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COMMITTEE ON JUDICIARY  
TUESDAY, March 12, 2017, 9:00 a.m., Room 016

HB 709 HD1 PROPOSING AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF THE STATE OF HAWAII

**TESTIMONY**

Janet Mason, Legislative Committee, League of Women Voters of Hawaii

Chair Rhoads, Vice-Wakai and Committee Members:

**The League of Women Voters of Hawaii strongly supports this measure which proposes a Constitutional amendment for mandatory recounts in close elections.**

The legislature and the general public understand (and our State Supreme Court has clearly identified) the importance of this issue. This bill could work in conjunction with a measure like HB 428 HD1 that sets out the details of how a mandatory recount would be implemented. It might still be a good idea to hear the implementation bill as well, since it could further clarify for voters what the Legislature's intent is.

We were surprised to see this call for a Constitutional amendment and at first hoped a mandatory recount could be enacted through a statutory change. Requiring a Constitutional amendment introduces some uncertainty which we wish could be avoided, since there's no guarantee that voters would ratify the proposal. It also delays addressing this problem, at least until after the 2020 elections when it would appear on the ballot. But now we agree that a Constitutional amendment is required to make the important recount change.

Thank you for the opportunity to submit testimony.

**HB-709-HD-1**

Submitted on: 3/11/2019 8:25:14 PM

Testimony for JDC on 3/12/2019 9:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brett Kulbis	Testifying for Honolulu County Republican Party	Support	No

Comments:

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To: The Senate Committee on the Judiciary  
From: Brodie Lockard for the Common Cause Hawaii Board  
Date: Tuesday, March 12, 2019, 9:00 am

**In strong support of HB 709 HD1**

Dear JDC Chair Rhoads, Vice Chair Wakai and Committee Members—

Common Cause Hawaii strongly supports HB 709 HD1.

Various bills are circulating allowing recounts in contested elections. Should one become law, as seems likely, it's almost predictable that a constitutional question will arise when it is applied.

Amending the Constitution is a serious matter. But the language in HB 709 HD1 is concise and not open to interpretation. Adding it will only avoid

- Time and money wasted in the court system
- Time and money wasted on a special election
- Voters' loss of confidence in the electoral system
- Acrimony among candidates and their supporters
- Time wasted by the office in question
- Inefficiency and confusion in the body of which the office is a part, e.g., the City Council

Please pass HB 709 HD1 and save all of the trouble of a contentious lawsuit.

Thank you for the opportunity to testify.

Brodie Lockard  
Board Member, Common Cause Hawaii

**HB-709-HD-1**

Submitted on: 3/9/2019 11:41:04 AM

Testimony for JDC on 3/12/2019 9:00:00 AM

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

Comments:

long overdue, as the council district 4 race highlights. the elections law also must clarify what the definition of a delivered vote is, per the supreme court decision. there are too many grey areas in the law and they should be addressed now.

**HB-709-HD-1**

Submitted on: 3/11/2019 8:33:07 AM

Testimony for JDC on 3/12/2019 9:00:00 AM

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

Comments: