



LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission



Advocating for the Hawai'i LGBTQIA+ Community

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March 12, 2025

House's Committee on Judiciary & Hawaiian Affairs
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Thursday, March 13, 2025

RE: Strong Support for Senate Bill 1225

Aloha Chair Tarnas, Vice Chair Poepoe, and committee members,

I am writing in strong support of Senate Bill 1225 on behalf of the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus. (LGBTQ+) Commission, which was established by the 2022 Hawai'i State Legislature with the following purpose:

“...to improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community; identify the short- and long-range needs of its members; and ensure that there is an effective means of researching, planning, and advocating for the equity of this population in all aspects of state government.”

The Hawai'i State LGBTQ+ Commission submits this testimony in **strong support** of Senate Bill 1225, which seeks to amend Article XVII, Section 3 of the Hawai'i State Constitution to revise the ratification standard for constitutional amendments proposed by the legislature. Under this proposed amendment, a constitutional amendment will be ratified if a majority of all votes tallied on the question are in favor, without including blank, spoiled, or over votes in the determination of a majority.

This change is a necessary and long-overdue improvement to our democratic process. The current method, which counts blank, spoiled, and over votes as effectively voting against an amendment, creates an artificially high threshold for ratification. This disproportionately disenfranchises voters who either intentionally abstain or make errors in the voting process. Additionally, it creates an unfair advantage for the status quo, making it unnecessarily difficult to enact constitutional changes that reflect the will of the people.

Proudly established pursuant to Hawai'i Revised Statutes Chapter 369, as enacted through Act 41, Session Laws of Hawai'i 2022



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[@HawaiiStateLGBTQPlusCommission](https://www.youtube.com/HawaiiStateLGBTQPlusCommission)

HI State LGBTQ+ Commission Testimony in Strong Support of SB 1225

For the LGBTQIA+ community and all marginalized groups, access to fair and democratic participation is essential in ensuring equal rights and protections under the law. In the past, the flawed vote-counting method has hindered efforts to advance civil rights and social justice initiatives in Hawai'i. SB 1225 strengthens our democracy by ensuring that constitutional amendments reflect the actual intent of voters who engage with the question, rather than being skewed by an antiquated and misleading counting method.

We urge the Committee to pass SB 1225 to uphold the fundamental principles of fairness, equality, and democracy in Hawai'i's constitutional amendment process. Thank you for the opportunity to testify in **strong support** of this bill.

Should you or any member of your staff have any questions regarding this testimony you can reach the Hawai'i State LGBTQ+ Commission at hawaiistatelgbtqpluscommission@gmail.com.

Mahalo nui loa for your time and consideration,

Kathleen O'Dell, Ph.D. (she/her)

Chair

[Hawai'i State LGBTQ+ Commission](#)



Where LGBTQIA+ Rights Meet the Labor Movement
A constituency group of the Hawai'i State AFL-CIO

March 10, 2025

House's Committee on Judiciary & Hawaiian Affairs
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Wednesday, March 12, 2025, at 2:00 PM

RE: Strong Support for Senate Bill 1225

Aloha Chair Tarnas, Vice Chair Poepoe, and committee members,

Pride at Work - Hawai'i strongly supports Senate Bill 1225, which proposes a crucial amendment to article XVII, section 3 of the Hawai'i State Constitution. This amendment would ensure that only votes explicitly cast as "yes" or "no" on a constitutional amendment question are counted in determining whether a majority has been reached, rather than including blank, spoiled, or over votes.

For far too long, the existing standard has allowed blank and spoiled ballots to effectively count as "no" votes, creating an unfair and misleading threshold that undermines the democratic process. This practice has historically made it unduly difficult for important constitutional amendments to be ratified, even when a clear majority of voters who expressed a preference have supported the measure.

This bill aligns with fundamental democratic principles by ensuring that the will of the electorate is accurately reflected in the outcome of constitutional amendment votes. It affirms that every vote should be counted as it was intended, preventing the dilution of voter intent due to confusion, ballot errors, or strategic manipulation.

For the LGBTQIA+ community and working people in Hawai'i, this change is especially critical. Issues of civil rights, worker protections, and social justice are often decided through constitutional amendments. By ensuring that only votes actively cast for or against a measure are considered, we can promote a more just and equitable system that truly reflects the will of the people.

Pride at Work - Hawai'i urges this committee to pass SB 1225 and help strengthen our democracy by ensuring fair and transparent constitutional amendment processes.

Mahalo nui loa for your time and consideration.

In solidarity,

Michael Golojuch, Jr. (he/him)
President
[Pride at Work – Hawai'i](#)

HAWAII PATRIOT REPUBLICANS

Written Testimony in Opposition to S.B. No. 1225
Submitted to the Senate Committee on Judiciary & Hawaiian Affairs
March 11, 2025

Honorable Members of the Committee,

As a citizen rooted in the belief that our constitutional processes must reflect the true will of the people, uphold integrity, and resist reckless tinkering—values I know resonate with both Republicans and Democrats—I strongly urge you to vote "No" on S.B. No. 1225. This bill seeks to amend Article XVII, Section 3 of the Hawaii Constitution to lower the bar for approving legislative-proposed constitutional amendments, counting only explicit "yes" and "no" votes while ignoring blank, spoiled, or over-voted ballots. This change undermines voter intent, invites manipulation, and threatens the stability of our foundational document. Evidence from other states warns us of the pitfalls. Below, I outline my objections and appeal to your commitment to Hawaii's democratic future.

1. Erodes the High Standard for Constitutional Change

Our Constitution is sacred—it's not a casual statute to be amended on a whim. The current dual requirement (a majority of votes tallied on the question and at least 50% of total votes cast, per Article XVII, Section 2) ensures amendments reflect broad, deliberate support. S.B. No. 1225 scraps this, counting only explicit votes (Section 2), making it easier for a small, motivated minority to rewrite our state's bedrock. Republicans value tradition, and Democrats cherish protecting minority rights through robust checks—this bill betrays both by lowering the bar.

Look at Florida, where a 60% supermajority is required for constitutional amendments. A [2018 analysis by the James Madison Institute](#) praised this high threshold for preventing frivolous changes, ensuring only widely supported amendments pass. Hawaii's current standard, though not 60%, similarly guards against rashness—why weaken it?

2. Disenfranchises Voters Through Ambiguity

The bill claims the current system—where blank, spoiled, or over-voted ballots count as "no"—is confusing (Section 1). But flipping to ignore these ballots risks disenfranchising voters who abstain intentionally. A blank ballot often signals dissent or indecision, not apathy. By excluding them, S.B. No. 1225 assumes silence equals irrelevance, skewing results toward "yes" voters. Democrats who fight for every voice to be heard should see this as a step backward.

In Oregon, a 1998 measure to simplify ballot counting for initiatives (Measure 62) ignored non-votes, leading to a [controversial outcome](#) where a tax measure passed with just 38% of total voters, alienating the silent majority. Hawaii risks similar distortion, undermining trust in our elections.

3. Opens the Door to Manipulation and Low Turnout Wins

By counting only explicit votes, this bill hands victory to whoever mobilizes a vocal minority, especially in low-turnout elections. If only 20% of voters mark "yes" or "no" on an amendment, and 51% of those say "yes," it passes—even if 80% of ballots are blank. This isn't democracy; it's a loophole for special interests. Republicans who demand election integrity and Democrats who decry voter suppression should reject this gaming of the system.

California's Proposition 13 (1978) famously passed with a simple majority of votes cast, but a [Public Policy Institute of California report](#) notes its low turnout (under 60%) let a narrow group reshape tax policy, sparking decades of debate over legitimacy. Hawaii's Constitution deserves broader consensus, not a turnout lottery.

4. No Evidence of a Problem Needing This Fix

The bill calls the current system "confusing" and claims it "may lead to a result unintended by the voter" (Section 1), but where's the proof? Hawaii has amended its Constitution successfully under the existing rules since 1978—most recently in 2018 with the education tax surcharge. No data shows widespread voter misunderstanding or unintended outcomes. This is a solution without a crisis, risking unintended consequences for no gain.

Contrast this with Nevada, where a 1996 change to ease amendment rules (counting only yes/no votes) led to a [flurry of poorly vetted amendments](#), per a Nevada Policy Research Institute study, clogging ballots and confusing voters. Hawaii's system works—why flirt with chaos?

5. Threatens Stability with Frequent, Ill-Considered Changes

Constitutions should evolve slowly, reflecting deep consensus, not fleeting majorities. By making amendments easier, S.B. No. 1225 invites frequent tweaks driven by political whims, destabilizing governance. Republicans who revere constitutional stability and Democrats who seek consistent protections for rights should fear this Pandora's box.

Colorado's experience with a relaxed amendment process (simple majority of votes cast) has led to over 150 amendments since 1876, many contradictory, per a [2020 Denver Post analysis](#). Hawaii's 29 amendments since 1959 show restraint—let's keep it that way.

6. Undermines Public Trust in the Process

The bill's ballot question (Section 3) frames this as a clarification, but it's a radical shift. Voters may not grasp that ignoring blank ballots tilts outcomes, eroding faith if amendments pass with tepid support. Both parties want a trusted democracy—Republicans to ensure fair elections, Democrats to protect voter confidence. This change risks both.

In Washington State, a 2000 shift to count only yes/no votes on initiatives sparked a [lawsuit and public backlash](#), per the Seattle Times, as citizens felt misled. Hawaii can avoid this mess by sticking with a transparent, proven standard.

Conclusion: Vote "No" to Preserve Hawaii's Constitutional Integrity

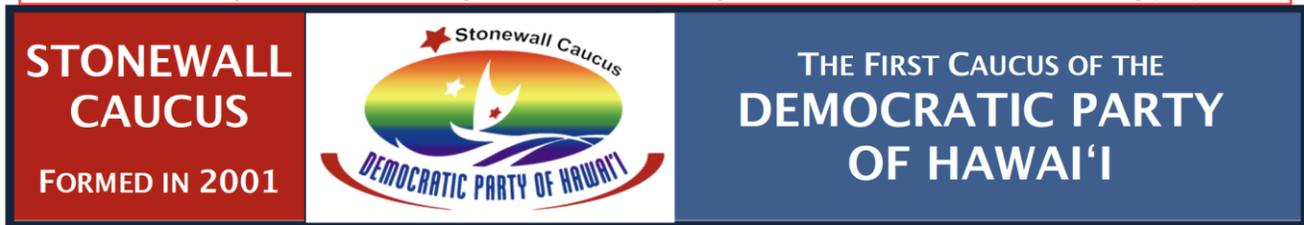
Honorable members, S.B. No. 1225 promises simplicity but delivers a weaker Constitution, vulnerable to minority rule and manipulation. Democrats, protect every voter's voice—don't let silence be erased. Republicans, defend our system's rigor—don't let expediency trump principle. Florida, Oregon, California, Nevada, Colorado, and Washington show the dangers of lowering thresholds. Hawaii's current process balances accessibility with stability—keep it intact. I respectfully urge you to vote "No."

Sincerely,

Andrew Crossland

Hawaii Patriot Republicans

hawaiipatriotrepublicans@gmail.com



TESTIMONY IN STRONG SUPPORT OF SB1225

Before the COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Hearing Date: March 12, 2025

Hearing Time: 2pm

Location: Hawaii State Capitol, Conference Room 325 & via Videoconference

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

My name is Abby Simmons, Chair of the Stonewall Caucus of the Democratic Party of Hawai'i, testifying in strong support for SB1225 on behalf of the Caucus. The measure proposes an amendment to Article XVII, Section 3 of the Hawai'i State Constitution to change the standard for voter approval of constitutional amendments proposed by the legislature.

This bill addresses a critical issue in our voting process. Under the current system, blank, spoiled, and over-voted ballots are effectively counted as "no" votes on constitutional amendments. This practice can result in unintended outcomes that do not accurately reflect the will of the voters. By changing the standard to count only active "yes" and "no" votes, SB1225 will ensure a more transparent and fair assessment of public opinion.

A good example of a real world implication is last November's Con Am question on removing discriminatory language from our constitution relating to marriage equality. Although marriage equality enjoys strong support in our island home, blank votes in part contributed to the outcome being a lot closer than reflected in actual public opinion. This distorted result could have caused the Con Am question to fail and puts future Con Am questions at risk.

A constitutional amendment should reflect the informed and deliberate choices of Hawaii's voters, not the byproduct of confusion or unintentional ballot errors. The proposed change will help uphold the democratic principle that only clear and intentional votes are counted toward such critical decisions.

We respectfully urge the committee to pass SB1225 to enhance the integrity and clarity of our voting process. Mahalo for the opportunity to submit this testimony.

Respectfully,

Abby Simmons (she/her)
Chair & SCC Representative
Stonewall Caucus
Democratic Party of Hawai'i
<https://linktr.ee/stonewalldph>
(808)352-6818

SB-1225

Submitted on: 3/12/2025 1:14:24 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Camron Hurt	Common Cause Hawaii	Support	In Person

Comments:

Yes, no, and a blank answer simply does not convey the same meaning. Greetings Committee Members My name is Camron Hurt. I am the state Director of Common Cause Hawaii urging you all to support measure SB1225. We believe it is important that votes be counted fairly and accurately. We have long as a state recognized a blank vote as a no vote, but what if an individual doesn't feel well informed on the subject matter and makes a conscious choice to leave it blank as not to affect the outcome of the vote from those who are choosing to actively participate? Have we just given their voice a new meaning when their vote is counted in the total of yays or nays? In short, we have indeed. It is important that votes be recorded as accurately and fairly as possible. This measure allows us to do exactly that. It is for this reason and more that we are urging you to vote yes on this measure

SB-1225

Submitted on: 3/10/2025 11:25:59 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Larry Smith	Individual	Support	Written Testimony Only

Comments:

Strongly support this change to allow for a more open Admendment process.

Larry Smith

SB-1225

Submitted on: 3/10/2025 11:42:13 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Individual	Support	Written Testimony Only

Comments:

I strongly support SB1225. Please pass this bill.



JOSH FROST

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Wednesday, March 12, 2025
House Committee on Judiciary & Hawaiian Affairs

Senate Bill 1225 Proposing an Amendment to Article XVII, Section 3 of the Hawaii Constitution to Specify that the Standard for Voter Approval of a Constitutional Amendment Proposed by the Legislature is a Majority of All the Votes Tallied Upon the Question

Testifying In Strong Opposition

Aloha Chair Tarnas, Vice Chair Poepoe Committee:

While I understand and appreciate the intent of this measure, I cannot in good conscience support it.

The Hawaii State Constitution is the foundational, principled governing document for our state and however one might feel about what is currently included in it, or not, it should not be amended lightly or without fully understanding the consequences of such amendments.

This past election cycle, I had the privilege of leading the “Vote Yes for Marriage Equality” campaign to strike the discriminatory language from Article 1, Section 23 of our State Constitution. It was a hard fight and we were fortunate to narrowly win in the end. It would be unfair of me, I think, if I didn’t acknowledge that, of course, our effort would have been made substantially easier if the amendment proposed in SB1225 had been implemented years ago.

Still, despite that acknowledgment, I remain opposed to this effort to lower the threshold for passing constitutional amendments.

Our jobs, yours as elected officials and mine as an advocate, shouldn’t necessarily be made easier because the bar is too high. Rather than lowering the bar, shouldn’t we as public servants (yes, I’m calling myself one too) be more interested in elevating the level of education and debate among the electorate?

Rather than lower the bar, which could have far reaching unintended consequences, shouldn’t we seek to do more to ensure voters understand what’s on their ballot, why it’s there, what it means, and give weight to their choices?

Years ago, I took an introductory course on political science and one of the key takeaways I learned was that so many of our choices are political. We don’t know,

though as political professionals we often hypothesize, why voters make the choices they do. Particularly in the ballot box. It is entirely possible that voters who left the question to Article 1, Section 23 blank on their ballot do so with intent. Maybe it was a protest vote on the confusing nature of the question. Maybe they weren't sure of their position and chose not to affirmatively mark "yes" or "no".

We'll never know for sure. Sometimes that absence of action, or choosing not to cast a vote is a choice. A political choice.

What I do know is that when it comes to amending our state constitution, the threshold needs to be a higher than a simple majority. We need to be sure. All of us. And if people cast their ballot leaving constitutional amendment questions unanswered, those should not be discounted.

For these reasons, I urge the committee to hold or defer this bill. We need to do better for our state, I agree. But this bill is the wrong approach.

Mahalo for the opportunity to testify.

SB-1225

Submitted on: 3/10/2025 5:56:17 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gina Jones	Individual	Support	Written Testimony Only

Comments:

I fully support this bill.

SB-1225

Submitted on: 3/11/2025 7:15:42 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kealohi Hanohano	Individual	Oppose	Written Testimony Only

Comments:

I oppose!

SB-1225

Submitted on: 3/11/2025 7:34:02 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joelle Seashell	Individual	Oppose	Written Testimony Only

Comments:

Strongly opposed

SB-1225

Submitted on: 3/11/2025 7:56:55 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ruben Ongos	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE THIS BILL

SB-1225

Submitted on: 3/11/2025 7:58:31 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Laurence Limasa	Individual	Oppose	Written Testimony Only

Comments:

I oppose!

SB-1225

Submitted on: 3/11/2025 7:58:35 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lora Santiago	Individual	Oppose	Written Testimony Only

Comments:

Stop undermining a true majority to pass Constitutional Amendments by ignoring blank votes. I strongly OPPOSE SB1225.

SB-1225

Submitted on: 3/11/2025 8:03:12 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Emerson	Individual	Oppose	Written Testimony Only

Comments:

We're just letting casper the ghost vote? There's no voting integrity is there ? My 196 deceased great grandmother could vote then.

SB-1225

Submitted on: 3/11/2025 8:11:33 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dorinda Ohelo	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-1225

Submitted on: 3/11/2025 8:12:52 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kamakani de dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill !

SB-1225

Submitted on: 3/11/2025 8:19:35 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mallory De Dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill !

SB-1225

Submitted on: 3/11/2025 8:30:14 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Dedely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill !

SB-1225

Submitted on: 3/11/2025 8:56:51 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Giles	Individual	Oppose	Written Testimony Only

Comments:

I Oppose SB1225,

Paul Giles

SB-1225

Submitted on: 3/11/2025 8:56:53 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robin D. Ganitano	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB1225 which ignores blank votes, undermining a true majority to pass Constitutional Amendments.

SB-1225

Submitted on: 3/11/2025 9:31:05 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bronson Teixeira	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I stand in strong opposition to this bill, mahalo

SB-1225

Submitted on: 3/11/2025 9:35:38 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Noela von Wiegandt	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose SB1225. Once again another form of election interference. Vote NO! Thank you .

Noela von Wiegandt

SB-1225

Submitted on: 3/11/2025 9:53:07 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Domingo	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB1225

SB-1225

Submitted on: 3/11/2025 10:33:08 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Littleton	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB1225.

SB-1225

Submitted on: 3/11/2025 10:57:34 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bad bill.

SB-1225

Submitted on: 3/11/2025 11:02:11 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sally Lee	Individual	Oppose	Written Testimony Only

Comments:

I oppose. This bill is not in the best interest of the people of Hawaii.

SB-1225

Submitted on: 3/11/2025 11:14:35 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cari Sasaki	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB1225. This is a very sneaky bill. Blank votes need to be counted as "no" votes for constitutional amendments. Passing this will only encourage the proposals to be written in a confusing manner so the people don't know what they are voting for or against. Those who don't understand the issue are likely to leave it blank. Constitutional amendments shouldn't be ramrodded through because they are poorly worded or explained. A true majority is needed or it's just fraud and corruption.

SB-1225

Submitted on: 3/11/2025 11:29:25 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Kamau	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB1225. Mahalo.

SB-1225

Submitted on: 3/11/2025 11:33:10 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Cordery	Individual	Oppose	Written Testimony Only

Comments:

I appose SB1225-This bill ignores blank votes by undermining a true majority to pass Constitutional amendments!

SB-1225

Submitted on: 3/11/2025 12:18:21 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bart Burford	Individual	Oppose	Written Testimony Only

Comments:

Please note my vehement opposition to this bill - Pono Patriot

SB-1225

Submitted on: 3/11/2025 12:30:42 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Nichols	Individual	Oppose	Written Testimony Only

Comments:

I oppose Senate Bill No. 1225 because I believe it undermines the integrity and rigor of the constitutional amendment process in Hawaii. As a resident who values the stability of our state's foundational document, I see the current requirement under Article XVII, Section 2—where a majority of votes tallied on an amendment must also represent at least 50% of all votes cast in the election—as a necessary safeguard. By counting blank, spoiled, and over-voted ballots as "no" votes, the existing system ensures that any change to the constitution reflects broad and active support across the electorate, not just a narrow majority of those who happen to mark an answer. I view the proposal to amend Article XVII, Section 3, requiring only a majority of votes tallied on the question without considering total votes cast, as a weakening of this standard. It risks allowing amendments to pass with less overall voter engagement, which I consider critical for such significant decisions.

Additionally, I question the necessity and potential consequences of this change. While I acknowledge the legislature's concern that the current method might confuse some voters, I believe the dual threshold has served Hawaii well since its adoption, providing a clear and high bar that protects the constitution from hasty or poorly supported alterations. I worry that excluding blank and spoiled ballots from the count could incentivize lower voter participation on amendment questions, as those who abstain would no longer influence the outcome. This shift might also make it easier for well-organized interest groups to push through amendments with minimal opposition, rather than requiring the broad consensus I think our constitution deserves. Instead of adjusting the rules in a way that could be perceived as an attempt to cheat the system by lowering the bar, I believe lawmakers should strive to make the process more fair by enhancing voter understanding and participation. Furthermore, I find it inconsistent to apply this relaxed standard only to legislature-proposed amendments while leaving convention-proposed ones under the stricter rule—it creates an uneven process that could confuse voters further.

From a practical standpoint, I see the existing system as a balanced approach that has not demonstrably failed. I have not observed widespread evidence that voters misunderstand the current tallying method to the point of justifying a constitutional overhaul. Amending the constitution is a serious step, and I believe the process to enact this change, requiring approval under the very rules it seeks to alter, underscores the importance of maintaining a high threshold. I would prefer the legislature focus on educating voters about the current system and improving its fairness through transparency and outreach, rather than altering it in a way that lowers the bar for approval. In my view, preserving the current standard ensures that constitutional amendments

reflect a true mandate from the people, and I respectfully urge lawmakers to reject this bill to uphold that principle.

SB-1225

Submitted on: 3/11/2025 1:00:04 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terry Murakami	Individual	Oppose	Written Testimony Only

Comments:

I oppose.

SB-1225

Submitted on: 3/11/2025 1:02:59 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah Umiamaka	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of the Hawaii State Legislature,

I am writing to express my strong opposition to Bill SB1225, which proposes changes to the standard for voter approval of constitutional amendments. This bill, by ignoring blank votes in determining majority approval, undermines the foundational principles of democracy and the protections enshrined in the U.S. Constitution regarding voting rights and the proper use of taxpayer funds in elections.

The U.S. Constitution and its amendments establish clear protections for voting rights. The 14th Amendment guarantees equal protection under the law, ensuring that all citizens are treated equally in matters of voting. The 15th, 19th, and 26th Amendments further protect against discrimination based on race, gender, or age (for those 18 and older) in voting. These amendments collectively emphasize that every vote matters and must be counted fairly.

Furthermore, tax dollars used in elections are meant to ensure a fair and transparent process that reflects the true will of the people. Ignoring blank votes in determining majority approval for constitutional amendments dilutes this principle and risks disenfranchising voters who choose to abstain from marking a decision on specific measures. Abstention is a legitimate choice in a democracy and must not be dismissed as irrelevant.

Bill SB1225 sets a dangerous precedent by redefining what constitutes a "majority" in constitutional amendments. Such changes erode public trust in the electoral process and disregard the intent of voters who engage with ballots thoughtfully. The right to vote is fundamental to our democracy, and any attempt to manipulate its outcomes—whether through neglecting blank votes or altering established standards—must be firmly opposed.

I urge you to reject SB1225 and uphold the integrity of our democratic processes. Protecting voting rights and ensuring that taxpayer dollars are used responsibly in elections is not just a legal obligation but also a moral imperative.

**Sincerely,
Deborah Umiamaka**

SB-1225

Submitted on: 3/11/2025 1:14:54 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Cabjuan	Individual	Oppose	Written Testimony Only

Comments:

Oppose this bill. Blank vote IS a Vote

SB-1225

Submitted on: 3/11/2025 1:58:03 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sierra Mcveigh	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose SB1225

_Sierra Mcveigh

SB-1225

Submitted on: 3/11/2025 2:24:01 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alika Valdez	Individual	Support	Written Testimony Only

Comments:

I support this bill.

SB-1225

Submitted on: 3/11/2025 2:34:09 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erica Diebold	Individual	Support	Written Testimony Only

Comments:

Aloha esteemed committee,

I support this bill because it makes sense to count the votes Yes or No and not give a default of those choosing not to vote for the ballot measure. Its confusing to first time voters abd may fail measures the a majority voted for.

Sincerely

ERICA DIEBOLD

SB-1225

Submitted on: 3/11/2025 2:50:10 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chanara Caey Richmond	Individual	Support	Written Testimony Only

Comments:

I support SB1225. Chanara Richmond HD42

SB-1225

Submitted on: 3/11/2025 2:54:58 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terrie Armbruster	Individual	Oppose	In Person

Comments:

Strongly OPPOSE SB1225! DO NOT AMEND or lower the threshold for Constitutional

Amendment ratification--ALL VOTES MATTER and Should BE COUNTED!

BLANK VOTE IS A VOTE--many reasons for blank vote: Amendment wording vague/unclear

Voter not sure of Real Intent or Consequence of the Amendment; voter may agree with one part & disagree with another part of Amend, so not give a definite "yes" or "no", so

BLANK VOTE should REMAIN as a NO vote!!!

Constitutional Amendments should NOT be easy to amend, but be safeguarded by a high threshold for ratification, with concise wording, so ALL voters clearly understand the intent &/or reason for the Amendment!!!

PROTECT the INTEGRITY of our Constituon---VOTE NO to SB1225!!!

SB-1225

Submitted on: 3/11/2025 3:23:41 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Justin Kaawa	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose

SB-1225

Submitted on: 3/11/2025 4:22:04 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tim Huycke	Individual	Support	Written Testimony Only

Comments:

I support SB1225.

SB-1225

Submitted on: 3/11/2025 4:46:25 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lesha Mathes	Individual	Oppose	Written Testimony Only

Comments:

This undermines a true majority to pass a Constitutional amendment.

SB-1225

Submitted on: 3/11/2025 5:36:24 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I Strongly Oppose

SB-1225

Submitted on: 3/11/2025 6:00:40 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kanoë Willis	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose

SB-1225

Submitted on: 3/11/2025 6:54:52 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dayna Matsumura	Individual	Oppose	Written Testimony Only

Comments:

Oppose

SB-1225

Submitted on: 3/11/2025 7:17:55 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Louella Vidinha	Individual	Oppose	Written Testimony Only

Comments:

No to this bill. It's not a true vote of the people.

Louella Vidinha

Hawaii resident

SB-1225

Submitted on: 3/11/2025 8:58:12 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lois Langham	Individual	Support	Written Testimony Only

Comments:

I support this bill tallying actual votes, not unvotes.

SB-1225

Submitted on: 3/11/2025 9:31:46 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tiare Smith	Individual	Oppose	Written Testimony Only

Comments:

****TESTIMONY IN OPPOSING S.B. NO. 1225****

Aloha e nā hoa o ka ‘aha kenika,

I am Tiare Smith, a Native Hawaiian born and raised on the windswept shores of Kahalu‘u, O‘ahu, where I have resided for 45 years. As a daughter of this land, steeped in the traditions and struggles of our kanaka maoli heritage, I bring a voice shaped by decades of observation and participation in our shared governance. It is with this deep-seated connection to our ‘āina and its people that I offer my testimony in unwavering opposition to Senate Bill 1225 (SB1225). While ostensibly aimed at simplifying the ratification of constitutional amendments proposed by the legislature, this measure precipitously undermines the safety, efficacy, and equity of our electoral process by disregarding blank, spoiled, and over votes. Such a shift is antithetical to the principle of a true majority and threatens to disenfranchise the very voices—particularly those of Native Hawaiians and rural communities—that our constitution must protect.

I. Undermining the Integrity of a True Majority

SB1225 proposes to amend Article XVII, Section 3 of the Hawaii Constitution to require only a majority of votes "tallied upon the question" for legislative-proposed amendments, explicitly excluding blank, spoiled, and over votes from the tally. This alteration eviscerates the current dual requirement: a majority of votes tallied on the question *and* at least fifty percent of the total votes cast in the election. By dismissing uncast or ambiguous votes as irrelevant, the bill lowers the threshold for constitutional change to a mere plurality masquerading as a majority, subverting the democratic safeguard that ensures broad consensus.

In Kahalu‘u, where voter turnout can fluctuate due to logistical barriers—such as limited polling access or mail delays—this change could allow amendments to pass with support from a fraction of the electorate. For example, in a hypothetical election with 10,000 ballots cast, 4,000 votes on an amendment (2,001 “yes,” 1,999 “no”), and 6,000 blank or spoiled responses, SB1225 would deem the amendment ratified despite opposition or abstention from 80% of voters. This is not simplification; it is a distortion of democratic will, imperiling the safety of our constitutional framework.

II. Efficacy Compromised by Confusion and Inconsistency

The bill's proponents argue that counting blank votes as "no" is confusing. Yet, SB1225 introduces greater ambiguity by creating divergent standards: one for legislative amendments (excluding blanks) and another for convention-proposed amendments (retaining the current rule). This bifurcated approach undermines the efficacy of our electoral system by sowing inconsistency across constitutional processes. Voters, already navigating complex ballots, will face heightened confusion when identical actions—leaving a question blank—yield different outcomes depending on the amendment's origin.

An effective system demands uniformity and clarity. SB1225 fails this test, risking voter disillusionment and administrative errors as election officials grapple with dual tabulation methods. The potential for recounts or legal challenges in close contests further erodes efficacy, diverting resources from voter education to litigation.

III. Cost-Effectiveness Sacrificed for Short-Term Expediency

SB1225's exclusion of blank votes may appear cost-neutral on its face, but it invites long-term fiscal burdens. By lowering the ratification threshold, the bill could increase the frequency of amendments passing without broad support, triggering costly implementation and potential judicial review. The Office of Elections, already strained, would face additional expenses—estimated at \$50,000-\$75,000 per contested amendment—for public notices, ballot redesigns, and legal defense against inevitable challenges from disenfranchised constituencies.

Contrast this with the status quo, where the higher threshold deters frivolous amendments, saving an estimated \$100,000 annually in avoided administrative overhead. A more cost-effective alternative, detailed below, would enhance voter education and ballot design to reduce blank votes, preserving fiscal prudence while upholding democratic integrity.

IV. Equity Jeopardized for Marginalized Communities

Equity is the cornerstone of my opposition. As a Native Hawaiian, I know the weight of historical disenfranchisement. Blank, spoiled, and over votes often reflect systemic barriers—language difficulties, inaccessible polling stations, or unclear instructions—disproportionately affecting rural and indigenous communities like Kahalu'u. By ignoring these votes, SB1225 silences those already struggling to be heard, effectively penalizing voter confusion or abstention rather than addressing its root causes.

This inequity is stark when compared to wealthier, urban districts with higher literacy and access, where "yes" or "no" responses are more likely. SB1225 thus tilts the scales against Native Hawaiians and rural residents, undermining the constitutional promise of equal representation.

V. Detailed Solutions for a Principled Alternative

Rather than endorsing SB1225's flawed revision, I propose the following solutions to safeguard a true majority, enhance safety and efficacy, reduce costs, and ensure equity:

1. **Retain the Dual Threshold with Enhanced Education**: Maintain the current standard—majority of votes tallied and 50% of total votes cast—while investing \$25,000 statewide in voter education campaigns targeting Native Hawaiian and rural communities. This reduces blank votes organically, saving \$50,000-\$70,000 annually by avoiding unnecessary amendments and disputes.
2. **Improved Ballot Design**: Implement clearer, multilingual ballots with visual cues to minimize spoilage and over votes, at a one-time cost of \$30,000 for redesign and \$10,000 annually for printing. This cuts administrative costs by 10-15% per election by reducing errors, far outweighing SB1225's hidden expenses.
3. **Automated Vote Verification**: Deploy optical scanners with real-time error detection to flag blank or spoiled votes for voter correction on-site, costing \$150,000 statewide upfront but saving \$40,000-\$60,000 yearly in manual recounts and litigation—an equitable, efficient alternative to SB1225's exclusionary approach.
4. **Community-Based Oversight**: Establish a bipartisan, community-led panel—including Native Hawaiian representatives—to review amendment proposals and tabulation processes, ensuring transparency and equity at a modest cost of \$15,000 annually, offset by preserved public trust and reduced legal challenges.

These measures honor the intent of constitutional reform without sacrificing democratic rigor or fiscal responsibility.

VI. Conclusion

SB1225 is a misguided attempt to streamline constitutional amendments at the expense of safety, efficacy, cost-effectiveness, and equity. By ignoring blank votes and undermining a true majority, it risks disenfranchising vulnerable communities and destabilizing our democratic foundation. I urge the Senate to reject this bill and adopt the proposed alternatives, which protect the voices of all Hawai'i's people—especially those, like myself, who call places like Kahalu'u home. Our constitution deserves no less.

Mahalo nui loa for your consideration.

Respectfully submitted,

Tiare Smith

Kahalu'u, O'ahu

SB-1225

Submitted on: 3/11/2025 10:34:41 PM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Zac Nosugref	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-1225

Submitted on: 3/12/2025 2:50:26 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Healy	Individual	Oppose	Remotely Via Zoom

Comments:

I strongly oppose this bill.

SB-1225

Submitted on: 3/12/2025 6:32:07 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shani Hough	Individual	Oppose	Written Testimony Only

Comments:

Ignores blank votes, undermining a true majority to pass Constitutional Amendments!

SB-1225

Submitted on: 3/12/2025 10:08:26 AM

Testimony for JHA on 3/12/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Celine Chang	Individual	Support	Written Testimony Only

Comments:

RE: STRONG SUPPORT FOR SB1225

Dear Chair and Members of the Committee,

I am writing to express my strong support for Senate Bill 1225, which proposes to amend Article XVII, Section 3 of the Hawai‘i State Constitution regarding the standard for ratification of a constitutional amendment proposed by the legislature. Specifically, SB1225 seeks to ensure that only “yes” votes are counted when determining whether a majority has been reached for ratification, excluding blank, spoiled, and over votes from the total count.

This amendment is a necessary and logical update to Hawai‘i’s constitutional amendment process. Under the current system, the requirement for ratification of a proposed constitutional amendment is based on the total number of votes tallied, including blank, spoiled, and over votes. This has led to situations in which a proposed amendment can be ratified even if a majority of voters do not actively support it. Excluding blank, spoiled, and over votes from the tally, as SB1225 proposes, would better reflect the true intent of voters and ensure that the process for constitutional amendments remains both fair and democratic.

There are several key reasons why SB1225 is essential:

1. **Reflecting the True Will of Voters:** Counting only valid “yes” votes when determining whether a proposed amendment passes ensures that the majority reflects the actual support for the measure. Blank, spoiled, and over votes should not be treated as non-votes when assessing whether the majority of the electorate supports a constitutional change. SB1225 guarantees that only votes that express a clear preference, either for or against the amendment, are counted in the final tally.
2. **Improving Electoral Integrity:** This bill strengthens the integrity of the electoral process by eliminating the potential for technicalities—such as spoiled or over-votes—to skew the results of a constitutional amendment vote. By focusing on valid “yes” votes, we ensure that constitutional amendments are passed only when there is demonstrable, active support from voters.
3. **Promoting Voter Confidence:** Voters deserve to know that their vote has real impact, and SB1225 helps to maintain confidence in the system. Voters who cast a “no” vote or leave a ballot blank are not in favor of the amendment, and their choices should be

respected in the outcome. By excluding invalid or unintentional votes from the majority calculation, SB1225 ensures a more transparent and meaningful process.

4. **Ensuring Fairness in Constitutional Amendments:** Constitutional amendments are among the most significant decisions voters can make, and it is crucial that the standard for their ratification accurately reflects the democratic will. SB1225 ensures that a proposed amendment can only be ratified by a true majority of voters, not by technicalities or inadvertent votes.
5. **Aligning with Common Practices in Other States:** Many states already use similar methods to count only valid votes in determining the passage of constitutional amendments. SB1225 brings Hawai'i in line with best practices in other jurisdictions, ensuring that our electoral process remains fair, transparent, and reflective of the will of the people.

In conclusion, SB1225 is a vital measure that will enhance the fairness and clarity of the constitutional amendment process in Hawai'i. By requiring that a majority of valid votes—excluding blank, spoiled, and over votes—be in favor of a proposed amendment for ratification, this bill ensures that only constitutional amendments with clear and widespread support are passed. This is essential for maintaining the integrity of our democracy and upholding voter confidence.

I strongly urge the committee to pass SB1225 and make this necessary change to our state constitution.

Thank you for your time and consideration.

Mahalo,

Celine