

Honolulu, Hawaii

FEB 12 2019

RE: S.B. No. 1058
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 1058 entitled:

"A BILL FOR AN ACT RELATING TO PROPOSED CONSTITUTIONAL
AMENDMENTS,"

begs leave to report as follows:

The purpose and intent of this measure is to require:

- (1) The Attorney General to prepare a statement for each proposed constitutional amendment in plain English that indicates the purpose, limitations, and effects of the proposed amendment; and
- (2) The Office of Elections and county clerks to make the statement available to the public.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and two individuals.

Your Committee finds that clear information about what a proposed constitutional amendment would do and how the voting process for a proposed constitutional amendment works are important to voters understanding their role in the process and making an informed decision. Your Committee further finds that



statement language should be as clear as possible, and that it should also be provided in Hawaiian, which is an official language of the State. Your Committee additionally notes that the Department of the Attorney General will likely require additional resources to meet the costs of translation, preparation, and distribution of statements.

Your Committee has amended this measure by:

- (1) Clarifying that statements for proposed constitutional amendments are to be prepared in language that is clear and neither misleading nor deceptive;
- (2) Requiring that the Attorney General also prepare the statement in Hawaiian;
- (3) Making an appropriation to the Attorney General for the translation, preparation, and distribution of statements for proposed constitutional amendments; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1058, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1058, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

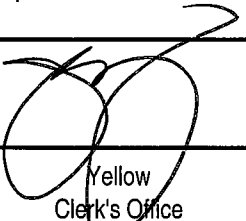


KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 1058	Committee Referral: JDC, WAM	Date: 2/5/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended <small>2312</small> <input checked="" type="checkbox"/> Pass, with amendments <small>2311</small> <input type="checkbox"/> Hold <small>2310</small> <input type="checkbox"/> Recommit <small>2313</small>				
Members	Aye/	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes