



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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The Twenty-Ninth Legislature, State of Hawaii
The Senate
Committee on Ways and Means

LATE

Testimony by
Hawaii Government Employees Association

April 3, 2018

S.C.R. 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


The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO conceptually supports the intent of S.C.R. 76, S.D. 1 which urges the United States Congress to restore free and fair elections in light of the Citizens United v. Federal Election Commission ruling in 2010, however **we strongly oppose** the convening of a federal Constitutional Convention as the apparatus to make these necessary changes.

As drafted, S.C.R. 76, S.D. 1 represents our state's formal application to convene a Constitutional Convention under Article V of the U.S. Constitution. A matter of this magnitude deserves much more robust discussion and conversation with all residents in Hawaii. Should the Legislature proceed to consider filing an application for a Constitutional Convention, it should not be done under the guise of addressing a singular component such as fair elections, but rather should be considered holistically.

Additionally, we raise grave concerns over the vast, unforeseen negative consequences of convening a national Constitutional Convention. While we can fully agree that the Citizens United ruling is contrary to a healthy democracy and citizen driven elections, wholly opening our Constitution for amendment and repeal is not in the best interests for citizens. Convening a Constitutional Convention does not guarantee resolution for fair elections, rather there is the potential for a Convention to be much more devastating than what this resolution seeks to accomplish.

Our country has not convened a Convention of this magnitude in its 200 year history and no one can predict how it would operate, who would be represented, and what the immediate and long term impacts will be. Due to this uncertainty and risk, we urge extreme caution and full vetting of the consequences of S.C.R. 76 and respectfully request the Committee defer this measure.

Thank you for the opportunity to testify in opposition to S.C.R. 76, S.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director

The Twenty-Ninth Legislature
Regular Session of 2018

STATE SENATE

Committee on Ways and Means

Senator Donovan M. Dela Cruz, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

State Capitol, Conference Room 211

Tuesday, April 3, 2018; 10:20 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON
S.C.R. 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**

The ILWU Local 142 opposes S.C.R. 76 S.D. 1 that 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.

In particular, we are especially concerned with the unknowns surrounding a federal constitutional convention. We are unsure as to whether an Article V convention can be limited to one topic or must be a general convention. If the latter is true, an Article V convention would be like throwing the proverbial baby out with the bathwater - a free for all to amend, remove or add any provision and make it the law of the land. This notion is especially concerning in this political climate.

The ILWU urges the Committee on Ways and Means to defer S.C.R. 76 S.D. 1. Thank you for the opportunity to share our views on this matter.

SCR-76-SD-1

Submitted on: 4/2/2018 10:21:10 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Lana Olson	Individual	Support	No

Comments:

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Ways and Means Committee,

I am a resident and actively engaged citizen in Hawaii and have been since 2009 and I am in **strong support of the passing of this SCR76 CD1, 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.**

Much has a changed in our country since I moved to Hawaii, as we find that the civil liberties and the freedoms that we hold so dear as US citizens seem to be under constant threat. We, as a nation, get caught up in semantics and witch hunts, looking for scapegoats, people to blame for the precarious state of our government. Citizens blame politicians and corporations and they blame each other. I understand that the job of a legislator is not an easy one. There is constant competition for your attention and your support among your various constituents. I am very reverent for the great and difficult work you all do.

I am very engaged with the political process and as such have many discussions and debates over a variety of issues. There are are always many places where people, even the ones of similar minds, seem to have strong disagreements, but the one area I see where everyone seems to agree, is that **we need to reduce the influence of money over our political election process.**

Lawmaking is already a complicated process and when lawmakers need to weigh the will of their constituents against the will of interests with large fiscal resources and big expectations for influence it makes for bad government. It makes for an unsafe, unwise, and unjust system and it discourages the majority of people from participating in the process and turning out at the polls. Imagine if we had the democracy that our Constitution promises? People encouraged and in support of their politicians. People that trust them to do the right thing by them. People that believe in the American dream and a government for, by, and of the people! We don't have that anymore, but people like yourselves, can restore that.

Please pass SCR76 SD1 and encourage your colleagues to do the same. Give the American people a chance to restore their faith in good government and just society.

Mahalo nui,

Lana Olson

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SCR-76-SD-1

Submitted on: 4/2/2018 11:13:29 AM

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

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

Comments:

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

My name is Maria Peña and I stand in strong support of SCR-76 and ask that you vote in support of this resolution.

As a Hawaii citizen and concerned citizen, I decided to volunteer my time to get involved with Wolf-PAC, a cross-partisan national organization leading the charge on campaign finance reform, because I believe that we must do every single thing in our power to solve the issue at the core of our deteriorating democracy...money in politics. The corrupting influence of money in our political system is the root cause of all that ails us - education, health care, gun control, the environment, and our economy to name a few. SCR-76 calls on a limited constitutional convention through Article V of the Constitution, which is controversial and concerning for many (rightfully so), however, it is the only tool available and necessary to regain what little is left of our democracy. Those in opposition of SCR-76 employ fear mongering tactics, misinformation, and lack of understanding of Article V to deter its passage, however, as recently as March 27th the honorable (retired) Chief Justice John Paul Stevens called for the repeal of the 2nd Amendment through none other than a constitutional amendment in an Op-Ed in the New York Times. His thoughtful recommendation further proves the validity of article V and its power, which was another check and balance created by the founding fathers when "We the People" are no longer being represented.

Hawaii is one of only a handful of states that still are responsive to its constituents, which is why this resolution stands before this committee today. Government decisions affect our daily lives and SCR-76 is a resolution which ensures the voice of the people for generations to come. It calls for Free and Fair Elections so that the voters of this great state, including my two daughters, will continue to have a voice in the years to come. We understand the necessity to stand strong against the moneyed interests that drown out the voices of the average person; thus, I respectfully request this committee exercise their leadership and strength by voting in support of this resolution. The members of this committee are being called upon to make a consequential decision that will have a positive impact on future generations by sending the loudest call for reform a state can make to the federal government - that we demand an equal voice in our Republic. As lawmakers, you are being entrusted by the people of Hawaii to make

decisions that benefit and secure their futures. I urge this committee to be positive stewards of our futures by voting in favor of SCR-76 for the benefit of the people of Hawaii who deserve to have their voices heard in the generations to come through Free and Fair Elections.

Humbly,

Maria Peña

Kapolei Resident

SCR-76-SD-1

Submitted on: 4/2/2018 10:30:38 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Jacque Berg	Individual	Support	No

Comments:

Dear Senator Dela Cruz, Senator Keith-Agaran, and the Senate Committee on Ways and Means,

I am a single mother, raising a son and residing in Waikiki. I would like to see government work more for the people and not for corporations and big money interests. Please support SCR 76, the people of Hawaii are relying on our government to make the right choice.

Aloha,

Jacque Berg

Senate District 12

LATE

Honorable Donovan M. Dela Cruz,

Chair Honorable Gilbert S.C. Keith-Agaran, Vice Chair

and Members of the Senate Committee on Way and Means

Re: SCR76 SD1 - Requesting Congress to convene a limited national convention under Article IV 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 3rd, 2018, 10:20am

Conference Room 211

Position: In SUPPORT

Aloha and thank you for the opportunity to offer written testimony on SCR76 SD1. My name is Erynn Fernandez and I live in Waipio, Waipahu, Hawaii. I stand in support of this measure which aims to take a stand against the exorbitant amount of special interest monies currently influencing our political system and quickly eroding US democracy.

The SCOTUS decision on Citizen's United in my opinion, is the single greatest attack on US democracy in my lifetime. Allowing big money interests to engage in our political system at a higher level than 'born' persons of the US is wrong if not unconstitutional.

It is not only in our interest, it is our duty to stand up to those who wish to put a thumb on the scales of justice.

It is true that the current federal political climate is one of irrationality, and cause for concern in respect to an Article IV constitutional convention. However, if this Senate Concurrent Resolution is passed it will be just the 6th of the 34 needed to call for a convention. It will take time to work through the states and build towards the 34 state requirement, and the 38 states needed for ratification. It is my sincere belief that by that time, we will find ourselves in a friendlier federal political climate. And if not, the Hawaii State Resolution could always be revoked.

Fear should not cloud our judgement nor stop us from taking a stand, the current state of fettered politics demands our resolute action; lest we watch the slow strangle of our democracy.

Thank you for your thoughtful consideration of this matter,

Erynn Fernandez

erynn.fernandez@gmail.com

LATE

SCR-76-SD-1

Submitted on: 4/2/2018 1:50:23 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch	Individual	Oppose	No

Comments:

I am strongly opposed to SCR76. Although I am speaking as an individual, as Co-Chair of the Platform Committee of the Democratic Party of Hawaii I can say that we support the intent to limit the influence of money in our electoral process. However, our platform does not support a ConCon at the federal or state level because it opens too many doors that could actually hurt the principles in our platform. I am also a member of the Labor Caucus of the Democratic Party of Hawaii and it has never supported a ConCon.

Please do not pass SCR76 SD1. Thank you for letting me provide my comments.

Mike Golojuch, Sr.

LATE

SCR-76-SD-1

Submitted on: 4/2/2018 11:07:40 PM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Kristin Cootey	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 Kristin Cootey and I am a resident of Honolulu, in Senate District 12. I strongly support SCR 76, the Resolution for Free and Fair Elections.

I care about this issue as I want politicians to be focused on representing their constituents and not needing to constantly raise money that may come with strings attached. This resolution is a way for the State of Hawaii to take action on the issue of money in politics and to correct the disastrous Citizens United vs FEC decision.

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

Sincerely,

Kristin Cootey

LATE

SCR-76-SD-1

Submitted on: 4/3/2018 11:21:36 AM

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

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan L Howery	Individual	Support	No

Comments:

I support SCR76 and believe that money for political campaigns donated by corporations or private entitites should be extremely limited and or capped.

Congress is the problem and it will not fix itself, Hawaii needs to take responsibility and use the tools available to us as a state to address this problem. Hawaii was the first state to ask Congress to repeal Citizen's United and it needs to lead again. History shows us that limited convention calls (like SCR76) are the most effective way to push for an amendment.

We have the power to make positive changes in our community, state, country, and world. It all starts with limiting the influence that donors and corporations have through campaign contributions and on our policies and laws. I support SCR76 to convene a limited national convention to limit the influence of money in our electoral process.