



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-NINTH LEGISLATURE, 2018**

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**ON THE FOLLOWING MEASURE:**

S.C.R. NO. 76, S.D. 1, REQUESTING CONGRESS TO CONVENE A LIMITED NATIONAL CONVENTION UNDER ARTICLE V FOR THE EXCLUSIVE PURPOSE OF PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION THAT WILL LIMIT THE INFLUENCE OF MONEY IN OUR ELECTORAL PROCESS.

**BEFORE THE:**

SENATE COMMITTEE ON WAYS AND MEANS

**DATE:** Tuesday, April 3, 2018

**TIME:** 10:20 a.m.

**LOCATION:** State Capitol, Room 211

**TESTIFIER(S):** WRITTEN COMMENTS ONLY. For more information, call Deirdre Marie-Iha, Deputy Attorney General, at 586-1500

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Chair Dela Cruz and Members of the Committee:

The Department of the Attorney General opposes this resolution. This resolution 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 United States Constitution. It would request that the convention propose amendments to limit the influence of money in our electoral politics.

The Department submits this testimony both to advise the Legislature of the significance of this resolution and to identify some of the unresolved questions about federal constitutional conventions. Most significantly, we advise the Legislature that a federal constitutional convention called with this resolution could potentially open up *each and every* provision of the United States Constitution to amendment or repeal. In other words, a federal constitutional convention could propose amendments to eliminate the protections of free speech; the protections against racial discrimination; the protections of freedom of religion; or any of the other myriad provisions that presently provide the backbone of American law.

The unknowns that would surround a federal constitutional convention are significant. The reach of such a convention could extend to a complete re-drafting of the Constitution of the United States. That risk informs our position. Under Article V of

the federal constitution, amendments may be proposed by Congress or by constitutional convention. 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 offers no guidance on these questions. U.S. Const. art. V.

Most importantly, it is not known 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 other states have recently adopted resolutions calling for a federal constitutional convention on similar or related

topics. See, e.g., Calif. Assem. Joint Res. No. 1, Res. Ch. 77 (2014); Vt. Joint Res. No. R-454 (2014). Other states, in contrast, have called for a federal constitutional convention to impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress. See, e.g., Ariz. H.B.2226 (2017); Tex. Sen. J. Res. No. 2 (2017). Resolutions on that topic have been considered in Hawaii but were not adopted. See, e.g., S.C.R. No. 33 (2018).

This resolution contains wording expressing the state's understanding that the convention would be limited to specific topics. This is certainly advisable, but whether a constitutional convention could be effectively limited in this way is unknown. We note that concerns about the potential to open the entire federal constitution up for debate have prompted several states to recently *rescind* their calls for a convention. This includes Maryland, New Mexico, and Nevada. Md. Sen. J. Reso. 2 (2017); N.M. Hse. J. Reso. 10 (2017); Nev. S.J.R. 10 (2017).

We respectfully urge this Committee to defer this resolution. Thank you for the opportunity to testify.

Senator Donovan M. Dela Cruz, Chair; Senator Gilbert S.C. Keith-Agaran, Vice-Chair; and members of the Hawaii Committee on Ways and Means:

Thank you for the opportunity to submit written testimony against SCR76.

My name is Judi Caler, and I'm president of Citizens Against an Article V Convention.

I'm hoping you've had a chance to read the [Hawaii Attorney General's testimony](#) against **SCR76 (SR45)** before the Senate Judiciary Committee and read about the dangerous and unknown territory Hawaii and the nation would be stepping into if a constitutional convention were called by Congress.

Hawaii is the only state that has had the good sense *never in its history* to have asked Congress to call an Article V convention.

[Conventions can't be limited to one subject/s or amendment/s.](#) A convention that you think is being called to overturn Citizens United and propose a constitutional amendment to bring about free and fair elections, can just as easily propose a Balanced Budget Amendment, fiscal restraints, or even replace our Constitution.

As an example, the fiscal impact of a Balanced Budget Amendment could be enormous. For [FY 2015, 22.8% of Hawaii's Revenue was from federal funds.](#) A Balanced Budget Amendment would likely cut or drastically reduce the federal funds received by Hawaii. If federal funds were significantly reduced or eliminated, Hawaii would have to find alternative sources of funding such as massive tax increases on Hawaii's citizens in order to avoid incurring large deficits in Hawaii's budget; or would have to substantially reduce the size of the state and local governments.

In addition, we could lose our Bill of Rights or even the entire Constitution that has served our country well for over 230 years.

For more information, please see this [FLYER](#).

Please defend our Constitution and **vote "No!" on and DEFER SCR76, SR45, SCR33, SR16** and all companion House legislation asking Congress to call a convention under Article V of the U.S. Constitution. Thank you for your consideration.

Respectfully,

Judi Caler, President  
Citizens Against an Article V Convention  
<http://caavc.net/>

**SCR-76-SD-1**

Submitted on: 3/29/2018 10:18:34 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Monetta	Testifying for Wolf-PAC	Support	No

Comments:

Aloha, Chairman Dela Cruz, Vice Chairman Keith-Agaran and committee members. My name is Michael Monetta and I am the National Director for Wolf-PAC. We are a grassroots, citizen funded (99% of our donors pay \$10 a month), organization working to restore true representative democracy in America. I am writing to you today in strong support of SCR 76, Senator Rhoad's resolution calling for a limited convention to reverse Citizens United and limit the amount of big money in our politics.

I know that the issue itself is something you very likely support so I will keep my testimony on the convention aspect of the legislation and quote to you what the legal reports done on the subject have concluded- a convention can be limited and there are multiple mechanisms in place for those limitations to be enforced. When you look at the conclusions of these legal reports there doesn't seem to be any debate, so these applications should be voted on based on their subject matter alone.

"The framers did not provide an unchecked grant of power to a convention: every amendment proposed would be subject to the same conditions faced by those proposed by Congress—"... the notion of a 'runaway' convention, succeeding in amending the Constitution in a manner opposed by the American people, is not merely remote, it is impossible." -The U.S. Senate Judiciary Committee, in its 1984 report on S.119 in the 98th Congress

"Much of the fear surrounding a convention is unfounded. The Convention Clause's text and history indicate that it grants power to the States to limit the scope of any such convention. In addition, the States have the ability to reject any amendments proposed by a convention through the ratification process." -The Other Way to Amend the Constitution: The Article V Constitutional Convention, by James Kenneth Rogers.

"This paper concludes that Article V permits the states to apply for, and the Congress to call, a constitutional convention for limited purposes, and that a variety of practical means to enforce such limitations are available." -Office of Legal Policy, U.S. Department of Justice

"I think the convention can be limited. The fact is that the majority of the scholars in America share my view." -Hon. Griffin Bell, former Attorney General of the United States

“...The Convention Clause provides an important means to adopt or force Congress to adopt amendments that are perceived to be in the national interest by significant percentages of the American population, but that are detrimental to the interests of members of Congress.” -The Other Way to Amend the Constitution: The Article V Constitutional Convention,” by James Kenneth Rogers

"The fact that there are no certain answers to these questions-just as there are no absolute answers about any event that will take place in the future, hardly means that a constitutional convention will be a hit or miss proposition. However one resolves these questions, it is important to bear in mind that a Constitutional Convention cannot, by itself, change the present Constitution, for Article V provides that no proposal (either from Congress or from the Convention) can become part of the Constitution unless three quarters of the states ratify it. Thus, Article V, when it created the amendment process, also created a built-in democratic check." -from the Rotunda Con Law textbook

“Itâ€™sâ€™isâ€™timeâ€™forâ€™Congressâ€™toâ€™followâ€™theâ€™leadâ€™ofâ€™theâ€™statesâ€™andâ€™buildâ€™supportâ€™forâ€™amendingâ€™theâ€™Constitutionâ€™to ensureâ€™thatâ€™allâ€™Americansâ€™canâ€™exerciseâ€™theirâ€™Firstâ€™Amendmentâ€™rights.â€™ Vermont’sâ€™callâ€™forâ€™aâ€™constitutional conventionâ€™isâ€™aâ€™separateâ€™approachâ€™forâ€™amendingâ€™theâ€™Constitutionâ€™thatâ€™canâ€™operateâ€™onâ€™aâ€™parallelâ€™trackâ€™toâ€™the congressionalâ€™approachâ€™thatâ€™weâ€™areâ€™initiatingâ€™today.â€™ Itâ€™isâ€™myâ€™hopeâ€™thatâ€™theâ€™twoâ€™effortsâ€™canâ€™workâ€™inâ€™tandemâ€™to createâ€™evenâ€™moreâ€™momentumâ€™onâ€™thisâ€™criticalâ€™issue.” -U.S.â€™Senatorâ€™Patrickâ€™Leahy

Thank you all for being honorable representatives of the people. I look forward to seeing Hawaii take this important step to fix our democracy very soon.

# COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / [kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)



## COMMITTEE ON WAYS AND MEANS

Sen. Donovan Dela Cruz, Chair

Sen. Gil Keith-Agaran, Vice Chair

Tuesday, April 3, 2018

10:20 m

Room 211

## **STRONG OPPOSITION to SCR 76 - ARTICLE V CONSTITUTIONAL CONVENTION**

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for more than two decades. This testimony is respectfully offered on behalf of the families of **ASHLEY GREY, DAISY KASITATI, JOEY O`MALLEY, JESSICA FORTSON AND ALL THE PEOPLE WHO HAVE DIED UNDER THE "CARE AND CUSTODY" OF THE STATE** as well as the approximately 5,500 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that approximately 1,600 of Hawai'i's imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

SCR 76 requests Congress to convene a limited national convention under article V for the exclusive purpose of proposing an amendment to the United States Constitution that will limit the influence of money in our electoral process. Community Alliance on Prisons is stunned that anyone in Hawai'i would introduce a resolution calling for a national constitutional convention at this tumultuous time in U.S. history. This is very disturbing for people who love democracy. The systematic dismantling of government at the federal level should raise the ire of all people of good will. Agencies of the 45<sup>th</sup> administration are being stripped by the billionaires appointed to head them, cabinet members are squandering public funds for their own personal benefit and enjoyment as millions of people are being stripped of health care, and desperately needed social programs are being cut to benefit the 45<sup>th</sup> administration's donors.

Why would anyone even think, in this 'climate,' that opening up the Constitution could be limited? Our objections to this resolution are many, some are:

1. The climate in Congress is definitely NOT CONDUCIVE to public input;
2. There has NEVER been a Constitutional Convention that was limited to one issue;
3. How would this limitation happen?
4. How will delegates be chosen?
5. What safe guards are in place to ensure that corporate money will not dominate the agenda?
6. What protections are in place to ensure that our constitutional rights will be upheld?

Community Alliance on Prisons respectfully asks the committee to hold this resolution. We will not hand over the keys of our democracy to despots! Mahalo for the opportunity to testify.

*Dissent is central to any democracy.*

*Harry Belafonte*



Hawaii

*Holding Power Accountable*

Senate Committee on Ways and Means  
Chair Donovan Dela Cruz, Vice Chair Gilbert Keith-Agaran

04/03/2018 10:20 AM Room 211

SCR76 -- REQUESTING CONGRESS TO CONVENE A LIMITED NATIONAL CONVENTION UNDER ARTICLE V FOR THE EXCLUSIVE PURPOSE OF PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION THAT WILL LIMIT THE INFLUENCE OF MONEY IN OUR ELECTORAL PROCESS.

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

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Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the committee:

Common Cause Hawaii **strongly opposes SCR76** which calls for an Article V Constitutional Convention to propose an amendment to our federal constitution to limit the influence of money in our electoral process.

Money in politics is an issue that is deeply ingrained in our political system. Thus, we believe and are working on a multi-faceted approach which includes Vote By Mail, Automatic Voter Registration, supporting public financing of campaigns, ending gerrymandering, and much more. 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 Article V Constitutional Convention process is too ambiguous and states cannot limit the agenda of a Constitutional Convention.** Convention procedures and delegate rules do not exist. The delegate selection process, how the American people would be represented in a convention, or what ethics and campaign finance rules would be applied to convention delegates remain unanswered questions. This issue has been debated for decades and continues today. The only legal consensus is that there is no consensus. Reports and documents produced by various parties, on both sides of the issue, throughout the years do not hold any weight of law or authority, despite what some may claim.

Most concerning is that there is no language in the U.S. Constitution that limits an Article V convention to one issue. That means that a constitutional convention could easily become a free-for-all for delegates to essentially rewrite our governing document. According to one of the nation's most esteemed constitutional law scholars, 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>

Proponents of measures similar to SCR76 in other states have argued that a convention convened pursuant to Article V of the Constitution can be limited to a single topic because Congress is not aggregating calls to convene a convention and that any proposed amendments will still need to be ratified by 38 states as a “check” on a runaway convention. However, not aggregating calls to convene a convention has nothing to do with being able to limit a convention to a single topic. Once convened, there are no rules or procedures preventing the delegates from expanding the scope of the convention. There are also no regulations that prevents the convention from redefining the ratification process. This happened in 1787 when the convention lowered the threshold necessary for ratification. We must also consider the flood of money that will no doubt be spent to influence the already uncertain ratification process.

Some also argue that there is no threat of a convention as Congress will take action once a certain number of states call for a convention. However, if that were the case, Congress would have already taken action to pass a Balanced Budget Amendment. To date 28 states, 6 shy of the 34 needed to convene a convention, have submitted Article V Convention applications for a Balanced Budget Amendment.<sup>2</sup>

Due to the ambiguity of an Article V Constitutional Convention, over 230 organizations across the country including several here in Hawaii, working across party lines and issues, have banded together to strongly urge state legislatures to oppose efforts to pass a resolution to call for a constitutional convention (attached).

Simply put, a Constitutional Convention, would create an unpredictable Pandora’s Box, and would create a constitutional crisis at time when the country is already facing enormous legal, political, and constitutional questions in the White House, Congress, courts, and state legislatures across the country. 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 SCR76**.

Thank you for the opportunity to testify in **strong opposition to SCR76**.

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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>.

<sup>2</sup> Common Cause opposes all calls for an Article V Constitutional Convention regardless of the issue because of the ambiguous process which could result in a complete overhaul of the Constitution.

February 1, 2018

## **Constitutional Rights and Public Interest Groups Oppose Calls for an Article V Constitutional Convention**

Calling a new constitutional convention under Article V of the U.S. Constitution is a threat to every American's constitutional rights and civil liberties.

Article V convention proponents and wealthy special interest groups are dangerously close to forcing the calling of a constitutional convention to enact a federal balanced budget amendment (BBA). This would be the first constitutional convention since the original convention in 1787 — all constitutional amendments since then have been passed first by Congress and then approved by three-fourths of the state legislatures. There are no rules and guidelines in the U.S. Constitution on how a convention would work, which creates an opportunity for a runaway convention that could rewrite any constitutional right or protection currently available to American citizens.

Under Article V of the U.S. Constitution, a convention can be called when two-thirds of the states (34) petition for a convention to enact amendments to the constitution. States can also rescind their calls by voting to rescind in the state legislature. Just a few states short of reaching the constitutionally-required 34 states to call a convention, Article V and BBA advocates have recently increased their efforts to call a new convention.

An Article V convention is a dangerous threat to the U.S. Constitution, our democracy, and our civil rights and liberties. There is no language in the U.S. Constitution to limit a convention to one issue and there is reason to fear that a convention once called will be able to consider any amendments to the constitution that the delegates want to consider. There are also no guidelines or rules to govern a convention. Due to the lack of provisions in the Constitution and lack of historical precedent, it is unknown how delegates to a convention would be picked, what rules would be in place, what would happen in the case of legal disputes, what issues would be raised, how the American people would be represented, and how to limit the influence of special interests in a convention.

Because there is no way to limit a convention's focus, any constitutional issue could be brought up for revision by a convention. This includes civil rights and civil liberties, including freedom of speech, freedom of religion, privacy rights, the guarantee of equal protection under law, the right to vote, immigration issues, and the right to counsel and a jury trial, among others. Basic separation of executive, legislative, and judicial powers would be subject to revision as well. A convention might not preserve the role of the courts in protecting our constitutional rights. Even the supremacy of federal law and the Constitution over state laws could be called into doubt.

A 2016 *USA Today* editorial<sup>3</sup> correctly stated that calling for a constitutional convention is “an invitation to constitutional mayhem” and “could further poison our politics and hobble American leaders at moments of crisis.” Notable legal scholars across the political spectrum agree. One of the

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<sup>3</sup> USA Today, “Marco Rubio's very bad idea: Our view,” January 6, 2016, available at <http://www.usatoday.com/story/opinion/2016/01/06/marco-rubioconstitutional-convention-balanced-budget-editorials-debates/78328702/>

nation's most esteemed constitutional law scholars, Professor Laurence Tribe of Harvard Law School, has said a constitutional convention would put "the whole Constitution up for grabs."<sup>4</sup>

Georgetown University Law professor David Super wrote "a constitutional convention would circumvent one of the proudest democratic advances of the last century in America: one-person, one-vote. Without a precedent, no one really knows how a convention would unfold, but proponents predict that each state would have an equal vote in whatever they got up to."<sup>5</sup>

Former Supreme Court Chief Justice Warren Burger shared similar concerns, writing, "[T]here is no way to effectively limit or muzzle the actions of a constitutional convention. The convention could make its own rules and set its own agenda. Congress might try to limit the convention to one amendment or one issue, but there is no way to assure that the convention would obey."<sup>6</sup>

The late Supreme Court Justice Antonin Scalia also warned of the dangers of a constitutional convention. "I certainly would not want a constitutional convention. Whoa! Who knows what would come out of it?," Scalia said in 2014.<sup>7</sup>

The undersigned organizations strongly urge state legislatures to oppose efforts to pass a resolution to call for a constitutional convention. We also strongly urge state legislatures to rescind any application for an Article V constitutional convention in order to protect all Americans' constitutional rights and privileges from being put at risk and up for grabs.

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<sup>4</sup> Michael Leachman & David A. Super, "States Likely Could Not Control Constitutional Convention on Balanced Budget Amendment and Other Issues," Center for Budget and Policy Priorities, July 6, 2014, available at <http://www.cbpp.org/sites/default/files/atoms/files/7-16-14sfp.pdf>.

<sup>5</sup> David Super in The Chicago Tribune, "Don't even think about 'updating' the Constitution," March 19, 2017, available at <http://www.chicagotribune.com/news/opinion/commentary/ct-constitutional-convention-amendments-20170319-story.html>

<sup>6</sup> v Letter from Chief Justice Warren Burger to Phyllis Schlafly, June 22, 1988, available at <http://constitution.i2i.org/files/2013/11/Burger-letter2.pdf>

<sup>7</sup> Marcia Coyle, "Scalia, Ginsberg Offer Amendments to the Constitution," Legal Times, April 17, 2014, available at <http://www.nationallawjournal.com/legaltimes/id=1202651605161/Scalia,-Ginsburg-Offer-Amendments-to-the-Constitution?slreturn=20140421101513>

***National organizations:***

African American Health Alliance  
African American Ministers In  
Action AFSCME Retirees  
Alliance for Justice  
American Federation of Labor and Congress of  
Industrial Organizations (AFL–CIO) American  
Federation of State, County and Municipal  
Employees (AFSCME)  
American-Arab Anti-Discrimination  
Committee Americans for Democratic Action  
(ADA)  
Asian and Pacific Islander American Vote  
Bend the Arc Jewish Action  
Brennan Center for Justice  
Campaign Legal Center  
Center for American Progress  
Center for Community Change  
Center for Law and Social Policy (CLASP)  
Center for Media and Democracy  
Center for Medicare  
Advocacy Center for Popular  
Democracy  
Center on Budget and Policy  
Priorities Children's Defense Fund  
Citizens for Responsibility and Ethics  
in Washington (CREW)  
Coalition on Human Needs  
Common Cause  
Communications Workers of America  
(CWA) Community Advocates Public Policy  
Institute Daily Kos  
Democracy 21  
Dream Defenders  
Earthjustice  
Eclectablog  
Economic Policy Institute  
EMILY's List  
Every Voice  
Fair Elections Legal  
Network Faith in Public  
Life  
Family Values at Work  
Food Research & Action Center  
(FRAC) Franciscan Action Network  
Greenpeace USA  
International Association of Fire  
Fighters Jobs With Justice  
League of Women Voters of the United  
States Main Street Alliance  
Mi Familia Vota

NAACP  
National Asian Pacific American Families  
Against Substance Abuse  
National Association of Social Workers  
National Council of Asian Pacific  
Americans (NCAPA)  
National Council of Jewish Women  
National Council of La Raza Action  
Fund National Disability Institute  
National Disability Rights Network  
National Education Association (NEA)  
National Employment Law Project  
(NELP)  
National Fair Housing Alliance  
National Korean American Service &  
Education Consortium (NAKASEC)  
National Partnership for Women & Families  
National WIC Association  
National Women's Law Center  
People Demanding Action People  
For the American Way  
ProgressNow  
Service Employees International Union (SEIU)  
Sierra Club  
Sisters of Charity of Nazareth Congregational  
Leadership  
Social Security Works

***State and local organizations:***

Alabama

Fair Housing Center of Northern Alabama

Alaska

Alaska AFL-CIO

Arkansas

OMNI Center for Peace, Justice & Ecology

Arizona

AFSCME 2960  
AFSCME Retirees Chapter 97  
Arizona Advocacy Network  
Phoenix Day  
Southwest Fair Housing Council

California

California Common Cause  
City of Chino Housing Division  
Courage Campaign  
Fair Housing Advocates of Northern California

Colorado

ACLU of Colorado  
America Votes Colorado  
Colorado AFL-CIO  
Colorado Common Cause  
Colorado Ethics Watch  
Colorado Fiscal Institute  
Colorado People's Alliance  
Colorado Sierra Club  
Colorado WINS  
New Era Colorado  
League of Women Voters of Colorado  
Progress Colorado  
SEIU Colorado  
State Innovation Exchange  
The Arc of the United States  
The Forum for Youth Investment  
The Public Interest  
The Voting Rights Institute  
UNITE HERE  
United Food and Commercial Workers  
(UFCW)  
Voice for Adoption  
VoteVets Action Fund  
Women's Voices Women Vote Action Fund  
Working America

Connecticut

Common Cause Connecticut  
Connecticut Fair Housing Center, Inc.  
Planned Parenthood of Southern New  
England Holy Family Home and Shelter, Inc

Delaware

Common Cause Delaware

Florida

Common Cause Florida  
Faith in Florida  
Florida Consumer Action Network  
Progress Florida

Georgia

Common Cause Georgia

Hawaii

Americans for Democratic Action Hawaii  
Hawaii Alliance for Progressive Action  
Hawaii Appleseed Center for Law &  
Economic Justice  
Hawaii Government Employees Association

Common Cause Hawaii  
League of Women Voters of Hawaii  
League of Women Voters of Honolulu  
League of Women Voters Hawaii Island  
Life of the Land

Idaho

ACLU of Idaho  
Better Idaho  
Idaho AFL-CIO

Illinois

Common Cause Illinois  
Oak Park River Forest Food Pantry  
Project IRENE

Indiana

Common Cause Indiana  
Fair Housing Center of Central Indiana

Iowa

AFSCME Iowa Council 61  
Congregation of the Humility of Mary  
Iowa AFL-CIO

Kansas

Kansas AFL-CIO

Kentucky

Common Cause Kentucky  
Kentucky AFL-CIO

Louisiana

Greater New Orleans Fair Housing Action  
Center

Maine

Disability Rights Maine  
Maine AFL-CIO

Maryland

ACE-AFSCME Local 2250  
AFSCME Council 3  
AFSCME Council 67  
Baltimore Neighborhoods, Inc.  
Benedictine Sisters of Baltimore  
Common Cause Maryland  
Disability Rights Maryland  
Maryland Center on Economic Policy  
Public Justice Center  
The Xaverian Brothers

Massachusetts

Massachusetts AFL-CIO

Michigan

Common Cause Michigan  
Fair Housing Center of West Michigan  
Progress Michigan

Minnesota

Alliance of Chicanos, Hispanics and Latin Americans (Rochester, MN)  
Common Cause Minnesota  
Indivisible Minnesota Local  
League of Women Voters of Minnesota  
Minnesota AFL-CIO  
Minnesota Citizens for Clean Elections  
TakeAction Minnesota  
Women & Advocates Minnesota

Mississippi

Mississippi AFL-CIO

Missouri

Vision for Children at Risk

Montana

Montana AFL-CIO

Nebraska

Common Cause Nebraska  
Nebraskans for Civic Reform

New Hampshire

New Hampshire AFL-CIO

New Jersey

CWA Local 1081  
New Jersey Association of Mental Health and Addiction Agencies, Inc.  
Monarch Housing Associates

New Mexico

ACLU of New Mexico  
AFSCME Council 18  
Common Cause New Mexico  
League of Women Voters of New Mexico  
New Mexico Hospital Workers Union  
(1199NM)

New York

CNY Fair Housing, Inc

Common Cause New York  
Disabled in Action of Greater Syracuse Inc.  
Long Island Housing Services, Inc.  
Schenectady Inner City Ministry  
Solidarity Committee of the Capital District

Nevada

AFSCME 4041  
Culinary Union

North Carolina

Common Cause North Carolina  
Disability Rights North Carolina  
Independent Living Resources (Durham, NC)

North Dakota

North Dakota AFL-CIO

Ohio

Cleveland Nonviolence Network  
Common Cause Ohio  
Equality Ohio  
Ohio Voice  
ProgressOhio  
Toledo Fair Housing Center  
Toledo Area Jobs with Justice

Oklahoma

Oklahoma AFL-CIO  
Oklahoma Policy Institute

Oregon

Common Cause Oregon  
Disability Rights Oregon

Pennsylvania

Bhutanese Community Association of Pittsburgh  
Common Cause Pennsylvania  
Community at Holy Family Manor (Pittsburgh, PA)  
Just Harvest (Pittsburgh, PA)

Rhode Island

Common Cause Rhode Island

South Carolina

South Carolina AFL-CIO

South Dakota

South Dakota AFL-CIO

Tennessee

Nashville CARES

Texas

Clean Elections Texas

Common Cause Texas Harlingen Community  
Development Corporation

Utah

Tabitha's Way

Vermont

Downstreet Housing & Community  
Development  
P.S., A Partnership

Virginia

The Commonwealth Institute  
Virginia AFL-CIO  
Virginia Civic Engagement Table

Washington

Conscious Talk Radio  
Washington AFL-CIO  
Washington Community Action Network  
Fuse Washington

Wisconsin

Access to Independence, Inc. (Madison, WI)  
AFSCME Council 32  
AFSCME Retirees Chapter 32  
Citizen Action of Wisconsin  
Common Cause Wisconsin  
End Domestic Abuse Wisconsin  
Grandparents United for Madison Public  
Schools  
Independence First  
League of Women Voters of Wisconsin  
Madison-area Urban Ministry  
Metropolitan Milwaukee Fair Housing Council  
Midstate Independent Living Consultants  
One Wisconsin Now  
Options for Independent Living Inc.(Green  
Bay, WI)  
School Sisters of Saint Francis (Milwaukee,  
WI)  
Survival Coalition of Disability Organization  
of Wisconsin  
The Arc Wisconsin  
The Wisconsin Democracy Campaign  
Wisconsin AFL-CIO

Wisconsin Aging Advocacy Network  
Wisconsin Coalition of Independent Living  
Centers

Wisconsin Community Action Program  
Association  
Wisconsin Council on Children and Families  
Wisconsin Democracy Campaign  
Wisconsin Faith Voices for Justice  
Wisconsin Voices  
National Association of Social Workers, WI  
Chapter  
Dominicans of Sinsinawa - Leadership Council

West Virginia

West Virginia Citizen Action Group

Wyoming

Wyoming AFL-CIO







# HAWAII APPLESEED

## CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of Hawai'i Appleseed Center for Law and Economic Justice  
Opposing SCR76 SD1  
Requesting Congress to Convene a Limited National Convention Under Article V  
Senate Committee on Ways and Means  
Scheduled for hearing at Tuesday, April 3, 2018, 10:20 AM, in Conference Room 211

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Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee:

Thank you for the opportunity to testify in **OPPOSITION** to **SCR76 SD1**, which calls on the Congress of the United States to convene a constitutional convention under Article V of the U.S. Constitution.

We urge you to be highly skeptical of claims that states could control the actions or outcomes of a constitutional convention. A convention likely would be extremely contentious and highly politicized, and its results impossible to predict.

Prominent legal scholars have warned that a constitutional convention could open up the Constitution to radical and harmful changes. The late Justice Antonin Scalia said, "I certainly would not want a constitutional convention. Whoa! Who knows what would come out of it?"<sup>1</sup>

The only constitutional convention in U.S. history, in 1787, went far beyond its mandate. Charged with amending the Articles of Confederation, it instead wrote an entirely new governing document. It also changed the very rules of ratification, lowering the number of states needed to approve the new constitution.

A convention held today could set its own agenda under the influence of powerful interest groups and most likely shutting out the voices of everyday Americans. Many of our hard-fought civil rights, as well as labor and environmental protections, would be threatened. As former Chief Justice Warren Burger wrote, a "Constitutional Convention today would be a free-for-all for special interest groups."<sup>2</sup>

In the current environment, any constitutional convention would be highly controversial, further dividing Americans. We ask you to be prudent and avoid the serious danger posed by a constitutional convention by rejecting this resolution. Mahalo for your consideration of this testimony.

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<sup>1</sup> <https://www.law.com/nationallawjournal/almID/1202651605161/>

<sup>2</sup> <https://i2i.org/wp-content/uploads/2013/11/Burger-letter2.pdf>

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*The Hawai'i Appleseed Center for Law and Economic Justice is committed to a more socially just Hawai'i, where everyone has genuine opportunities to achieve economic security and fulfill their potential. We change systems that perpetuate inequality and injustice through policy development, advocacy, and coalition building.*



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director

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**TESTIMONY FOR SENATE CONCURRENT RESOLUTION 76, SENATE DRAFT 1,  
REQUESTING CONGRESS TO CONVENE A LIMITED NATIONAL CONVENTION  
UNDER ARTICLE V FOR THE EXCLUSIVE PURPOSE OF PROPOSING AN  
AMENDMENT TO THE UNITED STATES CONSTITUTION THAT WILL LIMIT THE  
INFLUENCE OF MONEY IN OUR ELECTORAL PROCESS**

**Senate Committee on Ways and Means  
Hon. Donovan M. Dela Cruz, Chair  
Hon. Gilbert S.C. Keith-Agaran, Vice Chair**

**Tuesday, April 3, 2018, 10:20 AM  
State Capitol, Conference Room 211**

Honorable Chair Dela Cruz and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 400 members. On behalf of our members, we offer this testimony in opposition to Senate Concurrent Resolution 76, SD 1, requesting Congress to convene a limited national convention under Article V for the exclusive purpose of proposing an amendment to the United States Constitution that will limit the influence of money in our electoral process.

While we strongly support taking action to contravene the U.S. Supreme Court's decision in *Citizens United v. FEC*, we are concerned that convening an Article V national convention could lead to pernicious unintended constitutional consequences, including, but not limited to, attempts to repeal civil rights for racial minorities and LGBT citizens, expansion of the Second Amendment to erode sensible gun regulations, further undoing of voting rights protections, and implementation of a balanced budget amendment. Each of these ideas are already being pursued judicially and legislatively by well-funded interests and would be detrimental to our democracy if enacted.

Mahalo for the opportunity to testify in opposition to this resolution.

Sincerely,  
Kris Coffield  
*Executive Director*  
IMUAlliance



## Hawai'i

Committee: Senate Committee on Ways and Means  
Hearing Date/Time: Thursday, April 3, 2018, 10:20 a.m.  
Place: Conference Room 211  
Re: Testimony of the ACLU of Hawai'i in Opposition to S.C.R. 76, S.D. 1,  
Urging the United States Congress to Call a Constitutional Convention Pursuant to Article  
V of the United States Constitution

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Committee Members:

The American Civil Liberties Union of Hawai'i **opposes** Senate Concurrent Resolution 76, S.D. 1, which petitions the United States Congress to call for a constitutional convention to propose amendments to the United States Constitution to limit the influence of money in our electoral process.

While the ACLU of Hawai'i supports making the U.S. government more responsive to the people through comprehensive campaign finance reform and recognizes the right to amend the Constitution by convention under Article V of the U.S. Constitution, the lack of standards governing such conventions renders the *unprecedented*<sup>1</sup> step of calling a constitutional convention an unacceptable risk to all our hard-fought fundamental rights and liberties.

In the absence of any standards applicable to a convention, there is no way to assure, among other things that: delegates are fairly representative; the rules governing conduct of the convention are fair; the convention confine itself to the subject or subjects of the call; and the convention does not otherwise infringe on civil liberties. **More importantly, there are no standards for resolving disputes around these issues, thus making it almost certain that in the current political climate a convention would inevitably lead to a constitutional crisis.**

Under Article V of the U.S. Constitution, there is no mechanism to ensure that a constitutional convention would be limited in scope to address only the matters proposed in S.C.R. 76, S.D. 1. Indeed, conservative and liberal legal scholars and Supreme Court justices agree that a constitutional convention could well result in a full rewrite of the constitution. Consequently, a convention could result in amendments, which could drastically alter our democratic and federal system of government or put our basic civil rights and civil liberties at risk. No limiting wording in the resolution can prevent this.

For these reasons, the ACLU of Hawai'i urges your Committee to defer this measure.

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<sup>1</sup> Pursuant to Article V, the U.S. Constitution offers two vehicles for proposing amendments to the United States Constitution: either two thirds of both Houses of Congress “shall propose Amendments to this Constitution,” or on the application of two-thirds of the State legislatures, the U.S. Congress “shall call for a Convention for proposing Amendments.” Only the former method has been used to propose amendments to the U.S Constitution, and nothing in Article V suggests that a convention may be called for the limited purpose of proposing specific amendments but not others. Additionally, the ratification process for amendments is also uncertain as the convention could redefine the ratification process to make it easier to pass new amendments, including those considered at the convention, as it was in fact done in 1787.

Thank you for the opportunity to testify.

Sincerely,



Mateo Caballero  
Legal Director  
ACLU of Hawai'i

*The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for 50 years.*



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COMMITTEE ON WAYS AND MEANS  
TUESDAY, April 3, 2018, 10:20 A.M., ROOM 211

SCR 76, SD1 REQUESTING CONGRESS TO CONVENE A LIMITED NATIONAL CONVENTION UNDER ARTICLE V FOR THE EXCLUSIVE PURPOSE OF PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION THAT WILL LIMIT THE INFLUENCE OF MONEY IN OUR ELECTORAL PROCESS

**TESTIMONY**

Janet Mason, League of Women Voters of Hawaii

Chair Dela Cruz, Vice-Chair Keith-Agaran and Committee Members:

The League of Women Voters of Hawaii **opposes SCR 76, SD1.**

The resolution urges Congress to limit the Convention topic to an amendment that will overturn the decision of the U.S. Supreme Court in the *Citizens United vs. Federal Elections Commission* decision. The League is deeply committed to reforming our nation's campaign finance laws to combat corruption and undue influence. Enabling candidates to compete more equitably for public office and allowing maximum citizen participation in the political process would be other important benefits. However, we do not think convening an Article V Convention would resolve this problem.

Despite resolutions like SCR 76, SD1, Convention delegates would be under no obligation to limit amendments to the subject of campaign finance reform. As acknowledged in the Committee Report from your Senate Judiciary Committee, no limits on the topics that could be taken up in an Article V Convention have been established. Several prominent jurists<sup>1</sup> and legal scholars<sup>2</sup> have warned that a constitutional Convention could open the Constitution to radical and harmful changes.

As further noted in your Judiciary Committee report, there is no groundswell of demand for this resolution; only eighteen states have called for a Convention. A Convention could be hijacked by a small minority of delegates whose interests do not reflect those of most citizens. This is especially likely if there were a small number of delegates.

We think the number of delegates should be elected should be proportional to the population of that state. Delegates should be elected rather than appointed simply because they are currently serving as State or local officials.

**This resolution risks a lot for a little.** For example, an uncompromising advocate of "the right

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<sup>1</sup> Marcia Coyle, "Scalia, Ginsberg Offer Amendments to the Constitution," *Legal Times*, April 17, 2014, <http://www.nationallawjournal.com/legaltimes/id=1202651605161/Scalia,-Ginsburg-Offer-Amendments-to-the-Constitution?slreturn=20140421101513>.

<sup>2</sup> Chief Justice Warren Burger "There is no enforceable mechanism to prevent a convention from reporting out wholesale changes to our Constitution and Bill of Rights." Letter from Chief Justice Warren Burger to Phyllis Schlafly, June 22, 1988, <http://constitution.i2i.org/files/2013/11/Burger-letter2.pdf>.



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to bear arms” could steer most delegates toward an amendment that says every American has a right to own a gun. Unfortunately, in America in 2018, we can imagine this happening, especially if there were a small number of delegates. Though unlikely there’s nothing to prevent a wholly new Constitution from being proposed and adopted during a Convention.

Aside from the problem of the scope of a Convention, **we need procedural safeguards.** Delegates to a new Article V Convention could ignore the current ratification process calling for 38 states to approve changes. This is what happened at the 1787 Convention (the only Constitutional Convention in U.S. history), when Article V was adopted. The 1787 Convention ignored the Constitutional provisions under which it was called and lowered the number of states required for ratification. There’s nothing to prevent ratification by the states from being further relaxed.

Article V says nothing about procedures which would probably become contested if a Convention is held: whether it would be open to states that had not called for it; what limits might be placed on its delegates; by what majority an amendment would need to pass; etc. Would the Convention be held behind closed doors without any media coverage?

There’s nothing to prevent a Convention from disregarding other instructions from Congress. Until good basic rules for a Convention are agreed upon by all states calling for a Constitutional Convention, we cannot support such an effort. We urge you to defer the resolution. Thank you for the opportunity to submit testimony.

**SCR-76-SD-1**

Submitted on: 4/1/2018 7:45:02 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Golojuch Jr	Testifying for LGBT Caucus of the Democratic Party of Hawaii	Oppose	Yes

Comments:

While the LGBT Caucus of the Democratic Party of Hawaii fully supports the over turning of Citizens United we feel that a Constitutional Convention is a very dangerous course to to do this. There are no gaurentees from anyone that "Limited Constitutional Convention" is possible so the only thing the delegates would be able to discuss is over turning Citizen United. If called for and allowed the delegates to the Con-Con could touch any other of the parts of the Constitution and the LGBTQIA community could find our civil rights written out of the US Constitution.

Why are we so wary of the Con-Con, we give you the current resident of the White House, and those that control the US House of Representatives and US Senate as our number 1, 2 & 3 reasons. For that we respectfully ask that you please hold this SCR 76 in committee.

Mahalo for your consideration,

Michael Golojuch, Jr.  
Chair  
LGBT Caucus of the Democratic Party of Hawaii'i

## **Eric Schrager in support SCR76**

Aloha!

My name is Eric Schrager, I am a retired U.S. Naval officer and I live with my wife and three kids in Ewa Beach. I remember back in 1985 I landed at Naval Air Station Barbers Point for a one-night layover prior to continuing on to Japan. I fell in love with Hawai'i almost immediately and promised myself that I would return for a longer stay someday. Little did I know then that I would one day own a home just a couple of miles away from Barbers, and spend the rest of my life raising a family in our beautiful islands!

I have lived in Hawai'i for 11 years and been retired from the Navy since 2013. Since then I have become more and more aware of how dysfunctional our political system has become. Name almost any of our country's biggest problems, they are all exacerbated by the influence of big money from special interest groups and large corporations on our politicians. This issue is an existential threat to our country that must be addressed immediately and with the only solution strong enough to address the problem: a US Constitutional amendment.

We must learn from our own history, because most amendments to the U.S. Constitution have included an Article V convention campaign: 4 out of the last 11 Amendments and The Bill of Rights. Most notably, the 17th amendment got within one or two states of compelling a convention and then Congress capitulated, proposing the amendment for the direct election of Senators themselves. Historically, if you need an amendment, this is how you do it.

We must also lead with courage, and not be paralyzed in fear. Americans have done a lot braver things than hold a national conversation, which is all a convention would be. A conversation that could propose ideas that, if popular enough to win the approval of 38 states, could save our representative democracy for future generations.

Five states have signed on to this resolution and Hawai'i should definitely be the sixth! This is not a left or a right issue, it is an American issue. This should be a unanimous vote for SCR76. Mahalo.



Dear Chairman Dela Cruz, Vice Chairman Keith-Agaran, and committee members.

My name is Morgan Bonnet and I live on Oahu. I am a senior mechanical engineer at the UH Institute for Astronomy. I design and build astronomical instrumentation for the Mauna Kea and Haleakala Telescopes.

I am originally from France, but I am a naturalized U.S. Citizen and I have lived in Hawaii with my wife for 9 years, who was born and raised here in Oahu. Being raised in France but living here in the U.S. for much of my adult life, I am fascinated with studying and understanding the U.S. Constitution. As you may know, 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. His work had a powerful influence on the founding fathers, especially James Madison. Montesquieu is also notable for securing 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.

This isn't the way it's supposed to work. I still believe that most Congresswomen and men come into politics with the right intent – to be public servants who can make a difference in people's lives, but often end up caught in a corrupt system of incentives having to spend far too much of their time raising money.

The Article V Convention process is a vital part of the checks and balances laid out in the U.S. Constitution, and in fact is the only constitutional check we have on an unresponsive Congress. With Congress clearly not listening to us, no matter which party is in power, SCR76 seems like a logical step for Hawaii to take.

This legislation makes me hopeful that we will one day be truly represented like the founding fathers intended, so that the people will be able to get more involved and play a bigger role in their democratic Republic.

I trust you, committee members and good Senators of Hawaii, to make the right decision for our country and vote YES on SCR 76. Mahalo.

**SCR-76-SD-1**

Submitted on: 3/30/2018 9:58:16 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tristan Schragger	Individual	Support	Yes

Comments:

Aloha!

We must overturn Citizens United and end the corrupting influence of big money in politics. This resolution states loud and clear that Hawai'i is in agreement with the growing coalition of states that are calling for a conversation, using our constitutional right to call for one through a limited amendment convention of at least 34 state legislatures. In the past this process has been a part of the majority of the current amendments to the Constitution to include the Bill of Rights and four of the last ten amendments. The 17th amendment is a perfect example of how this process, the expression of a national mandate from the state legislatures, brought about change that congress was very reluctant to allow (the direct election of senators).

Please vote yes on this important resolution and make Hawai'i a part of this historic undertaking!

Mahalo,

Tristan Schragger

## **Stacey Schrager in support of SCR76**

Aloha my name is Stacey Schrager and I am here today in support of SCR76.

My husband and I have made Hawaii our permanent home. We care very much about our community, and are happy to be raising our children in the best state in the country.

The corrupting influence of money in American politics is staggering, and we must be doing every single thing in our power to fix it.

On April 28, 2010, Hawaii became the first state to pass a resolution asking Congress to propose an amendment to reverse Citizens United. It took this state only FOUR MONTHS to react to that disastrous court case.

However, in the past 8 years, despite being asked by a further 18 states through joint resolutions, Congress has proven themselves incapable of taking action, failing even to pass the DISCLOSE Act with a Democratic President and majorities in both houses of Congress. They didn't do a single thing to address campaign finance reform. They have ignored us.

This is no longer acceptable. History shows us that when the American people use every tool they have available to them, including calls for a limited convention under Article V, change finally comes from an unresponsive Congress. It is our responsibility, as citizens and patriots, to fix this problem for the long run and I for one refuse to let my children deal with the consequences.

So now Hawaii must lead once again, and I have faith in our distinguished Senators and Representatives that you will do the right thing on behalf of us, the citizens. Please don't kick the can down the road for someone else to solve this problem. Take action today. Please vote yes on SCR76.

Mahalo

**SCR-76-SD-1**

Submitted on: 3/29/2018 10:34:08 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kehaulani Fanene	Individual	Support	No

Comments:

Aloha Senators,

My name is Kehaulani Fanene and I live in Laie, Hawaii. While my parents met in Laie at BYU-Hawaii; neither of them ended up graduating. Instead, my older sister and I grew up in a single parent home with our mom in Idaho while my dad stayed in Hawaii until he passed away when I was 6. There were many struggles growing up in a single income household, and by the time I graduated high school, I knew there was no chance I would have the opportunity to go to college like all my friends. Instead, I worked dead end jobs until I became a single mother myself at 25. I did not want my son to endure all the trials I did in my life and knew I needed a good career to support him. By the time he was 9 months old, the two of us had moved to Laie so I could attend the same school my parents did with a determination to finish what they had not. By the time he was 3 years old, I had graduated with a bachelors in Computer Science, and today I am an Application Developer for HMSA.

My journey was not an easy one, but I know I am fortunate to have overcome the statistics most single moms face, and I know there are many out there who will be doomed to a life of poverty because of the great wealth inequality that plagues our country. I have fought for years for my son to be able to escape that life and it is a great injustice that so many of our fellow Hawaiians remain trapped.

The history of our nation, not totally unlike my own life, has been filled with obstacles and the need to overcome adversity. When American citizens encounter an injustice, such as the slavery of African Americans or the lack of voting rights for women, we've amended our Constitution to make our country and future generations better off.

Today, it is our duty as citizens, and your duty as representatives of the people to put another really bad idea into the dustbin of history through an amendment to the Constitution – the idea that those with more money should have more of a political voice than the rest of us.

As a Hawaii citizen it would make me proud to know Hawaii is a leader in this fight. Please support SCR 76, so that we can move our country forward.

Mahalo,

Kehaulani Fanene

Date: April 3, 2018 Time: 10:20am

To: Senate Ways & Means Committee

Senator Donovan Dela Cruz, Chair

Senator Gilbert Keith-Agaran, Vice Chair

From: Lisa-Marie H. Martin

Re: SCR 76 the Free and Fair Elections Resolution.

SUPPORT FOR PASSAGE

Aloha Chairs & Committee Members:

I support SCR 76 because I believe in free and fair elections. Our country faces tremendous challenges in the 21st century, but I believe in the principles espoused by our Founding Fathers, "that government of the people, by the people, for the people, shall not perish from the earth." Hawaii has historically been on the vanguard when advocating for social justice and progressive ideas, and was the first state to ask Congress to repeal Citizens United. We are faced with deadlock in Washington D.C., and the problem is that Congress has been bought and controlled by corporate donors, PACs and members of the 1%. Members of Congress spend up to 90% of their time on the Hill trying to raise more money to keep them there, rather than representing their constituents. Since Congress won't take steps to remedy this problem, it's up to our State government to add our voice to the growing number of states asking for a constitutional convention to call for an amendment to get money out of politics. The corruption must end now, before it's too late.

You may wonder, how could this issue affect me, a middle-aged grandmother living quietly on the Big Island?

1. Climate Change: the federal government is dismantling environmental protections which directly affects the quality of life in Hawaii. Please remember that there are islands and atolls disappearing under the rising oceans right here in the Pacific. Congress has done nothing to check the rapid defunding and deregulation of essential laws. The leadership of the EPA has questionable ties to big businesses that directly profit from deregulation;

2. Immigration: our immigrant history and society is one of the essential facets of modern Hawaii. We welcome our immigrant residents, who contribute so much to our economy, culture and future. Our DACA kids are our future, with talent and commitment and desire to succeed. Our economy relies on their tenacity and contributions, making our islands truly unique. Congress has not taken any significant actions to protect them, and waste time in little meaningful action. Big business donors profit from this kind of social instability, with private run prisons;

3. Healthcare Reform: leaving our citizens hanging precariously while Congress makes no significant progress on this issue, private health care has bankrupted our country. It's time for universal health coverage, which Congress won't even consider, given the amount of money insurance companies have donated to campaigns;

4. Cost of Living: despite living in paradise, the cost of living is prohibitive, and affects our quality of life. Congress needs to consider implementing cost-saving measures to bring down the cost of shipping to Hawaii. But, donor money has kept Congress from even interfering with profits.

I believe that with campaign finance reform, much of the deadlock in Washington can be overcome. I ask that you vote to pass this important resolution, and add our state to the list of US citizens demanding positive, essential change.

Mahalo for the opportunity to submit testimony.

Lisa-Marie H. Martin

Keaau, HI

**SCR-76-SD-1**

Submitted on: 3/30/2018 2:33:13 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christina Kaleiwahea	Individual	Support	No

Comments:

Aloha,

Please support this resolution.

When I first heard about the Article V convention, there was some concern about a runaway convention. But after taking a look at the academic research, I found the rhetoric to be unproven.

Your support would mean a lot to me as a millennial and Native Hawaiian. Getting corrupting money out of our politics will ensure sustainability and inclusion of diverse peoples for generations to come.

Mahalo,

Christina Kaleiwahea

Resident of 'Aiea, HI



**SCR-76-SD-1**

Submitted on: 3/30/2018 11:18:32 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
chuck defrancis	Individual	Support	No

Comments:

I am thrilled that resolution SCR76 is up for a vote and I would like to hardly encourage all involved to please vote in favor and pass this bill. Mahalo in advance , sincerely , Charles Defrancis/ Hawaii resident since 1967

**SCR-76-SD-1**

Submitted on: 3/30/2018 12:39:09 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

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

Comments:

Dear Senate Ways and Means Committee Chair Senator Dela Cruz, Vice Chair Senator Keith-Agaran and Committee Members.

Aloha. My name is Vanessa Cass and I am a resident of Honolulu, in Senate District 9. I strongly support SCR 76, the Resolution for Free and Fair Elections.

For most of my adult life I have been increasingly alarmed with decisions made by politicians that affect my future in a negative way. When tracking various issues that I am concerned about, I've seen that politicians tend to vote in favor of their largest donors. It has become obvious that if I want my vote to count, we need to repeal the disastrous Citizens United vs FEC decision. I want my vote and the votes of others to mean something again. I want our elected politicians to represent the people of their district and not have to be focused on constantly raising money which might come with potential strings attached. Our representatives should not be in fear of voting on bills in a way that might compromise their ability to raise money.

The State of Hawaii was a leader in asking Congress to repeal Citizens United; let's be leaders once again and vote in support of SCR 76 for Free and Fair Elections.

Thank you for hearing this resolution and I ask you for your support in passing the resolution.

Sincerely,

Vanessa Cass

To: Chairman Dela Cruz, Vice Chairman Keith-Agaran, and Members of the Committee

Date: April 3, 2018

Location: 10:20 a.m., at State Capitol, Room 211

Re: Individual Testimony in support of SCR 76

My name is Katherine Tokuda, I am a resident of McCully in Honolulu, and like many people who grew up here, I spent a lot of time going to the beach and hiking in the mountains. I care about the unique plants and animals that are found only in Hawaii. I hope that they will be around for the next generation to enjoy, but I worry that they won't be due to climate change.

I also worry about the growing income divide in America, and the cost of living in Hawaii. Will Hawaii people eventually need to move away from the islands to find a better quality of life?

These are problems we can't fix until we address the issue of money in politics. Congress won't take the lead on this. The current Supreme Court won't do it. The only thing citizens can do is to call for a limited amendment convention. This action has been shown to cause Congress to take notice and maybe act. Please support SCR 76.

**SCR-76-SD-1**

Submitted on: 3/30/2018 11:08:30 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Madeline Bresler	Individual	Support	No

Comments:

As a citizen of Hawaii, I am proud to be from the first state to ask Congress to repeal Citizen's United. Congress will NOT fix itself, and Hawaii needs to take responsibility and use the tools available to us as a state to address this problem. History shows that limited convention calls (like SCR76) are the most effective way to push for an amendment.

As a lifetime Democrat, I believe we are at a vital crossroads. In order to preserve the integrity of our party, and a fair and fortuitous future for our keiki, we need to even the playing field so that grassroots campaigns can have just as much reach and influence as those of moguls and special interests. It is our duty to make sure that our government is, truly, by the people and for the people.

Mahalo for your mā•lama,

Madeline Bresler

**SCR-76-SD-1**

Submitted on: 3/30/2018 11:03:40 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Peggy Jayne	Individual	Support	No

Comments:

I am a citizen of Hawaii, and I was very proud of our state when it was the first state to ask Congress to repeal the Supreme Court's disastrous decision, Citizen United. Money is not speech and corporations are not people. I've never yet seen a corporation bleed rich red blood!

Hawaii needs to lead the way once again because the Congress appears to be gridlocked and unable to fix itself or to fix the many problems facing our beloved country today.

I am so lucky to live in Hawaii where people are not murdered by the police the way they are on the Mainland. Hawaii is a beautiful melting pot of all the "races" who live here in harmony.

It is time for Hawaii to show the country the right way once again. We need a limited convention, like the one proposed by SCR76, to make sure that American elections are free and fair and that money is gotten out of politics. Elected officials must work for the folks who put them into office, and not exclusively for their donors.

Once Hawaii shows America the way and becomes the sixth state to call for a limited convention, the rest of the states will fall in line behind us, and America will truly be great once again, the way it was before 45 appeared. Thank you.



**SCR-76-SD-1**

Submitted on: 3/30/2018 8:42:02 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gordon Lange	Individual	Support	No

Comments:

The corrupting influence of money in politics is undeniable, the Citizens United ruling opened the flood gates. Our elected officials represent their big donors, not their constituents. This has to change. Congress is the problem, fortunately the founding fathers saw this issue, providing for limited convention calls in our constitution. Hawaii needs to be part of the solution by supporting this measure.

When we get money out of politics we can move forward addressing the measures people want and not the measures of corporations and big business. Measures like climate change, gun violence, endless war, income inequality, health care, education, student debt, the list goes on.

Thank you for supporting this.

**SCR-76-SD-1**

Submitted on: 3/29/2018 10:28:38 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Lum	Individual	Support	No

Comments:

**Jennifer Lum in support of SCR76**

**Aloha, My name is Jennifer Lum. I am a mom of 2 young adult sons and today I'm here for them. I have worked for the State of Hawai'i and the Federal government for 28 years, first as an Air Force Reserves Master Sergeant and currently as a special education high school teacher at Pearl City High School.**

**I feel it is my duty as a citizen to speak for myself and those whom I serve: my students. I love working with the future. My students are funny, creative and going to be our leaders someday. I love using my leadership skills acquired through the Air Force to help guide my school in a new and modern direction, and my greatest ambition is a better future for my students and my sons. But money in politics is destroying that future.**

**If there's a silver lining to this though, it's that we the people are waking up. Nearly 9 out of 10 Americans believe 'reducing the corruption in the federal government' is a top priority. From conservative Republicans to Progressive Democrats, Americans agree on the need to restore free and fair elections in America. This is not an issue of left versus right – it's an issue of right and wrong.**

**On this vital American issue, it is time for Hawaii to lead, using the powers built into the Constitution for this very purpose. If Congress itself is the source of the problem, then it's the duty and responsibility of the states to take action to fix it.**

**Please take the lead by voting 'Yes' on SCR 76 and help Hawai`i become the 6th State in the Nation to truly join the fight in restoring our democracy. Mahalo for your time.**



**SCR-76-SD-1**

Submitted on: 3/30/2018 11:01:15 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

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

Comments:

Dear Chair Dela Cruz, Vice-Chair Keith-Agaran, Committee Members and Senator Glenn Wakai, Senate District 15 (Salt Lake):

My father was born and raised on the Big Island and after his service in the Army moved our family back to Hawaii in the '70's. I am a Realtor and through the years have seen the Island go through tremendous growth and change. In this current administration, we are, to our detriment, being thrust toward an unprecedented shift in the separation of political parties and an uncertain future. Exposing egregious abuse of power through bad money in politics.

What an honor it would be for Hawaii to show their Aloha in support of SCR 76, The Free & Fair Elections Resolution. We care about our future for our country and to bring our parties together for a better cause. This is a call for all Realtors to stand in support of SCR 76.

"The greatest danger to our future is apathy." Jane Goodall

Aloha, Diane Martin (RA)  
House District 32, Senate District 15

**SCR-76-SD-1**

Submitted on: 3/30/2018 1:59:53 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Monk	Individual	Oppose	No

Comments:

However it may be framed in a resolution like this, the dangers of a constitutional convention under Article V have been strongly pointed out by many scholars and experts. The goal of limiting the influence of money in our electoral process is a worthy one, which I support, but other, less risky means are available to achieve it, such as a constitutional amendment initiated in the Congress and ratified by the states. Please defeat this measure.

**SCR-76-SD-1**

Submitted on: 3/31/2018 9:59:15 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christine Walters	Individual	Support	No

Comments:

As a voter, military spouse, and educator, I am concerned about the general welfare of our country currently and the undue influence that money has played in politics in the last couple decades. Like all other existing amendments, certain laws are in place to prevent the abuse of them; similarly, an amendment to create limitations on the influence of money in the electoral process can be supported by more specific laws, but only if an amendment is created in the first place. This is why I have decided to submit personal testimony in support of this bill.

I would like to see politicians and lawmakers do more to protect our democratic republic by approving this bill, so that we can protect our citizens and our country from turning into an plutocracy (a country or society governed by the wealthy). Otherwise, we cannot take pride in our status as a democratic republic. We must protect democracy, and restore the checks and balances to our republic.

**SCR-76-SD-1**

Submitted on: 3/31/2018 8:56:23 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

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

Comments:

Big money in politics is a critical threat to our democracy. Big money out!

**SCR-76-SD-1**

Submitted on: 3/30/2018 3:34:18 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Evette Allerdings	Individual	Support	No

Comments:

Dear Senator Dela Cruze and the Senete Ways and Means Committee:

My name is Evette Tanouye Allerdings. I was born and raised in Hawaii living in Kaneohe. I work as a medical secretary at a internal medicine practice. I have 3 children and 2 grandchildren.

I support SCR76. I have witnessed the decline of representation by our elected officials for me the common citizen. Look at those big million dollar condos that line Ala Moana Blvd. There is a water shortage and the sewer systems cannot support them and yet the contractors keep building. Our children cannot even afford to buy them. There are no affordable housing for our children. It is sad that homelessness has increased. How were the building permits allowed? I am disheartened by our dysfunctional government due to big money donors and corporations. I have pledged to myself from the last election, to only vote for politicians who have pledged to only take money from small donors and not big pac or corporations. It is the only small way I can try and ensure that who ever I vote for will represent his/her constituents, rather than owe the vote to big money he/she is indebted to. I have to do this for the future of my children and grandchildren. There is to much corruption in our government. We need to keep big money out of politics and it will take courage to take the high road from you and your committee.

Respectfully,

Evette Allerdings

**SCR-76-SD-1**

Submitted on: 3/31/2018 7:28:18 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Justin Vasquez	Individual	Support	No

Comments:

**SCR-76-SD-1**

Submitted on: 4/1/2018 12:58:22 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elton Johnson	Individual	Oppose	No

Comments:

March 31, 2018

Senate Committee on Ways and Means

Hawai'i State Legislature

Re: SCR 76, SD1 Requesting Congress to Convene a Limited National Convention Under Article V for the Exclusive Purpose of Proposing an Amendment to the United States Constitution that will Limit the Influence of Money in our Electoral Process

Tuesday, April 3, 2018, 10:20 AM, Room 211

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Committee on Ways and Means members:

Thank you for the opportunity to testify in **strong opposition** to SCR 76.

I'm personally very concerned about the corrupting effect of money in politics, and I've testified on a number of measures related to this issue before our legislative committees over the years. I and my colleagues—I currently serve as chair for Common Cause Hawai'i (though I am submitting this testimony as an individual)—are always exploring and developing means to help to ensure the integrity of our democracy. I much appreciate the good intentions of those who bring, and support, SCR 76. However, it is clear to me that a resort to Article V of the United States Constitution as proposed by this resolution involves far too much risk.

SCR 76, SD1 requests an Article V convention called "as soon as two-thirds of the several states have applied for a convention **for a similar purpose for the exclusive purpose** of proposing an amendment to the Constitution of the United States of America **whose purpose** will be to limit the influence of money in our electoral process [emphasis added]."

Many would like to thus build a nice box for an Article V convention, however, the language of Article V does not provide for such limitation of a convention to proposing amendments on any particular issue or from any position on any particular issue, any more than Congress itself is so limited. A convention called “for proposing amendments” pursuant to Article V is not restricted beforehand to one or more particular issues or amendments. (And even if it were possible to thus limit the scope of an Article V convention to a particular issue, when Congress calls a convention on such an issue, e.g., “the influence of money in our electoral process,” Congress may include other applications that take a position contrary to that of the supporters of SCR 76 on that issue.)

And besides the dispute about how an Article V convention “for proposing amendments” could be limited beforehand to a particular issue or position, there is *no* language whatsoever in Article V to help with myriad questions, including regarding convention sovereignty, involvement of Congress, state legislatures, governors, and others, involvement of states that did not apply for the convention, election or appointment of delegates, persons in federal or state government positions as delegates, instruction of delegates if any, one-person one-vote or equal representation by the states, type of majority required for the convention to pass amendments, dispute resolution authority, and so on. All of this and more may be contested, no authority—Congress, legislatures, Supreme Court—is established, and the potential for an unchecked affray, or even civil war, is real.

The mature schemes of well-funded partisan and special interest groups to dominate an Article V convention present a real danger that such a convention may issue in threats to our democracy greater than those that occasioned the resort to Article V. The Balanced Budget Amendment Task Force and the Convention of States, for example, are collecting state Article V applications in order to restrict the ability of the federal government to respond to fiscal crises, and the latter movement aims to also restrict the power of the federal government more generally (to regulate or to provide social welfare programs, for example), and to establish term limits for members of Congress. With 33 of 50 state legislatures currently in the control of a party that is focused on contracting our federal government, it is likely that an Article V convention itself as well as its ratification phase will favor plutocratic interests rather than “the public *good*, the real *welfare* of the *great* body of the people” that James Madison called the “the supreme object” of government. [Federalist 45]

Please honor our democracy and accord the great care it requires. Please do not support this resolution.

Mahalo Nui,

R. Elton Johnson, III



**SCR-76-SD-1**

Submitted on: 3/30/2018 1:04:34 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
mark o koller jr	Individual	Support	No

Comments:

Dear Senate Ways and Means Committee Chair Senator Dela Cruz, Vice Chair Senator Keith-Agaran and Committee Members,

Aloha. My name is Mark Koller and I am resident of Hawaii, Oahu, Senate District 9. I strongly support SCR 76, the Resolution for Free and Fair Elections.

We are no longer truly living in a democracy where politicians represent their constituents. Corporations have unfair access to politicians over ordinary citizens due to their ability to donate large sums of money. When politicians accept money from corporations, political actions are swayed in favor of the donor (whether intentionally or not) and constituents are ignored. We need elected politicians to represent their constituents again. Please support resolution SCR 76 for Free and Fair Elections.

Thank you for your support on SCR 76 for Free and Fair Elections.

Mahalo,

Mark Koller

**SCR-76-SD-1**

Submitted on: 3/31/2018 10:40:42 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bryan Dorn	Individual	Support	No

Comments:

Dear Chairman Dela Cruz, and Vice Chairman Keith-Agaran

I am writing to you on behalf of my children, my community, and my country. I live on the Big Island of Hawaii in the Puna district and have been working towards making free and fair elections a reality for a while now. It is obvious to me that there is something terribly wrong with our electoral system when people can run and get elected into office under false promises and then use that position to further their career answering only to big money special interests instead of the people that got them elected in the first place. I am in support of SCR76 the resolution for free and fair elections. It is so important to take the corrupting influence of special interest money out of our politics. Passing this resolution will be the first step towards empowering WE THE PEOPLE. If we can just take this first step without fear of a "runaway convention" we will be better for it.

Mahalo nui loa,

Bryan

**SCR-76-SD-1**

Submitted on: 4/1/2018 1:11:46 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
michele mconell	Individual	Support	No

Comments:

Dear Senators of the Ways and Means Committee,

My name is Michele Mcconnell and I have lived on Maui for 7 years. I am writing to ask you to please vote yes on SCR 76, the resolution for Free and Fair Elections. As my political awareness (and subsequent outrage) has grown over the last couple years, I have concluded that until the issue of money in politics is addressed it is nearly impossible to have a democracy that reflects the needs of everyone, and not just the few. On the national political stage it is becoming increasingly obvious that many of our congress men and women are in effect employees of corporate interests and big donors.

The big question is What can be done to correct this? Our US Congress men and women have been unresponsive and it is in many of their best interests to keep the status quo. Many of our representaives can only survive in politics because of big money interests pouring money into campaigns to cynically manipulate public understanding of the issues.

When I was first introduced to the idea of an Article 5 limited convention I was dubious. Can we actually be so bold as regular citizens as to mobilize to amend the constitution? But then I actually read the US Constitution and sure enough there it was in black and white a provision for citizens to check an unresponsive congress. And I have heard compelling arguments from people who better understand the laws and precedent as they relate to Article 5.

My feeling is that to not act at this time in history when so much hangs in the balance, is far more dangerous than to employ our constitutional right to create change. I am proud of Hawaii. I have been drawn to the islands for the last 20 years coming whenever I could until I could happily make it my home. It is progressive and the Aloha is real. I would love to see Hawaii be the next state to join the call for a limited convention. It seems right and fitting. Just as Hawaii was first state to come out against Citizens United I urge you to lead Hawaii into the vanguard of states that is taking concrete action to address this problem that cripples our democracy.

Sincerely,

Michele Mcconnell

238 Laa Kea Pl

haiku, HI 96708 (510) 295-7731

**SCR-76-SD-1**

Submitted on: 3/30/2018 2:03:39 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tanea Dalpivo	Individual	Support	No

Comments:

Aloha!

My name is Tanea Dal Pivo. I am a resident of Hawaii since 2000. I live in Waikiki, and I strongly support a Democratic election without any money from big corporations because I feel that would be the right way of electing politicians who will support the American people.

I support SCR76 because it is becoming clear that we need a long term solution like a Constitutional Amendment that cannot simply be changed by a new Congress. Of the two ways to propose amendments to the Constitution, I have zero faith in Congress, either democrat or republican to propose that amendment themselves. They are simply too bought into the system. Instead, I trust our state governments, to be responsive to the people and actually use the power granted them in the Constitution to hold Congress accountable and represent the will of the people.

I would be proud to see Hawaii as a leader on this issue. I firmly believe that only by getting money out, will we begin to see substantial change in our government.

Please vote yes on SCR76.

Mahalo!

Tanea Dalpivo

**SCR-76-SD-1**

Submitted on: 3/30/2018 6:07:16 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dylan Ramos	Individual	Support	No

Comments:

Aloha Hawaii State Senate Ways and Means Committee,

My name is Dylan Ramos and I am a young resident of O'ahu concerned with the future of American democracy. While I may have been reminded by Wolf-PAC to submit testimony today, I don't want to bore you with some copied and pasted message on matters I don't know enough about myself. However, what I do know is that the existing system of crony capitalism in America is what keeps us as a country from getting to the debates that matter. I also know that there is a big risk posed in calling for a national constitutional convention, given the lack of rules and precedent on the topic (easily read about [here](#)). But just before I decided to oppose this measure, I read this resolution in the text that I think settles my main fear, and allows me to wholeheartedly endorse this (small) step forward, as I hope all of you do:

"BE IT FURTHER RESOLVED that this application is for an Article V convention and does not grant Congress the authority to call a convention for any purpose other than for the sole purpose set forth in this resolution, as soon as two-thirds of the several states have applied for a convention for a similar purpose[.]"

Thank you for taking the time to read my brief message and considering this bill.

Mahalo nui loa and aloha!  
Dylan Ramos

**SCR-76-SD-1**

Submitted on: 3/30/2018 10:11:11 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amia Batoon	Individual	Support	Yes

Comments:

Aloha Chair Dela Cruz and distinguished Senators,

I am writing to let you know how important it is to me and my family that we citizens of Hawai'i express our extreme displeasure with the current situation in Washington, DC. By voting yes on SCR76 "Free and Fair Elections" Resolution, you will be stating very clearly that the people of Hawai'i have had enough of government being heavily influenced by huge campaign contributions from Super PACs and Dark money. We want total transparency in all transactions involving campaign finance and a reasonable limit to the amount of money that may be donated and to the amount of money that politicians may spend on their campaigns. Congress will never address this issue itself! The only way to go around them and get a durable remedy is to amend the Constitution so that it clearly states the above limitations. SCR76 calls for a conversation at the national level between delegates from all states. This limited amendment convention would propose an amendment in a way that is almost identical to how congress currently would do it. This proposed amendment then must be ratified by 38 state legislatures in order to actually amend the constitution. In the past, most amendments that already exist have included calls for an "Article 5" limited amendment convention. In several cases, once the number of states that adopted the resolution (language is the same in each one) reached a high enough tally, Congress felt compelled to act. The 17th amendment reached 28 states agreeing to the resolution before Congress finally agreed to end the ridiculously corrupt system that was used to select senators prior to that amendment!

Please vote yes on SCR76 and help us take our democracy back from huge, wealthy organizations and special interest groups.

Thank You!

Amia Batoon





**SCR-76-SD-1**

Submitted on: 3/30/2018 12:35:42 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

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

Comments:

It is important that we remove money from the United States of America's electoral process. Over the past forty years, candidates for political office have become beholden to the people that donate to their political campaigns. This has given those donors leverage over our leaders and representatives and allows them to push for favors that unfairly benefit them to the detriment of everyone else. This also allows donors to threaten our leaders and representatives with the notion that they will not contribute to their next political campaign and instead fund their opponent if said leader does not do what the donor asked for. Paying someone to do special favors for you to the detriment of others is basically bribery and right now our system of donating money to political campaigns has legalized it.

We have seen over the last thirty years, that allowing money to be seen as "speech" has caused an imbalance of power leading to most of the American public becoming disenfranchised by their own government. In their study "Testing Theories In American Politics," Princeton researchers Martin Gilens and Benjamin Page looked at 1,799 policy initiatives from 1981 to 2002 and compared the policy changes to the expressed opinions of Americans in the 50th percentile of income to what those in the 90th percentile of income and major businesses and lobbying groups preferred. They found that "[T]he preferences of the average American appear to have only a minuscule, near-zero, statistically non-significant impact upon public policy."

We as a country need to return to the days where every citizen has an equal vote and say in the creation of policies and laws that affect us all. When we remove money from politics, all of the people of this country will come a little closer to having an equal voice and say in the governance of our nation. We can move towards a government that represents all of its citizens and form a "more perfect union."

Dear Chairman Dela Cruz, Vice Chairman Keith-Agaran, and committee members,

First of all, thank you for your tireless service to the people of Hawai'i. As a relatively new voter and political volunteer, I now hold an even greater respect for those that participate in the political process and for those that hold office. You allow the rest of us a platform to speak and you help to shape our lives in the most profound and basic ways.

I am writing in strong support of SCR 76, The Free and Fair Elections resolution, which I believe reinforces that connection between you, the Politician, and me, the Constituent. The increasing squeeze on the middle class; a symptom of a decline in our rights as citizens to be heard over the deafening voice of big money interests is throwing our Kupuna and Keiki into the streets. This is not how our government was intended to function and this is not the Hawai'i I remember.

I am a fourth generation daughter of Japanese immigrants. My great grandparents whittled out a humble life on the Big Island and owned a small store in a plantation village. My grandfather served in the US Army and met my grandmother in Japan after WWII ended. My mother struggled to raise my brother and I on a single parent income. I have worked since the age of 16 to gain an education and career. Every generation has its struggle, but the lack of income equality and wealth distribution today is putting my future in peril.

SCR 76 will aid in limiting the influence of money in our electoral process by utilizing our State's rights as intended in Article V of the United States Constitution. Hawai'i needs to be at the forefront of this tide of moral and ethical change and become the sixth state to call for a limited national convention to propose an Amendment to the Constitution, urging for campaign finance reform and Free and Fair Elections.

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 the country. We must have courage!

With Aloha,

Maren Bonnet

**SCR-76-SD-1**

Submitted on: 3/29/2018 10:17:21 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John Miller	Individual	Support	Yes

Comments:

On March 21st, 2001 I stood before the American Flag and solemnly swore (or affirmed) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic.

Through almost 11 years of active duty service to my country and over three deployments to the middle east I never wavered from my obligations to my oath. Even after my Honorable discharge I still stand by my oath to this country and will continue to do so until the day that I die.

While most of my career was focused on foreign threats it wasn't until the 2010 Supreme Court decision in Citizen's United vs FEC that I realized that our Constitution was under attack from domestic threats such as corporations and special interests looking for ways to circumvent campaign finance laws and campaign donation limits. In the majority opinion the SCOTUS decided in short that, 1) Money is speech, 2) Corporations are people, and 3) therefor, under the First Amendment, the government can't stop corporations from spending unlimited amounts of money on politics to sway voters. This was the fundamental ruling that in one strike directly attacks the legitimacy of our elections, opens the door to foreign corporation influence in our elections, and allows money to determine how much of a first amendment right that you have. In the dissenting opinion, Supreme Court Justice Stevens made it clear that we are not following the foundation of our Constitution when we are giving rights to non-voting entities that can be created at will. He went further to state:

*" . . . corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of "We the People" by whom and for whom our Constitution was established."*

*~Supreme Court Justice Stevens, January 2010*

Even worse, as we now start to see foreign governments and entities meddling in our election process it was made evident that this ruling could open a fatal flaw in their logic. Supreme Court Justice Stevens wrote that the logic of the Court's opinion in Citizens United extends to permitting foreign corporations to make independent expenditures to influence U.S. elections. This is just one of the many reasons we must stop dark and

unlimited spending for US elections or we are at threat of losing the legitimacy of our democracy.

Unfortunately, I can't fight the fight to make these changes needed to amend the constitution and this is why I'm calling on you. You, who have also sworn the same oath to defend "We the People" and our Constitution from enemies both foreign and domestic. We can't rely on an ineffective congress anymore that hovers around an abysmal 15% approval rating. Instead, we are calling on our state Senators and Representatives to heed the call and fight the fight with us and for us.

What we are asking is simple and the basis is simply to protect "We the People". As they say, Extraordinary times call for extraordinary measures. We ask you to amend our Constitution to firmly establish that money is not speech, and that human beings, not corporations, are persons entitled to constitutional rights.

Can I count on you to help defend the Constitution and uphold your oath to this country?

Can I count on you to vote Yes on SCR 76?

Mahalo nui loa and Malama pono.

John Miller

**SCR-76-SD-1**

Submitted on: 4/1/2018 6:46:40 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenifer Mantupar	Individual	Support	No

Comments:

Dear Senate committee members,

This testimony is written in support of SCR76 and is a request for a YES vote. The people of Hawaii support this call for reform in the government that gets big money out of politics. A limited convention is how we will achieve this goal.

As a lifelong resident of Hawaii, I haven't always paid much attention to politics; it's easy to feel out of touch with things that seem to happen so far away. I have only recently become more aware of and active in the political happenings of our state and country. As a small business owner, wife, and mother of three, where I put my time and energy is very important to me. 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 the effort to remove big money donors from politics will have a wide spread, positive impact in my community and state.

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.

Thank you all for your time and support for this important resolution.

Aloha,

Jenifer Mantupar

PO BOX 7727

Hilo, HI 96720

House District 4

Senate District 2



**SCR-76-SD-1**

Submitted on: 4/1/2018 8:58:54 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Gabel	Individual	Support	No

Comments:

This is important and necessary for our democracy to continue. Please join me in supporting this important legislation.

**SCR-76-SD-1**

Submitted on: 4/1/2018 10:24:20 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Kawamoto	Individual	Support	No

Comments:

Chairman Donovan Dela Cruz

Vice Chairman Gilbert Keith-Agaran

Senate Committee on Ways and Means

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Sunday, April 1st, 2018

**Support for SCR 76, Resolution for Free and Fair Elections**

Aloha, my name is Michael Kawamoto. I was born and raised on Oahu and have spent much of my life in Mililani. My sister and I were both adopted as infants and raised by two elementary school teachers, now retired, but still just as active as ever as church volunteers.

My mother was a kindergarten teacher at Kaala Elementary in Wahiawa. Many of her students were underprivileged and sometimes homeless. She would spend her own money every school year to make sure that these children were able to participate in activities, like field trips, by providing the money for them. She would also purchase basic school supplies for those in need. She is not alone in this, as many other school teachers around the state and nation also provide the basic necessities for these children to allow them a better chance at having normality and security in their lives. The burden is becoming one that is too much to bear for public school teachers who are not only trying to provide an education, but also find themselves becoming more of a social worker, on what meager income they are given. The emotional burden is incalculable.

The priorities of this nation are becoming increasingly skewed away from ensuring the average citizen has an equal opportunity at life. Big money interests are allowed to push their self-serving agendas with limitless amounts of undocumented money into the electoral process. The price is being paid on the backs of our citizens and our



children. The US is falling behind academically in science, mathematics, and reading ranking at the middle range compared to other developed nations. Where will that leave our children in this ever increasingly competitive world? Do only those that can afford a top quality education deserve to get one?

I support SCR 76 as the best solution to create real and lasting change in our governmental process and to give the voice back to the people. The States have the right to utilize Article V in the US Constitution as a check and balance to Congress. We cannot wait for Congress to act upon itself to enact a change in the political system. We must get dark money out of politics now and do what is right for the people. Hawaii needs to be part of this. I ask for your support for SCR 76 and challenge you to find a better solution if not.

Sincerely,

Michael Kawamoto

**SCR-76-SD-1**

Submitted on: 4/1/2018 11:22:44 PM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gregory Schuster	Individual	Support	No

Comments:

Senate Ways and Means Committee:

Senator Dela Cruz and other committee members

Greg Schuster

Individual Testimony

2106 Kuhio Ave

Honolulu, HI 96815

Thursday, April 2018

Support for SCR76, Request for a Convention to Propose a Constitutional Amendment

My name is Greg Schuster. I was born in Elgin, Illinois, but have lived in Hawaii for over 9 years now. I am writing to strongly express my support of SCR76. In short, this resolution's goal is a 28th amendment to restore free and fair elections and to ensure anyone has the opportunity to run for public office by limiting the corruption of money and legalized bribery in political campaigning. Only then will we be living in what we can call a true democracy.

As you may already know. The last presidential candidate who spent the most money in the election did not win recently. Which you may argue is a case against getting money

out of politics. But if you look at the most recent cabinets appointments that argument does not hold up.

For example Betsy Devos was appointed Secretary of Education despite never attending, sending her children to or working in public schools.

Instead what she does have experience in is funding elections. According to a report filed by the Center for Responsive Politics stated that “Betsy DeVos and her relatives have given at least \$20.2 million to Republican candidates, party committees, PACs and super PACs” since 1989. In addition, the senators that confirmed her had received a total of almost a million dollars in contributions.

Are you really willing to entrust this nation's children's education future on those who can give the most money in campaign contributions?

Calling for an Article V convention in order to amend the constitution may seem like an extreme option, but unfortunately we are out of options. The Supreme Court’s ruling on Citizens United shows that they have no interest in limiting money in politics and Congress has also been unwilling to address the issue. This means, it is up to the states to find a way to correct the corruption that money has brought to our political system.

This is why I strongly urge you to vote "aye" on SCR76 and begin the process of having Hawaii join four other states in calling for an Article V convention.

Mahalo,

Greg Schuster

**SCR-76-SD-1**

Submitted on: 4/2/2018 8:45:40 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dana Jenkins	Individual	Support	No

Comments:

Please support this bill. I believe this is an extremely important measure that this country needs. Big business runs the government and any reforms or aid meant for lower income citizens has been sabotaged. Hawaii should be an inspiration for other states to follow. We, as American citizens, are fed up with a government that won't help us or even listen to us. Officials are bought, leaving big money agendas as the highest priorities. Please speak up for us and support SCR 76 SD1. Mahalo.

**SCR-76-SD-1**

Submitted on: 4/2/2018 9:35:12 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Heath Sifuentes	Individual	Support	No

Comments:

Dear Chairman Dela Cruz, Vice-Chairman Keith Agaran and Committee members,

I am submitting testimony to ask for your strong support in favor of SCR76, which would urge U.S. Congress to restore Free and Fair Elections and get big money interest out of politics.

Ever since the Citizens United vs FEC supreme court decision, our democracy has been under attack. We need to stop that downward spiral before the country crashes to the ground. I see a lot of talking around this topic, but I don't see a lot of doing. From all the plans I have seen to resolve this problem, it seems to me that at this point in time, the only way we can really tackle this issue is by amending the US constitution. That way, the solution will be long term and the supreme court won't have the authority to go above the States when it comes to political financing. And since we can't rely on Congress or the Supreme Court, we need to do it through the States.

The Founding fathers gave us this option and now is the time to use it. Now is the time for the policymakers of Hawaii to lead with courage and seize the opportunity to act.

Please vote YES on SCR76!

Aloha,

Heath Sifuentes

**SCR-76-SD-1**

Submitted on: 4/2/2018 10:12:32 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Randy Gonce	Individual	Support	No

Comments:

Aloha WAM Committee Chairs and Members,

Thank you for this opportunity to testify on this measure. I am in testifying in support of SCR76 which is an attempt to restore free and fair elections. After speaking with the authors of this legislation and seeing their case for a limited convention I believe that the chances of having a 'run away' convention where any topics could be discussed is extremely low. We should be actively looking for ways to overturn Citizens United and this may be the only one that comes from the people.

-Randy Gonce

YDPA Executive Committee

**SCR-76-SD-1**

Submitted on: 4/2/2018 8:36:46 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

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

Comments:

Please understand, that money in politics is a dangerous precedent that undermines who we are as americans. Please understand the massive reverberations of Citizens United and how the Koch brother and other moneyed interestest are becoming a plutocracy, and corptocracy run by oligarchs that are creating a facist over haul of our precious democracy.

Thank you

Amy

Written Testimony in **Opposition** to SCR76 (WP) to the Members of the Senate Ways and Means Committee:

Honorable Senators:

You are endangering all Hawaiian citizens by even considering any Article V constitutional convention bills, which the constitution re-writers **falsely** claim is a **safe** process!

Article V, also, provides for a method of amending the *United States Constitution*, whereby 2/3rds vote of both houses of the US Congress propose amendments, which are then ratified by 3/4ths of the **State Legislatures**. This method has **safely** served our Nation for over 200 years. You need to adhere to this **safe** method to add amendments.

Lawyers and Elected Official surely know that **state** delegates to a **federal** constitutional convention CANNOT be controlled, no matter what you have been told by the constitution re-writers, who are **maneuvering** to be convention “delegates” at the table.

These plenipotentiary delegates will have **sovereign** power, **superior to the states and the federal government**, to proceed with their own rules of law!

Have you considered that a **federal** constitutional convention will likely be done in a secret setting, as was the constitutional convention, which gave us our *U.S. Constitution* in 1787?

Tell me how you would be privy to your Hawaiian delegates' behavior in this meeting, and who they really might represent? As *states* **only petition Congress** to convene a constitutional convention, what assurance do you have that Congress won't be making the delegate selections, not the states, from unelected, self-serving individuals. Likely, those who don't follow the *Constitution* now will be appointed to reign over damage of unthinkable possibilities!

Are you aware, when submitting a proposed amendment to the states for ratification, **Congress** gets to choose the **mode of ratification, that being by state conventions, or by the state legislature?** Unless the sovereign “delegates” change that rule, which is their right! After states **petition Congress** to convene a constitutional convention, there are no other **guaranteed** roles for state legislators.

In 2004, VA Delegate Lingamfelter said, after Virginia **rescinded** all Article V constitutional convention resolutions, “...the operations of a convention are unknown and the apportionment and selection of delegates, method of voting in convention, and other essential procedural details are not specified in Article V...the prudent course requires the General Assembly to rescind and withdraw all past applications for a



convention to amend the Constitution..." *Virginia has not adopted any Article V convention legislation since - including 2018!*

These Article V constitutional convention bills are not only foolhardy, but needlessly puts over *300 million* Americans' unalienable rights, guaranteed by the U.S. Constitution, in mortal danger!

*"The effect of the **amendments** suggested by **Wolf-PAC [WP]** would be to increase the powers of the federal government over **The People** by delegating to the federal government the power to **prevent** or **restrict** certain groups and combinations of people from speaking in the public square on the critically important area of **political speech**. Furthermore, the exercise of **such powers is expressly forbidden by the First Amendment.**" J. Caler*

Remember the words of **VA Del. Mark D. Sickles (D-Fairfax)**, who said: **"I'm against it, but if we have one, I want to be a delegate. There's a lot of problems with this Constitution. I'll just get up to this convention and start whacking away."**

**STOP SCR76 (SR45) Wolf-PAC, SR16 (SCR33) COSP, and All Other Article V Convention Legislation. .**

Do the right thing and honor your oath of office..." *to support and defend the Constitution!*

"Abide By The Constitution, Not Change It"

Respectfully,

Bill Lucas  
Dunnsville, VA 22454

**SCR-76-SD-1**

Submitted on: 4/2/2018 9:57:35 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Molly Mattson	Individual	Support	No

Comments:

Dear Chairman Dela Cruz, Vice-Chairman Keith-Agaran and Committe Members,

My name is Molly Mattson, I live on Oahu in Waialua.

I am in strong support of SCR76.

Every day it is becoming more urgent that we restore FAir and Free Election in the U.S. Free of the currupting influences of money in our political system and fair enough that and citizen can run for office, not just millionaires and their allies. We need to clean up our election system so that the voices of average Americans don't continue to be drowned out by big money and special inrerest.

Eversince the Citizens United vs FEC supreme court decision, our democracy has been under attack. I see alote of talking around this topic, but not much else. We need to tackle this issue by amending the US constitution. That way, the solution will be long term and the supreme court won't have the authority to go above the States when it comes to politicle financing. And since we can't rely on Congress or the Supreme court, we need to do it through the States. The founding fathers gave us this option and now is the time to use it. Now is the time for the policymakers of Hawaii to lead with courage and cease the opportunity to act.

Please vote YES to SCR76

Aloha,

Molly Mattson

**SCR-76-SD-1**

Submitted on: 4/2/2018 9:57:07 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan I. Sueoka	Individual	Support	No

Comments:

Testimony presented by:

Ryan I. Kaha'i• Ielo Sueoka

State Senate District 10

**STRONG SUPPORT FOR SCR 76**

Aloha nui mai k• kou e Chair Dela Cruz, Vice Chair Keith-Agaran and Committee Members!

I am a current resident of M• 'ili'ili, with roots firmly planted in P• hoa and K• ne'ohe. I am writing to express extreme concern over the influence of money in our electoral process and I humbly ask for your support on SCR 76, the Free and Fair Elections Resolution.

Too many of my 'ohana, friends and neighbors no longer feel their voices have an impact on politics; our embarrassingly low voter turnout is clear evidence of the apathy that has resulted from this feeling. Getting big money out of politics is the most pressing issue we must address to re-engage our community in the political process and fight off oligarchical control of our government.

Through SCR 76, Hawai'i, once again, has the opportunity to prove ourselves as a leader in protecting democracy. As long as big money donors are allowed to influence Congress we can't expect change. Article V of the US Constitution gives states the kuleana to enact change when Congress will not; on the issue of restoring democracy by ensuring Free and Fair Elections, Hawai'i must accept this kuleana.

I trust that you all work hard to serve your constituents; that's the reason I believe change will come through state legislatures passing resolutions like SCR 76. You have the power to make Hawai'i voters believe in democracy, to empower them and to make them feel like their voices matter. I ask you, with aloha, to use that power now in supporting SCR 76.

My 'ohana and I truly appreciate your attention and action on this matter. MAHALO NUI!



**SCR-76-SD-1**

Submitted on: 4/2/2018 8:12:49 AM

Testimony for WAM on 4/3/2018 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Randall Imada	Individual	Support	No

Comments:

**Dear chairman Dela Cruz, vice-chairman Keith-Agaran, and committee members;**

**Hello, my name is Randall Imada. I am a former nurse aid, and current caretaker of my elderly parents in Pauoa valley.**

**I've lived my entire life right here in Oahu. I went to Roosevelt high school in Honolulu.**

**My favorite store to buy groceries from is Times Supermarket. However, when I am there I often wonder how the people who shop there can survive. Rent, electricity, gas, food, medical insurance, and education are so expensive in Hawaii.**

**I would like to see a Hawaii that has equal opportunity for all. I believe that the Free and Fair Elections Resolution is the first step to achieving that goal. Please support SCR 76.**