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COMMITTEE ON FINANCE
THURSDAY, February 21, 2019, 1:30 p.m., Room 308

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 Luke, Lee, Vice-Chair Cullen and Committee Members:

The League of Women Voters of Hawaii strongly supports the intent of this measure which proposes a Constitutional amendment for mandatory recounts in close elections. We respectfully offer comments for your consideration.

This bill would work in conjunction with a measure like HB 428 HD1 that sets out the details of how a mandatory recount would be implemented. We were surprised to see this call for a Constitutional amendment, since it doesn't appear necessary to make the important recount change. The legislature and the general public understand (and our State Supreme Court has clearly identified) the importance of this issue.

Requiring a Constitutional amendment introduces some uncertainty which 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. Why not simply enact HB428 HD1 or some other bill instead?

Thank you for the opportunity to submit testimony.



Hawaii

Holding Power Accountable

Common Cause Hawaii • 307A Kamani St. • Honolulu, HI 96813 • 808.275.6275

To: The House Committee on Finance
From: Brodie Lockard for the Common Cause Hawaii Board
Date: Thursday, February 21, 2019, 1:30 pm

In strong support of HB 709

Dear FIN Chair Luke, Vice Chair Cullen and Committee Members—

Common Cause Hawaii strongly supports HB 709.

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 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 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: 2/20/2019 2:18:34 PM

Testimony for FIN on 2/21/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

HB-709-HD-1

Submitted on: 2/17/2019 4:42:46 PM

Testimony for FIN on 2/21/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine Johnson	Individual	Support	No

Comments:

Aloha mai kākou,

I am one of the 39 petitioners in Council District IV who sued Scott Nago, the Office of Elections and the City Clerk. While the law provided the Office of Elections could choose to conduct a recount, it didn't, forcing me and 30 others to sue in order to ensure the integrity of our election process. "The right to vote is perhaps the most basic and fundamental of all the rights guaranteed by our democratic form of government. Implicit in that right is the right to have one's vote count and the right to have as nearly perfect an election proceeding as can be provided. The result we reach must be consistent with these principles." Former Chief Justice William Richardson

Mahalo for your support.

HB-709-HD-1

Submitted on: 2/19/2019 8:40:48 AM

Testimony for FIN on 2/21/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Marion Ceruti	Individual	Support	No

Comments:

HB-709-HD-1

Submitted on: 2/19/2019 12:25:53 PM

Testimony for FIN on 2/21/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Stefani jeremiah	Individual	Support	No

Comments:

LATE

HB-709-HD-1

Submitted on: 2/20/2019 5:27:50 PM

Testimony for FIN on 2/21/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support HB709.

Thank you for your time.

Andrea Quinn

Kihe