan. 21, 2016, <http://www.ocregister.com/articles/constitutional-700670-convention-constitution.html>.

JUDtestimony

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From: mailinglist@capitol.hawaii.gov  
Sent: Monday, April 3, 2017 12:02 AM  
To: JUDtestimony  
Cc: Markkenwhite@hotmail.com  
Subject: Submitted testimony for HR25 on Apr 4, 2017 14:15PM

**HR25**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark White	Convention of States	Comments Only	No

Comments: The non-profit, non-partisan organization known as the Convention of States Project has no association or affiliation with the Citizens United organization or their affiliates.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 12:28 PM  
**To:** JUDtestimony  
**Cc:** sandiegohat@yahoo.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teresa	Kauai Womens Caucus	Comments Only	No

Comments: Aloha, my name is Teresa Gardner, I am a voting constituent from Kaua`i, and am submitting testimony to ask for your strong support in favor of HCR 50, which would urge U.S. Congress to Restore Free and Fair Elections and get big money interests out of politics. It is critical to our democracy that we no longer allow corporations to endlessly fund our politicians and political process. We need to instead make elections fair, so that elected officials are accountable to their constituents - the people - instead of corporations and their profits, and we need to make elections fair, so that any citizen can run for political office and have a chance of winning. Please take the lead by voting 'Yes' on HCR 50 and help Hawai`i become the 6th State in the Nation to truly join the fight in restoring our democracy. Mahalo for your time."

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April 3, 2017

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members,

Aloha. I am writing today as a concerned citizen, teacher and mother to ask the legislators to vote YES on HCR-50, the Free and Fair Elections resolution in Hawai'i, currently before the House Judiciary Committee. Big money should not be a part of politics. Corporations are not people. The voices of ordinary people are not heard when big money comes into play. Examples we see in Hawai'i are the GMO issue as well as water issues on Maui. The people spoke loudly and clearly against GMOs in a truly democratic process but it seems that whoever has the most money wins. In this case it's the agribusiness giants like Monsanto and Syngenta. With regards to the water issues on Maui, more often than not, Alexander and Baldwin wins out over ordinary people because money talks.

We must do EVERYTHING in our power to correct the corrosive effect of big money in politics. It's up to us, and Hawai'i should be in the top 10 states demanding this U.S. Amendment. I write to you today in support of fair and free elections in Hawai'i.

Me ka mahalo,

Susan Kapulani Antonio  
2710 'Iolani St.  
Makawao HI 96768



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, April 1, 2017 11:22 AM  
**To:** JUDtestimony  
**Cc:** bob-marion@hawaiiantel.net  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/1/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marion McHenry	Individual	Support	No

Comments: I strongly support this measure. It is important that we move towards getting money out of elections. Our federal legislature will never approve over turning Citizen's United because too many US senators and US congressional representatives rely on large campaign contributions. We must level the playing field so that those who truly want to be public servants have the opportunity to hold office. The current situation in Washington DC is exactly why we must pass this measure. Thank you for your foresight and courage in passing this measure.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, April 2, 2017 3:35 PM  
**To:** JUDtestimony  
**Cc:** kuaigina@yahoo.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/2/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gina Mello	Individual	Support	No

Comments: HCR50 is the only way that our state has the power to go around Congress and demand a change to our Federal Constitution for Free and Fair Elections. I would be sooo proud to have our state be in the first ten to sign up for this!!! I am 67 and when I first heard about this plan my heart just opened. I felt that this is the answer to truly make changes in our country. I had a stroke 2.5 years ago and, honestly, this has given me strength and power and hope I have not felt since then. I am going to try to get to Oahu for the hearing and I hope to see you all there and in full support for this measure that helps us get closer to true democracy at the federal level before its too late. Thank you for all the work you do! Blessings- Gina Mello Kauai E Ho'omaluhia Me Ka Honua – May Peace Prevail on Earth

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, April 2, 2017 4:42 PM  
**To:** JUDtestimony  
**Cc:** carrmaria@hotmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/2/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Maria Pena	Individual	Comments Only	No

Comments: Dear Chairman Nishimoto, Vice Chair San Buenaventura, and Committee Members, My name is Maria Peña and I stand in strong support of HCR-50 and ask that you vote in support of this resolution for a full vote in the House. In 2014, my husband was getting ready to retire from 20 years of active duty military service and we were assigned on the mainland in San Antonio, Texas. At the time, we were in the midst of making one of the most profound decisions of our lives in determining where we would settle down as a family once and for all. We didn't take the decision lightly since we had no family on the islands and keenly understood how it would impact our two young daughters the most. My husband had been assigned to Hawaii for four years back in 2008, so we were familiar with the advantages and disadvantages of settling down in Hawaii. Most people move to Hawaii because of its beauty, which is undeniable; however, my husband and I chose Hawaii for very different reasons. As a military family, we had a unique perspective on local, state, and national politics because we moved around so much. We evaluated the state of democracy throughout the country and weighed things like state government, cost of living, quality of life, and opportunities as our top priorities when making our decision. We recognized that if we stayed on the mainland, specifically in Texas, our dollar would stretch much farther, with the trade off being local and state governments that were bought and paid for by the oil industry. Additionally, Texas is ranked one of the worst states to raise females and was completely unresponsive to their constituents. We didn't want this for our family and it was the key factor that weighed most heavily on our decision to move to Hawaii because all politics are local. During our deliberation, my husband and I recalled on our time living in Hawaii. We appreciated the fact that Hawaii legislators are responsive to its constituents and care deeply for its residents, which is why this resolution stands before this committee today. Government decisions affect our daily lives and HCR-50 is a resolution which ensures the voice of the people for generations to come. It calls for Free and Fair Elections so that the voters of this great state, including my two daughters, will continue to have a voice in the years to come. HCR-50 is not controversial for the voters of Hawaii. We understand the necessity to stand strong against the moneyed interests that drown out the voices of the average person; thus, I respectfully request this committee exercise their leadership and strength by voting in

support of this resolution. Just as with my decision as a parent to move to Hawaii, the members of this committee are being called upon to make an even larger decision that will have a positive impact on future generations by sending the loudest call for reform a state can make to the federal government - that we demand an equal voice in our Republic. As lawmakers, you are being entrusted by the people of Hawaii to make decisions that benefit and secure their futures. I urge this committee to be positive stewards of our futures by voting in favor of HCR-50 for the benefit of the people of Hawaii who deserve to have their voices heard in the generations to come through Free and Fair Elections. Humbly, Maria Peña Kapolei Resident

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YES on HCR 50! What an exciting time, to think special-interest, unaccounted for money can be out of our elections!!

Mahalo nui loa to Representatives San Buenaventura and Lee for being co-sponsors of this resolution.

We know that corporate money has infiltrated every level of government, from the highest office all the way down to our local County Council! Greed and self interest has done great damage and continues to put the health and welfare of people and our planet at great risk.

To have Hawaii be in the top 10 states demanding this U.S. Amendment would make us all proud of Hawaii as it continues to do the right and principled thing. To free and fair elections! To democracy!

Aloha

Karen Marie Bellavita

Hanalei, HI 96714

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, April 2, 2017 8:04 PM  
**To:** JUDtestimony  
**Cc:** mauicomp@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/2/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jesse Francis	Individual	Comments Only	No

Comments: Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and all committee members, Please vote with the people to pass Measure HCR50. Other methods have been tried but the U.S. congress cannot and will not get this done without our states doing everything in our power to make it happen. The people must restore their own rights and HCR50 represents the one method still available to do so. I sincerely hope Hawaii will become the sixth state legislature to come on board to heal a great wound to the nobility of our country. With each state that passes a similar resolution, we come closer to passing national legislation that cannot be overturned, as it will be constitutionally protected. This is what this country needs. This is what the generations of tomorrow need, and it's in our hands to make that happen before it's too late. Vermont, Rhode Island, New Jersey, Illinois, and California have already passed measures to call for a convention to restore fair elections to our federal system. Let's have Hawaii be the sixth state to take a stand for the people of this great country to have a fair and equitable vote and to enshrine that representation, by and for the people, in the United States Constitution where it will be safe from outside factors that threaten our ability to have a say in our democratic Republic.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, April 2, 2017 5:46 PM  
**To:** JUDtestimony  
**Cc:** maxinekla@gmail.com  
**Subject:** \*Submitted testimony for HCR50 on Apr 4, 2017 14:15PM\*

**HCR50**

Submitted on: 4/2/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Maxine Anderson	Individual	Support	No

Comments:

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JUDtestimony

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From: mailinglist@capitol.hawaii.gov  
Sent: Sunday, April 2, 2017 6:25 PM  
To: JUDtestimony  
Cc: athurston@irmt.org  
Subject: Submitted testimony for HCR50 on Apr 4, 2017 14:15PM  
Attachments: HCR 50.docx

**HCR50**

Submitted on: 4/2/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anne Thurston	Individual	Comments Only	No

Comments: I consider this resolution to be of the highest importance.

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I endorse HCR 50 warmly and strongly. We urgently need to get special-interest, unaccounted for money out of our elections. I want to express my sincere gratitude to Representatives San Buenaventura and Lee for being co-sponsors of this resolution.

This issue is of deep concern to me personally as it is to virtually all my friends and associates on Kaua'i and across Hawaii. We know that corporate money has filtered right down to the Country Council level, putting our health and welfare at risk. For instance, it has resulted in corporations spraying toxic chemicals almost daily on our island without disclosing to us exactly what is being sprayed and in what quantities. Without disclosure, we cannot measure the impact accurately. We know that there are good people who are trying to do what they were elected to do - to protect us and our children - and we want to support them. At present, this is very difficult. Free and fair elections will allow us all to experience the benefits of democracy that we were raised to value.

I want Hawaii to be in the top 10 states demanding this U.S. Amendment. This would make me immensely proud of Hawaii, and it would be a deep relief to me and to others. I hope so much that you will consider this idea favorably.

Anne Thurston  
3639 Keoniana Road  
Princeville, Hawaii 96722  
808 826 7002

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 9:32 AM  
**To:** JUDtestimony  
**Cc:** kshimata@hawaiiantel.net  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathy Shimata	Individual	Support	No

Comments: I believe that getting big money out of politics is critical to reclaiming our democracy.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 11:44 AM  
**To:** JUDtestimony  
**Cc:** pwistinghausen@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patricia Wistinghausen	Individual	Support	No

Comments: Aloha, my name is Patricia Wistinghausen, I am a voting constituent from Kaua'i, and am submitting testimony to ask for your strong support in favor of HCR 50, which would urge U.S. Congress to Restore Free and Fair Elections and get big money interests out of politics. It is critical to our democracy that we no longer allow corporations to endlessly fund our politicians and political process. We need to instead make elections fair, so that elected officials are accountable to their constituents - the people - instead of corporations and their profits, and we need to make elections fair, so that any citizen can run for political office and have a chance of winning. Please take the lead by voting 'Yes' on HCR 50 and help Hawai'i become the 6th State in the Nation to truly join the fight in restoring our democracy. Mahalo for your time.

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JUDtestimony

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From: mailinglist@capitol.hawaii.gov  
Sent: Monday, April 3, 2017 11:43 AM  
To: JUDtestimony  
Cc: oceankillbill@yahoo.com  
Subject: Submitted testimony for HCR50 on Apr 4, 2017 14:15PM  
Attachments: HCR50 testimony.docx

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
William Unruh	Individual	Comments Only	No

Comments: To whom it may concern! I am full support of HRC50. Our present administration of Donald Trump and his cronies are the exact reason why we need this law in place! Trump was bought off on so many levels from Amway to big Oil. This MUST stop! The safety and security of our country has been compromised with his relations with Russia and BIG OIL! This must stop! Thank you!

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To whom it may concern! I am full support of HRC50. Our present administration of Donald Trump and his cronies are the exact reason why we need this law in place! Trump was bought off on so many levels from Amway to big Oil. This MUST stop! The safety and security of our country has been compromised with his relations with Russia and BIG OIL! This must stop! Thank you!

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 11:42 AM  
**To:** JUDtestimony  
**Cc:** demarco188@yahoo.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Hope DeMarco	Kauai Women's Causus	Comments Only	No

Comments: "Aloha, Hope DeMarco, I am a voting constituent from Kaua`i, and am submitting testimony to ask for your strong support in favor of HCR 50, which would urge U.S. Congress to Restore Free and Fair Elections and get big money interests out of politics. It is critical to our democracy that we no longer allow corporations to endlessly fund our politicians and political process. We need to instead make elections fair, so that elected officials are accountable to their constituents - the people - instead of corporations and their profits, and we need to make elections fair, so that any citizen can run for political office and have a chance of winning. Please take the lead by voting 'Yes' on HCR 50 and help Hawai`i become the 6th State in the Nation to truly join the fight in restoring our democracy. Mahalo for your time."

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 11:29 AM  
**To:** JUDtestimony  
**Cc:** dmartin.hfr@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Martin	Individual	Support	No

Comments: Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members, My name is Diane Martin. I am a concerned citizen strongly in favor of the Free and Fair Elections Resolution in Hawaii, HCR-50. Please vote yes! Thank you for your service, Diane Diane Martin 1160 Ala Napunani St #1207 Honolulu, HI 96818 Email: dmartin.hfr@gmail.com Rep Linda Ichiyama, District 32

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 11:18 AM  
**To:** JUDtestimony  
**Cc:** akamaimom@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Felicia Cowden	Individual	Support	No

Comments: Mahalo for proposing this bill. Hawaii is showing leadership in national issues and it is appreciated. The profound impacts of unrestricted amounts of money in the electoral system holds everyone hostage, especially our elected officials. I support the state government efforts to demand free and fair elections as is reflected in this resolution. As a public affairs programmer on Kauai Community Radio, we hear constant distress from the people in the community at feeling they have a deeply limited voice in politics comparatively with the hand of global industry. Felicia Cowden Kilauea, Kauai.

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April 3, 2017

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members:

Hello, my name is Randall Imada. I am a resident of Pauoa Valley and the caretaker of my elderly parents.

My current medical premium and dental insurance premium are together almost \$650 a month. We have the most expensive health care in the world. I hope to see the day that I have universal health care, so that my insurance premiums do not increase so much.

Please pass HCR50, the Free and Fair Elections resolution so that people do not have to suffer financially.

Thank you, Chairman Nishimoto, Vice Chair San Buenaventura, Representative Lee, and committee members for being co-sponsors of HCR 50.

Sincerely,  
Randall Imada  
2543 Kekuanoni St.  
Honolulu, HI 96813-1120  
(H) (808)536-3890  
House District 25 - Representative Sylvia Luke

Julie Becker  
PO Bx 55  
Papaaloa, Hi 6780

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members,

Today I am urging legislators to vote YES on HCR-50, the Free and Fair Elections resolution in Hawaii, currently before the House Judiciary Committee.

My husband Pete, and I are retired and living on the Big Island of Hawaii. We are deeply concerned about the state of our democracy and wish give testimony to those concerns. The fact that money plays such a predominant factor in our elections is troubling to us. We are on fixed incomes and feel we no longer have a voice in shaping our government.

The basis of our government has always been free and fair elections. Unfortunately, the influence of wealthy individuals and corporations in elections has led to the passage of laws that have widened the chasm between the rich and the poor. If we don't reduce that influence, our system risks losing its legitimacy.

We believe passing this resolution in Hawaii will put us on record as trying to correct the corrosive effect of big money that shapes and influences policy done by, and on behalf of, the super-rich and corporate class.

We want to thank Chairman Nishimoto, Rep Belatti, Rep Brower, Rep Johanson, Rep Morikawa, Rep Thielen and especially to our local Representative, Mark Nakashima for being co-sponsors of the resolution in 2015.

Sincerely,

Julie Becker

---

**Kehaulani Fanene**

55-159 Kulanui Street  
Laie, HI 96762  
(807) 436-2871  
kehaulanifanene@gmail.com

2nd April 2017

**Chairman, Vice Chairwoman, committee**

Hawaii State Capitol  
415 South Beretania St.  
Honolulu, HI 96813.

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members,

I am writing to testify in favor of HCR-50, the Free and Fair Elections resolution in Hawaii, and would like to thank Vice Chairwoman, Representative San Buenaventura and Representative Lee for co-sponsoring this resolution. I would also like to extend thanks and recognition of Chairman Nishimoto and Representatives Belatti, Brower, Johanson, Morikawa, Nakashima and Thielen for their support and co-sponsorship in 2015.

I am a recent graduate, young technical professional, single mother, and concerned citizen who cares deeply about restoring democracy to our great nation. It is imperative that we get big money out of politics and put power back into the hands of the people. It is time for our federal representatives to be accountable to us instead of allowing those with the most money to control public policy. I urge you to take a stand against corrupting influences and make Hawaii a leader in this country in demanding Free and Fair Elections.

Thank you again for your support and time.

Sincerely,

Kehaulani Fanene





Nels Romerdahl  
[contact@nelsr.net](mailto:contact@nelsr.net)  
425.243.3509  
759 Kumulani Dr  
Kihei, HI 96753  
State Senator: Rosalyn H. Baker  
District #6

Aloha,

My name is Nels Romerdahl and I am a concerned Kihei citizen writing today in support of HCR 50. Thank you, Representative San Buenaventura and Representative Lee, for co-sponsoring this legislation. I also want to thank Chairman Nishimoto, along with representatives Belatti, Brower, Johanson, Morikawa, Nakashima, Nakashim, for being co-sponsors in the 2015 legislative session. As someone in their twenties and someone in the Computer Science sector, I am gravely concerned with the current political climate.

There's a great saying – absolute money corrupts absolutely. With little regulation on campaign financing, politicians in Washington are able to continue to do the bidding of donors rather than the American people.

According to the Pew Research Center, just 19% of Americans today say they can trust the government in Washington to do what is right “just about always” ([Purdue](#) 2015). Congressional seats may be up for re-election every two years, but by January, congressional approval hovers between 15-30% ([Gallup](#) 2017). Big change throughout U.S. history hasn't happened because people simply ask for it. Big change occurs when citizens and state legislatures demand change.

While it's true that an Article V Convention has never happened, that doesn't mean there isn't precedent regarding the matter. The bill of rights, along with the 17th, 21st, 22nd, and 27th amendments started off at the state level. Eventually, enough states had called for a convention that it pressured congress to move forward. The 1st, 17th, and 27th amendments delegated power to the people when it was needed. The founding fathers believed in a check and balance system of the federal government. They believed in separation of duties in order to preserve the belief that America is a democratic republic.

It doesn't matter what side of the political spectrum you politically align. Money in politics takes focus away from discussing policy, and how to fund a political campaign so that our federal representatives are truly accountable to the we the people.

The right to self-governance is critical in preserving the democratic process. The scope of an Article V convention is limited to a single topic decided before a convention is held, and there are legal ways to enforce it that are recognized by the Department of Justice, American Bar Association, and Congressional Research Service, and that is IF Congress doesn't act first on one

of the most populous issues in our country. Free and Fair Elections can be reality, but demanding a constitutional amendment is the first step to real change.

Mahalo,  
Nels Romerdahl

Testimony presented by:

Ryan I. Sueoka

803 Isenberg Street, Honolulu, HI 96826 · State House District 21

[ryansueoka@gmail.com](mailto:ryansueoka@gmail.com)

(808) 372-3453

HOUSE COMMITTEE ON JUDICIARY

Tuesday, April 4, 2016

2:15 pm

Conference Room 325

**STRONG SUPPORT FOR HCR 50 – URGING THE UNITED STATES CONGRESS TO RESTORE FREE AND FAIR ELECTIONS BY APPLYING FOR A CONVENTION TO PROPOSE AMENDMENTS TO THE UNITED STATES CONSTITUTION.**

Aloha nui mai kākou e Chair Nishimoto, Vice Chair San Buenaventura and Committee Members!

My name is Ryan I. Kaha'i'ōlelo Sueoka. I am a current resident of Kamō'ili'ili, with roots firmly planted in Pāhoa and Kāne'ōhe. Mahalo for the opportunity to share my STRONG SUPPORT for HCR 50. I would like to mahalo Vice Chair San Buenaventura and Representative Chris Lee for being co-sponsors of HCR 50; mahalo as well to Chair Nishimoto, Representative Belatti, Representative Brower, Representative Johanson, Representative Morikawa, Representative Nakashima and Representative Thielen for being co-sponsors of HCR 53 in 2015.

The democratic process called for in HCR 50 to combat the influence of big money in politics gives me renewed hope in government. Frankly, I have become disenchanted with government as I see policy making controlled by big money interests. While disenchanted, I choose not to disengage. However, I fear the majority of maka'āinana, — my family, my friends, my neighbors and yours — no longer believe their voice matters.

We should all be embarrassed that in 2016 Hawai'i ranked dead last in voter turnout. But should we be surprised? Only when Hawai'i stands for Free and Fair Elections can we hope to re-engage voters and regain a true democracy.

Article V of the US Constitution makes it clear that the states can and should act when Congress does not. As State legislatures around the country listen to their constituents and pass parallel resolutions calling for the restoration of Free and Fair Elections, a strong message is being sent to the US Congress. Some in Congress may feel sheltered from their constituents by the big money interests that surround them; state resolutions like HCR 50 make it clear that there is no where to hide. Your constituents rely on you to send this message.

Hawai'i gained national attention in March 2015 with the passage of HCR 53. Now HCR 50 provides the opportunity to again demonstrate that Hawai'i is not only on the right side of history, we are a leader in the protection of democracy.

I strongly urge you to pass this resolution. Mahalo once again for the opportunity to submit testimony.



April 3, 2017

Fran Kalb  
4394A Punee Rd  
Koloa, HI 96756

ATTN. JUDICIARY COMMITTEE  
RE HCR 50

Aloha,

My name is Fran Kalb, I am a voting constituent from Kaua'i (96756), and am submitting testimony to ask for your strong support in favor of HCR 50, which would urge U.S. Congress to Restore Free and Fair Elections and get big money interests out of politics.

It is critical to our democracy that we no longer allow corporations to endlessly fund our politicians and political process. We need to instead make elections fair, so that elected officials are accountable to their constituents - the people - instead of corporations and their profits, and we need to make elections fair, so that any citizen can run for political office and have a chance of winning

Please take the lead by voting 'Yes' on HCR 50 and help Hawai'i become the 6th State in the Nation to truly join the fight in restoring our democracy.

Mahalo for your consideration.

Fran Kalb

Courtney Viernes  
4146 Guadalcanal Circle Apt C  
Kapolei, HI 96707  
(808) 779-8158  
District 42 Rep. Sharon Har

I, Courtney Viernes, am supportive of HCR50. Free and Fair Elections is important to me, to our community and to our country. Our founding fathers wanted a country where we took care of each other. They foresaw a future where prosperity flourished amongst not just rich people but with ordinary people that could hold their heads high.

I do not remember having to not struggle to survive. My earliest memory of my mom was at her job in Kmart. It wasn't at a family party, or a nice vacation it was at her job. She has always worked and barely had any time for herself. She is 56 years old and is running out of gas. I do not want my life and that of my fellow Americans to be like that but that's all I have known since I was a child.

HCR50 would be the first step to bring this tragedy of the middle class and the impoverished to a halt. I don't my life story to be that of a tragedy. I want to grow old and not be stopped from living because some company paid off the politician I chose to represent me. You, the members of the Judiciary Committee, have the chance to make your voices and that of the people who elected you heard. We will not allow people who are supposed to help this country, tear it apart piece by piece because of money.

Thank you for your time. Please support HCR50, Free and Fair Elections just like I do. This all starts with you, the Judiciary Committee chair, vice chair, and members.

Sincerely,

Courtney Viernes

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 2:13 PM  
**To:** JUDtestimony  
**Cc:** bfdorn@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bryan Dorn	Individual	Support	Yes

Comments: My name is Bryan Dorn. I grew up near the sugarcane plantation town of Pahoehoe. I miss the simple life of those old days, and I fear that the future might not be as simple as I watch this country becoming more and more complicated and twisted from big money special-interests trying to squeeze every last drop out of this great nation. This issue is very important to me, not just as a concerned citizen and voter, but as a father and a husband. I worry for my kids' future. I look at the state of our government today and I see the path we are headed on and I am gravely concerned. So, I'm sitting before you today on behalf of my family and all of the families throughout this great nation, asking you to take this real step to fix representative democracy and join Vermont, California, Illinois, New Jersey, and Rhode Island. In 2010, Hawaii became one of the first states in the nation asking Congress to propose an amendment to the U.S. Constitution to address the issue of how money is corrupting our political system. In 2016, Hawaii passed a second resolution asking Congress to do the same thing. Congress has yet to respond to our pleas, so I think that using every single thing in our power to correct the course of our nation is critical, and history in fact shows that it is through using all tools at our disposal that we get a non-responsive Congress to take action. Whether you think Congress or the states should write this amendment, I think it is clear that HCR-50 is how you ensure that we get free and fair elections. Members of the committee, please make Hawaii a leader on the most important issue of our generation. Please vote yes on HCR 50. Mahalo. Contact: bfdorn@gmail.com

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Testimony in favor of HCR 50.

I am a retired Univ. of Hawaii researcher. I have watched with dismay at the growing influence of wealthy individuals and political action groups on elections in our country and on policies of the federal government. This is extremely detrimental to the political process. If uncorrected I fear a breakdown of civil society as can be seen in many countries where power is concentrated only in the wealthy few. It is for this reason that I am here today to speak in favor of this bill.

Alan Tokunaga  
217 Prospect St. D-13  
Honolulu, HI 96813

[tokunaga@ifa.hawaii.edu](mailto:tokunaga@ifa.hawaii.edu)

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members,

Please accept the following testimony in support HCR. No. 50, "The Free and Fair Elections resolution in Hawaii", which is currently be debated before the House Judiciary Committee. I believe that money is corrupting influence that impacts almost every political policy these days. Without the corrupting influence of money in politics I believe that our countries great political system would begin function productively again. This is why I offer my support for HCR50.

Thank you for considering my testimony.

Mahalo,

Greg Schuster

# LANA OLSON

3959 Kalakaua Place, Princeville, HI 96722 | [808.639.8488](tel:808.639.8488) | [lane.olson@gmail.com](mailto:lane.olson@gmail.com)

District 14-1

4/3/17

House Judiciary Committee

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members:

Thank you for your service and reading my testimony in regard to HCR-50, the Free and Fair Elections resolution in Hawaii, currently before the House Judiciary Committee. I would like you to please vote YES on this resolution.

I am very grateful to Vice Chairwoman, Rep. San Buenaventura and Representative Lee for being co-sponsors of this resolution and to the 2015 co-sponsors: Chairman Nishimoto, Rep. Belatti, Rep. Brower, Rep. Johanson, Rep. Morikawa, Rep. Nakashima, and Rep. Thielen.

I am a community member that is politically active and I strive to be aware of the issues that face us locally and federally and I participate in government as much as possible to ensure that our rights as citizens are protected and our voices are heard. The US is supposed to be a government by, for, and of the people, and corporations are not people. They don't have families and they don't have health concerns, only financial ones. It is imperative to the health and wellbeing of our nation that we respect the health and well-being of real people, the citizens that serve their country with their labor and attention.

It is clear that this will not get accomplished at the federal level as the balance of power is skewed. It must come from the states and it may be up to a progressive state such as Hawaii to lead the charge. I humbly request that you take this matter on to secure a future of prosperity and hope for this great nation and the people who live, work, and raise families here.

Sincerely,

Lana Olson

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members,

I am writing to humbly request that you vote YES on resolution HRC50 Free and Fair Election Resolution currently before the House Judiciary Committee. As a parent, grandparent, and teacher, I feel that this is of the utmost importance if we are to have a true democracy.

I value my right to vote and I believe in the process, but we need to get big money out of politics. Living in a low-income area, I know many people who think we don't have a chance, and that their voice isn't heard. I believe that by removing big money from the elections more people will feel that their vote counts. I believe that through positive action, we the People can make a difference.

Sincerely

Kathleen Williamson  
PO BOX 1453  
Pahoa, HI 96778  
House District 4  
Senate District 2

Aloha, Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members. Thank you for allowing this hearing and for allowing me to express my support for HCR-50 today. My name is Mike Monetta and I'm a National Director with Wolf-PAC. We are a cross-partisan organization with the sole purpose of adding an amendment to the U.S. Constitution that will restore balance and integrity to our elections.

Despite my position with Wolf-PAC, I have personally come to the conclusion that unless we solve this issue and fix our representative government first we're not going to fix any of the big issues of our time - Education, Health Care, Our economy, the Environment. So here I am.

I'm proud to be here today with so many amazing Hawaii citizens who are engaged in our democratic process, many for the first time. **We're all here to take responsibility for fixing something that frankly should have been fixed a long time ago.** The corruption taking place in Washington D.C. and the amount of money pouring into our federal elections is out of control and the hard truth is that it has only gotten worse year after year for decades.

Every generation of Americans has had their own issues to solve (some bigger than this), but this IS ours. It is our generation's greatest duty to solve this problem and leave our country and government in a better place than we found it, and to do every single thing in our power to make that happen. We must add an amendment to our U.S. Constitution that restores balance and integrity to our elections, and it must be an amendment because only an amendment can go above our runaway Supreme Court and solve this problem for the long run.

Most amendments to our Constitution have started with resolutions just like HCR-50. This is a vital check and balance in our Constitution, and is historically how you put the most amount of pressure on Congress to act. You have an incredible opportunity today with this legislation, as a state legislature, to send a strong message to Washington D.C. that you understand how serious this is and if they're not going to fix it, then you will.

So the real question is, do we want Congress, with their single digit approval rating over there in D.C., largely disconnected from the people, to be the only body of government capable of proposing amendments? The answer is obvious to me and it was obvious to the framers of our Constitution - of course the states should have a co-equal power to propose amendments.

You may hear from some people today who talk about the unfounded theory of a "runaway convention." This is misleading because it implies that you can change the Constitution at a convention. It's simply not true – it's not theoretically true, not politically true, and not legally true. Article V is crystal clear that a convention can only propose amendments, the exact same way Congress can propose amendments, and either way we have the super high 38 state ratification threshold. If anyone is afraid of 38 states ratifying an amendment to our Constitution they're not afraid of a convention, they're afraid of democracy itself.

You can find both sides of any issue, especially today with the internet, but those who have studied this seriously and extensively have overwhelmingly concluded that the states can call a limited convention and that mechanisms are in place for it to be enforced. Very well respected Constitutional Scholars such as Harvard professor Lawrence Lessig and U.S. Congressman Jamie Raskin are among some of our biggest proponents.

We're here today to ask you to join us on this vital journey to restore a true representative government in America and It's not going to be easy. It's a long term vision and it won't happen overnight. No significant and important change ever does. But that is precisely why we must start now.

Here is a quote from one of our country's greatest champions for justice - Martin Luther King Jr., who said this 4 days before his death in 1968:

"It may well be that we will have to repent in this generation. Not merely for the vitriolic words and the violent actions of the bad people, but for the appalling silence and indifference of the good people who sit around and say, 'Wait on time.' Somewhere we must come to see that human progress never rolls in on the wheels of inevitability. It comes through the tireless efforts and the persistent work of dedicated individuals who are willing to be co-workers with God. And without this



hard work, time itself becomes an ally of the primitive forces of social stagnation. So we must help time and realize that the time is always ripe to do right." The time is ALWAYS ripe to do what's right. Please support HCR-50. Thank you.

Sandra Herndon  
4853C Nonou Road, Kapa`a, HI 96746  
808-320-3878

April 3, 2017

Aloha Chairman Nishimoto, Vice-Chair San Buenaventura and  
Committee Members,

First and foremost, as a concerned citizen of Hawaii, I wholeheartedly support HCR-50, the Free and Fair Elections Resolution. It has been a long time coming, and I congratulate Vice- Chair San Buenaventura and Rep Lee, as well as the representatives that put forward this Resolution in 2015, for your diligence and commitment. Even though I am not in Rep Morikawa's district, I believe that she has our Island's people's interest at heart and will support this resolution.

I see, firsthand, the impact that big money in politics has, even at the county level. It can effect the composition of the County Council, the Mayor's office as well the legal advice that is given to all of the county departments charged with making decisions for the island's future.

We cannot afford as a people, to trade our responsibilities of self-determination for the comfort of allowing another "entity " to decide the destiny of our community or the health and well-being of our environment. The water, the land and the air we breathe are our kuleana to protect, and we must be the ones to choose the course that best supports all of our community. We cannot do that when the campaigns and elections are bank rolled by outside interests! That is why this course of action must be taken at the state level.

Free and fair elections are a democratic society's right; it is what the people believed they had as American citizens. You have the power and responsibilities to restore that right.

Mahalo for having the courage to take this stand in support of your constituents!

Sincerely,  
Sandra Herndon  
Kapaa, Kauai

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 1:51 PM  
**To:** JUDtestimony  
**Cc:** roygale@yahoo.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roy Gal	Individual	Support	No

Comments: I am writing in support of this bill to return democracy to the hands of the individual people, with each person's voice counting the same. The current imbalance of power towards those with large sums of money, and towards corporate interests, is rapidly undermining our society.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 1:45 PM  
**To:** JUDtestimony  
**Cc:** lucialyou@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lucia You	Individual	Support	No

Comments: Please support amendment HCR-50 to support free and fair elections to restore democracy.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 1:40 PM  
**To:** JUDtestimony  
**Cc:** michiemccconnell@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
michele mcconell	Individual	Support	No

Comments: YES ON HCR-50. We need to get the money our of politics so we can have a real democracy. This is FUNDAMENTAL AND NECESSARY. thank you, michele mcconnell 238 laa kea pl haiku 96708

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From: mailinglist@capitol.hawaii.gov  
Sent: Monday, April 3, 2017 1:37 PM  
To: JUDtestimony  
Cc: morgan.bonnet@gmail.com  
Subject: Submitted testimony for HCR50 on Apr 4, 2017 14:15PM  
Attachments: HCR50\_MorganBonnet.pdf

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Morgan Bonnet	Individual	Support	Yes

Comments:

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My name is Morgan Bonnet and I live on Oahu. I originally came to Hawaii in 2004 for a 6-month internship at the Hawaii Natural Energy Institute at UH. I met my wife just a few weeks after I arrived. After going back to France to finish my masters in Mechanical Engineering and living in Germany for over a year, I came back to Hawaii in 2007 to live with my wife. In 2009 we got married at Ko'olina, and somehow, almost right away, Hawaii felt like home. I really appreciate the kindness and openness of the people of Hawaii. There is so much to learn from a multicultural environment.

Being naturalized in the U.S. and originally from France, I have been more and more interested in studying and understanding the U.S. Constitution. The U.S. Constitution was finalized the same year as the French Revolution, and the concept of Separation of Powers came from the French lawyer Montesquieu. He laid down the theory in his book "The Spirit of the Laws" in 1748. His work had a powerful influence on the founding fathers, especially James Madison. Montesquieu was also notable for securing the place of the word despotism in the political lexicon. And at this point, I believe that the corrupting influence of big money in politics is slowly bringing the U.S. in this direction in the form of an oligarchy. In 2014, this was the conclusion of two professors of Princeton University after using an exhaustive amount of data to support it. Here's how they explained it: "Multivariate analysis indicates that economic elites and organized groups representing business interests have substantial independent impacts on US government policy, while average citizens and mass-based interest groups have little or no independent influence."

This isn't the way it's supposed to work, and now most of the money that flows within the political system comes from a ridiculously small amount of the population. Politicians in Congress do not have a choice if they want a career. They need to raise money, and under the current system they must become professional telemarketers. In fact, it is to a point where they might spend more time raising money than reading the legislation they vote on and talking with their constituents. I still believe that most politicians come into politics with the right intent – to be public servants who can make a difference in people's lives. But, they are taken hostage by the fact that they need to raise so much money, sometimes with strings attached.

I believe that the system is corrupted (not the people) by the way it has evolved. I think it has evolved to a point where it can no longer correct itself at the congressional level. Our strongest and most logical option at this point, is to do it through the States. We deserve the right to be truly represented like the founding fathers intended. By getting big money out of politics, the people will be able to get more involved and play a bigger role in their democratic Republic. Please vote yes on HCR 50. Mahalo.

JUDtestimony

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From: mailinglist@capitol.hawaii.gov  
Sent: Monday, April 3, 2017 1:26 PM  
To: JUDtestimony  
Cc: mydoghina@gmail.com  
Subject: Submitted testimony for HCR50 on Apr 4, 2017 14:15PM  
Attachments: 4-4 HCR50 Testimony.pdf

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenifer Mantupar	Individual	Support	Yes

Comments:

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Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members,

This testimony is written in support of HCR 50 and is a request for a YES vote. I live in Representative San Buenaventura's district, and have spent this past week talking to Hawaii citizens on the Big Island about this resolution, and have received an overwhelming positive response. It is clear to me that the people of Hawaii support this call for reform that is the loudest statement a state can make in demanding that we get big money out of politics and restore a true representative democracy to the people.

As a small business owner, wife, and mother of three, where I put my time and energy is precious to me. As a lifelong resident of Hawaii Island, I haven't always paid much attention to politics, so when asking myself where I would put the work in to make the most positive benefit for all, I have come to deeply believe that supporting Free and Fair Elections will have a widespread, positive impact in my community and state. This is worth my time.

And the time is now. Hawaii can be a leading voice in this push to level the playing field and allow a true voice to ring out in our democracy. We can start to repair the corrosive effect of big money in politics. We cannot wait for Congress. We must do this in a timely fashion. I am hopeful that Hawaii can play a principal role in restoring a true representative democracy for all, and set the example for other states.

In closing, I would like to say a big mahalo to my district representative, Joy San Buenaventura, for co-sponsoring HCR 50. She is a wonderful example of a politician who listens to her constituents, and works with them toward creating a thriving, safe, and happy community. Also, thank you to Chairman Nishimoto and all committee members for their great work to stand up to our federal government and for we the people.

Aloha,  
Jenifer Mantupar  
PO BOX 7727  
Hilo, HI 96720  
House District 4  
Senate District 2

JUDtestimony

---

From: mailinglist@capitol.hawaii.gov  
Sent: Monday, April 3, 2017 1:24 PM  
To: JUDtestimony  
Cc: maren.mosier@gmail.com  
Subject: Submitted testimony for HCR50 on Apr 4, 2017 14:15PM  
Attachments: HCR50\_Testimony\_MarenBonnet.pdf

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Maren Bonnet	Individual	Support	No

Comments:

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My name is Maren Bonnet. I am a concerned citizen, born and raised on Oahu and a fourth generation descendant of hardworking immigrants from Japan. I am strongly in favor of HCR-50, the Free and Fair Elections Resolution in Hawaii, and strongly urge you to please vote YES. I believe that the people and leaders of Hawaii have the power to do what is right for the people of our state and all citizens of the United States of America.

When I was in elementary school, a Kupuna would come to our classroom every so often to teach us Hawaiian words, stories and folklore. One of the words we learned was Pono – to do what is right, moral, and for the well being of others. This has not escaped my mind after all of these years and I believe it is our time to bring this Hawaiian value to light.

Big money in politics, I believe, can never exist in the realm of ethics. Ethics, I believe, should always include caring for those who cannot care for themselves. My mother has volunteered at Meals on Wheels for many years. I have seen how this organization works to nourish someone's mother, grandmother, father, uncle. Cuts to purely charitable programs such as these are not supported by anyone I know, especially not by anyone who has served a meal to a 90 year old couple who is homebound and frail. Corporations don't see people; they see profit. Corporations cannot be the voice of the people in politics.

Hawaii should be at the forefront of the fight to demand the removal of big money in politics and to restore a true, working representative democracy in America. I want to thank Vice Chairwoman, Rep. San Buenaventura and Rep. Lee for being co-sponsors of the Free and Fair Elections Resolution this year. Also, a warm aloha to those committee members for co-sponsoring the Resolution in 2015, including Chairman Nishimoto, Rep. Belatti, Rep. Brower, Rep. Johanson, Rep. Morikawa, Rep. Nakashima, and Rep. Thielen.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 4:12 PM  
**To:** JUDtestimony  
**Cc:** delenstarr@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Glenda Delenstarr	Individual	Support	No

Comments: Please help us achieve Fair and Free elections. Let's have Hawaii be 6th state towards Constitutional convention.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 3:28 PM  
**To:** JUDtestimony  
**Cc:** freeman7335@sbcglobal.net  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anne Freeman	Individual	Support	No

Comments: Please support passage of HCR50 and send it to the full House. Mahalo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 3:13 PM  
**To:** JUDtestimony  
**Cc:** bheithaus@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Heithaus	Individual	Support	No

Comments: Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members, I want the legislators to vote YES on HCR-50, the Free and Fair Elections resolution in Hawaii, currently before the House Judiciary Committee. It is incredibly important that we do everything in our power to get money out of politics, I have seen the corrupting influence firsthand as I have volunteered in multiple political campaigns where there has been a clear divide, peoples interests VS private, well funded corporate interests. With the current system, voters are easily led astray by deceptive high dollar advertising and political campaigns, funded by the private interests that stand to benefit greatly. This is not a true democracy, according to objective research, our national government function as an oligarchy. Passing HCR50 is the best step we can take at this time to fix our democracy and take the power back for the majority of people's interests. Thanks so much to the following committee members for being co-sponsors: Vice Chairwoman, Rep. San Buenaventura Representative Lee Thank you, also, to the following committee members for being co-sponsors in 2015: Chairman Nishimoto Rep. Belatti Rep. Brower Rep. Johanson Rep. Morikawa Rep. Nakashima Rep. Thielen Mahalo nui, Brian Heithaus

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4/3/2017

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members

I am writing in regards to HCR-50, the Free and Fair Elections resolution that is before you. Please consider a yes vote on HCR-50.

I would like to thank, my representative Rep. San Buenaventura for bring this resolution forward and for being a co-sponsor of this resolution.

For many years, I have felt I no longer had a voice in our government. I have felt a lot of frustration to the point of giving up on having a government that represented me. With this resolution I feel so much hope and finally feel like someone is listening to me. Please help make a positive change in our political system. Feel fight for me and my voice. Please help take money out of politics so I can have a voice too.

Thank you for your time,

Kristi Doran

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members,

This testimony is written in support of HCR 50 and is a request for a YES vote. I live in Representative San Buenaventura's district, and have spent this past week talking to Hawaii citizens on the Big Island about this resolution, and have received an overwhelming positive response. It is clear to me that the people of Hawaii support this call for reform that is the loudest statement a state can make in demanding that we get big money out of politics and restore a true representative democracy to the people.

As a small business owner, wife, and mother of three, where I put my time and energy is precious to me. As a lifelong resident of Hawaii Island, I haven't always paid much attention to politics, so when asking myself where I would put the work in to make the most positive benefit for all, I have come to deeply believe that supporting Free and Fair Elections will have a widespread, positive impact in my community and state. This is worth my time.

And the time is now. Hawaii can be a leading voice in this push to level the playing field and allow a true voice to ring out in our democracy. We can start to repair the corrosive effect of big money in politics. We cannot wait for Congress. We must do this in a timely fashion. I am hopeful that Hawaii can play a principal role in restoring a true representative democracy for all, and set the example for other states.

In closing, I would like to say a big mahalo to my district representative, Joy San Buenaventura, for co-sponsoring HCR 50. She is a wonderful example of a politician who listens to her constituents, and works with them toward creating a thriving, safe, and happy community. Also, thank you to Chairman Nishimoto and all committee members for their great work to stand up to our federal government and for we the people.

Aloha,  
Jenifer Mantupar  
PO BOX 7727  
Hilo, HI 96720  
House District 4  
Senate District 2



Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members,

My name is Romeo R Mantupar Jr and I humbly ask for your YES VOTE on HRC50 the Free and Fair Elections resolution in Hawaii. I was born on the island of American Samoa, a territory of the United States. Our government was modeled after that of the U.S., but with one major difference: to be able to serve in the House of Representatives, or the Senate, you must be a registered Matai, or chief. To serve in the Senate you are chosen by a village counsel and to serve in the House of Representatives you are chosen by popular vote. These two branches of government are required to be village Chiefs because it serves the purpose of having your villagers (constituents) best interests in mind, always.

Alternatively, the government, as it is in the United States today, seems to look out for the best interests of those with the deepest pockets. We try our best to choose the best candidates to represent us, the People, and often are able to achieve this at a local level. In the end, however, we end up seeing broken promises and disappointments from those whose hands we place our faith in to do right by us. When large amounts of money are donated by those whose only interests are future gains with little regard to where those gains come from, it undermines the entire ideology of "For the People, By the People."

Please heed our call to action NOW! Our best option is to handle this measure through the individual states as I feel going through congress would not only be a lengthy process, at best, but also defeat the very idea that we are trying to achieve.

Romeo Mantupar Jr  
PO BOX 7727  
Hilo, HI 96720  
House District 4  
Senate District 2

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members,

Please vote YES on HCR-50, the Free and Fair Elections resolution in Hawaii, currently before the House Judiciary Committee.

We are a concerned family of 4 and we want free and fair election to be protected for future generations!

Our country cannot wait. We must do EVERYTHING in our power to correct the corrosive effect of big money in politics. It's up to us, and Hawaii should be in the top 10 states demanding this U.S. Amendment.

I am hopeful that things can change for the better and that we may actually be able to restore a true representative democracy in America.

P.S. I would like to thank Vice Chairwoman, Rep. San Buenaventura and representative Lee for being co-sponsors. I would also like to thank the following committee members for being co-sponsors in 2015:

Chairman Nishimoto  
Rep. Belatti  
Rep. Brower  
Rep. Johanson  
Rep. Morikawa  
Rep. Nakashima  
Rep. Thielen

Your exemplary leadership and representation of what is most important to we the people is not lost on us!

Respectfully

Claire Desroche  
Ted Fairchild

808-313-1780  
PO Box 1091  
Captain Cook, HI 96704

House District: 5  
Rep. Richard P. Creagan  
Senate District: 3  
Sen. Josh Green

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 1:12 PM  
**To:** JUDtestimony  
**Cc:** tomomalley222@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tom O'Malley	Individual	Support	Yes

Comments: I think many people would agree that our political system has some serious issues right now. The average American doesn't feel that their voices are being heard in DC. Many people feel that the voices of a powerful minority of the Super Wealthy Americans are much louder than their own. This past election cycle is a perfect example of this theory. Getting money out of politics is one of the first steps towards giving a voice back to the average American. Please support HRC 50 & send a message to Congress that the American people are sick & tired of a pay to play political system. Mahalo in advance for standing up & fighting the good fight!! ---- Tom

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**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, April 4, 2017 6:23 AM  
**To:** JUDtestimony  
**Cc:** jshabert@hawaii.rr.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/4/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Judith Shabert	Individual	Support	No

Comments: I strongly support free elections where the wishes of the citizens are more important than multinational corporations. Please pass this bill. Hawaii is known for hearing and responding to its constituency. Please be a part of that valuable tradition. Thank you for your consideration. ] Judith Shabert MD

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**LATE**

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members,

My name is Ian Nishimura and I want to submit my testimony to SUPPORT HCR 50. I want to strongly urge the Judiciary Committee to pass HCR 50. I would like to thank the Chairman Nishimoto, Rep. Belatti, Rep. Brower, Rep. Johanson, Rep. Morikawa, Rep. Nakashima, Rep. Thielen for being a co-sponsor of a similar resolution back in 2015.

I want to also urge that this is an issue that cannot wait. We must correct this issue of big money in politics as soon as possible. I believe that it is important that we have free and fair elections in America and the only way that can be possible is if we get rid of big money in our politics. I think that the state of Hawaii should lead the charge on this issue and supporting HCR50 would be a big step in the right direction.

While I have faith in our leaders who represent us in Congress, I do not trust Congress as a body to fix this very urgent issue. I do believe that most members of Congress are caught in this web of bribery and that they are just too comfortable with the current system. I believe that going through the states is our only hope of restoring free and fair elections here in the United States of America.

I am a concerned constituent of Representative Sylvia Luke and Senator Karl Rhoads. I live in House District 25 and Senate District 13. I want to thank the Chair Nishimoto, Vice Chair San Buenaventura and the committee's time and consideration on this issue. I want to stress that it is a very urgent matter and we need to get rid of big money in politics. I strongly support HCR 50 and urge this committee to pass it.

Sincerely,

Ian Nishimura

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 3, 2017 9:02 PM  
**To:** JUDtestimony  
**Cc:** drgamby@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tanya Gamby	Individual	Support	No

Comments: I am writing in support of HCR 50. Our democracy is being threatened by special interests. Thus, I strongly support efforts to remove big money from politics. With all of the grave threats currently facing our democracy under this administration, we need to be taking active efforts to restore integrity to our legislative institutions. It is critical to our democracy that we no longer allow corporations to endlessly fund our politicians and political process. We need to instead make elections fair, so that elected officials are accountable to their constituents - the people - instead of corporations and their profits, and we need to make elections fair, so that any citizen can run for political office and have a chance of winning. Please take the lead by voting 'Yes' on HCR 50 and help Hawai'i become the 6th State in the Nation to truly join the fight in restoring our democracy. Mahalo, Tanya Gamby

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Chris Alberg  
167 Lukia St  
Hilo, HI 96720  
(760)333-8017  
District 1 Constituent



April 3, 2017

Dear Chairman Nishimoto, Vice Chairwoman San Buenaventura, and committee members,

As a concerned citizen, I am writing to ask that you vote YES on HCR 50, Free and Fair Elections resolution in Hawaii, currently before the house judiciary committee. I feel there is too great of a financial barrier to participate in the political system, which discourages many young and lower income people from becoming involved.

We here in Hawaii must be one of the leaders fighting for free and fair elections. We must do everything in our power to stop the corrosive influence big money has in politics. I believe the states coming together to make a constitutional amendment is the best approach for this. We can no longer wait for Congress to do what is right.

I want thank Vice Chairwoman, Rep. San Buenaventura & Representative Lee for giving this resolution a hearing. I also want to thank Chairman Nishimoto, Rep. Belatti, Rep. Brower, Rep. Johanson, Rep. Morikawa, Rep. Nakashima, Rep. Thielen for being co-sponsors.

Thank you for supporting HCR 50, Free and Fair Elections are important to our democracy!

Chris Alberg

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, April 4, 2017 9:09 AM  
**To:** JUDtestimony  
**Cc:** dancingcloudrefuge@gmail.com  
**Subject:** Submitted testimony for HCR50 on Apr 4, 2017 14:15PM

**HCR50**

Submitted on: 4/4/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Culbertson	Individual	Support	No

Comments: Please show your support for an amendment to the U.S. Constitution to get the influence of big money out of our elections and political system generally.

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