

COST ESTIMATES FOR A CONSTITUTIONAL CONVENTION

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House Concurrent Resolution No. 231, House Draft 1, adopted during the Regular Session of 2008, directs the Legislative Reference Bureau to study the costs of convening a constitutional convention and provide an estimate of the projected total cost. This report contains the results of our study and our estimate of the total projected cost of a constitutional convention, including consideration of various alternatives. The Bureau wishes to acknowledge the assistance and cooperation of the many individuals, government agencies, and private entities that provided us with the information and data necessary to complete this study. The Bureau especially wishes to thank the Speaker of the House of Representatives, the Chief of Staff of the Office of the Speaker of the House of Representatives, and the Chief Clerk of the House of Representatives. Their assistance and cooperation proved to be invaluable.

Ken H. Takayama
Director

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FACT SHEET

This report estimates costs of a constitutional convention held on Oahu in 2010 or 2012:

- Comprising 25, 51, or 102 delegates who are elected in May or November 2010 by mail, Internet, or at the full or a reduced number of polling places, including costs for supervision of campaign contributions and expenditures of delegates and public funding of the election of delegates;
- Based on 90 or 120 days with varying numbers of delegate personal staff and convention support staff compensated at various levels in terms of salary, per diem, payroll, fringe benefits and travel, hotel, and rental car costs;
- Held at various sites offering a range of facilities, including a plenary session room, conference rooms, and delegate office space with and without modular office furniture when open floor space is involved;
- Supplied with sufficient operational capability, including office furniture, office supplies, stationery, paper, printers, copiers, and facsimile machines, and reimbursed for postage; and provision made for printing and binding of a constitutional convention journal;
- Equipped with sufficient information and communications capability, including a secure information and communications system for drafting, sharing, tracking, and archiving of documents, consisting of computer hardware, software, and engineering services; a telephone network system; and television coverage and broadcast of convention events; and
- Supported by pre-convention activities consisting of Legislative Reference Bureau constitutional convention studies to educate, to the extent possible, candidates, delegates, and the public; post-convention publicity and media campaign to educate voters on constitutional amendment proposals, and provide for public inspection of proposals at public places.

The report also presents low and high reasonable estimates of total costs that attempt to take into consideration all of the factors. However, it should be noted that these estimated totals do not include the as yet undetermined costs, each of which may be substantial, of:

- The vote counting system for the election of delegates;
- Compensating entities to preempt prior contracted scheduled events at the Neal S. Blaisdell Center or the Hawaii Convention Center, assuming these facilities are able and willing to preempt these events; and
- The "media buy" (e.g., television advertising) component in the media campaign to educate voters.

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Chapter 1

INTRODUCTION

House Concurrent Resolution No. 231, H.D. 1, directs the Legislative Reference Bureau to study the costs of convening a constitutional convention and provide an estimate of the projected total cost.

More specifically, the Resolution directs the Bureau to consider, among other things, that the constitutional convention would:

- (1) Convene not less than five months prior to the next regularly scheduled general election;
- (2) Be held at a leased facility in Honolulu large enough to accommodate the general operations of the constitutional convention, including plenary sessions, large committee meetings, and informational sessions, and to house offices for the delegates;
- (3) Be likely to have one hundred two delegates;
- (4) Require appropriate staff to ensure public input and facilitate operation of the constitutional convention; and
- (5) Involve adequate compensation for both delegates and staff.

(A copy of the Concurrent Resolution is attached as Appendix A.)

The Bureau further refined the scope of the study to revolve around the following plausible convention scenarios:

- (1) The convention would have 25 delegates, 51 delegates, or 102 delegates;
- (2) The convention would occur in 2010 or 2012¹;
- (3) The convention would run for four months from early June to late September:
 - (a) One month would be needed for preparation prior to convening;
 - (b) Three months would be needed for the convention itself; and
- (4) The convention facilities would be held on either public or private property leased or borrowed on Oahu.

1. Occasional references to 2011 are made in this study that reflect information made available to the Bureau.

COST ESTIMATES FOR A CONSTITUTIONAL CONVENTION

During the November 4, 2008, general election, the electorate will be asked the question: "Shall there be a convention to propose a revision of or amendments to the Constitution?" If the majority of ballots cast upon the question are in the affirmative, the Legislature will then be responsible for making the necessary appropriations for the convention. The purpose of this report is to provide cost estimates for holding a convention to assist the Legislature in determining the amount of appropriations necessary for a convention.

The remainder of this report is organized as follows:

Chapter 2: Personnel Costs

Chapter 3: Facilities Costs

Chapter 4: Elections Costs

Chapter 5: Education Costs

Chapter 6: Information and Communications Costs

Chapter 7: Operational Costs

Chapter 8: Summary

Chapter 2

PERSONNEL COSTS

The Hawaii State Constitution requires the State's Legislature to "provide for the number of delegates to the [constitutional] convention."¹ For the 1978 constitutional convention, the Legislature set the number of delegates at 102 from the 27 representative districts at the time. In five districts, two delegates were elected within each district. In two districts, a total of six delegates were elected—two delegates from each of three groups of combined precincts within each district. In the remaining districts, a total of four delegates were elected—two delegates from each of two groups of combined precincts within each district.² However, for any subsequent constitutional convention, the Legislature may provide for the same number of delegates or it could specify another number. Two reasonable alternative numbers of delegates are 25 or 51, based on one delegate from each of the senatorial or representative districts, respectively. No decision has yet been made determining how many delegates would be elected or when the convention would be held. Obviously, these decisions will significantly affect delegate and staff compensation costs, as well as other cost items. Accordingly, for the purposes of estimating the costs of delegate and staff compensation, this chapter will present cost estimates for 25, 51, and 102 delegates, respectively.

A. Delegates' Compensation

Delegates' Salaries

The 1978 convention compensated delegates by paying monthly salaries and per diem expenses. This section estimates the cost of salaries for 102, 51, and 25 convention delegates in 2010, 2011,³ and 2012. A subsequent section estimates per diem costs.

Method 1: Compensation Based on Legislators' Monthly Salaries for 2010, 2011, and 2012

In 1978, delegates received a monthly salary of \$1,000 capped at four months.⁴ The monthly salary presumably was based on that of legislators who, at that time, were paid \$1,000 per month. Using this same scenario, if a constitutional convention were to be held in 2010, an

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1. Hawaii State Constitution, Article XVII, section 2, Election of Delegates.
 2. Act 17, Session Laws of Hawaii, Special Session of 1977, section 1.
 3. This report was based on information provided to us from numerous entities based on the likelihood of a convention being held in either 2010 or 2012. Thus, the Bureau did not project an across-the-board estimate of *all* costs for a convention in 2011. However, because the actual monthly salaries of legislators in 2011 are already available in the Commission on Salaries 2007 report, the Bureau is providing an estimate for delegate salary costs for 2011, in addition to estimates for 2010 and 2012, for purposes of illustration.
 4. *Ibid.*, section 5.

individual legislator's monthly salary would reach \$4,201,⁵ or \$16,804 if capped at four months. The two presiding officers' monthly salaries would reach \$4,826, or \$19,304 if capped at four months. Thus, using legislators' salaries in effect for 2010, the estimated total delegate salary compensation in 2010 for 102 delegates with two presiding officers, capped at four months, would amount to \$1,719,008. For 51 delegates, the total would be \$862,004, and for 25 delegates, \$425,100.⁶

In 2011, individual legislators' monthly salaries will increase to \$4,348, or \$17,392 if capped at four months, and the two presiding officers will receive \$4,973 monthly, or \$19,892 if capped at four months. Thus, the estimated total delegate salary compensation in 2011 for 102 delegates with two presiding officers, if capped at four months, would amount to \$1,778,984. For 51 delegates, the total would be \$891,992 and for 25 delegates, \$439,800.⁷

In 2012, individual legislators' monthly salaries will increase to \$4,500, or \$18,000 if capped at four months, and the two presiding officers' salaries will increase to \$5,125 monthly, or \$20,500 if capped at four months. Thus, if a convention were to be held in 2012, the estimated total delegate salary compensation for 102, 51, and 25 delegates would amount to \$1,841,000, \$923,000, and \$455,000, respectively.⁸

Method 2: Compensation Based on Adjustment for Inflation

Simply adjusting the 1978 \$1,000 monthly delegate salary for inflation yields a somewhat similar result. Adjusted to 2008⁹ dollars, each delegate would receive \$3,295 monthly. Thus, for 102, 51, and 25 delegates, estimated total salary compensation would amount to \$1,344,360, \$672,180, and \$329,500, respectively.

Method 3: Compensation Based on Jury Duty Pay

Comments have been made publicly to the effect that compensation equivalent to jury duty pay for constitutional convention delegates would be appropriate, given the civic nature of delegates' duties. Section 612-8(a), Hawaii Revised Statutes, provides for \$30 per day to be paid to a juror for each day actually served in court.

Jury duty pay, at \$30, is paid on a daily, not a monthly, basis only for days actually served. If this compensation model were used, a delegate would be paid for the actual number of days attending to convention business. In 1978, delegates averaged 95 days actually conducting convention business. (*See "Per Diem Cost" below.*) An alternative 120 days, roughly the number of days in four months, is included for purposes of comparison. Thus, for 95 days, the

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5. Hawaii. Commission on Salaries "Report and Recommendations to the 2007 Legislature" March 14, 2007, figure 3.
 6. In 2010, for 102 delegates: $(100 @ \$16,804) + (2 @ \$19,304) = \$1,719,008$; for 51 delegates: $(49 @ \$16,804) + (2 @ \$19,304) = \$862,004$; for 25 delegates: $(23 @ \$16,804) + (2 @ \$19,304) = \$425,100$.
 7. In 2011, for 102 delegates: $(100 @ \$17,392) + (2 @ \$19,892) = \$1,778,984$; for 51 delegates: $(49 @ \$17,392) + (2 @ \$19,892) = \$891,992$; for 25 delegates: $(23 @ \$17,392) + (2 @ \$19,892) = \$439,800$.
 8. In 2012, for 102 delegates: $(100 @ \$18,000) + (2 @ \$20,500) = \$1,841,000$; for 51 delegates: $(49 @ \$18,000) + (2 @ \$20,500) = \$923,000$; for 25 delegates: $(23 @ \$18,000) + (2 @ \$20,500) = \$455,000$.
 9. The Bureau of Labor Statistics provides inflation adjustment only up to 2008.

PERSONNEL COSTS

estimated costs for 102, 51, and 25 delegates compensated at the jury duty rate would be \$290,700, \$145,350, and \$71,250, respectively. For 120 days, the estimated costs for 102, 51, and 25 delegates would be \$367,200, \$183,600, and \$90,000, respectively.

Table 2-1 illustrates the estimated salary cost for delegates based on the various computation methods previously discussed.

Table 2-1
Compensation for 25, 51, & 102 Delegates for 4 Months
By Legislative Salary; 1978 Inflation-Adjusted Salary; and
Jury Duty Pay Equivalent for 95 and 120 Days in 2010, 2011, and 2012

Pay Method/Number of Delegates	25	51	102
Legislative monthly salary in 2010	\$425,100	\$862,004	\$1,719,008
in 2011	\$439,800	\$891,992	\$1,778,984
in 2012	\$455,000	\$923,000	\$1,841,000
1978 \$1,000/month inflation-adjusted *	\$329,500	\$672,180	\$1,344,360
Jury duty daily pay for 95 days	\$71,250	\$145,350	\$290,700
Jury duty daily pay for 120 days	\$90,000	\$183,600	\$367,200

** Inflation-adjusted figures for 2008 only. The CPI inflation calculator on the website of the United States Department of Labor, Bureau of Labor Statistics, at <http://www.bls.gov> does not presently provide for adjustments beyond 2008.*

Delegates' Per Diem Cost

Method 1: Compensation Based On Updated Legislative Per Diem

In 1978, a legislator received a \$30 per diem—to cover personal expenses, such as board, lodging, and incidental expenses, but not travel expenses—for conducting official legislative business away from the island of the legislator's legal residence, but within the State, overnight or longer during the legislative interim. For work done on the legislator's home island, the legislator received a \$10 per diem.¹⁰

Apparently, the 1978 constitutional convention adopted these per diem rates for its own delegates. During the 1978 convention, both Oahu and non-Oahu delegates claimed per diem payments for, it appears, each day worked. Thus, non-Oahu delegates claimed the great bulk of their per diem at \$30 per day for working on Oahu and only a very small number of days at the \$10 rate, presumably when back on their own islands on official convention business. Conversely, Oahu delegates claimed almost all of their per diem at the \$10 rate and only a very small number of days at the \$30 rate for work off-Oahu.

Currently, the \$10 per diem rate is still in effect for official work conducted on a legislator's home island. However, the per diem rate for official off-island work by a legislator is

10. Section 24-4, Hawaii Revised Statutes (1976 Replacement Volume).

now "a single rate" that is "determined jointly" by the Senate President and the House Speaker for the Legislature as a whole.¹¹ In 2008, that rate is \$120 but will likely be reviewed before the 2009 legislative session. It is unknown whether and by how much this rate may change. To the extent that this per diem rate may change, estimated total per diem compensation costs could vary in 2010, 2011, and 2012.

In the 1978 convention, 102 delegates claimed an average of 95.1 days of per diem. One delegate claimed a high of 129 days. Discounting this one high figure, the average number of days for which per diem was claimed still registers at 94.8. Thus, it seems reasonable to use 95 days in the calculation of per diem costs. An alternative 120 days, roughly the number of days in four months, is included for purposes of comparison.

Assuming 102 delegates were convening on Oahu, with two delegates from each of the 51 representative districts, the 16 current non-Oahu representative districts would generate 32 non-Oahu delegates eligible for the \$120 per diem. Correspondingly, a total of 70 Oahu-based delegates would be eligible for the \$10 per diem. Accordingly, for 102 delegates, it is estimated that per diem for 95 days would cost \$431,300.¹² For 51 delegates corresponding to the existing representative districts, the per diem estimate for 95 days would be \$215,650, based on 16 non-Oahu delegates and 35 Oahu-based delegates.¹³ For 25 delegates, with one delegate from each of the 25 senatorial districts, the per diem estimate would be based on 7 non-Oahu senatorial districts out of the total of 25. Thus, it is estimated that the total per diem for 25 delegates for 95 days would amount to \$96,900.¹⁴ For 120 days of per diem, the estimated costs would be \$544,800, \$272,400, and \$122,400 for 102, 51, and 25 delegates, respectively.¹⁵

Method 2: Compensation Based on Adjustment for Inflation

The 1978 \$10/\$30 per diem rates adjusted for inflation to 2008 dollars would amount to \$33 and \$99, respectively. Thus, using the same assumptions previously discussed with respect to the number of Oahu-based and non-Oahu delegates, inflation-adjusted per diem in 2008 dollars would cost \$520,410, \$260,205, and \$122,265, for 102, 51, and 25 delegates respectively.¹⁶ Inflation adjustment tables are not yet available for 2010, 2011, or 2012, so the Bureau is unable to predict the cost for those years. However, assuming there will be no deflation, it should be anticipated that inflation-adjusted per diem payments would be at a higher level than 2008.¹⁷

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11. Section 24-4, Hawaii Revised Statutes, last amended by Act 222, Session Laws of Hawaii 2005. The off-island per diem rate must also be "reasonably calculated to cover expenses" and cannot exceed the highest per diem allowance rate paid to a federal or state employee.
 12. For 102 delegates: $(32 @ \$120 \times 95) + (70 @ \$10 \times 95) = \$431,300$, for 95 days.
 13. For 51 delegates: $(16 @ \$120 \times 95) + (35 @ \$10 \times 95) = \$215,650$, for 95 days.
 14. For 25 delegates: $(7 @ \$120 \times 95) + (18 @ \$10 \times 95) = \$96,900$, for 95 days.
 15. For 120 days for 102 delegates: $(32 @ \$120 \times 120) + (70 @ \$10 \times 120) = \$544,800$; for 51 delegates: $(16 @ \$120 \times 120) + (35 @ \$10 \times 120) = \$272,400$; for 25 delegates: $(7 @ \$120 \times 120) + (18 @ \$10 \times 120) = \$122,400$.
 16. For 102 delegates: $(32 @ \$99 \times 95) + (70 @ \$33 \times 95) = \$520,410$; for 51 delegates: $(16 @ \$99 \times 95) + (35 @ \$33 \times 95) = \$260,205$; for 25 delegates: $(7 @ \$99 \times 95) + (18 @ \$33 \times 95) = \$122,265$.
 17. The CPI inflation calculator on the website of the United States Department of Labor, Bureau of Labor Statistics, at <http://www.bls.gov> does not presently provide for adjustments beyond 2008.

PERSONNEL COSTS

Table 2-2 illustrates the estimated cost of delegate per diem for 102, 51, and 25 convention delegates for 95 and 120 days according to the foregoing compensation models.

Table 2-2
Delegate Per Diem for 102, 51, and 25 Oahu/Non-Oahu Delegates
By 2008 Per Diem Rates and 1978 Inflation-Adjusted Per Diem Rates
For 95 and 120 Days

Per Diem Method/Number of Delegates	25	51	102
2008 Per Diem @ \$10 & \$120 for 95 Days	\$96,900	\$215,650	\$431,300
2008 Per Diem @ \$10 & \$120 for 120 Days	\$122,400	\$272,400	\$544,800
1978 Inflation-Adjusted Rates*	\$122,265	\$260,205	\$520,410

**Inflation-adjusted figures for 2008 only. The CPI inflation calculator on the website of the United States Department of Labor, Bureau of Labor Statistics, at <http://www.bls.gov> does not presently provide for adjustments beyond 2008.*

Summary; Delegate Compensation

Total delegate compensation costs would vary depending on the number of delegates, when the convention is held, and how salaries and per diem are paid. Compensation for delegates is estimated to range from a low of \$168,150 to a possible high of \$2,385,800. The low estimate of \$168,150 results from a designation of only 25 delegates who are paid jury duty wages for 95 days (\$71,250) and per diem at the 2008 non inflation-adjusted rates (\$96,900). The low estimate amount would remain the same in 2010, 2011, or 2012, assuming that jury duty rates and 2008-level per diem rates do not change.

The high estimate of \$2,385,800 results from a designation of 102 delegates paid at updated monthly legislative salaries (\$1,841,000) for a convention to be held in 2012 and at 2008 legislative per diem rates for 120 days (\$544,800). If delegate salaries are computed based on legislators' salaries, the salaries would be lower the earlier a convention is held and higher the later it is held. Legislative per diem payments would likely be reviewed before the 2009 Regular Session of the Legislature and may increase over the current rate.

To reiterate, this wide range of delegate compensation estimates is due to indeterminate policy decisions yet to be made concerning the number of convention delegates, the timing of the convention, and the basis on which delegate compensation (salary and per diem) is calculated.

B. Employees' Salary

This cost item of employees' salary is comprised of three components. The first is salaries for the personal staff of the delegates. The second is salaries for standing committee staff. The third is for the central support staff.

A breakdown of position counts and employees' monthly salaries, in 2008 dollars, for a constitutional convention of 25 delegates, 51 delegates, and 102 delegates, respectively, that runs for approximately four months (including the preparation period prior to convening the convention), irrespective of whether the convention is held in 2010, 2011, or 2012,¹⁸ is presented in Table 2-3 and a discussion of how we arrived at these estimates follows.

**Table 2-3
Employee Position and Salary Totals**

	25-delegate convention		51-delegate convention		102-delegate convention	
	Positions	Salaries	Positions	Salaries	Positions	Salaries
Delegate personal staff	50	\$137,500	102	\$280,500	204	\$561,000
Standing committee staff	64	\$256,000	64	\$256,000	64	\$256,000
Central support staff	75	\$218,400	110.5	\$303,350	169.5	\$448,450
Monthly totals	189	\$611,900	276.5	\$839,850	437.5	\$1,265,450
4-month totals	189	\$2,447,600	276.5	\$3,359,400	437.5	\$5,061,800

Methodology for the Cost Estimates

State Constitution Article XVII, Section 2, specifies that "[t]he convention shall determine its own organization ...". Evidently, the convention determines its own organization through its rules. For example, historically, Rule 2 of the Rules of the Convention, relating to employees, has specified who selects certain employees. The conventions' rule varied as to whether it is the president's or the delegates' responsibility to choose certain specified employees, such as the chief clerk and the assistant clerk, but all were consistent in providing that the president appoints "all other employees," subject to the approval of the convention.¹⁹ With regard to "all other employees," the preface to the 1968 convention journal notes that, for the

18. We are unable to adjust the salary totals, given in 2008 dollars, to 2010 or 2012 dollars. The CPI inflation calculator on the website of the United States Department of Labor, Bureau of Labor Statistics, at <http://www.bls.gov> does not presently provide for adjustments beyond 2008.

19. See Rules of the Convention, Rule 2, in Proceedings of the Constitutional Convention of Hawaii 1950, Volume I, Journal and Documents, p. 415 (chief clerk, assistant clerk, chaplain and 2 sergeant-at-arms elected by at least 32 delegates by ballot); Proceedings of the Constitutional Convention of Hawaii of 1968, Volume I, Journal and Documents, p. 464 (chief clerk and assistant clerk elected by at least 42 delegates by ballot); and Proceedings of the Constitutional Convention of Hawaii of 1978, Volume I, Journal and Documents, p. 1138 (president appoints chief clerk and assistant clerk).

1968 convention, "[t]he president did not directly exercise the authority as to staff but authorized the clerk, administrator and attorneys to choose their own staff on a merit basis with full responsibility for getting the necessary work done."²⁰ Other than the convention rules and the preface in the 1968 journal, we are not aware of whether any of the three previous conventions of 1950, 1968, or 1978 used any other specific guidelines in establishing the number of convention employees, their composition, or their salary levels. Accordingly, we exercised our own best judgment in developing a cost estimate for employees' salaries.

We developed a cost estimate for employees' salary by modeling the number of employees, their composition, and their salary figures primarily upon their counterparts in either the constitutional convention of 1978 or the present House of Representatives. Obviously the most recent constitutional convention of 1978 provided a useful model, and salary-related data for the constitutional conventions are publicly available in the constitutional convention journals. Legislative staff salary data also provides a useful model because a constitutional convention would function similarly to a unicameral Legislature. Salary-related data for the Legislature is not generally publicly available however. Accordingly, we requested such data from the Senate and the House of Representatives and received a considerable amount of information and data from the House of Representatives.

The Chief of Staff of the House Speaker's Office (hereinafter referred to as Chief of Staff) provided us with benchmark salary data pertaining to permanent employees and session hires of the House of Representatives. The salary data came in the form of salary ranges, House member allocation amounts, and session hire maximum allowable salary figures.²¹

The House data pertaining to House employees is structured along three different employee groups: the legislator's personal staff, additional committee staff, and the central support staff. We followed this same structure in preparing cost estimates for employee salaries of the next convention, by dividing the convention employees into the same three equivalent groups: the delegates' personal staff, the additional committee staff, and the central support staff.

We based our projections of the salaries of the convention employees upon the benchmark salaries of their counterparts in the present House of Representatives. We generally used the minimum salary figures available. We assumed the salary period for the constitutional convention employees would be the same as the salary period for the 1978 convention employees, which impliedly was four months.²² This four-month period, as in 1978, would be

20. Proceedings of the Constitutional Convention of Hawaii of 1968, Volume I, Journal and Documents, preface, p. viii.

21. Actual individual salaries were not disclosed.

22. Act 17, Session Laws of Hawaii 1977, Special Session of 1977, at section 5, specified that delegates to the convention would be entitled to a salary of \$1,000 per month, but not more than \$4,000 for the convention. The Act set the first salary payment for the period beginning May 21, 1978. Thus, we conjecture that at the very earliest, the first salary payment for staff might also have been for the period beginning May 21.

The convention journal also indicates at one point that "The compensation mechanism under which delegates were paid \$1,000 a month, beginning May 21, for a period of four months, was designed to foster a deadline-oriented attitude." At a subsequent point, the journal indicates that "Aside from the pay terminations of delegates and staff, the proposed amendments had to be in the lieutenant governor's office by September 22 in order to be on the November ballot." In other words, the journal implies that September 21, which marks four months from May 21, was the last day of the four month salary period for both delegates and staff.

comprised of the convention period itself and the pre-convention period between the election of delegates and the convening of the convention.²³

With respect to delegates' personal staff, we estimated the number of personal staff each delegate might have by looking at the number of personal staff of the delegates of the 1978 constitutional convention. We then applied the benchmark salary data for session hire employees of members of the House of Representatives during the 2008 legislative session to the number of staff positions. In this manner, we developed a cost estimate for the salaries of the delegates' personal staff of a convention.

For the standing committee staff, we looked at the number of standing committees in previous constitutional conventions, rather than in the present Legislature, to estimate the number of standing committees for the next convention. However, we ascertained the composition of those standing committees, in terms of the number and types of staff positions within a committee, based upon the composition of those of the standing committees for the House of Representatives during the 2008 legislative session. We assumed that the number and composition of staff of the standing committees would not be affected by the number of delegates. We then applied the benchmark salary data relating to session hire employees for the standing committees of the House to the standing committee staff positions. In this manner, we developed a cost estimate for the salaries of the standing committee staff of a convention.

For the central support staff, we relied exclusively upon the Chief of Staff to produce the cost estimates. For the three different convention scenarios of 25 delegates, 51 delegates, and 102 delegates, the Chief of Staff provided us with estimates of the number, types, and benchmark salary ranges of the positions of a central support staff for a convention. The estimates for a convention of 51 delegates were apparently based upon the number, types, and benchmark salary ranges of both permanent and session hires during the 2008 session for the 51 members of the House of Representatives. The Chief of Staff adjusted the estimates upwards for a 102-delegate convention, and downward for a 25-delegate convention. From the estimates provided to us by the Chief of Staff, we extracted only the minimum figures of the benchmark salary ranges to use and present in this report.²⁴

Source: Proceedings of the Constitutional Convention of Hawaii of 1978, Volume I, Journal and Documents, preface, pp. vii, viii.

23. Act 17, Session Laws of Hawaii 1977, Special Session of 1977, at section 1, mandated that an election would be held on May 20, 1978, for the special election of delegates to a constitutional convention. The Act, at section 2, also mandated that the convention would convene on July 5, 1978.
24. Our original approach at estimating the costs of a central support staff of a future constitutional convention was to model the type and number of central support staff upon the central support staff of the 1978 constitutional convention, which had 53 central support staff positions. We attempted to update the salaries of those 53 positions by using comparable 2008 House session staff salary information for some positions and by using the federal Department of Labor Bureau of Labor Statistics inflation adjuster for other positions. However, upon presenting our estimates to the Chief of Staff for his comments, he pointed out that technology, jobs, and peoples' skills with respect to such jobs have changed substantially since 1978. He suggested that a better method of estimation may be to base the central support staff of the next convention upon the central support staff of the present House of Representatives and Senate.

Delegates' Personal Staff

We estimated the salaries for the delegates' personal staff based upon the minimum number of staff members that a delegate might have. We assumed a minimum of two staff members per delegate, since two appears to have been the minimum number of personal staff members per delegate at the 1978 constitutional convention.²⁵

Based on the foregoing assumptions, a constitutional convention of 25 delegates would have at least 50 personal staff members. A convention of 51 delegates would have at least 102 personal staff members. Finally, a convention of 102 delegates would have at least 204 personal staff members.

We estimated the monthly salaries for the two personal staff members, using the figure of \$5,500, which represents the lower of two differing monthly allotment amounts made to House members during the 2008 legislative session for the salaries of session hires.²⁶

We also note that under the House allotment guidelines, a House member's allotment during the 2008 legislative session covered the salary of a committee clerk. In other words, the committee clerk, whose maximum monthly salary was \$3,200, was accounted for as a personal staff member. Accordingly, we followed this allotment guideline in accounting for a committee clerk in the next convention as a personal staff of a delegate.

Standing Committee Staff

Number of Staff Members

Delegates who chair a standing committee would also require committee staff members. In each of the immediate three previous constitutional conventions, each subject matter committee appeared to be like a judiciary committee, formed to cover the specific subject matter of an article or articles of the state constitution. Accordingly, for purposes of estimating committee staff salaries, we assumed that each standing committee might be staffed as if it were equivalent to a 2008 House judiciary committee during session.²⁷

With regard then to the House judiciary committee during the 2008 session, the committee was entitled to have 2 attorneys and 2 researchers, in addition to a committee clerk.²⁸

25. See Proceedings of the Constitutional Convention of Hawaii of 1978, Volume I, Journal and Documents, Expenses of the Convention, pp. 1195 - 1202.

26. Specifically, it was the monthly allotment for each House minority member. Copies of memoranda from the House Speaker to House members, regarding to the hiring of 2008 session staff, made available to the Bureau from the Chief of Staff of the House Speaker's Office.

27. Furthermore, we note that the judiciary committee is described in the House rules as the standing committee whose scope specifically covers "constitutional matters." Rule 12 of the Rules of the House of Representatives, 2008. Thus, the House Judiciary Committee appears to present a reasonable model.

28. Copy of a memorandum from the House Speaker to the Chair of the House Judiciary Committee, regarding 2008 session staffing authorization, made available to the Bureau from the Chief of Staff of the House Speaker's Office.

As previously noted, because the House members' monthly allotment for personal staff covers the salary of a committee clerk for those House members who chair a committee, we have followed this model and not provided for a committee clerk under salaries for committee staff. Accordingly, we assumed that each standing committee of the constitutional convention might, in addition to the committee clerk, also have 2 attorneys and 2 researchers. Furthermore, we assumed that the monthly salary figures for the attorneys and researchers might be equivalent to the maximum monthly salary figures of the attorneys and the researchers for the House judiciary committee during the 2008 session. Specifically, the maximum monthly salary for an attorney would be \$4,800 per month, and the maximum monthly salary for a researcher would be \$3,200 per month. We note that no minimum monthly salary figures were indicated for these two positions titles.²⁹

Number of Committees

With respect to the number of standing committees, we are assuming that the constitutional convention might have 16 standing committees, as in the 1978 constitutional convention, for the reasons outlined below. Accordingly, the 16 standing committees might be staffed by 32 attorneys and 32 researchers, for a total of 64 committee staff members.

For historical reference, the number of standing committees for the prior three constitutional conventions ranged from 14 to 20. There were 16 standing committees for the 1978 constitutional convention, 14 standing committees for the 1968 constitutional convention, and 20 standing committees for the 1950 constitutional convention. Therefore, based upon the foregoing, 16 is the median number of standing committees for a constitutional convention.

Furthermore, there apparently were three types of standing committees at these three prior conventions: the housekeeping or convention³⁰ committees; the administrative,³¹ or procedural,³² committees; and the major,³³ or subject matter, committees. The same two

29. Copy of a memorandum from the House Speaker to the Chair of the House Judiciary Committee, regarding 2008 session staffing authorization, made available to the Bureau from the Chief of Staff of the House Speaker's Office.

30. The term "housekeeping or convention committees" is found in the Proceedings of the Constitutional Convention of Hawaii of 1968, Volume I, Journal and Documents, preface, p. viii. It was evidently used to refer to the Committee on Style and the Committee on Submission and Information.

31. The term "administrative standing committees" is found in the Proceedings of the Constitutional Convention of Hawaii of 1968, Volume I, Journal and Documents, standing committees, p. xx. The terms "administrative committees" and "administrative standing committees" are found in the Proceedings of the Constitutional Convention of Hawaii of 1978, Volume I, Journal and Documents, preface, p. viii, and standing committees, p. xx, respectively. For the 1968 constitutional convention, the term "administrative standing committees" expressly describes the Committee on Accounts and Printing and the Committee on Rules. For the 1978 constitutional convention, the term expressly describes the Committee on Budget, Accounts and Printing and the Committee on Rules.

32. The actual words used, "committees concerned with matters of procedure," are found in the Proceedings of the Constitutional Convention of Hawaii of 1950, Volume I, Journal and Documents, preface, p. viii. The phrase was evidently used to refer to the Committee on Rules and Order of Business, the Committee on Accounts, and the Committee on Printing.

33. The term "major committees" is found in the Proceedings of the Constitutional Convention of Hawaii of 1968, Volume I, Journal and Documents, preface, p. viii. It was evidently used to refer to the ten committees

housekeeping or convention committees on style, on the one hand, and submission and information, on the other hand, were established by all three constitutional conventions. Likewise, two or three administrative committees, one or two on the budget, accounts, and printing, on the one hand, and one on rules or rules and order of business, on the other hand, were likewise established in all three conventions.

As for the major, or subject matter, committees, their numbers have ranged from 10 to 15 among the three prior constitutional conventions. The 1950 constitutional convention had 15 subject matter committees.³⁴ The 1968 constitutional convention had 10 subject matter committees.³⁵ The 1978 constitutional convention had 12 subject matter committees.³⁶ The names of these subject matter committees tend to reflect the titles of one or more articles of the state constitution. In other words, the names of the committees suggest that some committees handled the subject matter of a single article, while others handled the subject matter of more than one article. Also, it appears from the committee names that, in some instances, separate committees in one convention were consolidated into a single committee in the next convention, while a single committee in one convention was split into two separate committees in the next convention. Thus, there appears to have been flexibility in determining both the number of subject matter committees and their subject matter.

As for the number of articles themselves, there have been 16 or 18. There were 16 after the 1950 convention, 16 after the 1960 convention, and 18 after the 1978 convention.

Finally, as further reference for deciding upon the number of committees and their subject matter, the convention journal of the 1950 constitutional convention, which was the convention that met to propose a constitution, sets out the basic considerations that were involved in deciding the number of standing committees for the first of the three conventions:

The determination of the number of standing committees was based, in part, on political and geographic consideration, in part on the desire that certain specific subjects be given careful and detailed consideration because of broad community interest in them, and because of the need to recognize the concern of specific community groups. This latter aspect was particularly applicable to the formation of such committees as those concerned with the Hawaiian Homes Commission Act, education, industry and labor, and health and welfare.³⁷

exclusive of the two housekeeping committees, the Committee on Style and the Committee on Submission and Information, and the two administrative standing committees, the Committee on Accounts and Printing and the Committee on Rules.

34. Proceedings of the Constitutional Convention of Hawaii of 1950, Volume I, Journal and Documents, standing committees, pp. xvi - xvii.
35. Proceedings of the Constitutional Convention of Hawaii of 1968, Volume I, Journal and Documents, standing committees, pp. xvii - xx.
36. Proceedings of the Constitutional Convention of Hawaii of 1978, Volume I, Journal and Documents, standing committees, pp. xv - xx.
37. Proceedings of the Constitutional Convention of Hawaii of 1950, Volume I, Journal and Documents, preface, pp. vii - viii.

Central Support Staff

The central support staff for a constitutional convention might be comprised of staff members that serve all the delegates and standing committees. They might be led by convention officers such as a chief clerk, a sergeant-at-arms, a chief attorney, and a director of research. The subordinates of these officers might include, but are not limited to, a chief accountant, information resources coordinators, a journal clerk, a chief of records, a print shop manager, and a supply manager, among many, many others.³⁸

We based our approach to estimating the costs of a central support staff on the assumption that the constitutional convention will have a central support staff that is separate and distinct from the central support staff of the present Legislature, House or Senate, but tends to mirror the central support staff of one of the bodies of the present Legislature, in this case, the House, much like a unicameral Legislature.

With respect to likely salary expenses of a constitutional convention central support staff, we provided the Chief of Staff with central support staff position titles and asked him to provide us with the number of positions and benchmark salary ranges for each position title under three scenarios: a constitutional convention of 25 delegates, a constitutional convention of 51 delegates, and a constitutional convention of 102 delegates.

The Chief of Staff provided us with tables of estimates of monthly benchmark salary ranges and the numbers of full-time equivalent positions for central support staff position titles under the three scenarios. Accompanying the tables were the assumptions used to estimate the costs for a constitutional convention of 51 delegates, which the Chief of Staff noted is the same number of members as the House of Representatives.

The Chief of Staff stated that his estimates for a 51-delegate convention were based upon the central support staff and services for the present operation of the 51-member House of Representatives. He indicated that he then used his subjective judgment to adjust the estimates downward for a 25-delegate constitutional convention, and upward for a 102-delegate constitutional convention.

More specifically, he stated that the estimates were based on the assumption that the constitutional convention will have the same or similar types of information processing, printing, and record keeping systems provided by the House Chief Clerk's office, the same type of security, delivery, and messenger services provided by the House Sergeant-at-Arms' office, and the same type of research services provided by the House Majority Staff office.

Also, the Chief of Staff stated that estimates for a central research staff are based on the assumption that there will be no other centralized research office, that each constitutional convention delegate will have personal staff, and that each constitutional convention standing committee will have committee staff. Furthermore, he specified that the estimates do not include the costs of custodial services, since he assumed that such services would be provided by

38. Descriptions of these positions as they relate to the House of Representatives may be found in the House Administrative and Financial Manual, 2007-2008, section 20.9, general employee class specifications.

PERSONNEL COSTS

executive branch employees for a constitutional convention held in a state facility or by private sector employees for a constitutional convention held in a private facility.³⁹

From the tables provided to us by the Chief of Staff, we extracted the lowest figures of the benchmark monthly salary ranges for the position titles in the three divisions of a central support staff for a constitutional convention. The three divisions are the Chief Clerk's Office, the Sergeant-at-Arms' Office, and the Research Office.

Table 2-4, then, is a breakdown of the estimated number of positions and total salary amounts, in 2008 dollars, for a constitutional convention of 25 delegates, a constitutional convention of 51 delegates, and a constitutional convention of 102 delegates, by the three different divisions of a central support staff.

**Table 2-4
Central Support Staff Position and Salary Breakdown, by Division**

	25-delegate convention		51-delegate convention		102-delegate convention	
	Positions	Salaries	Positions	Salaries	Positions	Salaries
Chief Clerk's office	44	\$112,000	59	\$141,700	74	\$169,400
Sergeant-at-Arms' office	16	\$41,400	24	\$55,000	44	\$89,400
Research office	15	\$65,000	27.5	\$106,650	51.5	\$189,650
Monthly Totals	75	\$218,400	110.5	\$303,350	169.5	\$448,450
4-Month Totals	75	\$873,600	110.5	\$1,213,400	169.5	\$1,793,800

As a reference for developing the central support staff of a constitutional convention, Table 2-5, extracted from the tables provided by the Chief of Staff,⁴⁰ provides a further breakdown by position title of the number of full-time equivalent positions for each of the three divisions of a central support staff under the three convention scenarios, specifically: a constitutional convention of 25 delegates, a constitutional convention of 51 delegates, and a constitutional convention of 102 delegates.

39. Finally, the Chief of Staff expressly cautioned that these estimates are ultimately his own estimates; although he consulted with House staff officers to gather information and suggestions, those officers bear no responsibility for the estimates that he provided to the Bureau. He also pointed out that he did not consult with the Speaker or any member of the House leadership on the matter and that, consequently, the responsibility for any errors or disputes rests solely with him.

Furthermore, the Chief of Staff advised that the estimates do not bind the Speaker, any House member, or any House staff officer in any future deliberations on the implementing legislation and appropriations for a constitutional convention, should the convening of a constitutional convention be approved by the voters in November 2008. Memorandum from the Chief of Staff of the House Speaker's Office, regarding constitutional convention central support staff cost estimates, to the Legislative Reference Bureau, June 24, 2008.

40. Memorandum from the Chief of Staff of the House Speaker's Office, regarding constitutional convention central support staff cost estimates, to the Legislative Reference Bureau, June 24, 2008.

**Table 2-5
Central Support Staff Positions: Titles and Position Counts**

Position Titles	No. of Full-Time Equivalent Positions		
	25-delegates	51- delegates	102-delegates
Chief Clerk's Office			
<i>Administration:</i>			
Chief clerk	1.0	1.0	1.0
Assistant chief clerk	1.0	1.0	1.0
Administrative services manager	1.0	2.0	2.0
<i>Accounting section:</i>			
Chief accountant	1.0	1.0	1.0
Account clerk	1.0	1.0	1.0
Bookkeeping clerk	0	1.0	2.0
<i>Journal section:</i>			
Journal clerk	1.0	1.0	1.0
Assistant journal clerk	1.0	1.0	1.0
Clerical	1.0	1.5	2.0
<i>Records section:</i>			
Chief of records	1.0	1.0	1.0
Records assistant	1.0	1.0	1.0
Clerical	4.0	7.5	12.0
<i>Print Shop:</i>			
Printshop manager	1.0	1.0	1.0
Printshop asst manager	1.0	2.0	2.0
Supervisor	2.0	2.0	2.0
Machine operator	9.0	12.0	15.0
Distribution clerk	2.0	2.0	2.0
Collating clerk	9.0	12.0	15.0
<i>Information (Data processing):</i>			
Information resources coordinator	1.0	1.0	1.0
Information resources specialist	5.0	5.0	5.0
Technician	0.0	2.0	5.0
Subtotal	44.0	59.0	74.0
Sergeant-at-arms' Office			
Sergeant-at-arms	1.0	1.0	1.0
Assistant sergeant-at-arms	1.0	1.0	1.0
Administrative services manager	1.0	1.0	1.0
Clerical	1.0	1.0	3.0
Supply manager	1.0	1.0	1.0
Messenger	7.0	15.0	30.0
Night supervisor	1.0	1.0	1.0
Night messenger	3.0	3.0	6.0
Subtotal	16.0	24.0	44.0

PERSONNEL COSTS

Position Titles	No. of Full-Time Equivalent Positions		
	25-delegates	51- delegates	102-delegates
Research Office			
Director	1.0	1.0	1.0
Assistant director	1.0	1.0	1.0
Chief attorney	1.0	1.0	1.0
Attorney	4.0	7.0	14.0
Analyst	3.0	7.0	14.0
Administrative assistant	4.0	8.0	16.0
Clerical	1.0	2.5	4.5
Subtotal	15.0	27.5	51.5
Total	75.0	110.5	169.5

As indicated in Table 2-5, it appears that at the staff level, the greater the number of delegates, the greater the number of positions. However, at or near the directorial, managerial, or supervisory level, the number of positions appears unaffected by the delegate count. For example, staff positions such as clericals in the records section of the clerk's office, machine operators and collating clerks in the print shop, messengers in the sergeant-at-arms' office, and administrative assistants, attorneys, and analysts in the research office, increase with the increase in delegates. On the other hand, directorial and like kind positions such as chief clerk, assistant chief clerk, sergeant-at-arms, research director, assistant research director, and chief attorney, remain at one each regardless of the delegate count.

Employee Salaries; Miscellaneous

An issue integral to employees' salary that could not be easily reduced to a cost figure involves recruitment. The prior constitutional conventions were apparently staffed, at least in part, by legislative officers and employees at a time when such legislative officers and employees were not permanent full-time employees. Accordingly, when a legislative session adjourned, they were then available to staff the constitutional convention held during the interim.

Today, most of these legislative officers and employees are now permanent full-time public employees. They face the possible loss of public employee benefits if they were to leave their present posts to become officers and employees of a constitutional convention. Moreover, even if remedial legislation were enacted to protect these officers and employees from any loss of benefits while on leave from the Legislature to serve at the convention, their departure from the Legislature during the legislative interim may adversely impact the level of services available to legislators, and ultimately, the legislator's constituents, during that interim.

Accordingly, finding adequate staffing for the next constitutional convention presents challenges that did not exist for the prior constitutional conventions and must be examined further.

C. Payroll Tax/Fringe Benefits

The 1978 constitutional convention, which had 102 delegates and 314 staff, reported a cost of \$5,733.11⁴¹ for payroll taxes.⁴² However, it is unclear how such a small amount (0.47%, or less than one-half percent)⁴³ was paid in payroll taxes, based on a total of \$1,207,503.28 for delegate and staff compensation. In 1978, the federal payroll tax rate was 6.05%.⁴⁴ Thus, it appears that payroll taxes in 1978 should have been \$73,053.95, and not \$5,733.11.

Nonetheless, regardless of what was paid in 1978, the current employer federal payroll tax rate is 7.65% of gross compensation paid (6.2% and 1.45% to support the Social Security and the Medicare programs, respectively). Table 2-6 reflects payroll tax estimates based on estimates of compensation for delegates and convention staff. (*See separate discussions on delegate and staff compensation in this chapter.*)

Table 2-6
Estimate of Payroll Tax at 7.65%

Compensation	Lowest Estimate	Highest Estimate
Delegate Salaries	\$71,250 ⁽¹⁾	\$1,841,000 ⁽²⁾
Delegate Per Diem	\$96,900 ⁽³⁾	\$544,800 ⁽⁴⁾
Staff Salaries	\$2,447,600 ⁽⁵⁾	\$5,061,800 ⁽⁶⁾
Total Compensation	\$2,615,750	\$7,447,600
@ 7.65%	\$200,105	\$569,741

- (1) Jury duty pay paid to 25 delegates.
- (2) Legislators' pay scale in 2012 paid to 102 delegates.
- (3) Per diem rate for legislators in 2008 paid to 25 delegates for 95 days.
- (4) Per diem rate for legislators in 2008 paid to 102 delegates for 120 days.
- (5) Total staff salaries for 25 delegates (189 total staff).
- (6) Total staff salaries for 102 delegates (437.5 total staff).

Based on these compensation estimates for delegates and staff, federal payroll taxes at 7.65% would amount to an estimated low of \$200,105 and an estimated high of \$569,741, respectively. The lowest estimate reflects salaries for 25 delegates and 189 staff and the highest estimate reflects salaries for 102 delegates and 437.5 staff.

41. State of Hawaii. Proceedings of the Constitutional Convention of Hawaii of 1978, volume 1, Journal and Documents, 1980, "Expenses of the Convention", p. 1191.

42. Under the Federal Insurance Contributions Act (FICA), federal payroll taxes are collected from employers and employees to fund the Social Security program (actually, Social Security's "Old-Age, Survivors, and Disability Insurance (OASDI) program") and the Medicare program (actually, Medicare's "Hospital Insurance (HI) program").

43. \$404,956.51 in delegates salaries + \$144,110.00 in delegates per diem + \$647,541.73 in employees salaries + \$9,425.04 in "other services" + \$1,470.00 in employees per diem = \$1,207,503.28 total compensation. Then, \$5,733.11/\$1,207,503.28 = 0.00474, or 0.47% payroll taxes.

44. Social Security Administration website at <http://www.ssa.gov/OACT/ProgData/taxRates.html>. Social Security and Medicare taxes were 5.05% and 1.0%, respectively, for a total of 6.05%.

Constitutional Convention Cost Task Force Estimate

The final report of the Constitutional Convention Cost Task Force used a figure of 18.05% that includes "[f]ringe benefits such as the Federal Insurance Contributions Act (FICA), workers [*sic*] compensation, unemployment insurance and employee health benefits...".⁴⁵ Using the 18.05% figure set by the Task Force applied to our estimates, the lowest and highest estimates for fringe benefits for delegates and staff would be \$472,143 and \$1,344,292, respectively.

Table 2-7
Estimate of "Fringe Benefits" at 18.05%

Compensation	Lowest Estimate	Highest Estimate
Delegate Salaries	\$71,250 ⁽¹⁾	\$1,841,000 ⁽²⁾
Delegate Per Diem	\$96,900 ⁽³⁾	\$544,800 ⁽⁴⁾
Staff Salaries	\$2,447,600 ⁽⁵⁾	\$5,061,800 ⁽⁶⁾
Total Compensation	\$2,615,750	\$7,447,600
@ 18.05%	\$472,143	\$1,344,292

- (1) Jury duty pay paid to 25 delegates.
- (2) Legislators' pay scale for 2012 paid to 102 delegates.
- (3) Per diem rate for legislators in 2008 paid to 25 delegates for 95 days.
- (4) Per diem rate for legislators in 2008 paid to 102 delegates for 120 days.
- (5) Total staff salaries for 25 delegates (189 total staff).
- (6) Total staff salaries for 102 delegates (437.5 total staff).

D. Travel

The 1978 constitutional convention, which had 102 delegates and 314 staff, reported a cost of \$15,561.98 for travel.⁴⁶ Of the 102 delegates, 24 were from the neighbor islands and 78 were based on Oahu. Of the 78 Oahu delegates, 66, or 85% of all Oahu delegates, traveled to the neighbor islands for convention hearings, averaging 2.3 trips each. This percentage is derived from Oahu delegates' receipt of per diem payments.⁴⁷ (In order to be paid the "off-island" per diem while conducting convention business, a delegate must have traveled off Oahu to a neighbor island.) It is uncertain whether the remaining twelve Oahu delegates did not travel on business to the neighbor islands or whether they did travel but did not claim off-island per diem payments. In addition, there is no reason to assume that non-Oahu delegates did not also travel to neighbor island convention hearings. However, there is no distinction between per diem payments made to non-Oahu delegates for travel from a delegate's home island to Oahu and

45. Hawaii. Constitutional Convention Cost Task Force "Projecting the Cost of a Constitutional Convention in Hawaii", August 1, 2008, hereafter "Task Force Report", p. 21.
 46. State of Hawaii. Proceedings of the Constitutional Convention of Hawaii of 1978, volume 1, Journal and Documents, 1980, "Expenses of the Convention," p. 1191.
 47. *Ibid.*, pp. 1192 to 1195. The figures are derived from observing the pattern of per diem claims by delegates for work done on Oahu and on the neighbor islands.

payments made for travel from Oahu to other islands that are not a delegate's home island.⁴⁸ Nonetheless, it would be reasonable to assume that a similar percentage of non-Oahu delegates (85%) also made such convention trips and incurred travel costs.

Estimated Types of Travel

Thus, considering the assumed travel patterns of both Oahu and non-Oahu delegates in 1978, it would be reasonable to expect that a similar percentage of future delegates (85%) would travel three times to neighbor islands for convention hearings, accompanied by a reasonable number of support staff. This reasoning is supported by the expectation that a convention based on Oahu will also need to hold hearings on the three islands of Kauai, Maui, and Hawaii. Thus, for a 102-delegate scenario, assuming the same number of Oahu delegates (70) and non-Oahu delegates (32) as previously projected in the discussion on per diem costs,⁴⁹ 87 delegates (85% consisting of 60 of 70 Oahu delegates and 27 of 32 non-Oahu delegates, respectively) could be expected to travel to three neighbor islands accompanied by about ten support staff. The number of support staff is a flexible *total* estimate depending on the size of each traveling delegate group. That is, it is assumed that delegates would probably not travel in one large group of 87 with ten support staff but in several smaller groups with smaller numbers of support staff. For example, ten different individuals serving as support staff may travel three times each for a total of 30 round trips, or only three individuals may make ten round trips each for the same total of 30 round trips. Based on the foregoing, it is estimated that 85%, or 60 of the 70 Oahu delegates would make a total of 180 round trips to neighbor islands on convention business.⁵⁰ A total of 30 support staff round trips are also estimated.

In addition, it would not be unreasonable to expect non-Oahu delegates to return to their home islands weekly during the convention. Thus, for a 102-delegate scenario, it is estimated that all 32 non-Oahu delegates would make an estimated total of 512 round trips back to their home islands during a four-month convention.⁵¹ Considered with the foregoing estimate that 85% (or 27) of the non-Oahu delegates would make an additional estimated 81 round trips to other neighbor islands for convention hearings, we estimate that non-Oahu delegates are likely to make a total of 593 round trips.⁵² Accordingly, for a 102-delegate scenario, the estimated total number of round trips for all types of delegates and support staff would amount to 803.⁵³

48. Ibid.

49. See discussion on projection of number of Oahu and non-Oahu delegates in section on 1978 per diem costs earlier in this chapter.

50. (70 Oahu delegates x .85) @ 3 round trips each = 180 round trips (rounded up).

51. 32 non-Oahu delegates @ 16 home-island round trips each = 512 home-island round trips.

52. 512 round trips + ((32 non-Oahu delegates x .85) @ 3 non-home-island round trips each) = 593 total round trips (rounded down).

53. 593 total non-Oahu delegate round trips + 180 total Oahu delegate round trips + 30 total staff round trips = 803 total round trips for all.

Estimated Cost of Travel

The cost of air travel is extremely difficult to project, particularly given the escalating and ongoing volatility of global oil prices. In addition, local turbulence within the Hawaii airline industry has greatly reduced the number of inter-island seats. Furthermore, it is highly likely that the cost of inter-island air travel will increase as time progresses. Thus, the cost estimates calculated in this section are extremely tentative at best.

Given these cautions, coach round trip airfare from Honolulu International Airport to Hilo, Kahului, and Lihue were calculated based on the average of published prices for Hawaiian Airline flights as follows: \$199 for Hilo, \$149 for Kahului, and \$158 for Lihue, for an average cost of \$168.40.⁵⁴ Thus, the estimated cost for air travel for a 102-delegate scenario, taking an estimated 803 round trips, would be \$135,222, subject to price changes.⁵⁵ For a 51-delegate convention and using the same assumptions regarding the number of Oahu (35) and non-Oahu (16) delegates, corresponding to the current breakdown in the House of Representatives,⁵⁶ and the number of round trips (3 neighbor island round trips for 85% of all delegates and 1 round trip home per week for 16 weeks for non-Oahu delegates), but assuming 8 rather than 10 support staff, the same calculations yield an estimated cost of \$69,379.⁵⁷ For a 25-delegate convention, and based on 7 and 18 non-Oahu and Oahu delegates (corresponding to the current 7 and 18 non-Oahu and Oahu senators),⁵⁸ the same number of round trips, but with assuming 5 support staff, the same calculations result in an estimated cost of \$31,995.⁵⁹

Constitutional Convention Cost Task Force Estimate

The final report of the Constitutional Convention Cost Task Force states that it would be "appropriate to budget one round-trip per week for each neighbor island delegate. This would enable neighbor island delegates to have personal contact with their constituencies during the convention."⁶⁰ The Bureau also makes this assumption. It also appears that the Task Force factored in the need for non-Oahu delegates working on Oahu to travel to other neighbor islands for convention hearings, although the number of non-Oahu delegates and number of round trips

54. Hawaiian Airlines website: <https://apps.hawaiianair.com/reservations/1/GetAvail.aspx>. A range of 6 to 9 prices were published for each trip depending on the time of each flight. An average for each round trip was calculated based on all the published prices available on the Hawaiian Airlines website on July 30, 2008.

55. 803 total round trips for all @ \$168.40/trip = \$135,222 (rounded).

56. See discussion on projection of number of Oahu and non-Oahu delegates in section on 1978 per diem costs earlier in this chapter.

57. ((16 non-Oahu delegates x .85 @ 3 non-home-island round trips each) + (16 delegates @ 16 home-island round trips each) + (35 Oahu delegates x .85 @ 3 non-home-island round trips each) + (8 staff @ 3 round trips each)) = 412 total round trips for all; 412 @ \$168.40/trip = \$69,379 (rounded).

58. See discussion on projection of number of Oahu and non-Oahu delegates in section on 1978 per diem costs earlier in this chapter.

59. ((7 non-Oahu delegates x .85 @ 3 non-home-island round trips each) + (7 delegates @ 16 home-island round trips each) + (18 Oahu delegates x .85 @ 3 non-home island round trips each) + (5 staff @ 3 round trips each)) = 190 total round trips for all; 190 @ \$168.40/trip = \$31,995 (rounded).

60. Hawaii. Constitutional Convention Cost Task Force "Projecting the Cost of a Constitutional Convention in Hawaii," August 1, 2008, hereafter "Task Force Report", p. 31.

COST ESTIMATES FOR A CONSTITUTIONAL CONVENTION

were not specified. The Task Force further "estimated that the cost of a round-trip inter-island ticket was \$200", which is 19% higher than the Bureau's composite estimate of about \$168.

For a 120-day convention, the Task Force estimated travel costs of \$22,400, \$51,200, and \$102,400 for 25, 51, and 102 delegates, respectively. For a 90-day convention, the Task Force estimated travel costs of \$16,800, \$38,400, and \$76,800 for 25, 51, and 102 delegates, respectively. The Task Force report also acknowledged a possible "need for convention staff to accompany delegates to the neighbor islands for hearings or other official business."⁶¹ This is also similar to the Bureau's assumption. For staff travel costs, the Task Force estimated \$2,500, \$5,000, and \$10,000 for a convention with 25, 51, and 102 delegates, respectively, of an unspecified duration.⁶² However, the Task Force estimated a need for 12.5, 37.5, and 50 round trips for staff, as opposed to 15, 24, and 30 staff round trips estimated by the Bureau. The Task Force estimated staff per diem costs of \$2,000, \$3,000, and \$5,000 for a convention with 25, 51, and 102 delegates, respectively, which seem reasonable. The Task Force further estimated costs of \$2,000, \$3,000, and \$5,000 for hotel and car rental for staff but not for delegates. Based upon the reasonableness of the Task Force's assumptions, the Bureau has included additional estimated costs of \$4,000, \$6,000, and \$10,000 for a convention with 25, 51, and 102 delegates, respectively, to cover staff per diem and hotel and rental car costs. However, the Bureau notes that travel to non-home islands by delegates on convention business may incur additional costs for hotel and car rental which are not accounted for here. Although the Task Force estimated higher ticket costs, the Bureau estimated more delegate inter-island travel for convention hearings and, thus, derived at a higher total travel cost estimate.

Table 2-8 reflects the estimates calculated by both the Bureau and the Task Force for total travel costs, including staff per diem and hotel and rental car costs.

Table 2-8
Total Travel Costs for Delegates and Staff for 120 Days
For a Convention with 25, 51, and 102 Delegates

Estimates	25-Delegate Convention	51-Delegate Convention	102-Delegate Convention
Legislative Reference Bureau	\$35,995	\$75,379	\$145,222
Constitutional Convention Task Force	\$28,900	\$62,200	\$122,400

61. Ibid.

62. Ibid., p. 32.

PERSONNEL COSTS

E. Summary

In summary, Table 2-9 highlights the cost components of our lowest and highest total estimates for personnel costs.

Table 2-9
Estimates of Total Compensation Costs

	Low	High
Delegates' Total Compensation	\$168,150	\$2,385,800
Employees' Salary	\$2,447,600	\$5,061,800
Payroll Tax/Fringe Benefits	\$200,105	\$1,344,292
Travel	\$35,995	\$145,222
Total	\$2,851,850	\$8,937,114

Accordingly, our estimates for total personnel costs range from a low of \$2,851,850 to a high of \$8,937,114.

Chapter 3

FACILITIES COSTS

As Chapter 2 on personnel costs notes, it is up to the Legislature to determine how many delegates a convention will have. The most widely discussed numbers are 25, 51, and 102 delegates. This as yet undetermined number will directly affect how large and how many physical facilities will be required for a future convention. This chapter estimates the cost to use various types of facilities that are sufficient to hold a convention on Oahu. (Unless otherwise noted, the same staffing estimates developed in Chapter 2 are used herein.)

Minimum Facility Requirements

At minimum, a convention would require a large space for plenary sessions to accommodate all delegates, and presumably some portion of their staff, when they meet at one time. Although use of this large space would be intermittent depending on how the convention decides to organize itself and how it structures the plenary meeting schedules, this space is indispensable. A convention would also require moderate to large-sized rooms possibly accommodating several dozen people for ongoing conference and committee meetings. In addition, provision of office space for the daily use of delegates and their staff is a reasonable requirement, despite some public comments that this is optional. This chapter attempts to estimate costs for these three types of facilities.

Unfair Comparison

It is both unrealistic and unfair to compare the availability and cost of physical facilities of a future convention with the most recent one in 1978. Delegates to the 1978 convention benefitted from the uniquely serendipitous circumstance of having at their disposal a recently vacated building complex—the old federal building in the heart of downtown Honolulu—for a relatively inexpensive price.¹ The large former office of the Internal Revenue Service was used for plenary sessions and the old courtrooms proved useful for large committee meetings. After some renovation, that facility also proved quite workable in providing office space for delegates.² However, for purposes of estimating facility costs for a future convention, it would be unreasonable to expect blind luck to repeat itself. The recently vacated Princess Victoria Kamamalu Building on the corner of Richards and South King Streets might have provided office space but for the need to treat hazardous materials.³

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1. State of Hawaii. Chief Clerk of the Convention "Proceedings of the Constitutional Convention of Hawaii of 1978", vol. 1, 1980, p. 1191 (hereafter "1978 Proceedings."). The total office space rental cost was \$138,371.07.
 2. Ibid., pp. vii-viii.
 3. Office of the Lieutenant Governor. Constitutional Convention Cost Task Force, minutes of meeting of June 26, 2008, p. 2.

Public and Private Sector Requests

For a future convention, the Bureau requested various entities in the public and private sectors to help determine whether appropriate facilities may be available and to estimate their costs for convention use. Within the public sector, the Bureau contacted:

- (1) The Department of Accounting and General Services;
- (2) The Department of Education;
- (3) The Department of Defense;
- (4) The University of Hawaii;
- (5) The United States General Services Administration;⁴
- (6) The Commander, United States Pacific Command;
- (7) The Mayor of the City and County of Honolulu; and
- (8) The President of the Senate and the Speaker of the House of Representatives of the Hawaii State Legislature.

In the private sector, the Bureau contacted:

- (1) The Hawaii Association of Independent Schools;
- (2) The Hawaii Visitors and Convention Bureau;
- (3) Colliers Monroe Friedlander, Inc.; and
- (4) Hilton Hawaiian Village Beach Resort & Spa.

Availability and Estimated Cost of Facilities

Legislature's Facilities

The Bureau asked the Senate and House of Representatives (hereafter "House") leadership whether certain facilities, systems, and employees under the Legislature's jurisdiction might be made available for the use of a future constitutional convention.⁵ This section reviews the Legislature's position on the use of facilities. The availability and use of the Legislature's

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4. General Services Administration website: The GSA's mission is to "help federal agencies better serve the public by offering, at best value, superior workplaces, expert solutions, acquisition services and management policies." It provides support to other federal agencies and, in some cases, the general public. GSA is the government's "landlord," meeting the office and other space requirements of the federal workforce. <http://www.gsa.gov/Portal/gsa/ep/channelView.do?pageTypeId=8199&channelPage=%2Fep%2Fchannel%2FgsaOverview.jsp&channelId=-13261>:
 5. Memorandum dated June 30, 2008, from Peter G. Pan and Dean Sugano, Legislative Reference Bureau, to the Honorable Colleen Hanabusa and the Honorable Calvin K.Y. Say, Senate President and House Speaker, respectively.

data systems infrastructure is discussed in a separate chapter on Information and Communication Systems.

The House Speaker has indicated that the Capitol Auditorium in the State Capitol basement may be available for the use of a future constitutional convention for intermittent plenary sessions.⁶ However, the House Chamber will probably not be available for similar use because the Office of Elections reserves both the House and Senate Chambers for preparatory work and operations of the state election control center from July to November of each election year. During those months, the keys to the House and Senate Chambers are turned over to the Office of Elections to maintain security and the integrity of the Office's operations.⁷ On the other hand, it appears that the Chambers may be available in 2011, which is a non-election year.

Furthermore, the House Speaker indicated that a future constitutional convention may use conference rooms under House jurisdiction that are generally open to the public with the following exceptions:⁸

- (1) One House conference room would be reserved exclusively for use by House committees for interim work;
- (2) The House Finance Committee hearing room (room 308) would not be available; and
- (3) Two other House conference rooms would not be available to a convention in 2010 or 2012 if, as in past election years, the Office of Elections reserves those rooms from August to November for ballot packing. If, however, the Office of Elections makes other arrangements for its ballot packing operation, the conference rooms would become available to a convention.

Thus, not without some constraints, the State Capitol building could provide some space for plenary sessions and committee meetings. There remains, however, a convention's need for delegates' office space. It is unrealistic to expect that the Legislature can provide office space within the State Capitol building. The notion of giving up or sharing legislators' offices with convention delegates is simplistic, uninformed, and fundamentally flawed. Although a convention would most likely take place after the legislative session and during the interim, it is erroneous to expect that the work of the Legislature comes to a halt. The Legislature is a separate and equal branch of government that, as an organization (including its various support staff offices), continues to work during the interim. This work should not be usurped or interrupted.

To illustrate, the 2008 session officially began on Wednesday, January 16 and the deadline to introduce bills fell on January 23, one week later. A total of 2,748⁹ bills were introduced. To think that all these bills were conceived, considered, discussed, researched, organized, drafted, lobbied for or against, reviewed, revised, and printed ready for introduction

6. Memorandum from Speaker Calvin Say to Ken Takayama dated 7/15/2008, hereafter "House memo."
7. House memo.
8. Ibid.
9. Research by the Legislative Reference Bureau Systems Office.

within one week is naive at best. Work on the great bulk of these bills was most certainly done during the interim between the end of the 2007 session and the beginning of the 2008 session.

Nor is drafting of bills the only pertinent legislative activity. Legislators, as elected officials, have a responsibility to continue to serve their constituencies regardless of whether the Legislature is in session. Unlike the situation in 1978, legislators now have permanent staff working in their State Capitol offices year-round. Legislators and their staff cannot be summarily displaced for four or five months to accommodate a constitutional convention and still be expected to carry out their normal functions, including preparatory work for a subsequent legislative session.

Neither can other permanent key legislative support staff be displaced. A vital but little appreciated fact is that it is during the interim that legislative support staff, primarily the Chief Clerks' offices in the Senate and the House, conduct the unseen yet mission-critical back office tasks necessary to run a successful subsequent legislative session. Displacing these offices would cause serious disruption to the legislative process. All this relatively invisible work is often taken for granted, and understandably so. The nuts and bolts "black box" processes necessary to run the operation of a Legislature as an organization should run smoothly in the background without notice. In fact, a measure of their success is that they continue to run unnoticed—any attention generally indicating that a process may have broken down.

Perhaps more significant, taking over or sharing legislators' offices would compromise the confidentiality of legislators' physical files and documents—not to mention their electronic computer files and documents. Convention delegates cannot simply take over and use, or share, existing legislators' computers, for a host of other reasons including security, accountability, and liability, as discussed in Chapter 6 relating to Communications Costs. Furthermore, even if all 76 legislators were displaced for four or five months, the State Capitol building simply does not have enough rooms to accommodate 102 convention delegates and their staff. Based on the foregoing, it is unreasonable to expect that the State Capitol building will be able to accommodate a convention's need for office space.

The Constitutional Convention Task Force report appears to be completely oblivious of these issues with regard to taking over office space within the State Capitol building. The Task Force evidently assumes that the 76 legislators can simply be moved out for four months and moved back in when the convention is finished—at a cost of \$428,000 for 102 delegates. Apparently the Task Force assumes that all 76 legislators can and will stop all work during those four months, because it does not provide for office rental on Oahu for the displaced legislators and their permanent staff.¹⁰ Also unclear is whether the Task Force assumes the sitting legislators and their staff will continue to be paid, even though they have no office from which to work, or whether the Task Force expects the Legislature, rather than the Convention, to pay for rented office space for those displaced legislators and staff. The Task Force also notes that use of the State Capitol building will involve increased energy costs that the constitutional convention will have to cover.¹¹

10. Hawaii. Constitutional Convention Cost Task Force "Projecting the Cost of a Constitutional Convention in Hawaii", August 1, 2008, hereafter "Task Force Report", pp. 14-15.

11. Task Force Report, p. 15.

Neal S. Blaisdell Center

The Mayor of the City and County of Honolulu provided the Bureau with a comprehensive listing of available space, and applicable pricing, at the Neal S. Blaisdell Center to accommodate a constitutional convention in 2010, 2011, or 2012.¹² This information addresses all three needs for a convention's physical facilities: a large auditorium for plenary session use, moderate to large conference rooms for convention hearings and meetings, and delegates' office space.

Plenary Session Room

The Pikake Room is self-contained with its own private entrance, lobby, and restrooms and has additional entrances to the Exhibition Hall and Galleria. It has sound and lighting systems and accommodates a maximum of 455 persons. The Pikake Room would be available for 24, 18, 26, and 18 days in June, July, August, and September, respectively, of 2010, for a total of 86 days for plenary sessions. In 2011, the facility would be available for 22, 20, 27, and 18 days in June, July, August, and September, respectively, for a total of 87 days. In 2012, the room would be available for 25, 21, 27, and 17 days in June, July, August, and September, respectively, for a total of 90 days. This facility would be quite satisfactory for plenary sessions. The daily cost for renting the Pikake Room is \$596 plus \$455 for chairs (\$1 for each chair). Wi-fi access is provided free of charge. The cost of telephone lines is not included. In addition, one cabled microphone would cost \$50 daily and an event technician at \$40 per hour would be needed daily for a minimum of 2 hours. However, it would be both counter-intuitive and extremely inefficient to have only one microphone in the room for plenary sessions when all delegates are in attendance. Surely, provision should be made to enable each delegate to be heard. Although legislators in the House and Senate Chambers each have their own individual microphones, a compromise could have delegates sharing microphones. Thus, under 102-delegate scenario, a total of 52 microphones would be needed—one at the podium and 51 additional microphones to be shared one for every two delegates. The technician may be needed for more than two hours. A reasonable estimate would seem to be four hours. Thus, the estimated daily cost for the use of the Pikake Room for a plenary session for a 102-delegate convention would amount to \$3,811.¹³

For a 51-delegate convention, the use of the Pikake Room would likely be inappropriately large and needlessly expensive. Instead, two of the available Hawaii Suite rooms (rooms 3 & 9 or 4 & 10: see conference rooms, below) may be configured into a large theater-style room to accommodate up to 130 persons. The daily rent is \$80 x 2 = \$160. There would appear to be no need to share microphones and thus the cost estimate for microphones would remain the same. However, the number of chairs rented may be reduced from 455 to 130. Thus,

12. Email dated July 31, 2008 and attachments from Mayor Mufi Hannemann to Peter G. Pan regarding availability and pricing for the Neal S. Blaisdell Center facilities (hereafter "NBC"). The NBC included information on dates available in 2011 at the same prices charged in 2012.

13. \$596 daily rent + \$455 chair rental + (52 microphones @ \$50/microphone) + (4 hours @ \$40/hour technician cost) = \$3,811 daily cost.

FACILITIES COSTS

the estimated daily cost for use of the Hawaii Suite rooms to accommodate a plenary session for a 51-delegate convention would amount to \$3,050.¹⁴

For a 25-delegate convention, only one of the Hawaii Suite rooms (room 9 or 10), with an 80-person capacity, would be sufficient. The daily rent is \$80 and 26 microphones could be supplied. Only 80 chairs need be rented. Accordingly, the estimated daily cost for use of one Hawaii Suite room to accommodate a plenary session room for a 25-delegate convention would amount to \$1,620.¹⁵

Based on the frequency of plenary sessions at the Legislature, a reasonable estimate of use of a plenary session space is 60 days. Like the Legislature, it is anticipated that a convention would run for approximately four months. The Legislature works a 60-day session during those four calendar months and meets in plenary session on each day of the session. Thus, it would be reasonable to anticipate a future convention would also hold plenary sessions on 60 separate days over four months. Accordingly, under a 102-delegate scenario, the estimated total cost for the Pikake Room for plenary sessions for 60 days is \$228,660.¹⁶

However, for purposes of comparison, estimates are also provided for 90 and 120 days—the time frame used by the Constitutional Convention Task Force. For 90 days and 120 days, the Bureau estimates the cost to be \$342,990 and \$457,320, respectively, for a 102-delegate convention.¹⁷

Under a 51-delegate scenario, the Bureau estimates the daily cost for a plenary session room to be \$3,050. Thus, for 60, 90, and 120 days, the estimated costs for a 51-delegate convention would amount to \$183,000, \$274,500, and \$366,000, respectively.¹⁸ Under a 25-delegate scenario, the Bureau estimates the daily cost for a plenary session room to be \$1,620.¹⁹ Thus, for 60, 90, and 120 days, the estimated costs for a 25-delegate convention would amount to \$97,200, \$145,800, and \$194,400, respectively.²⁰

The Constitutional Convention Task Force reported costs of \$143,000 and \$191,520 for rental of a plenary session area for 90 and 120 days, respectively.²¹ However, it is unknown what cost item assumptions were used to arrive at those estimates. The table below reflects the estimated costs for the plenary session facility for 60, 90, and 120 days, for purposes of comparison.

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14. \$160 cost of 2 Hawaii Suite rooms + \$130 chair rental + (52 microphones @ \$50/microphone) + (4 hours @ \$40/hour technician cost) = \$3,050.
 15. \$80 cost of 1 Hawaii Suite room + \$80 chair rental + (26 microphones @ \$50/microphone) + (4 hours @ \$40/hour technician cost) = \$1,620 daily cost.
 16. \$3,811 daily cost @ 60 days = \$228,660. See also note 13 and accompanying text.
 17. For 90 days: \$3,811 daily cost @ 90 days = \$342,990; for 120 days: \$3,811 daily cost @ 120 days = \$457,320.
 18. For 60 days: \$3,050 @ 60 days = \$183,000; for 90 days: \$3,050 @ 90 days = \$274,500; for 120 days: \$3,050 @ 120 days = \$366,000.
 19. See note 15 and accompanying text.
 20. For 60 days: \$1,620 @ 60 days = \$97,200; for 90 days: \$1,620 @ 90 days = \$145,800; for 120 days: \$1,620 @ 120 days = \$194,400.
 21. Task Force Report, p. 18.

Table 3-1
Neal S. Blaisdell Center Plenary Session Room Estimated Costs
Comparison of Legislative Reference Bureau and Task Force Estimates

	60 Days	90Days	120 Days
Bureau: 102 Delegates	\$228,660	\$342,990	\$457,320
51 Delegates	\$183,000	\$274,500	\$366,000
25 Delegates	\$ 97,200	\$145,800	\$194,400
Task Force: Unknown No. Delegates	N/A	\$143,000	\$191,520

Conference Rooms

For a 102-delegate convention, seven of the twelve rooms of the Hawaii Suite can be used for conference rooms. Rooms 7, 8, and 12, which have a small theater-style set up can be used without modification. Rooms 3 and 9 can be combined and reconfigured into a theater-style larger conference room. The same can be done for rooms 4 and 10. In 2010, the Hawaii Suite rooms will be available for 24, 15, 22, and 14 days in June, July, August, and September, respectively, for a total of 75 days. For 2011 and 2012, the total numbers of available days are 77 and 81, respectively.

Daily rent is \$80 per conference room, \$1 per chair, and \$5 per table. For small room 12, the daily cost of the one cabled microphone is \$55. For small rooms 7 and 8, the two cabled microphones would cost \$50 each per day. It is estimated that five microphones may be needed for each of the small rooms 7, 8, and 12 and eight microphones for each of the larger reconfigured conference rooms (rooms 3 & 9 and 4 & 10). The event technician at \$40 per hour for a minimum of two hours per room is again required. The larger reconfigured conference rooms (rooms 3 & 9 and 4 & 10) also cost \$80 per day, \$1 per chair, \$5 per table, and \$50 per cabled microphone. However, these two reconfigured larger conference rooms also require two risers at \$20 each to make a stage for a total of \$80 per day. Thus, the daily cost for use of the seven conference rooms is estimated to be \$3,451.²² The total cost for 60 days is estimated to be \$207,060.

For purposes of comparison, estimates are also provided for 90 and 120 days—the time frame used by the Constitutional Convention Task Force. Thus, for a 102-delegate convention, the Bureau estimates the cost of conference rooms for 90 days and 120 days to be \$310,590 and \$414,120, respectively.²³

Under a 51-delegate scenario, the total rental for rooms would remain the same except that the two larger conference rooms (rooms 3 & 9 and 4 & 10) would be split into four smaller

22. (\$80 daily room rent @ 7 rooms, including 2 combined rooms separately counted) + (\$44 + \$52 + \$260 chair rental) + (\$5 @ 16 tables) + (\$55 @ 5 microphones) + (\$50 @ 26 microphones) + (\$40/hour technician cost @ 4 hours @ 5 total rooms: 3 small rooms plus 2 combined rooms) + (\$20 @ 4 risers) = \$3,451 daily cost.
 23. For 90 days: \$3,451 daily cost @ 90 days = \$310,590; for 120 days: \$3,451 daily cost @ 120 days = \$414,120.

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rooms. There will be no need for the \$80 per day stage risers as stages will be unnecessary for the purpose of holding committee meetings. Six fewer microphones and 60 fewer chairs would be needed because of the smaller configuration of the rooms. However, two more technicians will be required due to the splitting up of the two larger conference rooms for a total of 7 rooms to be serviced. Thus, the daily rental cost for conference rooms for a 51-delegate convention is estimated to be \$3,331.²⁴ Thus, for a 51-delegate convention, the estimated costs for conference rooms for 60, 90, and 120 days are \$199,860, \$299,790, and \$399,720, respectively.²⁵

Under a 25-delegate scenario, the only estimated change in cost from the 51-delegate scenario is a further reduction in the number of rented chairs. (Each delegate could be provided an individual microphone and would no longer need to share with another delegate.) The same number of rooms would be needed to accommodate a similar number of conference hearings. The estimated daily cost for a 25-delegate convention would be \$3,209.²⁶ Thus, for a 25-delegate convention, the estimated costs for 60, 90, and 120 days for conference rooms would amount to \$192,540, \$288,810, and \$385,080, respectively.²⁷

The Constitutional Convention Task Force reports costs of \$167,000 and \$223,200 for conference rooms for 90 and 120 days, respectively. Again, it is unknown what assumptions were used to arrive at these figures.²⁸ The table below reflects the estimated costs for conference rooms for 60, 90, and 120 days, for purposes of comparison.

Table 3-2
Neal S. Blaisdell Center Conference Room Estimated Costs
Comparison of Legislative Reference Bureau and Task Force Estimates

	60 Days	90 Days	120 Days
Bureau: 102 Delegates	\$207,060	\$310,590	\$414,120
51 Delegates	\$199,860	\$299,790	\$399,720
25 Delegates	\$192,540	\$288,810	\$385,080
Task Force: Unknown No. Delegates	N/A	\$167,000	\$223,200

Office Space

The Exhibition Hall at the Blaisdell Center, consisting of 65,000 square feet, expandable to 85,000 square feet, is offered as the venue for office space. The daily rent per "non-

24. (\$80 daily room rent @ 7 rooms) + \$296 chair rental + (\$5 @ (16 tables)) + (\$55 @ 5 microphones) + (\$50 @ 20 microphones) + (\$40/hour technician cost @ 4 hours @ 7 rooms) = \$3,331 daily cost.
 25. For 60 days: \$3,331 daily cost @ 60 days = \$199,860; for 90 days: \$3,331 daily cost @ 90 days = \$299,790; for 120 days: \$3,331 daily cost @ 120 days = \$399,720.
 26. (\$80 daily room rent @ 7 rooms) + \$174 chair rental + (\$5 @ (16 tables)) + (\$55 @ 5 microphones) + (\$50 @ 20 microphones) + (\$40/hour technician cost @ 4 hours @ 7 rooms) = \$3,209 daily cost.
 27. For 60 days: \$3,209 daily cost @ 60 days = \$192,540; for 90 days: \$3,209 daily cost @ 90 days = \$288,810; for 120 days: \$3,209 daily cost @ 120 days = \$385,080.
 28. Task Force Report, p. 18.

performance" day (for setting up and moving out) is \$1,075, while the daily rent for a "performance day" (for conducting an event) is \$2,150.

However, the Exhibition Hall is *not continuously available*. In fact, the hall is available only intermittently and at an irregular frequency throughout the four months of June, July, August, and September in 2010, 2011, and 2012. Specifically, in June 2010, 2011, and 2012, the hall is available for only 10, 9, and 8 intermittent days, respectively. In July 2010, 2011, and 2012, the space is available only for 12, 12, and 11 intermittent days, respectively. In August 2010, 2011, and 2012, the hall will be free for only 16, 17, and 17 intermittent days, respectively. In September 2010, 2011, and 2012, the hall will be available for only 12, 12, and 12 intermittent days, respectively. Seen from another perspective, space for offices will be available for only a total of 50 days, on an intermittent and irregular basis, in both 2010 and 2011 to accommodate a convention that may last 90 or 120 days. The same situation applies in 2012, except that office space will be available for only 48 intermittent and irregular days.

Upon further inquiry, the Blaisdell Center confirmed that the Exhibition Hall has been contracted to other users on the days that the facility is not listed as being available.²⁹ Without wholesale preemption of other contracted tenants, the limited availability of the Exhibition Hall poses what appears to be a logistical dead-end with regard to its use as office space for a convention.

However, the Constitutional Convention Task Force reports costs of \$1,138,500 and \$1,203,000 for office space using the Exhibition Hall for 90 and 120 days, respectively.³⁰ Once again, the Task Force report does not provide any assumptions that may have been used to arrive at those figures. For example, it is unknown whether all contracts for conflicting use of the Exhibition Hall can or will be preempted and at what cost. It is further unknown, but likely, that provision is made for the cost of renting or purchasing modular office furniture. Aside from the presentation of its cost estimates, the Task Force report provides only the following statement regarding the Blaisdell Center as a viable venue for a constitutional convention:

The Neal S. Blaisdell Center Exhibition Hall is a city-run venue that has not accommodated three or four month engagements. However, its size and capabilities match the constitutional convention's requirements very well. *It has plenary rooms, meeting rooms and an exhibition hall that could accommodate all of the office and staff support requirements of the constitutional convention.* It would allow the convention to be held in one location. *(Emphasis added.)*³¹

Therefore, for purposes of illustration, and assuming that all already-scheduled events at the Exhibition Hall can and will be preempted, the Bureau estimates the cost to rent office space at \$255,850 for a 120-day convention.³² For a 90-day convention, the estimated cost would be

29. Email of August 6, 2008, from Jane Rock, Marketing and Sales Manager, Department of Enterprise Services, Neal S. Blaisdell Center, hereafter "Blaisdell email."

30. Task Force Report, p. 18.

31. Task Force Report, p. 18.

32. 2 days @ \$1,075 non-performance daily rate to set up and break down modular office furniture + 118 days @ \$2,150 performance daily rate = \$255,850.

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\$191,350.³³ However, the empty floor is inadequate for use as office space unless modular cubicles are installed for delegates, their office staff, and convention staff to provide at least a modicum of privacy. Thus, the Bureau also estimates the cost of purchasing modular office furniture at \$576,998, \$883,022, and \$1,454,627 for a convention with 25, 51, and 102 delegates, and their staffs, respectively. (See discussion of office equipment and furniture in the Chapter 7 on Operational Costs.) The Bureau lacks sufficient information to even begin to estimate the possible cost to compensate parties who need to have their contracted scheduled events preempted. Consequently, no estimate for this cost is included. However, this would be an added cost, not a reduction. The table below presents estimates by the Bureau and the Constitutional Convention Task Force of total rental costs for office space at the Neal S. Blaisdell Center for a constitutional convention in 2010. Fees remain the same for 2011 and 2012.

Table 3-3
Estimated Costs of Office Space—Exhibition Hall, Neal S. Blaisdell Center
Including Purchase of Modular Office Furniture

	90 Days	120 Days
Bureau: 102 Delegates	\$1,645,977	\$1,710,477
51 Delegates	\$1,074,372	\$1,138,872
25 Delegates	\$ 768,348	\$ 832,848
Task Force: Unknown No. Delegates	\$1,138,500	\$1,203,000

The following table reflects a comparison of estimated total costs to rent the Neal S. Blaisdell Center for a plenary session room, conference rooms, and office space by the Bureau and the Constitutional Convention Task Force. It is important to note, however, that costs for possible compensation for preempting already-scheduled events are not included in the Bureau's estimates. It is unknown whether the Task Force figures include these costs or not.

Table 3-4
Estimated Costs for Plenary Session Room, Conference Rooms
And Office Space at the Neal S. Blaisdell Center for 90 and 120 Days

	90 Days	120 Days
Plenary: Bureau: 102 Delegates	\$342,990	\$457,320
51 Delegates	\$274,500	\$366,000
25 Delegates	\$145,800	\$194,400
Plenary: Task Force: Unknown No. Delegates⁽¹⁾	\$143,000	\$191,520

33. 2 days @ \$1,075 non-performance daily rate to set up and break down modular office furniture + 88 days @ \$2,150 performance daily rate = \$191,350.

COST ESTIMATES FOR A CONSTITUTIONAL CONVENTION

			90 Days	120 Days
Conference:	Bureau:	102 Delegates	\$310,590	\$414,120
		51 Delegates	\$299,790	\$399,720
		25 Delegates	\$288,810	\$385,080
Conference:	Task Force:	Unknown No. Delegates ⁽²⁾	\$167,000	\$223,200
Offices:	Bureau:	102 Delegates & 438 Staff ⁽³⁾	\$1,645,977	\$1,710,477
		51 Delegates & 277 Staff ⁽³⁾	\$1,074,372	\$1,138,872
		25 Delegates & 189 Staff ⁽³⁾	\$768,348	\$832,848
Offices:	Task Force:	Unknown No. Delegates/Staff ⁽⁴⁾	\$1,138,500	\$1,203,000
Total:	Bureau:	102 Delegates	\$2,299,557*	\$2,581,917*
		51 Delegates	\$1,648,662*	\$1,904,592*
		25 Delegates	\$1,202,958*	\$1,412,328*
Total:	Task Force:	Unknown No. Delegates/Staff	\$1,449,540	\$1,617,720

**Plus unknown cost of canceling any previously scheduled events.*

- (1) It is unknown whether the large Pikake room or a smaller room is selected to accommodate 25, 51, or 102 delegates.
- (2) It is unknown how many delegates—25, 51, or 102—are assumed and whether the convention committees are accommodated by the same or a different number of conference rooms as assumed by the Bureau.
- (3) Includes the cost of modular office furniture to accommodate delegates and staff.
- (4) It is unknown what other cost factors, if any, are included in this figure in addition to floor space rental.

Hawaii Convention Center

The Hawaii Convention Center provided the Bureau with an estimate of "revenue" to the Center if a constitutional convention were to rent facility space for 90 days during the summer of 2010.³⁴ For three months during the summer of 2010, the Center estimated a ballpark rental cost of \$1,260,000 (discounted at 50%) for three ballrooms (A, B, and C) and the entire third floor meeting room level consisting of 28 meeting rooms (rooms 301 through 328) for 102 delegates, delegate staff, and convention staff.³⁵ Extrapolated to 120 days, or four months, the estimated total rental cost would be \$1,680,000 for 102 delegates, delegate staff, and convention staff.³⁶ The Center responded to the Bureau's request to accommodate 102 delegates and approximately

34. Emailed information received on August 1, 2008, from Lois Asato of the Hawaii Convention Center, hereafter HCC 8/1/08 email.

35. Ibid.

36. $(120 / 90) \times \$1,260,000 = \$1,680,000$.

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438 delegate and convention staff in the form of office space, conference rooms, and a plenary session room; however, a breakdown of room allocation for various purposes was not provided.

As noted above, the total estimated rental cost for 90 days is estimated at \$1,260,000. The estimated cost for office space only is estimated at \$1,230,930 for 90 days.³⁷ Extrapolating for 120 days, the estimated cost would be \$1,641,240.³⁸ It is important to note that the Convention Center, itself, does not provide modular office furniture to partition rooms into office space. However, modular office furniture is indispensable and would incur an additional cost if open flooring is supplied for office space. The estimated costs to provide modular office furniture for delegates and staff are: \$576,998, \$883,022, and \$1,454,627 to accommodate 25, 51, and 102 delegates and all convention staff, respectively. (*See section above discussing the Blaisdell Center.*)

The Hawaii Convention Center also provided a table of revenue losses should a constitutional convention need to displace already-booked events scheduled for April through June 2010, based on an earlier rental estimate of eleven rooms.³⁹ Seven events would need to be displaced for those eleven rooms from April 5 to July 1, 2010, that would incur a loss of:⁴⁰

- \$384,453 in rental revenue
- \$424,001 in food and beverage revenue
- \$3,275,025 in state tax revenue
- \$36,330,970 in economic impact spending revenue

If a convention were to rent 28 rooms and three large ballrooms—rather than only the eleven rooms mentioned above upon which the reported losses are based—revenue losses would obviously be even higher.

Furthermore, the Hawaii Tourism Authority expressed grave concerns that the holding of a constitutional convention at the Center would be an inappropriate and harmful use of the facility:

An event like the ConCon that needs to be active for three months cannot be placed in the convention center. Having such a lengthy activity will certainly disrupt the marketing of the Center. Any event that considers using the Convention Center for three months, [even] though providing top dollar and reserving the entire building would be discouraged due to factor[s] like missing a rotation for future business. Having an event with such a lengthy period creates an unbalanced booking rotation. So as much as the

37. Originally, an estimate of \$29,070 was quoted on July 15, 2008, without taking into account the need to accommodate a large number of offices. The revised quote of \$1,260,000 on August 1, 2008, accounted for 28 more rooms to accommodate these offices. Thus, the difference ($\$1,260,000 - \$29,070 = \$1,230,930$) accounts for the cost of the additional office space.

38. Extrapolating the discounted cost of \$1,230,930 for 90 days, the cost for 120 would be $(120/90) \times \$1,230,930 = \$1,641,240$.

39. Emailed information received on July 15, 2008, from Lois Asato of the Hawaii Convention Center, (hereafter "HCC 7/15/08 email") provided an estimate without an additional 28 rooms for offices.

40. Ibid.

[C]enter may be cost effective for the ConCon, such a venue is not acceptable for the Center. I think you will find that other locations will have the same push back. This type of activity in the Center will create such a negative future effect to the business, that the Center should not be considered for this ConCon event.⁴¹

The Hawaii Convention Center also made similar comments:

I cannot stress the negative impact that a booking of this nature would have on the Hawaii Convention Center and for the State of Hawaii. The Legislature needs to look beyond the revenue that HCC would receive from rental, etc. We are not in the business of long term rentals because that would prevent us from accepting bookings for meeting, conventions and tradeshows which generate revenue for the entire State of Hawaii.... we have events on the books for the next 15 years and should we cancel them to accommodate the Con Con, we expose ourselves and the State of Hawaii to tremendous liability, poor reputation among meeting planners[,] and distrust. The negative effects of accepting a booking of this nature will far exceed the immediate financial gains. It will set our sales and marketing efforts back 10 years as this is how long it's taken us to secure all of the business that we have and earn the trust and confidence of the meeting planners that we work with.... I think that every effort should be made to block this proposal for the reasons stated above.⁴²

Thus, the total ballpark cost, including the cost of modular office furniture, to rent the Convention Center in 2010 for a constitutional convention would be \$2,714,627 for 90 days and \$3,134,627 for 120 days.⁴³ This does *not*, however, include the loss of an estimated \$4,083,479 in state taxes and revenues from already-booked events that would have to be cancelled.

Table 3-5
Estimated Rental Costs of Hawaii Convention Center to Accommodate
102 Delegates and Staff for 90 and 120 Days

Duration	Rental	Modular Furniture	Total Cost
90 Days	\$1,260,000	\$1,454,627	\$2,714,627*
120 Days	\$1,680,000	\$1,454,627	\$3,134,627*

**Does NOT include estimated lost revenue of over \$4,000,000.*

Hilton Hawaiian Village Beach Resort & Spa

The Hilton was able to quote prices to accommodate a constitutional convention of 102, 51, and 25 delegates, but the facilities are only available for 17 days in 2010 from August 9 to

41. Email dated July 15, 2008, from Lloyd I. Unebasami, Chief Administrative Officer, Hawaii Tourism Authority.
 42. Email dated July 23, 2008, from Lois Asato of the Hawaii Convention Center to Lloyd Unebasami of the Hawaii Tourism Authority, and forwarded to Peter G. Pan in an email dated August 1, 2008.
 43. For 90 days: \$1,260,000 + \$1,454,627= \$2,714,627; and for 120 days: \$1,680,000 + \$1,454,627 = \$3,134,627.

25, and for 30 days in 2012 from July 2 to 31.⁴⁴ These truncated periods are inadequate to run a full convention. Although not a viable venue, nonetheless, the Hilton's cost estimates are illuminating and show what potential facility rental costs may be in the private sector. Thus, the following calculations are for illustrative purposes only.

Plenary Session Suite

The rental fee for a large suite for plenary sessions at the Hilton would cost \$3,000/\$3,400 per day in 2010/2012. One standing microphone in the suite would cost \$50/\$55 per day in 2010/2012. Internet access for computers would cost \$250/\$300 per day per device in 2010/2012 and a one-time installation fee of \$1,000 (the same fee for each year) would also apply.

It obviously would be unreasonable for a meeting of this size to have only one working microphone. However, if more than one microphone is used, a daily fee of \$450/\$550 in 2010/2012 for a microphone mixing board would be charged—as well as \$100/\$125 per hour in 2010/2012 for one technician. Thus, assuming 102 delegates and an equal number of microphones, the daily cost for microphones alone in the plenary session suite would amount to \$6,350/\$7,160 in 2010/2012.⁴⁵ For 102 delegates, the cost for Internet access within the plenary session suite alone would be \$25,500/\$30,600 per day in 2010/2012, aside from a one-time \$1,000 installation fee.⁴⁶

For purposes of illustration only, and assuming plenary sessions were held on each of 120 days, the total estimated rental costs for the plenary session suite with microphones and Internet access would be \$4,183,000 and \$4,940,200 in 2010 and 2012, respectively.⁴⁷

Conference Rooms

Again, for illustrative purposes only, renting the four available rooms for conferences and committee meetings at the Hilton would cost \$5,500/\$6,900 per day in 2010/2012. Based on a 120-day session and assuming thirty microphones, four microphone mixing boards, four technicians, and thirty Internet ports per room, the total rental costs for the four available conference rooms are estimated at \$5,581,000/\$6,685,000 in 2010/2012.⁴⁸ It is unclear,

44. Email and attachments of June 16, 2008, through June 23, 2008, from John Murakami, Director of Events and Catering, Hilton Hawaiian Village.

45. Assuming an 8-hour day for the technician, for 2010: (102 microphones @ \$50 daily charge) + \$450 daily mike board fee + (\$100/hour technician cost @ 8 hours) = \$6,350; for 2012: (102 microphones @ \$55 daily charge) + \$550 daily mike board fee + (\$125/hour technician cost @ 8 hours) = \$7,160.

46. For 2010: (102 Internet connections @ \$250 daily Internet fee) = \$25,500;
For 2012: (102 Internet connections @ \$300 daily Internet fee) = \$30,600.

47. For 2010: \$3,000 daily rent + \$6,350 daily microphone cost + \$25,500 daily Internet cost = \$34,850 total daily cost; (\$34,850 @ 120 days) + \$1,000 1-time installation cost = \$4,183,000.

For 2012: \$3,400 daily rent + \$7,160 daily microphone cost + \$30,600 daily Internet cost = \$41,160 total daily cost; (\$41,160 @ 120 days) + \$1,000 1-time installation cost = \$4,940,200.

48. For 2010: ((\$2,500 1 room daily rent + \$3,000 for 3 rooms daily rent) + (\$50 daily microphone fee @ 120 microphones) + (\$450 daily mike mix board fee @ 4 rooms) + (\$100/hour technician cost @ 8 hours @ 4 rooms) + (\$250 daily Internet fee @ 120 Internet connections)) @ 120 days + \$1,000 1-time installation = \$5,581,000;

however, whether only four such rooms would be sufficient to accommodate a convention's meeting schedule.

Office Space

It is problematic to accurately calculate total office space rental at the Hilton for several reasons. First, it is highly unlikely that the two available rooms quoted at a daily rental of \$8,000/\$8,500 in 2010/2012 would be sufficient to accommodate 102 delegates and some 438 delegate and other convention staff. (See Chapter 2 discussion on Personnel Costs.) A convention may well require four, five, six, or more such rooms. Extrapolating the Hilton's \$100,000/\$150,000 fee in 2010/2012 for installation and rental of modular office furniture for 17 days in July, 2010 or 30 days in August, 2012, would yield fees of \$705,882 and \$600,000 for a 120-day convention in 2010 and 2012, respectively.⁴⁹ Furthermore, total Internet access fees would be incrementally higher for the longer 120-day duration. Telephone costs would be \$50/\$55 per day in 2010/2012 for each telephone line installed. Suffice it to say that for 120 days in 2010 and 2012 for a convention of 102 delegates, the estimates of \$21,106,382 and \$24,624,550 just for office space, including Internet and telephone lines, would probably be impractically high, even if a hotel can block out space for that much time.⁵⁰

Facilities Not Available

As of the date of publication,⁵¹ the:

- (1) Department of Accounting and General Services
- (2) United States General Services Administration
- (3) Department of Education
- (4) State Department of Defense
- (5) Commander, United States Pacific Command
- (6) Hawaii Association of Independent Schools

replied that they either do not have or cannot make any facilities under their respective jurisdictions available to accommodate a convention in 2010 or 2012.⁵²

For 2012: (\$2,900 1 room daily rent + \$4,000 for 3 rooms daily rent) + (\$55 daily microphone fee @ 120 microphones) + (\$550 daily mike mix board @ 4 rooms) + (\$125 hourly technician cost @ 8 hours @ 4 rooms) + (\$300 daily Internet fee @ 120 Internet connections) @ 120 days + \$1,000 1-time installation = \$6,685,000.

49. For 2010: (120/17) x \$100,000 = \$705,882; for 2012: (120/30) x \$150,000 = \$600,000.

50. For 2010 for 102 delegates and 438 staff: ((\$8,000 daily room rent) + (\$135,000 daily Internet fee) + (\$27,000 telephone fees @ 120 days)) + (\$705,882 installation and rental of module office furniture) + (\$500 one-time electrical fee) = \$21,106,382;

For 2012: ((\$8,500 daily room rent) + (\$162,000 daily Internet fee) + (\$29,700 telephone fees @ 120 days)) + (\$600,000 installation and rental of module office furniture) + (\$550 one-time electrical fee) = \$24,624,550.

51. As of the date of publication, the University of Hawaii had not responded to the Bureau's enquiries.

Department of Education

The Department of Education further commented that McKinley High School has the most appropriate facilities. However, the only dates school will not be in session (including summer school) are between June 11 to July 25. Thus, the holding of a convention at the school would be "extremely disruptive ... while school was *in session*."⁵³ (*Emphasis added.*)

Department of Defense

The State Department of Defense provided the following response to the Bureau:⁵⁴

With the return of the 29th Brigade Combat Team from their deployment overseas at the end of 2009, *there will be no space available to accomodate [sic] convention delegates in 2010 or 2012*. Office and armory space will be occupied and used by our military units at Kalaeloa, Wahiawa, and Waiawa.

As for the Regional Training Institute, there are 6 small (cap. 30) and 2 large (cap. 50) classrooms. Additionally, there is an auditorium with a seating capacity of about 252. Besides a messhall, the rest of the facility are [sic] for billeting of students. At this point, the leadership of the RTI is not able to project if the facility will be available or not. Since our Brigade Combat Team will be returning in late 2009, they are sure that they will be conducting training classes for our NCOs and Officers in 2010, 2011, and 2012. Leadership courses provided by the RTI is available to soldiers, not only from the Hawaii National Guard, but to the Army Reserves, and Active Army here in Hawaii, Guam, and American Samoa. (Emphasis added.)

Despite this response to the Bureau, the Constitutional Convention Task Force reported that the 298th Regiment Regional Training Institute located in Waimanalo can be made available for a constitutional convention at a cost of \$649,000 for a 90-day, 102-delegate convention. The costs for 25-delgate, 51-delegate, and 75-delegate 90-day conventions were reported at \$275,000, \$401,000, and \$518,000, respectively.⁵⁵ The Task Force notes that this facility may not be available should the election of constitutional delegates be held in conjunction with the general election in 2010.

Private Sector Commercial Space

As of the date of publication of this report, the private sector commercial real estate firm of Colliers Monroe Friedlander, Inc. had not responded to the Bureau's inquiries. Accordingly, the Bureau defers to the cost estimates of the Constitutional Convention Task Force with respect

52. (1) Memorandum dated May 22, 2008, from the Department of Accounting and General Services; (2) letter dated June 10, 2008, from the General Services Administration; (3) email dated August 1, 2008, from the Department of Education; (4) email dated July 31, 2008, from the Department of Defense; (5) letter dated June 27, 2008, from the Commander, United States Pacific Command; and (6) letter dated May 29, 2008, from the Executive Director of the Hawaii Association of Independent Schools.

53. Ibid.

54. Email dated July 31, 2008, from Emerick Kaneshi, emerick.kaneshi@us.army.mil.

55. Task Force Report, p. 17.

to private commercial space, which is reproduced below.⁵⁶ However, it appears that the estimates reflect costs for offices that are not located at a single site but are scattered throughout the "downtown area." If this is so, use of commercial space may be a less appealing alternative because of the delegates' constant need to travel back and forth from their scattered offices and various larger venues for hearings and plenary sessions. Also, as the Task Force cautioned, "the availability of office space in close proximity to the Capitol for 90 or 120 days cannot be assured."⁵⁷ It is further unclear whether the Task Force's estimated costs for unimproved loft space include the cost of:

- (1) Renting or purchasing, installing, and removing modular office furniture; and
- (2) Converting or modifying loft space to serve as a plenary session venue and various hearing rooms.

If not, these costs would need to be added to the cost to rent loft space.

Table 3-6
Task Force Estimates
Cost of Leased Commercial Office Space—Capitol District

Duration	25 Delegates	51 Delegates	75 Delegates	102 Delegates
90 Days	\$131,250	\$267,750	\$393,750	\$535,500
120 Days	\$157,500	\$321,300	\$472,500	\$642,600

Table 3-7
Task Force Estimates
Cost of Lease Commercial Loft Space—Capitol District

Duration	25 Delegates	51 Delegates	75 Delegates	102 Delegates
90 Days	\$288,750	\$589,050	\$866,250	\$1,178,100
120 Days	\$315,000	\$642,600	\$945,000	\$1,285,200

Summary

The Bureau found that there is no one single site on Oahu that provides an ideal venue to host a future constitutional convention. All of the several possible venues have serious limitations. For example, a convention cannot use legislators' offices at the State Capitol, although the basement auditorium may be used for plenary sessions and some conference rooms may also be used for convention hearings and meetings. At the Neal S. Blaisdell Center, rooms for plenary sessions and conferences may be available; however, the large open floor space of the Exhibition Hall is not continuously available for use as delegate and staff offices unless previously contracted events are preempted. Similarly, at the Hawaii Convention Center,

56. Ibid., p. 16.

57. Ibid.

sufficient space would be available only if previously contracted events are preempted, and the Center would incur substantial revenue and other losses as a result. According to the Constitutional Convention Task Force, the use of commercial office or loft space near the downtown area is feasible, but sufficient space to accommodate a large number of delegates and staff cannot be assured.⁵⁸ The Task Force also reported that a relatively remote military installation under the State Department of Defense in Waimanalo may be available but only for 90 days, and it would not be available if convention delegates were to be elected at the general election of 2010.⁵⁹

However, use of various combinations of facilities presents a more feasible alternative to house a constitutional convention. The State Capitol building could provide rent-free plenary and conference rooms, although energy utility charges would amount to an estimated \$96,000 and \$128,000, according to the Constitutional Convention Task Force report.⁶⁰ Thus, the only remaining need would be for office space for delegates and convention staff. According to the Task Force, commercial office space could provide offices for delegates and staff at an estimated \$131,250 and \$157,500 for 90 days and 120 days, respectively, for 25 delegates. For 102 delegates, the Task Force estimated costs at \$535,500 and \$642,600 for 90 days and 120 days, respectively.⁶¹ As noted previously, it is unclear whether these figures include costs for modular office furniture. The costs of renting office space (including the cost of modular office furniture) at the Neal S. Blaisdell Center are estimated to range from a low of \$768,348 for 25 delegates and convention staff for 90 days to a high of \$1,710,477 for 102 delegates and convention staff for 120 days, respectively. However, these figures do *not* include further costs necessary to preempt previously contracted events. The cost of renting office space (*excluding* the cost of modular office furniture, however) at the Hawaii Convention Center is estimated at \$1,230,930 and \$1,641,240 for 102 delegates and convention staff for 90 and 120 days, respectively. These figures likewise do *not* include costs involved to preempt previously contracted events. It is important to note that the use of the Neal S. Blaisdell Center and the Hawaii Convention Center would only be feasible if these two facilities are willing and able to cancel contractually scheduled events. The cost estimate for the military installation in Waimanalo does not break down the cost for office space apart from facilities for plenary sessions and conference rooms. Furthermore, the facility is available for only 90 days and not at all in 2010.

Thus, with respect to housing a constitutional convention, the lowest feasible estimate envisions using the State Capitol building for plenary sessions and conferences and commercial office space for 25 delegates for 90 days. That estimated lowest cost would include \$96,000 for utility costs at the State Capitol building plus \$131,250 for rental of commercial office space for a total of \$227,250. The highest estimate involves using the Hawaii Convention Center for plenary sessions and conferences as well as the Exhibition Hall for office space, plus additional costs for modular office furniture, for 102 delegates for 120 days. The estimated highest cost would amount to \$1,680,000 in total rent plus \$1,454,627 for modular office furniture for a total of \$3,134,627. It is reiterated that this total does *not* include additional costs necessary to preempt previously contracted events.

58. Task Force Report, p. 16.

59. *Ibid.*, p. 17.

60. *Ibid.*, p. 15.

61. *Ibid.*, p. 16.

Chapter 4

COST OF ELECTIONS

A. Office of Elections

Election Scenarios to Elect Constitutional Convention Delegates

On May 8, 2008, the Bureau requested the Office of Elections to provide estimates of the cost of various election scenarios, outlined below, under which delegates may be elected to a constitutional convention:

- (1) A special election at regular polling places to be held in early 2010 (similar to the 1978 special election held on May 20, 1978, solely to elect convention delegates).
- (2) Same timeline as (1), except that all voting for convention delegates would be conducted by mail rather than at polling places.
- (3) Same timeline as (1), except that all voting for convention delegates would be done electronically via the Internet, as the Office of Elections reported had been done in Estonia.
- (4) The election of convention delegates to be held during the general election of 2010. Under this scenario, the convention would be held in 2012 and ratification of proposed amendments would occur during the general election of 2012.

Estimated Costs of Various Election Scenarios

The Office of Elections provided a table of estimated costs for the four scenarios the Bureau requested, plus a fifth scenario, which is a variation of scenario (1): a special election in May, 2010, but at 180 polling places rather than the default 339 polling places.¹ The table is reproduced below:

Key to Columns:

- (1) May 2010 special election with 339 polling places
- (2) May 2010 special election by mail
- (3) May 2010 special election by Internet
- (4) November 2010 special election held in conjunction with general election at 339 polling places
- (5) May 2010 special election at 180 polling places

1. Letter and email dated June 30, 2008, and emails with attachments dated July 1, 3, and 8, 2008, from Kevin Cronin, Chief Election Officer, Office of Elections.

COST OF ELECTIONS

**Table 4-1
Special Election Cost Estimates**

DESCRIPTION	(1)	(2)	(3)	(4)	(5)
I. PERSONNEL COST					
A. Office of Elections					
1. Warehouse Staff	25,000	-		-	
2. Voter Hotline Operators	4,000	4,000		-	
B. Election Day Officials					
1. Precinct/Facility Officials	265,000	-		-	123,760
2. Control Center	23,690	2,480		-	4,000
3. Counting Center	39,743	15,725		-	39,743
4. Supply Collection	3,255	-		-	1,700
5. Delivery Collection	17,315	-		-	6,500
6. Troubleshooters	3,825	-		-	3,825
C. Contract Workers					
1. Ballot Packers	7,000	7,000		7,000	7,000
2. Precinct Trainers	10,000	-		-	5,000
D. Staff Overtime	100,000	75,000		-	75,000
II. CURRENT EXPENSES					
A. Ballot Operations					
1. Ballots	347,932	347,932		347,932	347,932
2. Facsimile Ballots	40,396	40,396		40,396	40,396
3. Delivery/Collection DC transportation	35,000	-		-	35,000
4. Shipping of ballots to N.I.'s	10,000	10,000		10,000	10,000
5. DC supplies and manuals	825	-		-	825
6. DC training travel expenses	1,000	-		-	1,000
7. Ballot packing supplies	700	700		-	700
8. Candidate filing supplies	4,500	4,500		-	4,500
B. Counting Center					
1. Vote Counting System	?	?		?	?
2. Supplies	5,800	5,000		-	5,800
3. Observer's Test	300	300		-	300
4. Travel expenses (training, poll book audit, testing)	5,000	5,000		-	5,000
C. Computer Services					
1. Supplies	5,000	5,000		-	5,000
2. Technical support for Control Center	2,500	-		-	2,500
D. Election Support Services					
1. Rental of stepvan, flatbed, gas	15,000	-		-	15,000
2. Rental of cellular phones	20,280	-		-	20,280
3. Install phones at polls sites (cell not applicable)	3,250	-		-	3,250
4. Rental of poll facilities	8,000	-		-	4,000
5. Facility for Counting/Control Centers, ballot packing	65,000	25,000		-	65,000
6. Phones for control center	10,000	2,250		-	10,000
7. Supply Collection supplies	200	-		-	200

COST ESTIMATES FOR A CONSTITUTIONAL CONVENTION

Special Election Cost Estimates

DESCRIPTION	(1)	(2)	(3)	(4)	(5)
8. Election day support (SLEO, custodians, motor pool)	8,890	1,600		-	8,890
9. Election day meals	11,000	6,000		-	11,000
10. Rental of tables and chairs	1,000	-		-	1,000
11. Freight/shipping	4,250	2,000		1,000	4,250
12. Warehouse Supplies	2,000	-		-	2,000
13. Repair and maintenance	2,000	-		-	2,000
E. Precinct Operations					
1. Precinct supply boxes	23,820	-		-	23,820
2. Precinct can supplies	525	-		-	525
3. Poll books	3,150	-		-	3,150
4. Printing	5,000	-		-	5,000
5. Control Center Supplies	500	-		-	500
6. AG support of BOR	500	-		-	500
F. Voter Services					
1. Advertising/Voter Education	50,000	50,000		50,000	50,000
2. Election Proclamation	22,000	12,000		6,000	22,000
3. Multilingual Information	3,500	3,500		3,500	3,500
G. Election Administration					
1. Travel expenses	17,531	4,590		-	17,531
2. Office Supplies	13,247	5,830		-	13,247
3. Postage	22,160	5,000		-	22,160
4. Telephone	3,000	3,000		-	3,000
H. City/County Clerk					
1. AB supplies (envelopes and instructions)	4,900	-		-	4,900
2. County cost to conduct, VR, AB mail, and AB walk					
Honolulu	411,179	308,385		-	411,179
Hawaii	133,300	99,975		-	133,300
Maui	77,112	57,834		-	77,112
Kauai	42,053	31,540		-	42,053
I. All Mail Election					
1. Postage		556,691			
2. Printing of instructions		6,000			
3. Secret Ballot Envelope		36,000			
4. Mail and Return Envelope		72,000			
5. Personalizing of Envelope		102,000			
Proposed Estimated Cost 2000 Dollars (PEC)	1,942,128	1,914,228		465,828	1,705,828

PEC Adjusted for Inflation to 2008 Dollars* 2,443,247 2,408,148 1,787,500 586,024 2,145,975

* See U.S. DOL Inflation Calculator at www.bls.gov/CPI.

COST OF ELECTIONS

- (1) Special Election held 5 / 2010 by polling place.
- (2) Special Election held 5 / 2010 by mail.
- (3) Special Election held 5 / 2010 by Internet.
- (4) Special Election held 11 / 2010 regular election by polling place.
- (5) Special Election held 5 / 2010 with 180 polling places.

ASSUMPTIONS

1. Registered voter count is 695,864. (2006 General plus 5%).
2. Number of polling places is 339.
3. Each voter will receive a separate delegate ballot card.
5. Voters will be allowed to vote at the polls and by absentee mail and walk (except in all mail elections).
6. A counting center will be established in each county.
7. Delegates will be elected by district, not at large.
8. The internet election cost is based on 650,000 voters at \$2.75 per vote based on Everyone Counts, Inc., estimate from its Australia and Great Britain elections recently.

NOTES

1. Cost for the voting system is undetermined at this time.
2. County cost is a rough estimate. Cost includes staffing and supplies to conduct voter registration, absentee walk and mail, and assist with other election activities.
3. Cost based on 2000 Election Cost

Especially important to note, however, is that the estimated cost for the vote counting system has not been included and could be substantial. As of the date of publication of this report, the matter is still under dispute and there is no contract or contractor to run the State's elections in 2008. According to an editorial opinion in the Honolulu Star-Bulletin, the Office of Elections had requested that its temporary one-year contract with Hart InterCivic Inc. to run the 2008 primary and general elections be exempt from the State's procurement code. The exemption was needed because a ten-year, \$43,000,000 contract earlier awarded Hart InterCivic Inc. was challenged by another company, Election Systems & Software, which bid \$18,000,000 for the same job. Election Systems & Software contends that Hart InterCivic Inc.'s bid is exorbitant and that bidding rules did not properly weigh a system's cost, evaluating price tag as only 15% of a bid's score. However, the request for an exemption from the State's procurement code was denied.² In response to the Bureau's query for clarification and an update on the estimated cost for the vote counting system, the Office of Elections replied as follows:³

Because of the central role and importance of a vote counting system in the delegate election, the voting counting costs could be a modest amount or more.⁴ The exclusion of these costs results from the uncertainty and impossibility for the subcommittee members to know during the Constitutional Convention Cost Task Force deliberations the outcome of the currently pending protest by an unsuccessful vendor of the Office of Elections' selection of a vendor to provide the state's lease of its new voting

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2. The Honolulu Star-Bulletin, "Time is short for officials to prepare for fall elections," May 20, 2008.
 3. Email attachment dated July 17, 2008, from Kevin Cronin, Chief Election Officer, Office of Elections, forwarding the "Constitutional Convention Cost Task Force Elections Subcommittee Report," and email dated July 18, 2008, from Kevin Cronin advising the Bureau that no figure would become available even by mid-August, 2008, by which time this report needs to be finalized for publication.
 4. The Subcommittee noted that in 2002 and 2003 elections, the state paid approximately \$350,000 for a vote counting system used in the special elections to elect a representative to Congress at each election.

equipment system at this time.⁵ The department's decision of the protest determining the nature of the state's contract with the successful vendor could affect the nature of the voting system, its accompanying election services, and cost that may be available to the state for the delegate elections.

Under these circumstances the Subcommittee reached consensus that any vote counting system costs offered here would be conjecture and speculation and thus an arbitrary guess at best. For its members to identify a vote counting system cost at this time risks misleading others and adversely impacting the state's ability to derive the best price for such system at worst. These costs thus can only be determined after the pending protest is resolved at a now unknowable future date.

The Office of Elections also provided the Bureau additional accompanying explanatory narrative to their table estimates, the pertinent part of which is reproduced below:

Based on the policy choice of the nature and time of a Constitutional Convention Election, it would generate differing costs. A reasonable cost adjusted for 2008 dollars based on the Office of Elections' reasonable historical election cost estimates reasonable and appropriate to consider for a special election held as described in (1) through (5) above, respectively, fall within the ranges of:

- (1) \$2,300,000.00 and \$2,600,000.00;
- (2) \$2,300,000.00 and \$2,600,000.00;
- (3) \$1,650,000.00 and \$1,900,000.00;
- (4) \$500,000.00 and \$700,000.00, and
- (5) \$2,000,000.00 and \$2,300,000.00.

The ranges of election costs for a (1), (2), (4), and (5) election process described above, if one of these four procedures is selected, do not include the cost for a vote count system to count the votes. This additional cost must be taken into account. At this time, however, the vote counting system available to use is unknown and unknowable until the current challenge to the selection of a new leased voting equipment system is decided sometime after July 11, 2008, when the pending protest is expected to be decided by the hearing examiner at the Department of Commerce and Consumer Affairs. Depending on the decision thereafter, a reasonable cost range may become possible to estimate to add to the ranges of costs for each alternate election process. An internet voting option range of costs does not depend on a vote counting system. Finally, the estimated cost ranges could reasonably increase between the present and the date of the delegate election in 2010 or beyond.

5. See *Election Systems & Software, Inc., v. Kevin B. Cronin, et al.*, No. PCH-2008-3, Dept. of Commerce and Consumer Affairs, 2008.

Office of Elections; Summary

To recap, the Office of Elections estimates the cost of a special election in May, 2010 with 339 polling places at \$2,443,247, the highest of all five scenarios. The same special election in May 2010, but with only 180 polling places is estimated to cost slightly less at \$2,145,975, for a 12% savings. A special election conducted entirely by mail in May 2010 is estimated to cost \$2,408,148, the second highest estimate, for only a 1% savings. It appears that the cost for postage would offset any savings in staff, equipment, and supply costs. An election conducted entirely via the Internet is estimated to cost \$1,787,500 in current (2008) dollars. However, if delegates were elected in conjunction with the general election in November, 2010, the estimated cost would be substantially less at \$586,024. This represents a 76% savings over the cost of the most expensive scenario (i.e., a special election held at 339 polling places in May, 2010). All estimated costs are adjusted for inflation to 2008 dollars.

The cost of the all-important vote counting system also needs to be added to these estimates. However, the cost of the vote counting system for a special election in 2010, separately or in conjunction with the 2010 general election, cannot be determined at this time. The only information currently available is that the Office of Elections had earlier awarded a ten-year \$43,000,000 contract to Hart InterCivic Inc. for the vote counting system.

It may also be prudent to view the estimated election costs in *ranges*, as reported by the Office of Elections, because of unexpected cost variations and because estimates have not been adjusted for inflation to 2010 prices.⁶

- | | | |
|-----|-----------------------------|---|
| (1) | \$2,300,000 to \$2,600,000* | Special election May/2010; 339 polling places |
| (2) | \$2,300,000 to \$2,600,000* | Special election May/2010; mail only |
| (3) | \$1,650,000 to \$1,900,000* | Special election May/2010; Internet only |
| (4) | \$500,000 to \$700,000* | General election Nov/2010; 339 polling places |
| (5) | \$2,000,000 to \$2,300,000* | Special election May/2010; 180 polling places |

* The additional cost of the disputed vote counting system would also need to be added to these ranges.

6. Inflation adjustment tables for years beyond 2008 are not yet available from the Bureau of Labor Statistics.

B. Campaign Spending Commission

Introduction

The campaign spending commission was established by Act 185, Session Laws of Hawaii, 1973. Act 185 stated that the "principal duty" of the commission was "to supervise campaign contributions and expenditures," which included:

- (1) Ascertaining whether candidates, committees, or others correctly filed reports, give notice to delinquents to correct report deficiencies, and make available to the public a list of delinquents;
- (2) Holding public hearings;
- (3) Investigate reporting violations and issue subpoenas for production of documents and witnesses;
- (4) Adopting a code of fair campaign practices;
- (5) Adopting rules, pursuant to Chapter 91, Hawaii Revised Statutes; and
- (6) Initiating prosecution for violations.⁷

Act 17, Special Session Laws of Hawaii 1977, appropriated, among other things, \$8,500 out of the general revenues of the State to be expended by the campaign spending commission to "supervise campaign contributions and expenditures" relative to the 1978 constitutional convention. At the time of the 1978 convention, the commission's duties included responsibilities enumerated in paragraphs (1) through (6) above.

To determine the financial impact on the campaign spending commission of electing delegates to a constitutional convention, the Bureau requested the commission to estimate its costs to supervise campaign contributions and expenditures based upon whether the convention

7. Currently, section 11-193, HRS, sets forth the duties of the campaign spending commission, which, in addition to the above responsibilities, expands the commission's responsibilities to include:

- (7) Developing and adopting required reporting forms;
- (8) Adopting and publishing a manual for candidates and committees;
- (9) Preserving all required reports for at least 10 years after receipt;
- (10) Administering and monitoring the distribution of public funds;
- (11) Suggesting accounting methods for candidates, parties, and committees in connection with required reports and records;
- (12) Hiring and firing necessary staff, including executive director;
- (13) Conducting random audits and field investigations, as necessary;
- (14) Filing for injunctive relief, when indicated; and
- (15) Rendering advisory opinions upon request of a candidate, candidate committee, noncandidate committee, or other person or entity as to whether circumstances constitute a violation of campaign spending laws.

is convened in 2010 or 2012 and whether there are 25, 51, or 102 delegates⁸ to be elected. Because of recent interest in public funding for elections, and for constitutional convention delegates in particular, we also requested the commission to provide cost estimates relating to any additional cost to the State if all delegates were elected under a system of publicly funded elections.

By letter dated July 7, 2008, the campaign spending commission provided updated cost information, noting that their estimate of costs was based upon the number of *candidates running for election*, rather than on the number of *delegates to be elected*.⁹ The number of candidates specified in Tables 1 through 4 reflects the commission's estimated number of candidates, based upon the actual number of delegates to be elected according to the scenarios proposed by the Bureau.

Commission's Cost to Supervise Campaign Contributions and Expenditures of Constitutional Convention Delegates

Table 4-2 reflects the campaign spending commission's estimate of its cost to supervise campaign contributions and expenditures, depending on the number of delegates to be elected and the date of the convention. The commission provided cost estimates based upon 2008 dollars, which were adjusted for inflation. Estimates for a 2010 constitutional convention were adjusted 4% for inflation from the 2008 dollar amounts; estimates for a 2012 convention were adjusted to reflect an additional 4% for inflation, based upon the already inflation-adjusted cost estimates for a 2010 convention.¹⁰

**Table 4-2
Commission's Cost to Supervise Campaign Contributions and Expenditures of Constitutional Convention Delegates (Candidates Not Publicly Funded)**

	25 Delegates 75 Candidates	51 Delegates 150 Candidates	102 Delegates 300-600 Candidates
2010 Convention	\$116,248	\$121,173	\$208,231 - \$343,590
2012 Convention	\$120,898	\$126,020	\$216,560 – \$357,334

-
8. HCR 231 HD1 required the Bureau to consider that the constitutional convention would "be likely to have one hundred two delegates." To get a wider range of estimated costs, the Bureau requested cost estimates for 25 delegates, based upon districts identical to Senate districts, and for 51 delegates, based upon districts identical to House of Representative districts.
 9. See, Letter dated July 7, 2008, from Barbara U. Wong, Executive Director of the Campaign Spending Commission to Mr. Ken H. Takayama, Acting Director of the Legislative Reference Bureau.
 10. See, Letter dated July 7, 2008, from Barbara U. Wong, Executive Director of the Campaign Spending Commission to Mr. Ken H. Takayama, Acting Director of the Legislative Reference Bureau, where the commission notes that cost estimates reflect an "Added 4% for inflation" and email dated August 6, 2008 from Barbara U. Wong to the Bureau.

The 1978 constitutional convention consisted of 102 delegates and the campaign spending commission's cost of supervising campaign contributions and expenditures to elect the 102 delegates was \$8,500. In comparison, the commission's estimated cost to perform its current duties with respect to the same number of delegates is significantly higher: at \$208,231 - \$343,590 for a 2010 convention; and \$216,560 - \$357,334 for a 2012 convention.

Adjusted for inflation, using the CPI Inflation Calculator on the website of the United States Department of Labor, Bureau of Labor, the \$8,500 appropriated to the commission in 1977 would have the same buying power as \$30,386 in 2008, which is considerably lower than the commission's cost estimates. However, the Bureau notes that current law imposes additional duties on the campaign spending commission¹¹ that were not required by law in 1977 (e.g. publishing manuals for candidates and committees and rendering advisory opinions), which may be a factor in the commission's higher cost estimate to supervise campaign contributions and expenditures.

In summary, with respect to the same number of delegates (102), the estimated costs to carry out the commission's responsibilities of the 1978 constitutional convention, in addition to the expanded duties of the commission under current law, represent a substantial cost increase ranging from 585% to 1,030% for a 2010 convention and a cost increase ranging from 612% to 1076% for a 2012 convention.¹² Furthermore, even the commission's lowest cost estimate of \$116,248, the cost to elect 25 delegates for a 2010 convention, is significantly higher than the commission's 1978 convention costs of \$8,500 to elect 102 delegates and represents an increase of approximately 282%.

Public Funding of Election of Constitutional Convention Delegates

Under current law, eligible candidates for most elective offices may receive public funding from the Hawaii election campaign fund, which consists of moneys from persons who designate a portion of their income tax liability to the fund and "all other moneys collected pursuant to this subpart."¹³

Current law does not expressly provide for public funding of a candidate who seeks election as a delegate to a constitutional convention; however, such funding was proposed by four measures introduced, but not passed by the Legislature during the Regular Session of 2008. House Bill No. 3296, and its companion bill, S.B. No. 2607 (referred to jointly as H.B. No. 3296), proposed comprehensive public funding for candidates running for constitutional convention delegates. To qualify for public funding, H.B. No. 3296 required that the candidate:

11. See, footnote 1.

12. In calculating the per cent of increase in cost, the Bureau used \$30,386, the amount appropriated to the commission by Act 17, Special Session Laws of Hawaii 1977, in 2008 dollars, as adjusted for inflation.

13. See, section 11-217, Hawaii Revised Statutes.

- (1) Is not unopposed; and
- (2) Is in receipt of \$500 in qualifying campaign contributions from the citizens residing in the candidate's convention delegate district; provided that any individual contribution from a citizen shall not exceed \$25.

Upon qualifying, H.B. No. 3296 provided that the candidate shall receive public funding equal to \$2.50 per registered voter in the candidate's delegate district and may not receive funds from any other source.

House Bill No. 3297, and its companion bill, S.B. No. 2617 (referred to jointly as H.B. No. 3297), proposed to amend existing campaign spending law to include public funding for special elections to elect delegates to a constitutional convention. House Bill No. 3297 provided that the maximum amount available for constitutional convention delegates shall be 80% of the total expenditure limit under section 11-209, HRS.¹⁴

In addition to these proposed measures relating to publicly funded elections, Act 244, Session Laws of Hawaii 2008, established a pilot project for comprehensive public funding of Hawaii County Council elections for three election cycles, beginning in 2010. Under this fairly complex program, the details of which are not discussed in this report, a candidate must meet a number of qualifications to become a certified candidate eligible to receive public funding for primary and general elections.

For primary elections, Act 244 established that the undefined "base amount" of public funding for each candidate "shall be the average of the amount spent by the winning candidates in the previous two county council primary elections in the same district, reduced by ten per cent." For general elections, the base amount of public funding is calculated in the same manner, based upon the winning candidates in the previous two *general* elections. In addition to the "base amount" of public funding available to a candidate, Act 244 provided that a comprehensively publicly funded candidate could receive additional public funds, or "equalizing funds," from the commission to stay financially competitive with a nonparticipating candidate in a contested election.

In view of the foregoing developments, the Bureau explored the issue of public funded elections for constitutional convention delegates with the commission.

14. Section 11-209(a) states that "[f]rom January 1 of the year of any primary, special, or general election, the total expenditures for each election for candidates who voluntarily agree to limit campaign expenditures...shall not exceed the following amounts expressed respectively multiplied by the number of voters in the last preceding general election registered to vote in each respective voting district:

- (1) For the office of governor--\$2.50;
- (2) For the office of lieutenant governor--\$1.40;
- (3) For the office of mayor--\$2.00;
- (4) For the offices of state senator, state representative, and county council counter member--\$1.40; and
- (5) For the offices of the board of education and all other offices--20 cents."

Presumably, the reference to "all other offices" in section 11-209(a)(5) would include constitutional convention delegates.

Commission's Costs to Supervise Campaign Contributions and Expenditures of Constitutional Convention Delegates in a Publicly Funded Election

In response to the Bureau's request for any additional costs to the State relating to a publicly funded election of delegates to a constitutional convention, the commission indicated that its costs to perform its duties would increase significantly in such an election. The commission based its estimate of increased costs to supervise campaign contributions and expenditures in a publicly funded election upon the comprehensive public funding system established by Act 244. In an email dated August 6, 2008, the commission noted that "full public funding" would increase the commission's responsibilities and costs because full public funding:

- (1) Is a newly created program under Act 244 that is in addition to the current partial public financing program;
- (2) Requires an audit of all public funds;
- (3) Requires tracking of independent expenditures
- (4) Requires tracking of seed money to ensure proper expenditures; and
- (5) May result in abuse that would require the commission to conduct further investigations, audits, administrative hearings, or other procedures.

As a result, the commission would incur additional expenses for investigators, auditors, clerical support, and related costs in a publicly funded election, as reflected in Table 4-3.

Table 4-3
Commission's Costs to Supervise Campaign Contributions and Expenditures of Constitutional Convention Delegates in a Publicly Funded Election

	25 Delegates 75 Candidates	51 Delegates 150 Candidates	102 Delegates 300-600 Candidates
2010 Convention	\$216,320	\$272,827	\$461,448 – \$792,360
2012 Convention	\$224,973	\$283,740	\$479,906 – \$824,054

Thus, the campaign spending commission's costs to supervise campaign contributions and expenditures in a publicly funded election, regardless of the number of delegates, are significantly higher than in an election without public funding. In particular, the commission's cost estimates for 102 delegates range from \$461,448 to \$824,054, depending upon, at least in part, when the convention is convened.

Cost of Financing Full Public Funding of Election of Constitutional Convention Delegates

The commission also provided the Bureau with its estimates of the additional cost to *finance*, as opposed to supervise, an election in which *all* constitutional convention delegates would be elected under full public funding.

Table 4-4
Cost of *Financing* Full Public Funding of Electing
Constitutional Convention Delegates (Base Amounts Only)

	25 Delegates 75 Candidates	51 Delegates 150 Candidates	102 Delegates 300-600 Candidates
2010 Convention	\$4,998,075	\$9,996,150	\$19,992,300
2012 Convention	\$4,998,075	\$9,996,150	\$19,992,300

To determine the cost to finance a fully public funded election in 2010, the commission used "the formula in House Bill 661 of the 2008 legislature [Act 244] for full public financing."¹⁵ As Table 4-4 reflects, the commission's estimated cost to finance full public funding of an election of delegates to a 2010 constitutional convention ranges from nearly \$5,000,000 to almost \$20,000,000, depending upon the number of delegates to be elected.

The commission's cost estimates for financing a publicly funded election for a 2012 constitutional convention are identical to the estimates provided for a 2010 convention because, as the commission stated, "it is difficult to estimate the cost of public financing for the 2012 convention, as it would probably be based on the House seat winners of the 2008 and 2010 elections."¹⁶ Although the commission noted that its cost estimates were for "*base amounts only*," in an election for constitutional convention delegates in which *all* candidates are publicly funded, there would appear to be no need for additional "equalizing funds," as provided for in Act 244.

15. See, Letter dated July 7, 2008, from Barbara U. Wong, Executive Director of the Campaign Spending Commission to Mr. Ken H. Takayama, Acting Director of the Legislative Reference Bureau, at page 2. The letter also stated that "The formula for calculating the base amount of funding provided to each candidate is the amount spent by the winner in the 2006 election plus the amount spent by the winner in the 2008 election for each seat. We used House seats as the template and the 2004 and 2006 election data." Act 244 provided that the base amount shall be the average amount spent by the winning candidates in the previous two county council [primary and general] elections in the same district, *reduced by ten per cent*. It is unclear whether the commission applied the ten per cent reduction required by Act 244 in calculating the estimated cost of financing full public funding.

16. See, Letter dated July 7, 2008, from Barbara U. Wong, Executive Director of the Campaign Spending Commission to Mr. Ken H. Takayama, Acting Director of the Legislative Reference Bureau, at page 2.

Commission's Total Costs to Supervise Campaign Contributions and Expenditures and to Finance a Publicly Funded Election for Constitutional Convention Delegates

Table 4-5 combines the commission's estimated cost of *supervising* campaign contributions and expenditures in a publicly funded election in Table 4-3 and the estimated cost of *financing* such a publicly funded election in Table 4-4. The campaign spending commission's total estimated costs for a constitutional convention in 2010 range from \$5,214,395 (25 delegates) to a possible high of \$20,784,660, (102 delegates). Similarly, the estimated total costs for a 2012 convention range from \$5,223,048 to \$20,816,354. However, as previously noted, calculating the cost of financing full public funding (using the formula provided in Act 244) for a convention in 2012 is virtually impossible, given that election results of 2008 and 2010 are unknown.¹⁷ As a result, the total cost estimates for a 2012 convention in Table 4-5 are significantly more speculative than the total cost estimates for a 2010 convention.

Table 4-5
Commission's Total Costs to Supervise Campaign Contributions and Expenditures and Finance a Publicly Funded Election for Constitutional Convention Delegates

	25 Delegates 75 Candidates	51 Delegates 150 Candidates	102 Delegates 300-600 Candidates
2010 Convention	\$5,214,395	\$10,268,977	\$20,453,748 – \$20,784,660
2012 Convention	\$5,223,048	\$10,279,890	\$20,472,206 – \$20,816,354

Campaign Spending Commission; Summary

In summary, the campaign spending commission's figures in Tables 4-2 through 4-5 reflect the commission's estimated costs to supervise campaign contributions and expenditures for a constitutional convention, depending on the convention year and number of delegates and whether candidates receive public funding.

In an election for delegates to a constitutional convention in which candidates do *not* receive public funding, the commission's estimated costs to supervise campaign spending and expenditures are set forth in Table 4-6.

Table 4-6
Cost of Supervising Delegate Election

	25 Delegates	51 Delegates	102 Delegates
2010 Convention	\$116,248	\$121,173	\$208,231 - \$343,590
2012 Convention	\$120,898	\$126,020	\$216,560 – \$357,334

17. See note 16 and accompanying text.

COST OF ELECTIONS

If, however, the election of delegates is publicly financed, the cost to the State (through the commission) increases considerably. In that case, the commission's estimated *total* costs to supervise campaign contributions and expenditures and to finance a publicly funded election of constitutional convention delegates would be as set forth in Table 4-7.

Table 4-7
Cost of Administering and Financing Publicly Funded Election of Delegates

	25 Delegates	51 Delegates	102 Delegates
2010 Convention	\$5,214,395	\$10,268,977	\$20,453,748 – \$20,784,660
2012 Convention	\$5,223,048	\$10,279,890	\$20,472,206 – \$20,816,354

C. Summary of All Election Related Costs

The estimate of all costs of electing delegates to a constitutional convention are summarized in Table 4-8. Variables include the number of delegates, when the election is held, and whether the candidates are publicly funded.

Table 4-8
Summary of All Costs Related to Election of Delegates

	25 Delegates	51 Delegates	102 Delegates
May 2010 Sp Elec - 339 polls	\$2.3-\$2.6 million*	\$2.3-\$2.6 million*	\$2.3-\$2.6 million*
May 2010 Sp Elec - Mail Only	\$2.3-\$2.6 million*	\$2.3-\$2.6 million*	\$2.3-\$2.6 million*
May 2010 Sp Elec - Internet Only	\$1.65-\$1.90 million*	\$1.65-\$1.90 million*	\$1.65-\$1.90 million*
Nov 2010 Gen Elec	\$500,000-\$700,000*	\$500,000-\$700,000*	\$500,000-\$700,000*
May 2010 Sp Elec - 180 polls	\$2.0-\$2.3 million*	\$2.0-\$2.3 million*	\$2.0-\$2.3 million*
Camp. Spend. Costs (election <i>not</i> publicly funded)	\$116,248-\$120,898	\$121,173-\$126,020	\$208,231-\$357,334
Publicly Funded Election Admin plus Financing Costs	\$5,214,395-\$5,223,048	\$10,268,977-\$10,279,890	\$20,472,206-\$20,816,354
Low Total	\$616,248*	\$621,173*	\$708,231*
High Total	\$7,823,048*	\$12,879,890*	\$23,416,354*

**Plus additional unknown cost of vote counting system.*

As indicated in Table 4-8, at the low end, the estimated cost of electing the delegates is \$616,248 for 25 delegates elected at the general election of 2010, who are not publicly funded. The other end of the spectrum is 102 delegates whose campaign contributions are publicly funded and who are elected in a special election held in May of 2010. This scenario, costing \$23,416,354, would be nearly 38 times the low estimate. However, if a special election held in May of 2010 were not publicly funded, estimated costs for this scenario would be considerably less—at \$2,957,334.¹⁸ Finally, it should be noted that both the lowest and highest estimated costs—as well as those in-between, are understated because the as yet unknown cost of the vote counting system must still be added.¹⁹

18. May 2010 special election, 339 polls, 102 delegates, plus costs to Campaign Spending Commission for election of 102 delegates where election is *not* publicly funded.

19. See notes 3 to 5 and accompanying text.

Chapter 5

EDUCATION COSTS

A. Pre-Convention

The Legislative Reference Bureau Hawaii Constitutional Convention Studies

A pre-convention cost relating to the constitutional convention is the preparation of the Legislative Reference Bureau constitutional convention studies. Specifically, this entails updating the Legislative Reference Bureau's multi-volume *Hawaii Constitutional Convention Studies 1978*.¹

Historical Background

The constitutional convention studies are acknowledged in the constitutional convention journals of the three previous constitutional conventions. The studies served as study material for the delegates. Specifically, the 1978 journal notes that "All delegates worked hard at educating themselves on all aspects of their committee responsibility. They had available extensive study material on each article of the Constitution prepared before the Convention by the Legislative Reference Bureau."² Likewise, the 1968 journal notes that "...\$40,000 was made available to the Legislative Reference Bureau for necessary reports and updating of material compiled in 1950."³ Finally, the 1950 journal notes that:

*[T]he Hawaii Statehood Commission in 1948 established a number of subcommittees to prepare general materials dealing with the problems involved in the drafting of a constitution. These subcommittees met and submitted reports dealing with major constitutional areas, which were discussed with various groups. The Legislative Reference Bureau of the University of Hawaii prepared a number of reports in connection with the work of the subcommittees. These reports, drafted by the Bureau from 1948 to early 1950, became part of a 400 page publication, which was later made available to members of the constitutional convention, entitled Manual of State Constitutional Provisions.*⁴

For the 1978 constitutional convention, the introduction to the 1978 constitutional convention studies explains that the studies "were undertaken at the direction of the legislature and are an attempt to present in understandable form many of the possible issues and the arguments on both sides of such issues that the delegates to the Constitutional Convention of

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1. The 1978 version was prepared for the 1978 constitutional convention. Earlier versions were also prepared for the 1950 and 1968 constitutional conventions.
 2. Proceedings of the Constitutional Convention of Hawaii of 1978, Volume I, Journal and Documents, preface, p. viii.
 3. Proceedings of the Constitutional Convention of Hawaii of 1968, Volume I, Journal and Documents, preface, p. vii.
 4. Proceedings of the Constitutional Convention of Hawaii 1950, Volume I, Journal and Documents, preface, pp. v-vi.

1978 may wish to consider."⁵ The 1978 Constitutional Convention studies are comprised of 16 volumes that are organized around what were then the 16 articles of the state constitution.⁶

Cost Estimates

Estimates for the costs of updating the Legislative Reference Bureau constitutional convention studies involve at least two components: the cost of research and writing the updated studies, and the cost of printing the updated studies.

Research and Writing

In 1977, the Bureau began its effort to update the study series for the 1978 constitutional convention. This required updating the series for the ten years of developments that had occurred since the 1968 convention. Contractors were hired to undertake the work,⁷ and the updated published series was completed and distributed in May 1978—just before the election of the delegates to the 1978 convention that same month. Thus, for all practical purposes, the study series was unavailable to the candidates seeking to be elected as delegates and was available to the delegates for only a short period prior to the beginning of the convention in June.

If a constitutional convention is held in 2010 and the election of delegates and convening of the convention is held on a similar schedule as in 1978, the logistical situation facing the Bureau will be a challenge. A decision on whether to hold the convention will be made by the voters in November of 2008. If the vote is affirmative, contractors would have to be hired and the studies gotten underway during the hectic period of the 2009 legislative session. A May 2010 publication deadline would require the studies to be completed and reviewed during the period of the 2010 legislative session, when the Bureau's supervisory personnel are facing the greatest workload "crunch." An even greater challenge is that each volume discussing the respective articles of the constitution would need to be updated to cover the intervening *thirty* years of developments, as opposed to ten years.

Ideally, the background studies should be available for a reasonable period before the election of convention delegates. This would give candidates and the interested public an opportunity to educate themselves prior to the election of delegates. The studies would then continue to be available as a reference for delegates and the public during the convention itself.

Even if the Bureau is able to complete the studies by May of 2010, the outcome, in the larger scheme of things, is not likely to be very satisfactory if the election is held in May of 2010. A May 2010 completion date for the studies will mean that the candidates for delegate positions and their constituents will not have the studies available for consideration prior to the election (as was the case in 1978). Even the elected delegates themselves will have very little

5. Hawaii Constitutional Convention Studies 1978, Introduction and Article Summaries, p. 1.

6. Generally, a single volume is devoted to a discussion of a single article. The first volume is the introduction and article summaries. The last volume covers constitutional convention organization and procedures.

7. The 1978 studies were prepared by a team of 21 researchers. In comparison, the 1968 studies were prepared by a team of 19 authors plus their director, according to the introduction to the 1978 studies. Source: Hawaii Constitutional Convention Studies 1978, Introduction and Article Summaries, pp. 1-2.

opportunity to review and consider these background studies prior to the start of the convention, if it is scheduled to begin in the summer of 2010.

At first glance, electing the delegates in November of 2010 with the convention held later would *appear* to allow much more time to complete production of the studies. In *fact*, however, extending the time for completion of the studies would concomitantly decrease the time candidates for delegate and the public would have to consider the studies prior to the election. Thus a completion schedule for the studies of May 2010 or shortly thereafter would still be desirable from the viewpoint of affording delegates elected in November of 2010 and the public ample time to consider the studies.

For the reasons stated above, our recommended timeframe to complete the update of the studies would be the same whether the convention is held in 2010 or in a subsequent year. Consequently, the estimates of the cost needed by the Bureau to update the studies would remain the same regardless of when the convention is held.

To ensure the Bureau is able to complete the thirty year update of the sixteen volume constitutional convention study series between December 2008 and May 2010, the Bureau believes it will be necessary and appropriate to contract the services of a qualified individual to serve as an editor in chief to oversee the entire project. The Bureau received an estimate of \$500,000 from an outside legal professional to cover the costs of hiring an editor in chief and contractors (predominantly though not necessarily attorneys) to update the respective volumes, as well as the hiring of law students to serve as research assistants.

Printing

For the costs of printing the constitutional convention studies, the Bureau used the 1978 series as a model⁸ and estimated that the next set of constitutional convention studies might be comprised of 16 volumes, and each volume might have about 200 pages. About 2,000 copies might be needed. Based upon these specifications, the Bureau obtained price estimates from two local printers. One printer provided a price estimate in the range of \$325,000 to \$350,000. The other printer (the state correctional industries program) provided a price estimate of \$14,850 per volume for a total of \$237,600.

The results of our estimates for the total costs of producing the constitutional convention studies series are tabulated in Table 5-1.

8. Physically, the 16 volumes of the studies are made up of 2,089 pages. A single volume averages 131 pages. The paper dimensions are 8 ½" x 11." The pages are bound in paperback covers.

Table 5-1
Estimated Costs of Updating the Legislative Reference Bureau
Constitutional Convention Studies

	Estimated Costs and Range
Research and writing	\$500,000
Printing	\$237,600 to \$350,000
Total	\$737,600 to \$850,000

B. Post-Convention

Voter Education

Background

Any amendments proposed by the constitutional convention must be ratified by the voters in order to take effect. The cost item "submission and information" appears in the expense statements of the constitutional convention journals. Submission and information evidently refers to voter education, specifically, voter education concerning the proposals adopted by the constitutional convention to amend the constitution. Voter education, in turn, involves advertising and public relations. The voter education component is a post-convention cost, incurred after the convention adjourns.

Voter education concerning the convention's proposals appears to be constitutionally mandated. The State Constitution, Article XVII, Section 2, requires that the "convention shall, as provided by law, be responsible for a program of voter education concerning each proposed revision or amendment to be submitted to the electorate." This constitutional mandate was established in 1980, through an amendment proposed by the Legislature.⁹ For historical reference, we note that while the constitutional mandate regarding voter education was established subsequent to the three previous conventions in 1950, 1968, and 1978, all three of the conventions had engaged in some form of a voter education campaign.

For example, the 1978 constitutional convention retained a public relations firm to promote voter education. According to the convention president, "A major effort to educate the voters on the proposed amendments was made. A public relations firm was retained to develop a broad-based program of information in the newspapers, radio and television."¹⁰ In the convention's statement of expenses, the itemization for the expense item "submission and information" indicates that the bulk of payments, about 80 per cent of the total cost of submission and information, were made to a single public relations firm. However, several smaller payments, comprising about 20 per cent of the total cost of submission and information,

9. S. B. No. 1703 S.D. 1, H.D. 1, C.D. 3, Session Laws of Hawaii 1980, Regular Session, as ratified by the electorate at the general election held on November 4, 1980.
 10. Preface, p. x, Proceedings of the Constitutional Convention of Hawaii of 1978, Volume I, Journal and Documents.

were made to a host of other types of payees, of whom the Department of Regulatory Agencies, a printing company, and an association of language teachers received the largest payments.¹¹

In contrast, the 1968 constitutional convention evidently implemented most of its voter education by dealing directly with the print and broadcast media. According to the convention president, "A campaign to educate the voters about the proposals also was undertaken. Television, radio, daily newspapers, weeklies and posters were utilized."¹² In the convention's statement of expenses, the itemization of the "advertising" expense shows that the bulk of payments were made to several print and broadcast media entities, such as television stations, radio stations, broadcasting companies, newspapers, and publishing companies.¹³

Finally, the 1950 constitutional convention also implemented voter education, but it is not quite clear from public records how they implemented it. The convention journal specifies that an allotment of convention appropriations was made to the committee on submission and information.¹⁴ A subsequent 1967 legislative auditor's report indicates that an amount equal to the allotment was fully expended "for the work of the committee on submission and information which disseminated information regarding the Constitution to the general public and submitted it for ratification."¹⁵ However, neither the convention journal nor the auditor's report indicates in what manner the committee disseminated the information.

Cost Estimate

In any case, to assist us in developing this cost estimate for submission and information (voter education), we sought out estimates of the costs of a voter education campaign from four public relations firms. We asked them if they would be able to provide estimates of the costs of implementing a statewide voter education program during the month of October in either 2010 or 2012, using a broad-based range of media such as newspapers, radio, television, the Internet, and direct mail. We also sought an estimate from the non-profit organization, The League of Women Voters of Hawaii, with the express understanding that the organization might in turn retain a public relations firm to engage in voter education.

We based our inquiry upon the general assumption that a constitutional convention would be held during an election year and during the legislative interim. Specifically, we assumed that the convention would be held in either 2010 or 2012, would convene by early June, and would adjourn in late September, in time for the convention's proposals to be placed on the general

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11. Expenditures for submission and information totaled \$183,038.43. Of this amount, the largest single payment, totaling \$147,835.52, was paid to a public relations firm, specifically, Hawaiiiana Advertising. Source: Proceedings of the Constitutional Convention of Hawaii of 1978, Volume I, Journal and Documents, Expenses of the Convention, pp. 1191, 1204.
 12. Proceedings of the Constitutional Convention of Hawaii of 1968, Volume I, Journal and Documents., preface, p. x.
 13. Expenditures for advertising totaled \$20,071.90. Source: Proceedings of the Constitutional Convention of Hawaii of 1968, Volume I, Journal and Documents, Expenses of the Convention, pp. 500, 511.
 14. Specifically, the allotment to the Committee on Submission and Information was \$4,484.86. Proceedings of the Constitutional Convention of Hawaii of 1950, Volume I, Journal and Documents, Standing Committee Report No. 138.
 15. The amount of \$4,484.86 is reported as having been expended. Constitutional Convention Costs: Report to the Legislature of the State of Hawaii, February 1967, The Office of the Legislative Auditor.

election ballot in early November. Such a timeline of events would leave the month of October for the bulk of a voter education campaign about the convention's proposals.

One of the public relations firms graciously responded to our inquiry. None of the other three public relations firms responded. The League of Women Voters responded by specifically declining our request to provide an estimate.¹⁶

The responding firm provided a cost estimate and a plan for the implementation of a statewide voter education program during the month of October in either 2010 or 2012. The firm's basic proposal would be to develop "clear issue statements" on which citizens could vote. The firm proposed the following activities as part of a voter education program:

- (1) A recommended media program and projected costs;
- (2) Development of a media message, including radio and television concepts, production, and purchase of air time;
- (3) Development of print media material;
- (4) Development of a direct mail brochure;
- (5) Development of a website for the education of voters before the November general election; and
- (6) Consulting services on the project for the duration of the contract.

Finally, the firm's estimated fees for a statewide voter education program about the constitutional convention's proposals in 2010 or 2012 were as follows:

- (1) Public relations—\$81,000
Planning and coordination (May to November)
- (2) Website development—\$10,000
- (3) Advertising (TV, radio, print, direct mail concept, production, placement)—\$40,000
- (4) "Media buy" (To be determined by the advertising plans).

Thus, the firm's estimated fees, without the media buy component, add up to at least \$131,000. The addition of the media buy component will undoubtedly increase the total cost to engage a public relations firm. Although the exact amount of the increase is not known, it could be considerable.¹⁷ Furthermore, we note that a comprehensive voter education program may

16. Correspondence to the Bureau dated July 11, 2008, from the President, League of Women Voters of Hawaii.

17. We understand that media buy consists of the purchasing of specific time slots on media such as radio and television to deliver a message to specific markets. Knowledge of the demographics of viewers and listeners of radio and television programs, evidently obtained through the Nielsen Ratings, is essential in making those purchases. Also, we understand that not all public relations firms have an in-house media buyer. Evidently, the larger ones tend to have an in-house buyer, but the smaller ones do not tend to have one and, instead, contract for the services of a local independent media buyer.

involve additional components, and thus additional expense, beyond that provided by a single public relations firm, as was the case in 1978.

In summary, based upon an estimate provided by a single public relations firm, we conclude that the estimated cost for a statewide voter education program conducted during the month of October, in either the year 2010 or 2012, would be at least \$131,000. Adding in the media buy component will increase the total cost to engage a public relations firm to a figure that might be considerably greater than \$131,000. Thirty years ago in 1978, the total cost for submission and information exceeded \$183,000. Moreover, we point out that the final cost of a voter education program might also include other costs besides the total fees of a public relations firm. As in the 1978 convention, while the bulk of payments for voter education might well be made to a public relations firm, there might also be several smaller payments made to a host of other types of payees. In the aggregate, these smaller payments, as they did in 1978, could amount to a considerable portion of the total cost of voter education.¹⁸

Comparison of Task Force's Estimate

The Task Force's figures for hiring the services of a public relations agency, website design, development, and maintenance, a newspaper insert, and production of television commercials and League of Women Voters community sessions ranged from a low of \$97,656 to a high of \$149,420. The cost estimate we received of \$131,000 thus fell between the Task Force's high and low estimates for similar services. The Task Force additionally estimated that the cost of air time for radio and television advertisements would run from a low of \$64,000 to a high of \$192,000. These latter figures might therefore serve as "ballpark" cost estimates for the "media buy" component that we were not able to obtain.

Public Inspection of Proposed Amendments

The cost item for the public inspection of the constitutional convention's proposed amendments to the constitution was addressed by the Constitutional Convention Cost Task Force in its August 1, 2008, final report, entitled "Projecting the Cost of a Constitutional Convention in Hawai'i."

The cost is constitutionally mandated. The State Constitution, Article XVII, Section 2, requires that:

At least thirty days prior to the submission of any proposed revision or amendments, the convention shall make available for public inspection, a full text of the proposed amendments. Every public library, office of the clerk of each county, and the chief election officer shall be provided such texts and shall make

As indicated by the respondent, the cost of the media buy is determined by the advertising plans. We are not able to pursue the matter further and attempt to develop an estimate for the cost component of a media buy, because the type of advertising plan that may be desired by the convention is too speculative at this point in time.

18. See notes 10 and 11 and accompanying text.

them available for public inspection. The full text of any proposed revision or amendments shall also be made available for inspection at every polling place on the day of the election at which such revision or amendments are submitted.

We were impressed by the efforts of the Task Force on this cost item and we defer to their findings.

The Task Force reported that a minimum of 396 copies of the proposed constitutional amendments would need to be made available for public inspection at select locations throughout Hawaii. They sought estimates from three local printers on the cost of printing 396 documents, each of which would be 30 pages in length (double-sided), on 8.5" × 11" paper with black and white print. All three local printers responded. The cost estimates ranged from a low of \$565.00 to a high of \$3,165.00. The mid-range estimate was \$1,603.00.¹⁹

C. Summary

The total of the estimated pre- and post- convention education cost for delegates and voters are summarized in Table 5-2.

**Table 5-2
Estimated Education Costs**

Legislative Reference Bureau Constitutional Convention Studies	\$737,600 to \$850,000
Voter Education (public relations)	\$131,000*
Public Inspection	\$565 to \$3,165
Total	\$869,165* to \$984,165*

Accordingly, our total education cost estimates range from a low of \$869,165* to a high of \$984,165.*

**Does not include the cost of "media buy" which will depend upon the advertising plans, and could be considerable.*

19. Task Force Report, page 35.

Chapter 6

INFORMATION AND COMMUNICATIONS COSTS

The Legislature is constitutionally mandated to provide necessary equipment for the constitutional convention. Specifically, the State Constitution, Article XVII, Section 2, requires that "[t]he legislature shall also provide for the necessary facilities and equipment for the convention." The language was added to the constitution in 1978. The phrase "provide for" is not defined.

Evidently, the 1978 amendment requires the legislature to do more than just appropriate funds for the facilities and equipment of the next constitutional convention, especially since the duty to appropriate funds is already addressed elsewhere in a separate provision of Article XVII, Section 2, that was already in the constitution prior to the 1978 convention and requires that "the legislature shall make the necessary appropriations ...".

The constitutional history and intent behind that 1978 provision indicates that the 1978 constitutional convention delegates were frustrated by the amount of time that they and their staff had to spend both before and during the convention to arrange for facilities and equipment. They assigned the responsibility to provide facilities and equipment to the Legislature for the express purpose of ensuring that the delegates and staff of the next convention would not have to make those arrangements themselves.¹

Computer System

The 1978 constitutional convention did not have a computer drafting or communication system. However, over the intervening years, such systems have become fundamental necessities. Delegates, as well as members of the public, would expect timely, reliable, and accurate information. This section outlines the estimated costs of the computer system, telephone system, and television coverage that would be needed or expected by a constitutional convention.

The activities conducted at a constitutional convention would be similar to that of a legislative session. Like the Legislature, a constitutional convention's delegates, staff, and support personnel would require a secure means of communication, drafting documents, file sharing, and document tracking. A constitutional convention would also require an archival capability, in order to maintain a record of the activities that occurred at the convention. Unlike the Legislature, however, the activities of a constitutional convention would not continue from year to year. The convention would not have the same hardware requirements as the Legislature, nor would it need the sort of storage capacity that the Legislature uses to archive the vast number

1. Copy of correspondence from the Attorney General addressed to the Director of the Legislative Reference Bureau, regarding constitutional convention questions, July 21, 2008.

of documents produced over the years. Therefore, the convention would require a computer system similar in capability to the system employed by the Legislature, though of a smaller scale.

At first glance, the simplest solution would appear to be to add the convention's delegates, delegate staff, committee staff, and support staff to the Legislature's existing system. After all, the Legislature's existing system already possesses many of the capabilities that the convention would need. However, such a course of action would not only result in logistical difficulties, but would also produce serious security issues for both the Legislature and the convention.

One problem with adding convention delegates and personnel to the Legislature's existing system is that it is housed within the State Capitol building. In order for the convention delegates and personnel to access the system, their offices would also have to be in the Capitol building. As discussed in Chapter 3 on Facilities Costs, such a scenario is impractical, as it would essentially require the displacement of legislators and their staff. The scenario becomes even more impractical if the convention is held during an election year because large portions of the Capitol building's facilities, including the House and Senate Chambers and several large conference rooms, are set aside for use by the Office of Elections.

Another problem with adding convention delegates and personnel to the Legislature's existing system is the security issues that would arise. In order to function properly, the system must be secure. The integrity of the Legislature's system was of primary importance to the people who designed the network, and continues to be a priority to those who continue to maintain it. As such, it is the policy of the Legislature that only legislative personnel are allowed access to the system. In fact, even during election years, when the Office of Elections staff is allowed to make use of a large portion of the Capitol building's facilities, they are not permitted access to the Legislature's computer system. They are instead required to set up their own network, completely separate from the Legislature's system.

On the other hand, for their own security reasons, the convention personnel may not want to be on the Legislature's system, in the first place. The Speaker of the House of Representatives, the President of the Senate, the Chief Clerk of the House of Representatives, and the Senate Clerk are the administrators of the Legislature's system. In that capacity, they have access to all data stored on the system. If the convention were to operate on the same system, the administrators would, by necessity, have access to any sensitive information that the delegates, staff, and convention personnel might have stored on the system. This access to the convention's data might be viewed by some as the Legislature exerting or having the ability to exert undue influence over the convention.

For the foregoing reasons, the constitutional convention should have a stand alone secure computer system, separate from the Legislature's or other state agencies' existing computer systems.

Design and Installation

An inquiry regarding the design and installation of a suitable computer system was made with the Information and Communication Services Division (ICSD) of the Department of Accounting and General Practices.² However, ICSD indicated that it did not possess the staff or resources necessary to complete such a project. It was suggested that a computer consulting firm would be better suited to providing cost estimates for designing and installing the convention's computer system.

An inquiry was then made with Commercial Data Systems, Inc. (CDS), a Honolulu-based consulting firm with extensive experience in network design and systems integration. Given the variables involved, and the fact that a constitutional convention would not be expected to take place until years in the future, it is difficult to accurately predict the ultimate costs involved in designing and installing the convention's computer system. However, based on the required specifications, current pricing information, and their expertise in the industry, CDS has provided the following estimates, which represent the firm's best efforts at cost projection.

Core Components

The core hardware would consist of servers, storage, and a tape library for backup. CDS recommends that the system run a virtualized environment, meaning that virtualization software, such as VMWare, would become a core component as well.³ CDS recommends three servers to support the virtualized environment and one more to act as a virtual center manager. A Sun Microsystems X4150 would be a typical server ideally suited for this purpose. Western States Contracting Alliance (WSCA) pricing of a recommended configuration of this server would cost about \$5,000.⁴ Based on current WSCA pricing, the estimated costs of core components is as follows:

Four Sun Microsystems X4150 servers	\$20,000
VMWare Software	\$20,000
Sun Microsystems StorageTek 6140 with 12TB storage	\$40,000
Sun Microsystems SL500 Tape Library w/media	\$45,000
<u>Engineering Services</u>	<u>\$25,000</u>
Total core components:	\$150,000

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2. The Information and Communication Services Division is the lead agency for information technology in the Executive Branch and is responsible for comprehensively managing the information processing and telecommunication systems in order to provide services to all agencies of the State of Hawaii.
 3. A virtualized environment is a computing method that increases utilization and reduces overall cost by grouping together computer machines while still maintaining each server's or workstation's individual security.
 4. The Western States Contracting Alliance (WSCA) was formed in 1993 by the state purchasing directors from fifteen western states. Representing the western region of the National Association of State Procurement Officials, the primary purpose of WSCA is to establish a means by which participating states may join together in cooperative multi-state contracting in order to achieve cost-effective and efficient acquisition of quality products and services.

Workstations

Each delegate and members of the delegate staff, committee staff, and convention support staff should be provided with a workstation.⁵ A workstation is a computer that is connected to a network and is intended to serve a single user. Appropriate workstations are available at WSCA pricing, with possible vendors being Hewlett Packard, Lenovo, or Dell. Factoring in setup costs, the price per workstation would be approximately \$1,000. Based on the size of the convention, the total cost for workstations is reflected in Table 6-1.

**Table 6-1
Workstations**

Convention Size:	25 Delegates	51 Delegates	102 Delegates
Number of Workstations	214	328	540
Total Costs	\$214,000	\$328,000	\$540,000

Networking Environment

This area includes infrastructure equipment and services needed to provide the appropriate networking environment for the system to work. This includes network switches, wiring, internet connectivity, and the professional services to set up these components. This area is highly variable, since the costs for these components would be very specific to a given building and it is not clear at this point in time where this convention would be held. Costs are conservatively estimated by CDS as:

Miscellaneous Switches	\$80,000
Engineering services	\$20,000
Wiring (if required)	\$50,000
<u>Internet Connectivity</u>	<u>\$10,000</u>
Total networking	\$160,000

Software

Software costs are another highly variable aspect of this project. It is difficult to come up with anything but a guess as to the overall costs of software, which for the purposes of this estimate consist of software licensing and development (i.e., programming, testing, and support). The Chief Clerk of the House of Representatives and the Senate Clerk have agreed to permit access to the code used in the Legislature's drafting and document tracking software, for the purpose of developing similar software for use at the convention. The programmers of the convention's software would therefore not be required to start from scratch, which would reduce development time and costs significantly. However, it should be noted that a considerable amount of development would still be necessary. While it is impossible to accurately predict how long it would take to develop the convention's software, it is generally agreed that the development phase could take anywhere from several months to over a year.

5. The number of required workstations is based on the same assumptions about staffing requirements discussed in Chapter 2 on Personnel Costs.

INFORMATION AND COMMUNICATIONS COSTS

Estimates by CDS have been made conservatively, with the assumption that a Microsoft-based solution will be used.

Software Licensing	\$100,000
<u>Software Development</u>	<u>\$250,000</u>
Total software	\$350,000

System Support and Maintenance

Once the computer system is operational, it will require system support and maintenance during the convention. The bulk of such efforts would likely entail software support, while hardware support would be relatively minor. It is not clear whether ICSD would be able to provide such support. Estimates provided by CDS indicate that costs would be approximately \$5,000 to \$8,000 per month.

Summary of Computer Systems Costs

Based on the foregoing figures, the estimated costs of designing and installing a computer system for the constitutional convention would be:

**Table 6-2
Total Computer System Costs**

Convention Size	25 Delegates	51 Delegates	102 Delegates
Core Components	\$150,000	\$150,000	\$150,000
Workstations	\$214,000	\$328,000	\$540,000
Networking	\$160,000	\$160,000	\$160,000
Software	\$350,000	\$350,000	\$350,000
System Support	\$20,000 to \$32,000	\$20,000 to \$32,000	\$20,000 to \$32,000
Total Costs	\$894,000 to 906,000	\$1,008,000 to 1,020,000	\$1,220,000 to 1,232,000

Alternative Configuration

Alternatively, CDS has suggested that workstation costs might be significantly reduced by employing a "thin client" solution. In such a scenario, delegates and staff would be provided computers called thin clients. Unlike typical workstations that are self-sufficient in terms of processing capability and storage capacity, thin clients possess only limited processing capability and little or no storage capacity. Instead, a thin client system relies on the servers to meet much of the system's processing and storage needs. Essentially, a thin client simply acts as an access point to the computer system. Rather than having hundreds of workstations that each run applications and store files, in a thin client system, the servers run all the applications and manage all the files. Because the primary purpose of workstations at the convention would be to deliver specific applications to the users and to allow for collaboration, it is believed that a thin

client approach would work well with the virtualized environment that has been recommended for the computer system. Since thin clients are far less complex than typical workstations, they are relatively inexpensive and easier to maintain. If a thin client solution is favored over using more powerful workstations, it is estimated that workstation costs could be reduced by 60 to 70 per cent.

CDS has also suggested that networking costs could be reduced by employing a wireless network approach, rather than having to invest in wiring a specific location. Wireless technology would be easier to set up and configure on the fly. Also, once the convention was over, the wireless technology could be redeployed elsewhere, whereas physical wiring would mean that funds were expended to wire a location that, depending upon its subsequent use, may not need such wiring later on. CDS estimated that a wireless approach could reduce networking costs by \$50,000.

Should these alternatives be selected, total estimated costs for design and installation of the convention's computer system would be:

**Table 6-3
Total Computer System Costs Using Alternative Configuration**

Convention Size	25 Delegates	51 Delegates	102 Delegates
Core Components	\$150,000	\$150,000	\$150,000
Workstations	\$64,200 to \$85,600	\$98,400 to \$131,200	\$162,000 to \$216,000
Networking	\$110,000	\$110,000	\$110,000
Software	\$350,000	\$350,000	\$350,000
System Support	\$20,000 to \$32,000	\$20,000 to \$32,000	\$20,000 to \$32,000
Total Costs	\$694,200 to \$727,600	\$728,400 to \$773,200	\$792,000 to \$858,000

Telephone System

The 1978 constitutional convention, which had 102 delegates and 314 staff, reported a total cost of \$25,176.80 for telephone service.⁶ No breakdown of the cost is given; however, it is reasonable to consider that the constitutional convention in 1978 had telephone service for at least four months.⁷ This assumption is based on the fact that delegates were paid for four months, beginning on May 21, 1978, the day after they were elected, and furthermore, final proposals for constitutional amendments were submitted by September 22, 1978.⁸

Although the number of delegates to any future constitutional convention has not yet been determined, delegate counts of 25, 51, and 102 have been the most widely discussed. Accordingly, estimates of costs for landline telephone service for a constitutional convention in this report are based on these three delegate counts. (The Bureau did not consider providing

6. 1978 Proceedings, p. 1191.

7. The lease for the old federal building, which housed delegates' offices in 1978, expired on November 7, 1978, which may indicate that telephone service may have continued beyond four months.

8. Ibid., pp. vii and viii.

cellular telephones to all delegates and staff.) Together with additional landlines for necessary support staff, a total of 214, 328, and 540 landlines, respectively, may be needed. The additional lines are to accommodate estimated staff of 189, 277, and 438 for conventions having 25, 51, and 102 delegates, respectively.⁹

Telephone System Configuration: Centrex System

According to Hawaiian Telcom,¹⁰ the most appropriate landline telephone system for use by the constitutional convention would be a centrex, or PBX, system. A PBX system serves a particular group, connects the internal phones within an organization, and also connects them to the public switched telephone network via trunk lines. A primary advantage of a PBX system is cost savings on internal phone calls—handling the circuit switching locally reduces charges for local phone service. A PBX system also allows installation of lines in various different physical locations. In other words, delegates' offices need not be located in the same building or site for a PBX system to work. This would be a significant advantage, if not a necessity, if office space for delegates and staff cannot be found within one physical location. The PBX system offered by Hawaiian Telcom also includes a package of services (such as call-waiting, call-forwarding, three-way calling, speed dialing, and last number redial) that, if a convention chooses to install individual lines instead, would otherwise have to be paid for separately. However, voicemail is not included and would have to be paid for separately, at a discounted charge of \$4.95 per month per line, for government accounts.¹¹

As of July 2008, the cost of a centrex system consists of a monthly charge of \$25 per line, a one-time \$76 charge for initial installation for the first line, and a one-time \$21.50 charge for each additional line.¹² Because of compatibility issues, telephone sets for a centrex system need to be purchased from the telephone service provider at about \$100 per set. In contrast, for installation of individual lines (not a PBX system), less expensive telephone sets not compatible with PBX systems may be used. However, higher installation costs associated with individual lines negate that cost savings. Furthermore, the lack of a central telephone network and other free PBX services renders the choice of individual lines over a PBX system less appealing. Finally, there would probably be a \$100 charge for an on-site technician to install telephone jacks. All prices noted are effective as of July 2008 and are subject to change.

The table below summarizes the costs for landline telephone service for 25, 51, and 102 delegates for four months, as provided by Hawaiian Telcom:

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9. See discussion on staffing in Chapter 2 on Personnel Costs.
 10. Telephone conversation of July 24, 2008, with Hawaiian Telcom government accounts staff at 643-3211, hereafter "Telcom."
 11. Telcom: This compares to a cost for voice mail service of about \$14 per month per line for business accounts.
 12. Telcom: The \$76 and \$21.50 charges are to connect and insert new numbers into the phone company's databases.

Table 6-4
Telephone Costs (PBX System) for Delegates and Staff for 4 Months

Number of Delegates	25	51	102
Number of Phone Lines	214	328	540
1-Time Installation of Lines	\$4,656	\$7,107	\$11,665
1-Time Installation of Jacks	\$100	\$100	\$100
Monthly Per Line Charge	\$21,400	\$32,800	\$54,000
Voicemail Charge	\$4,237	\$6,494	\$10,692
PBX-Compatible Phone Sets	\$21,400	\$32,800	\$54,000
Totals	\$51,793	\$79,301	\$130,457

Telephone System Configuration: Individual Telephone Line Installation

Alternatively, the convention might choose to install individual telephone lines, rather than a centrex system. Based on an existing contract with Hawaiian Telcom, ICSD has provided the following estimated costs of installation, equipment, and service for a telephone system using hands-free single-line telephones. Assuming that the facility hosting the convention did not already possess wiring for a telephone system, initial costs per telephone line for the first month would be:

Installation	\$371.99
Equipment	\$175.17
<u>Monthly Service</u>	<u>\$26.00</u>
Total Costs for First Month	\$573.16

Service costs for each succeeding month would be \$26 per telephone line. Assuming that the convention would run for four months, the total cost per telephone line would be \$651.16.

Depending on the number of delegates to the convention and the size of their staff, the number of people requiring telephone service would vary. Using the most likely estimates of 25, 51, or 102 delegates, and based on estimated delegate, committee, and support staff requirements developed in Chapter 2, the total cost of installing an individual-line telephone system and providing basic telephone service for four months would be:

Table 6-5
Telephone Costs (Individual Lines) for Delegates and Staff for 4 Months

Number of Delegates	25	51	102
Number of Phone Lines	214	328	540
Installation	\$79,606	\$122,013	\$200,875
Equipment	\$37,486	\$57,456	\$94,592
Monthly Service Charge	\$22,256	\$34,112	\$56,160
Totals	\$139,348	\$213,581	\$351,627

These figures do not include services such as call waiting, etc, which would entail additional costs.

Based on the estimates provided by Hawaiian Telcom and ICSD, it appears that a centrex system would be the more economical option, and therefore the solution that the convention would be most likely to choose.

Telephone Service Provided by Private Facilities

If a constitutional convention were held in a privately-owned facility, the facility would charge the convention to provide a telephone system, in exchange for an agreed-upon rental fee. Upon inquiry, the following privately-owned facilities provided estimated costs for the provision of a telephone system.

Hawaii Convention Center

The Hawaii Convention Center offered a preliminary estimate of \$181,373 for rental of 641 (102 delegates plus 539 staff)¹³ telephones and to provide telephone lines at the Center for three months.¹⁴ Extrapolated to four months, the estimated cost for telephone lines would be \$241,831.¹⁵ The Center indicated that there will also be an as yet undetermined cost to increase the Center's infrastructure to accommodate the 641 telephones and an as yet undetermined allocation of funds for long distance usage charges.

Hilton Hawaiian Village Beach Resort & Spa

The Hilton would charge \$50/\$55 daily for the use of each telephone for a convention held in 2010/2012. Assuming an estimated total staff of 189, 277, and 438 for conventions with 25, 51, and 102 delegates, respectively, the total numbers of telephone lines required are estimated to amount to 214, 328, and 540. The table below reflects estimated costs for conventions lasting 90 and 120 days with 25, 51, and 102-delegates.

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13. The Bureau originally projected the number of staff for 102 delegates at 539 and subsequently reduced that number to 438. The Convention Center's estimate for telephone rental is based on the original staff projection. The convention center did not provide estimates with respect to telephone service for a convention of 25 or 51 delegates.
 14. E-mailed information received on August 1, 2008, from Lois Asato of the Hawaii Convention Center (hereafter "HCC 8/1/08 email"). This cost is based on \$63,375 = 169 multi-line telephones @ \$375 each for support staff; \$118,000 = 472 single line telephones @ \$250 each for delegates, delegate staff, and convention staff.
 15. $(120 / 90) \times \$181,373 = \$241,831$.

Table 6-6
Estimated Telephone Costs at the Hilton in 2010 and 2012
For a Convention with 25, 51, and 102 Delegates

Number of Delegates	25 Delegates	51 Delegates	102 Delegates
90 Days in 2010	\$963,000	\$1,476,000	\$2,430,000
90 Days in 2012	\$1,059,300	\$1,623,600	\$2,673,000
120 Days in 2010	\$1,284,000	\$1,968,000	\$3,240,000
120 Days in 2012	\$1,412,400	\$2,164,800	\$3,564,000

Constitutional Convention Cost Task Force Estimate

The final report of the Constitutional Convention Cost Task Force estimates a "basket" of costs for equipment and supplies consisting of the following categories:¹⁶

- Stationary & Office Supplies
- Telephone/Cell Phone
- Copier, Printer, Scanner & Fax
- Computer & Software
- E-mail
- Wi-Fi Capability
- Internet Transport

The Task Force states that the estimated cost for each category of its equipment and supplies "basket," including the category "telephone/cell phone," "factors in the equipment and supply needs for: delegates, delegate staff (two per delegate) and convention staff."¹⁷ Apparently, the Task Force envisions that cellular telephones will be provided to delegates, in addition to landline telephones. The Task Force report further indicates that costs were calculated based on the assumption that there would be 53 "convention staff" separate from delegates' office staff.¹⁸ Thus, it appears that if each delegate (102), each delegate staff (204), and each convention staff (53) will receive a cellular telephone, a total of 359 cellular telephones would be purchased and serviced. However, the type of calling plan and associated costs for cellular telephone service are not provided. Finally, the number of landline telephones is not listed in the estimates.

The Task Force reports a first month cost of \$75,200, \$180,200, and \$236,900, reflecting higher fixed upfront costs, for telephones and cellular telephones for 25, 51, and 102 delegates, respectively. However, a breakout of incremental second, third, and fourth month costs for each category, including the "telephone/cell phone" category, is not available. Only cumulative second, third, and fourth month costs for the entire "basket" of "equipment and supplies" as a whole are provided—with a total of \$1,867,182 for all cost categories in the "basket" at the end of four months. Thus, for the cost category "telephone/cell phone", the only conclusion that can

16. Hawaii. Constitutional Convention Cost Task Force "Projecting the Cost of a Constitutional Convention in Hawaii," August 1, 2008, hereafter "Task Force Report", p. 29.

17. Ibid., p. 28.

18. Ibid., pp. 25-26, 42, and 44.

be drawn is that the total cost for four months, as calculated and estimated by the Task Force, is somewhere north of \$236,900.

Comparison

For four months of landline telephone service, the Bureau's estimated cost would be \$51,793, \$79,301, and \$130,457 for 25, 51, and 102 delegates and staff, respectively. The following table includes cost estimates for landlines for four months and cost estimates for "telephone/cell phone" service from the Constitutional Convention Cost Task Force report, but for the first month of use only.

Table 6-7
Bureau's Estimate of Landline Telephone Costs - 4 Months
And Task Force Estimate of Landline/Cellular Telephone Costs - 1st Month
For 25, 51, and 102 Delegates

Number of Delegates	25	51	102
Number of Phone Lines	214	328	540
Bureau Estimate (PBX System) - 4 Months	\$51,793	\$79,301	\$130,457
Bureau Estimate (Indiv. Lines) - 4 Months*	\$139,348	\$213,581	\$351,627
Task Force Estimate for 1 st Month	\$75,200	\$180,200	\$236,900

**System with individual lines does not include a package of additional services.*

Television Coverage of Convention

In 1978, the chair of the 1978 Constitutional Convention urged then Governor Ariyoshi to make funds (\$14,611) available to the Hawaii Public Broadcasting Authority for out-of-pocket costs to provide:

Daily remotes to the Convention for the purpose of taping materials which would be incorporated in a weekly wrap-up of Convention activities; the weekly summary to be produced and broadcast by Hawaii Public Television on Saturday evenings at 7:00 p.m. The coverage would utilize interviews with delegates and lawmakers, floor and committee debates, and commentary by Mr. Robert Miller on the progress of the Convention.¹⁹

The Hawaii Public Broadcasting Authority also proposed preparing a "bulletin board" to alert the public to the proceedings and themes scheduled for discussion on a daily basis. It appears that the Hawaii Public Broadcasting Authority provided these services at cost. However, rather than assuming another voluntary, at-cost, public service contribution, the Bureau requested Capitol TV²⁰ to estimate the cost of providing television coverage for a future convention.

19. Letter dated June 28, 1978, from William W. Paty, Jr., Chairman of the 1978 Constitutional Convention, to Governor George Ariyoshi.

20. Capitol TV is the legislative broadcast project of the Legislature, which currently contracts with Access Service Corporation to provide broadcast services, that produces and broadcasts legislative events, including

COST ESTIMATES FOR A CONSTITUTIONAL CONVENTION

In this section, the estimates of costs for television coverage are calculated based on the actual number of convention days. To estimate this number, we examined the pattern of delegate attendance over the course of the four-month constitutional convention in 1978. The number of days on which convention business was actually conducted in 1978 is estimated to be about 95 days.²¹ The estimates in this section are based on the following:

- (1) Coverage of 75% of actual convention days, or about 71 days (95 days x .75 = 71);
- (2) Daily coverage of two convention committees (approximately 2.5 hours per event) for 16 production hours per day, including daily set up and tear down. This could mean covering two committees simultaneously for the entire day or two committees in the morning and two committees in the afternoon, or some combination thereof;
- (3) A base estimated cost of \$169,974 for television coverage of convention activities for 71 days of actual coverage;
- (4) For purposes of this estimate, except as otherwise noted, events to be covered and broadcast are assumed to be held in the State Capitol building. According to Capitol TV,

If the convention is held in the Capitol broadcasting the events live is not only not a problem but far more efficient in almost every way. The Capitol is wired with two lines out to Oceanic which means that we could do two committees live simultaneously. If the convention is held elsewhere such as at a hotel or at the convention center, we could possibly broadcast one event live via microwave but if there are any events that are happening simultaneously the second event would have to be "live to tape" and broadcast tape delayed. Also, some venues ... are difficult if not impossible to get a microwave signal out of the property because of the surrounding buildings. (Microwave is line of sight.)²²

- (5) Additional estimated daily \$350 fee to cover microwave transmission expenses if events to be covered are held at a remote location outside of the State Capitol building for an estimated total of $\$350 \times 71 = \$24,850$;²³
- (6) A one-time estimated fee of \$4,760 or \$7,000, depending upon location, for pre-production, planning, coordination, graphics preparation, engineering, etc. for events held inside the State Capitol building or elsewhere, respectively;
- (7) Additional estimated \$170,400²⁴ fee for closed captioning, as an option.

live and taped broadcasts of legislative committee hearings and other events from the State Capitol building and other venues.

21. See discussion of delegate per diem payments in Chapter 2 on Personnel Costs.

22. Letter dated June 28, 1978, from William W. Paty, Jr., Chairman of the 1978 Constitutional Convention, to Governor George Ariyoshi.

23. According to Capitol TV, the microwave dish needs to be set up at a line of sight location, such as Tantalus, each day and be attended to and safeguarded by a crew member. Presumably the broadcast units would only need to be transported once or twice to the remote location and secured there and not have to be ferried back and forth to the remote location weekly.

Table 6-8 below reflects the estimated costs of television coverage given several scenarios.

Table 6-8
Estimated Television Coverage Costs for 71 Event Days
Held at the State Capitol Building and Elsewhere

Cost Item/Venue	State Capitol	Other Venue
71 Days Base Coverage for 2 Committees	\$169,974	\$169,974
Preproduction Cost	\$4,760	\$7,000
Remote Microwave Transmission	\$0	\$24,850
Closed Captioning Option	\$170,400	\$170,400
Total without Closed Captioning	\$174,734	\$201,824
Total with Closed Captioning	\$345,134	\$372,224

Summary

To illustrate the range of possible costs a constitutional convention might incur in developing its information and communications systems, the lowest and highest estimated costs are presented below. Table 6-9 presents estimated costs if the convention chooses a computer system that uses a thin client solution and wireless networking, a telephone system that uses a centrex system, and broadcasts from the State Capitol building without closed captioning.

Table 6-9
Lowest Estimated Costs for Information and Communications Systems

	25 Delegates	51 Delegates	102 Delegates
Computer System			
Core Components	\$150,000	\$150,000	\$150,000
Workstations (Thin Client)	\$64,200 to \$85,600	\$98,400 to \$131,200	\$162,000 to \$216,000
Networking (Wireless)	\$110,000	\$110,000	\$110,000
Software	\$350,000	\$350,000	\$350,000
System Support	\$20,000 to \$32,000	\$20,000 to \$32,000	\$20,000 to \$32,000
Computer Costs	\$694,200 to \$727,600	\$728,400 to \$773,200	\$792,000 to \$858,000
Telephone System - PBX			
Number of Phone Lines	214	328	540
1-Time Installation of Lines	\$4,656	\$7,107	\$11,665
1-Time Installation of Jacks	\$100	\$100	\$100

24. At \$150 per hour and 71 days of coverage at 16 production hours per day: $\$150 \times 71 \times 16 = \$170,400$.

COST ESTIMATES FOR A CONSTITUTIONAL CONVENTION

	25 Delegates	51 Delegates	102 Delegates
Monthly Per Line Charge	\$21,400	\$32,800	\$54,000
Voicemail Charge	\$4,237	\$6,494	\$10,692
PBX-Compatible Phone Sets	\$21,400	\$32,800	\$54,000
Telephone Costs	\$51,793	\$79,301	\$130,457
Broadcasting - Capitol			
71 Days Base Coverage for 2 Committees	\$169,974	\$169,974	\$169,974
Preproduction Cost	\$4,760	\$4,760	\$4,760
Remote Microwave Transmission	\$0	\$0	\$0
Broadcasting Costs without Closed Captioning	\$174,734	\$174,734	\$174,734
TOTAL COSTS	\$920,727 to \$954,127	\$982,435 to \$1,027,235	\$1,097,191 to \$1,163,191

Table 6-10 presents estimated costs that assume the convention chooses a computer system with typical workstations and wired networking, a telephone system with individual lines, and broadcasts from another venue with closed captioning.

Table 6-10
Highest Estimated Costs for Information and Communications Systems

Convention Size	25 Delegates	51 Delegates	102 Delegates
Computer System			
Core Components	\$150,000	\$150,000	\$150,000
Workstations	\$214,000	\$328,000	\$540,000
Networking	\$160,000	\$160,000	\$160,000
Software	\$350,000	\$350,000	\$350,000
System Support	\$20,000 to \$32,000	\$20,000 to \$32,000	\$20,000 to \$32,000
Computer Costs	\$894,000 to \$906,000	\$1,008,000 to \$1,020,000	\$1,220,000 to \$1,232,000
Telephone System - Individual Lines*			
Number of Phone Lines	214	328	540
Installation	\$79,606	\$122,013	\$200,875
Equipment	\$37,486	\$57,456	\$94,592
Monthly Service Charge	\$22,256	\$34,112	\$56,160
Totals	\$139,348	\$213,581	\$351,627

INFORMATION AND COMMUNICATIONS COSTS

Convention Size	25 Delegates	51 Delegates	102 Delegates
Broadcasting - Other Venue			
71 Days Base Coverage for 2 Committees	\$169,974	\$169,974	\$169,974
Preproduction Cost	\$7,000	\$7,000	\$7,000
Remote Microwave Transmission	\$24,850	\$24,850	\$24,850
Closed Captioning Option	\$170,400	\$170,400	\$170,400
Broadcasting Costs with Closed Captioning	\$372,224	\$372,224	\$372,224
TOTAL COSTS	\$1,405,572 to \$1,417,572	\$1,593,805 to \$1,605,805	\$1,943,851 to \$1,955,851

**Does not include package of individual services.*

The foregoing tables demonstrate that the convention would incur its lowest reasonably estimated costs if it has 25 delegates, uses a computer system that employs a thin client solution and wireless networking, uses a telephone system that employs a centrex system, and broadcasts from the State Capitol building without closed captioning. Such a convention would incur estimated costs in a range from \$920,727 to \$954,127. On the other hand, the convention would incur its highest reasonably estimated costs if it has 102 delegates, uses a computer system with typical workstations and wired networking, uses a telephone system with individual lines and no additional services, and broadcasts from another venue with closed captioning. Such a convention would incur estimated costs in a range from \$1,943,851 to \$1,955,851. Note that additional services with the individual phone lines would entail additional costs.

Finally, it should be emphasized that the figures derived in the tables above are, of necessity, extremes. Depending upon the variables selected, costs could be at any one of a number of intermediate levels.

Chapter 7

OPERATIONAL COSTS

Other Office Equipment

While Chapter 6 addresses needs for and costs of computers and telephones, this chapter addresses other office needs and costs ranging from copiers to furniture and postage. For purposes of the estimates in this chapter and elsewhere, we used the staffing estimates developed in Chapter 2.

Print Shop Copiers and Multi-Function Copiers, Printers, Scanners, and Fax Machines

In this section, we address two types of office equipment that might well be construed as constitutionally necessary equipment, namely, high-speed, high-volume copiers for the print shop and multi-function printer, scanner, and fax machines for delegate and staff offices.¹

A summary of our estimates for this cost element relating to copiers and printers is tabulated below for a convention that runs for four months under alternative delegate counts of 25 delegates, 51 delegates, and 102 delegates:

Table 7-1
Print Shop Copiers and Multi-Function Copiers, Printers, Scanners, and Fax Machines

	25 delegates	51 delegates	102 delegates
Print shop copier: reimbursement to House ²	\$0	\$0	\$0
Print shop copier: after hours standby service	\$6,464.92	\$6,464.92	\$6,464.92
Print shop copier subtotal	\$6,464.92	\$6,464.92	\$6,464.92
Multi-function copier, printer, scanner, fax machines: rental	\$299,685.74	\$399,580.99	\$588,272.02
Multi-function copier, printer, scanner, fax machines: systems analyst service	\$28,046.06	\$37,394.75	\$55,053.38
Multi-function copier, printer, scanner, fax machines: training	\$14,117.27	\$21,604.70	\$35,590.04
Multi-function copier et al. subtotal	\$341,849.07	\$458,580.44	\$678,915.44
Total	\$348,313.99	\$465,045.36	\$685,380.36

The estimates for each component are addressed below.

1. Estimates for the cost of paper are addressed elsewhere, under the cost item relating to office supplies, stationary, and paper.
2. The estimates are already included in the cost element relating to employees' salary, as discussed in the main body of the text.

Print Shop Copiers

The convention will very likely need access to several high-speed, high volume copiers that produce copies at over 90 pages per minute.³ These types of copiers would be needed for the high volume copying of convention documents such as resolutions, proposals, and committee reports. These are the types of copiers currently used in the print shops of the House of Representatives and the Senate.

It does not appear that any print shop copiers will need to be rented, leased, or purchased for a constitutional convention, as the print shop copiers of the House of Representatives may be available to address the convention's needs.

The Speaker of the House of Representatives has indicated a willingness to authorize House staff to print documents for the constitutional convention in the House print shop under the supervision of the House Chief Clerk, but only if the constitutional convention fully reimburses the House for labor, supplies, and other material costs. The printing equipment, which was acquired under a long term lease from a vendor, is expensive and technologically sophisticated. Thus, to avoid possible damage to equipment and breaches of lease terms, the Speaker cannot permit persons, other than House employees, to use the equipment.⁴

We believe that the estimated cost of reimbursement for services for use of the House print shop copiers was, in a sense, already addressed under the cost item "employees' salary." In other words, the salaries of the print shop section of the chief clerk's office under the cost item "employees' salary" amounts to basically the same thing as the cost of reimbursement to the House for the services of its print shop copiers. The figures for the salaries of the print shop staff were based on the assumption that the convention would have its own print shop and its own print shop copiers. To incorporate the estimated costs of reimbursement into the cost item for equipment would amount to double-counting. However, for informational purposes, we reiterate the estimated costs of reimbursement below in parentheses.

(For a convention of 25 delegates, the estimated cost of reimbursement for the services of the House print shop copiers would be at least \$45,300. For a convention of 51 delegates, the estimated cost of reimbursement would be at least \$58,500. Finally, for a convention of 102 delegates, the estimated cost of reimbursement would be at least \$68,700. These reimbursement costs would cover a convention period of four months.)

One item that is separate from our estimate of the cost of reimbursement to the House for the services of the House print shop is the cost of after-hours standby service for potential repairs to the copiers. This cost would ultimately involve a reimbursement by the convention to the vendor of the copiers, based on arrangements made by the House with the vendor for the

3. Telephone conversation with the Chief Clerk of the House of Representatives.

4. Memorandum from the Speaker of the House of Representatives to the Legislative Reference Bureau, regarding the availability of the legislature's facilities and personnel to support a constitutional convention, July 15, 2008.

after-hours standby service. There would seem to be a need to ensure that the print shop copiers are fully serviceable during the days when the convention as a whole is in session, outside of standard service or normal work hours, and that any copier that breaks down could be immediately repaired. After-hour service would cover service outside of the standard service hours of Monday to Friday, 8:00 AM to 5:00 PM. Specifically, it would cover Monday to Friday, 5:01 PM to 10:00 PM, and Saturday and Sunday, 8:00 AM to 10:00 PM. The after-hours service does not cover all possible hours outside of the standard service hours.

Days in which the convention meets in session are the journal days. A review of the convention journals of the past three conventions indicated that there were several journal days in which the conventions were in session outside of normal work hours. Either the convention called itself to order outside of normal work hours or adjourned for the day outside of normal work hours. These days generally occurred during the latter half of the convention. They also tended to occur on days in which the convention resolved itself into a Committee of the Whole to hear the proposals of the standing committees. They included both workdays and Saturdays (only the 1978 convention met once on a Sunday).

For example, the 1978 convention, which ran for about 2 $\frac{3}{4}$ months, or 11 weeks, met in session for 65 days, of which 26 days involved a total of about 72 hours outside of normal work hours. Of those 26 days, 7 were Saturdays, 1 was a Sunday, and the others were workdays. Of those 72 hours, about 16 hours would have been outside of those after-hour service time slots and 56 hours would have been within those after-hour service time slots. Likewise, the 1968 convention, which ran for about 2 $\frac{1}{2}$ months, or 10 weeks, met in session for 58 days, of which 21 days involved a total of about 54 hours outside of normal work hours. Of those 21 days, 8 were Saturdays and the others were workdays. Of those 54 hours, 7 hours would have been outside of those after-hour service time slots and 47 hours would have been within those after-hour service time slots. Finally, the 1950 convention, which ran for about 3 $\frac{3}{4}$ months, or 15 weeks, met in session for 79 days, of which 21 days involved a total of about 56 hours outside of normal work hours. Of those 21 days, 10 were Saturdays and the others were workdays. Of those 56 hours, about 3 hours would have been outside of those after-hour service time slots and 53 hours would have been within those after-hour service time slots.

Accordingly, we speculate that the next convention might operate like the 1978 convention and meet in session for 65 days, of which 26 days might involve about 72 hours outside of normal work hours, and of those 26 days, 7 would be Saturdays, 1 would be a Sunday, and 18 would be workdays. Of those 72 hours outside of normal work hours, about 16 hours would be outside of those after-hour service time slots, but 56 hours would be within those after-hour service time slots. Thus, during these 56 hours outside of normal work hours but within the after-hours service time slots of the vendor, the vendor may be needed to be available for repair service on an on-call/standby, off-site basis. Based on projections from the 1978 constitutional convention, the vendor may be needed for 38 hours of those 18 workdays, 12 hours of those 7 Saturdays, and 6 hours of a single Sunday.

The vendor has a per hour price list for such after hour on-call/standby, off-site availability: on weekdays from 5:01 PM to 10:00 PM, the rate is \$105.00 per hour, on Saturdays from 8:00 AM to 10:00 PM, the rate is \$112.00 per hour, and on Sundays from 8:00 AM to

OPERATIONAL COSTS

10:00 PM, the rate is \$140.00 per hour. These rates do not include the flat rate service call cost of \$515.00 once an after-hours service call is placed. Also, after-hours service call arrangements must be made at least 30 days in advance of the event. The State tax of 4.712 per cent is not included in the pricing.

We estimate that the total cost for after-hours service on an on-call, standby, off-site basis, excluding the flat rate service call cost, and including the State tax (4.712 per cent) would be about \$6,464.92.⁵

Multi-Function Copier, Printer, Scanner, Fax Machines

The multi-function copier, printer, scanner, fax machine (hereinafter referred to a "multi-function copier") is an office machine designed for office use. Based on our own office's experience with the legislative process, we suggest that the machine have a page per minute speed of at least 55 pages per minute.

We assumed that these multi-function copiers could be pooled for use in common work areas among the delegates, their staff, the standing committees, and the central support staff to increase efficiency and cost-effectiveness. We further assumed that the number of multi-function copier, printer, scanner, fax machines might be needed as follows:

1. One multi-function copier for every three delegates;
2. One multi-function copier for each of the sixteen standing committees;
3. One multi-function copier for the central research office;
4. One multi-function copier for the chief clerk's office; and
5. One multi-function copier for the sergeant-at-arms' office.

Thus, depending upon the number of delegates, the convention might need something in the range of: 27 of these multi-function copiers for a 25-delegate convention; 36 of these multi-function copiers for a 51-delegate convention; and 53 of these multi-function copiers for a 102-delegate convention.

We obtained an estimate for the short term rental of such multi-function copiers from one of the vendors on the State Procurement List for copiers and facsimile machines. We specified that the convention would need multi-function copiers with a 55 page per minute speed. Also, the multi-function copiers would likely be needed for a four month period from early June to late September 2011. The preparatory first month of those four months, much like the month before a legislative session convenes, would probably be the month when many if not the bulk of the convention's proposals are being drafted by the delegates, introduced, and copied for distribution. In other words, the multi-function copiers would be needed immediately at the beginning of the four month period. We further specified that the convention would supply its own paper, all multi-function copiers would need to be networked to the users' computers in order for the users

5. $(38 \text{ hr @ } \$105) + (12 \text{ hr @ } \$112) + (6 \text{ hr @ } \$140) = \$6,174$. $\$6,174 \times 4.712\% \text{ state tax} = \$6,464.92$.

to be able to copy, print, scan, and fax to the multi-function copiers from their computers, and that the vendor would need to provide analyst services to network the multi-function copiers to the computers.

With regard to the analyst services, we further specified that the total number of multi-function copiers that would need to be networked to computers would be 27 multi-function copiers for 214 computer workstations under a 25 delegate convention, 36 multi-function copiers for 328 computer workstations under a 51 delegate convention, or 53 multi-function copiers for 540 computer workstations under a 102 delegate convention. Furthermore, the multi-function copiers would all be housed in a single location (different offices, but same facility) and the core hardware would consist of four servers, storage, and a tape library for back up.

The company stated that under such specifications, it had available for short rental a 55 pages per minute black and white digital copier, with copy, print, scan, and fax functions. The current 2008 rental pricing for the multi-function copier is \$2,390 per month per copier. The State tax of 4.712 % is not included in the pricing. The rental price includes supplies (toner, staples) and standard service, Monday to Friday, 8:00AM to 5:00 PM. Standard service means that if a service call is required for one of the multi-function copiers, then a technician will be dispatched at no extra charge, during normal business hours. The rental price does not include paper, but includes 30,000 impressions per month per copier, with an overage rate of \$0.012 per impression. The cost to cover both the delivery and removal of the copiers is a total of \$260 per copier.

With regard to the analyst services, the vendor indicated that the analyst fee would be \$992 for the network set up of one multi-function copier per 5 computers. Additionally, the vendor offered training fees of \$378 each for a maximum of 6 users.

Accordingly, for a convention of 25 delegates, 51 delegates, and 102 delegates, we calculated estimates for the following:

- (1) Short term four-month rent of 27, 36, or 53 multi-function copiers with a speed of 55 pages per minute, including the vendor's delivery and removal;
- (2) Systems analyst service to network the multi-function copiers to the computers; and
- (3) Staff training in the use of the multi-function copiers;

with the State tax included. The estimate for the systems analyst service is probably too low, and the actual charge is likely to be much higher, because the pricing information provided to us appears to be a baseline charge that will not cover the networking of the multi-function copiers to all of the computers. It appears that an extra charge may be necessary to network the multi-function copiers to the remaining computers. The results are tabulated below:

Table 7-2
Short Term Four-Months Rent, Systems Analyst Service, and Staff Training for Multi-Function Copier, Printer, Scanner, and Fax Machines

	25 Delegates	51 Delegates	102 Delegates
Multi-function copier rental	\$299,685.74	\$399,580.99	\$588,272.02
Systems analyst service	\$28,046.06	\$37,394.75	\$55,053.38
Staff training	\$14,117.27	\$21,604.70	\$35,590.04
Total	\$341,849.07	\$458,580.44	\$678,915.44

Modular Office Furniture

We estimated separately the cost of modular office furniture expressly for use in open floor configurations, such as at the Exhibition Hall of the Neal S. Blaisdell Center, the Hawaii Convention Center, or commercially available loft space. (See Chapter 3 on Facilities Cost.) According to the Hawaii Correctional Industries of the Department of Public Safety, a modular cubicle unit measuring approximately 12 feet by 12 feet that accommodates four persons would cost \$10,785 to purchase.⁶ The Hawaii Correctional Industries does not rent any furniture.

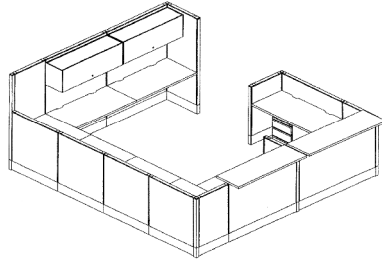
The costs to purchase sufficient modular office units for a convention with 25, 51, and 102 delegates (and staff) are estimated to be \$576,998, \$883,022, and \$1,454,627, respectively.⁷ These figures are in current 2008 dollars; therefore, these estimated prices will likely increase in subsequent years. These estimated costs are rough ballpark estimates, assuming approximately four persons per cubicle, and actual cubicle units may need to vary in size.

Table 7-3
Estimated Costs of Modular Office Furniture
For Conventions with 25, 51, and 102 Delegates (and Staff)

	25-delegate convention	51-delegate convention	102-delegate convention
Number of Delegates and Staff	214	328	540
Estimated Costs	\$576,998	\$883,022	\$1,454,477

A drawing of the unit is show below:

-
6. The unit is described as a panel to panel system utilizing 36" laminated wild cherry work surfaces along all four walls. The unit also has 2 reception-type counter surfaces measuring 5' x 1.5'; 2 overhead locked cabinets measuring approximately 4' x 15"; 2 under-table 3-drawer sets with black trim; 2 under-table sliding keyboard rests; and a 3.5' entryway.
 7. For 25 delegates: ((25 delegates + 189 total staff) / 4) @ \$10,785 = \$576,998; for 51 delegates: ((51 + 276.5) / 4) @ \$10,785 = \$883,022; for 102 delegates: ((102 + 437.5) / 4 @ \$10,785 = \$1,454,627.



Office Furniture

This cost item of office furniture reflects purchases of individual pieces of furniture, as an alternative to modular furniture.

The estimates for the purchase of office furniture depend upon the total numbers of delegates and employees. The total numbers of delegates and employees⁸ for a convention of 25 delegates, 51 delegates, and 102 delegates are as follows:

**Table 7-4
Number of Delegates and Employees**

Head count	25-delegate convention	51-delegate convention	102-delegate convention
Delegates	25	51	102
Delegate personal staff	50	102	204
Additional committee staff	64	64	64
Central support staff	75	110.5	169.5
Totals	214	327.5	539.5

From this head count, and other specified conditions, a ball park estimate for the purchase price of office furniture for a convention of 25 delegates, 51 delegates, and 102 delegates, respectively, in 2008 dollars, might be as follows:

8. From the head counts developed in Chapter 2.

**Table 7-5
Furniture Purchase Prices**

Furniture	25-delegate convention	51-delegate convention	102-delegate convention
Chair	\$28,890.00	\$44,212.50	\$72,832.50
Desk	\$236,775.00	\$364,402.50	\$605,797.50
Bookshelf	\$22,050.00	\$35,525.00	\$61,775.00
File cabinet	\$46,305.00	\$71,820.00	\$120,960.00
Totals	\$334,020.00	\$515,960.00	\$861,365.00

The Other Specified Conditions

We developed estimates for only the most basic office furniture set up: chairs, desks, bookshelves, and file cabinets.

We based our estimates on furniture prices found in the January 2008 Office Star Products catalog of the Hawaii Correctional Industries.⁹ We tried to select the lowest priced items of furniture. We also tried to select desks of the smallest dimensions, since the size of office space for the convention might be an issue. The desks, bookshelves, and file cabinets are from the Napa product line. The task chair is from the Work Smart line. The descriptions, stock numbers, and price lists are as follows in Table 7-6:

**Table 7-6
Hawaii Correctional Industries Office Furniture for Purchase**

Item	Description	Dimensions	Stock No.	Price per item
Task chair	Type "A"	--	SC117	\$135.00
Desk	Double ped	66" x 30"	NAPTYP4	\$1,155.00
Bookshelf	3-shelf	36" x 14" x 42"	NAP55	\$350.00
File cabinet	2 drawers	36" x 22" x 29"	NAP12	\$945.00

We made our best guess as to which types of furniture items would be needed among the delegates and the different types of employees. Any oversight committed here is entirely our own. We did not consult with legislative officers on this matter. We attempted to take a reasonable, one-size-fits-all approach for simplicity and economic prudence. Accordingly, items of the same type of furniture would be identical. Any one who got a desk would get the same type of desk as anyone else. Also, all chairs are task chairs.

9. Our first plan of action was to access a price and vendor list from the state procurement office. However, we discovered that the procurement office currently has no price and vendor list for office furniture. According to the website of the procurement office, their last price list expired on August 31, 2007, and they are currently working on releasing a new vendor list for office furniture. In the meantime, their advice to government agencies is to "Please buy from best available source."

The following are the assumptions we used with regard to the allocation of the specific furniture items among delegates and staff:

- One chair for each delegate and each staff person;
- One desk for each delegate, each delegates' personal staff person, each additional standing committee staff person, each research office staff person, each sergeant-at-arms staff person, and each staff person in the chief clerk's office except the machine operators;
- One bookshelf for each delegate, none for the delegate's personal staff, one for each of the sixteen standing committees, one for each research office staff person, one for the sergeant-at-arms office, and one for each of the six sections of the chief clerk's office; and
- One file cabinet for each delegate, none for the delegate's personal staff, one for each of the sixteen standing committees, one for the sergeant-at-arms office, one for each of the six sections of the chief clerk's office, and one, two, and three file cabinets for the research office under a convention scenario of 25, 51, and 102 delegates, respectively.

Comparative Rental Prices

For purposes of comparison, we tried to estimate rental prices for the same types, to the extent possible, and numbers of furniture items. We based the estimates on the current rental price list of office equipment for convention rentals posted on the website of Business Works of Hawaii, Inc., which has a business center located at the Hawaii Convention Center.¹⁰ Their rates as of July 2008 are listed in Table 7-7:

**Table 7-7
Business Works of Hawaii Office Furniture for Rent**

Item	Rental period	Price per item
Secretary/task chair	weekly	\$50.00
Standard desk	weekly	\$150.00
Bookshelf	daily	\$10.00
4 drawer filing cabinet	daily	\$15.00

From the price list, we calculated the rental amounts for a single month and for four months. The results are tabulated in Tables 7-8 and 7-9:

10. www.businessworkshawaii.com

OPERATIONAL COSTS

**Table 7-8
Furniture Rental Prices: One Month Totals**

Furniture	25-delegate convention	51-delegate convention	102-delegate convention
Chair	\$42,800.00	\$65,500.00	\$107,900.00
Desk	\$123,000.00	\$189,300.00	\$314,700.00
Bookshelf	\$18,900.00	\$30,450.00	\$52,950.00
File cabinet	\$22,050.00	\$34,200.00	\$57,600.00
Totals	\$206,750.00	\$319,450.00	\$533,150.00

**Table 7-9
Furniture Rental Prices: Four Month Totals**

Furniture	25-delegate convention	51-delegate convention	102-delegate convention
Chair	\$171,200.00	\$262,000.00	\$431,600.00
Desk	\$492,000.00	\$757,200.00	\$1,258,800.00
Bookshelf	\$75,600.00	\$121,800.00	\$211,800.00
File cabinet	\$88,200.00	\$136,800.00	\$230,400.00
Totals	\$827,000.00	\$1,277,800.00	\$2,132,600.00

From Tables 7-8 and 7-9 above for the total rental prices for a one month period and for a four month period, it can be inferred that, under each of the three convention scenarios for the number of delegates, the overall purchase prices of office furniture from the Hawaii Correctional Industries are more than the overall rental prices of office furniture from Business Works of Hawaii, Inc., for a one month period. However, they are less than the overall rental prices of office furniture from Business Works of Hawaii, Inc., for a four-month period. In fact, the overall rental prices start to overtake the overall purchase prices after a period of just over two months. The lowest cost estimate for *purchased* furniture, assuming 25 delegates, is \$334,020, whereas the highest cost estimate, assuming 102 delegates is \$861,365. This compares to estimates of \$827,000 and \$2,132,600, respectively, for *rental* furniture.

Office Supplies, Stationary, and Paper

Table 7-10 summarizes our cost estimates for office supplies, stationary, and paper, based on convention scenarios of 25 delegates, 51 delegates, and 102 delegates:

**Table 7-10
Office Supplies, Stationary, and Paper**

	25 delegates	51 delegates	102 delegates
Office supplies, stationary, and paper	\$40,727.28	\$81,454.56	\$162,909.12

COST ESTIMATES FOR A CONSTITUTIONAL CONVENTION

For estimating this cost component, we referred to figures reported by the House of Representatives as the operating costs for office supplies, stationary, and paper for the regular session of 2008. Specifically, the sum of \$112,000 is reported for these operating costs for the five and one half month period from December 1 to May 15, 2008.¹¹ The operating costs for office supplies, stationary, and paper averaged \$20,363.64 per month.

The House of Representatives has 51 members. We therefore used the figure of \$20,363.64 per month as a basis to estimate the costs of office supplies, stationary, and paper for a convention of 51 delegates. We further made the assumption that the convention would last four months (three months from convening to adjournment, plus one month of preparation prior to convening), regardless of the number of delegates. Thus, for a convention of 51 delegates, we estimated that the costs would be \$81,454.56. We doubled this estimate to \$162,909.12 for a convention of 102 delegates and halved it to \$40,727.28 for a convention of 25 delegates.

Postage

Table 7-11 summarizes our cost estimates for postage, based on convention scenarios of 25 delegates, 51 delegates, and 102 delegates:

Table 7-11
Postage

	25 delegates	51 delegates	102 delegates
Postage	\$33,092.00	\$66,184.00	\$132,368.00

For estimating this cost component, we referred to figures reported by the House of Representatives as the operating costs of postage during the regular session of 2008. Specifically, the sum of \$82,730.00 is reported for these operating costs for the five month period from January 1 to May 31, 2008.¹² The operating costs of postage averaged \$16,546.00 per month.

The House of Representatives has 51 members. We therefore used the figure of \$16,546.00 per month as a basis to estimate the costs of postage for a convention of 51 delegates. We further made the assumption that the convention would last four months (three months from convening to adjournment, plus one month of preparation prior to convening), regardless of the

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11. Copy of memorandum and attached table of operating costs sent from the Speaker of the House of Representatives to the Minority Leader of the House of Representatives, regarding the State House Budget, July 30, 2008. The memorandum and attached table were submitted in response to the Minority Leader's July 25, 2008, memorandum, requesting information on the operating costs of the House of Representatives for the regular session of 2008. Evidently, the Minority Leader had requested the information in order to estimate the operating cost of a constitutional convention.
 12. Copy of memorandum and attached table of operating costs sent from the Speaker of the House of Representatives to the Minority Leader of the House of Representatives, regarding the State House Budget, July 30, 2008. The memorandum and attached table were submitted in response to the Minority Leader's July 25, 2008, memorandum, requesting information on the operating costs of the House of Representatives for the regular session of 2008. Evidently, the Minority Leader had requested the information in order to estimate the operating cost of a constitutional convention.

number of delegates. Thus, for a convention of 51 delegates, we estimated that the costs would be \$66,184.00. We doubled this estimate to \$132,368.00 for a convention of 102 delegates and halved it to \$33,092.00 for a convention of 25 delegates.

The Constitutional Convention Journal

The constitutional convention journal is a publication that is compiled of the debates, committee reports, minutes, proposals, resolutions, and any other related documents and materials of the proceedings of the constitutional convention.¹³

The cost of compiling and printing the constitutional convention journal is a post-convention cost, as suggested by the fact that the journals were all published several years after the adjournment of the respective conventions.¹⁴

In the expense statements of the 1968 and 1978 convention journals, the cost of compiling and printing the journal was itemized under the cost category, "printing & binding-journal."¹⁵ Based upon a review of the 1968 and 1978 journals, it appears that payments were made to a printer for the actual printing, sewing, and binding of the journals, but those payments constituted less than half of the total expenditures for the cost item "printing & binding-journal." For example, the expense statement of the 1978 journal lists a total expenditure of \$151,001.92 for "printing and binding-journal." Of this total amount, a payment of \$50,513.00 was made to a printing company. The bulk of the remaining amount of expenditures consisted of payments to specific individuals.¹⁶ Likewise, the expense statement of the 1968 journal lists a total expenditure of \$79,227.73 for "printing and binding-journal." Of this total amount, a payment of \$23,373.68 was made to a printing company. The entirety of the remaining amount of expenditures consisted of payments to specific individuals.¹⁷

13. The description of the journal comes from Act 127, Session Laws of 1959, which appropriated moneys to the Attorney General to "compile, transcribe, and index the debates, committee reports, minutes, proposals, and resolutions of the constitutional convention of 1950," as quoted in *Constitutional Convention Costs: Report to the Legislature of the State of Hawaii*, February 1967, The Office of the Legislative Auditor, p. 11.

14. For the 1978 convention journal, both volumes were published in 1980. For the 1968 convention journal, volume I was published in 1973 while volume II was published in 1972. For the 1950 convention journal, volume I was published in 1960 while volume II was published in 1961.

15. The expense statement of the 1950 convention journal, as found in Standing Committee Report No. 138, does not list expenditures for the compilation and printing of the convention journal. *Proceedings of the Constitutional Convention of Hawaii 1950, Volume I, Journal and Documents*, pp. 294-295.

However, a legislative auditor's report on the convention costs notes that the sum of \$18,500 was expended in compiling and publishing the convention proceedings. The cost is not itemized. The payees are not listed. *Constitutional Convention Costs: Report to the Legislature of the State of Hawaii*, February 1967, The Office of the Legislative Auditor, p. 11.

16. *Proceedings of the Constitutional Convention of 1978, Volume I, Journal and Documents, Expenses of the Convention*.

17. *Proceedings of the Constitutional Convention of 1968, Volume I, Journal and Documents, Expenses of the Convention*.

Upon further review of the 1968 and 1978 journals, we discovered that many of the individuals specified as payees included convention employees such as the administrator, the chief clerk, the journal clerk, the records clerk, and the accountant.

Therefore, we infer that the cost item of compiling and printing the convention journals consists of at least three components. The first component is the compiling, transcribing, editing, proofreading, and indexing (hereafter to be simply referred to as "compiling" or "compilation") of the constitutional convention journal. This component appears to have involved the chief clerk, the records clerk, and the journal clerk of the convention. The second component is the actual printing, sewing, and binding of sets of the constitutional convention journal. This component appears to have involved the printer. The third is the receipt and distribution of the journals. This component appears to have involved the chief clerk and the accountant of the convention.

Also, it does not appear that this cost item will vary significantly with increases or decreases in the number of delegates. Thus, we expect the cost to remain close to a constant amount.

Table 7-12 provides a rough estimate of the total post-convention costs of printing and binding the journal, and a breakdown by its three components.

Table 7-12
Estimated Post-Convention Costs of Printing and Binding the Journal

Compiling the journal	\$38,525.00
Printing, sewing, binding: 125 sets to 250 sets	\$125,373.30 to \$151,230.30
Receipt and delivery	\$8,150.00
Total	\$172,048.30 to \$197,905.30

The First Cost Component: Compiling the Journal

For the first component, we were interested only in the personnel costs to be incurred by a constitutional convention in compiling a journal, *subsequent* to the adjournment of the convention. We were not interested in the personnel costs that might be incurred during the convention itself and up to adjournment because these costs are covered under the cost element of employees' salaries. Therefore, to include them here would amount to double-counting.

We estimated the costs to the constitutional convention of compiling a constitutional convention journal based upon the timeline followed by the House of Representatives in compiling the House Journal. For the House of Representatives, the compilation of the journal is performed by the Chief Clerk's Office and requires about four and one half months of work subsequent to the adjournment of a legislative session. The first of the four and a half month period involves data entry by the records section of the Clerk's Office. The remaining three and a half months involves data extrapolation by the journal section of the Clerk's Office. Once compiled, the journal is then ready to be transferred to the printer for the actual printing, binding,

and sewing of about 115 sets. Prior to a transfer, however, the Chief Clerk must also procure a contract for the printing of the journal.¹⁸

We applied this four and one half month time period for the compilation of the House Journal to the compilation of the constitutional convention journal. We estimated the post-convention personnel costs of the convention employees that would likely be involved in the post-convention compilation of the convention journal by using some of the previously estimated position counts and salary figures developed under the cost element, Employees' Salaries. We note that the cost element, Employees' Salaries, covers only the personnel costs up to, but not beyond, the adjournment of a convention.

We also tried to factor in the costs of the procurement process into the estimate for compiling a journal.

The estimate is given in 2008 dollars, since the figures used for the cost element, Employees' Salaries, were in 2008 dollars.

The Second Cost Component: Printing, Sewing, and Binding the Journal

For the second component, we sought a price estimate from a local printing company. We asked them if they would be able to provide price estimates for the printing, sewing, and binding of a few hundred sets of a convention journal. We asked them to base their estimates on the assumption that the convention journal would have the same general features as the 1978 constitutional convention journal. We also provided them with a sample of the 1978 constitutional convention journal.

The 1978 constitutional convention journal is made up of two volumes. Volume I of the 1978 journal has 1,242 pages. Volume II of the journal has 968 pages. Thus, the two volume set has 2,210 pages. The paper dimensions are 7" × 10½."¹⁹

The company graciously responded to our request with the following estimates.

Production time would run approximately four to five months. For the production of 125 sets, where each set is composed of 2,210 pages, the price per page would be \$56.73, the price per each two-volume set of the journal would be \$1,002.99, and the total price would be \$125,373.30. For the production of 250 sets, the price per page would be \$68.43, the price per set of the journal would be \$604.92, and the total price would be \$151,230.30. The estimates were for a constitutional convention to be held in 2010 or 2011.

18. Phone conversations with the Chief Clerk of the House.

19. For reference, the 1950 and the 1968 constitutional convention journals, like the 1978 constitutional convention journals, were also published as two-volume sets. In terms of the number of pages, the 1978 journal, at 2210 pages, is roughly double the size of either of the earlier two journals.

The 1968 constitutional convention journal has a total of 1,114 pages. Volume I has 548 pages. Volume II has 566 pages. The paper dimensions are 8½ × 11."

The 1950 constitutional convention journal has a total of 1,362 pages. Volume I has 474 pages. Volume II has 888 pages. The paper dimensions differ by volume. For Volume I, the paper dimensions are 8½ × 11." For Volume II, the paper dimensions are 8½ × 10¾."

We infer that these cost estimates are given in 2010 or 2011 dollars, as the work would be done and paid for in those future years. We also assume that an "inflation guard" would have been factored into the estimates we received.

The Third Cost Component: Receipt and Distribution of the Journal

In accordance with the timelines for the first two components, we can anticipate that about eight and one-half to nine and one-half months following the adjournment of the convention, several hundred sets of the constitutional convention journal will have become ready for receipt and distribution. In other words, the sets of the journal will not likely be published until the calendar year following the calendar year in which the convention adjourns. We assume that at that time, the convention's chief clerk and the chief clerk's accounting section will then need to be responsible for the receipt from the printing company of those sets of the journal, the distribution of those sets of the journal to interested parties, and finally the delivery of the remainder to a permanent governmental entity, such as the lieutenant governor's office, for any other future distribution.

Again, as with the first component, we were only concerned with the personnel costs to be incurred by a constitutional convention in compiling a journal, *subsequent to* the adjournment of the convention. We were not interested in the personnel costs that might be incurred during the convention itself and up to adjournment because these costs are covered under the cost element of employees' salaries. Therefore, to include them here would amount to double-counting.

For this third cost component, we arbitrarily estimated one-half of a month of work, subsequent to the adjournment of the convention, by the chief clerk and the chief clerk's accounting section at the position counts and salary levels used under the cost element, Employees' Salaries, but for work that is not accounted for under that cost element. The estimate is the sum of the monthly salaries of relevant members of the administration and the accounting sections of the chief clerk's office multiplied by 0.5.

The estimate that we developed for receipt and distribution of the journal is \$8,150.00, in 2008 dollars, since the figures used for the cost element, Employees' Salaries, were in 2008 dollars.

Summary

In summary, our estimates of the operational costs of a convention of 25, 51, and 102 delegates are as follows:

OPERATIONAL COSTS

Table 7-13
Estimated Operational Costs for a Convention of 25, 51, and 102 Delegates

	25 Delegates	51 Delegates	102 Delegates
Print shop copiers and multi-function copiers, printers, scanners, and fax machines	\$348,313.99	\$465,045.36	\$685,380.36
Modular office furniture	\$576,998.00	\$883,022.00	\$1,454,477.00
Office furniture (purchase)	\$334,020.00	\$515,960.00	\$861,365.00
Office supplies, stationary, and paper	\$40,727.28	\$81,454.56	\$162,909.12
Postage	\$33,092.00	\$66,184.00	\$132,368.00
The Constitutional Convention Journal	\$172,048.30	\$172,048.30	\$172,048.30
	to	to	to
	\$197,905.30	\$197,905.30	\$197,905.30
Total	\$1,505,199.57	\$2,183,714.22	\$3,468,547.78
	to	to	to
	\$1,531,056.57	\$2,209,571.22	\$3,494,404.78

Accordingly, our estimates for the operational costs of a convention range from a low of \$1,505,199.57 to a high of \$3,494,404.78.

Chapter 8

SUMMARY

Given that no policy decisions have yet been made concerning a host of issues (e.g., when the convention might be held; how many delegates would be elected and when; how many convention staff would be needed; how much compensation delegates and staff would receive; what level of office equipment and supplies would be provided to delegates and staff, etc.), that would affect cost estimates for a constitutional convention, the Bureau attempted to devise a variety of plausible scenarios to provide a framework upon which to base its cost estimates. Accordingly, the Bureau estimated costs of a future constitutional convention held in 2010 or 2012, comprising 25, 51, or 102 delegates elected in various ways.

All figures presented in this summary chapter are based on assumptions and calculations discussed in prior chapters, and cross-referenced or further explained here, as necessary. Generally, cost items comprising the lowest reasonable estimate are based on a 90-day convention of 25 delegates with a correspondingly smaller requirement for staff and, thus, lower total compensation. The components comprising the lowest reasonable estimate would generally incur lower operating costs, including a reduced need for facilities, supplies, and equipment. However, with respect to facilities, the use of a plenary session room and various conference rooms within the State Capitol building free of charge—a component of the lowest reasonable estimate—could apply to all convention size scenarios. With this exception, the cost components comprising the highest reasonable estimate are generally based on a 120-day convention of 102 delegates with a correspondingly larger requirement for staff and, thus, higher total compensation. Likewise, the components of the highest reasonable estimate would also generally incur higher operating costs, including a greater need for office space, supplies, and equipment.

It should be noted that the "low" and "high" reasonable estimates do not necessarily comprise fixed "packages" of non-interchangeable cost items. For example, the State Capitol building (except for office space) in the low reasonable estimate may also be used in lieu of the Hawaii Convention Center in the high reasonable estimate. Furthermore, one can arrive at an almost unlimited number of intermediate cost estimates depending on as yet undetermined policy decisions. For example, the Legislature may opt for 51 delegates, pay delegates more than "jury duty" rates but less than a legislator's monthly salary, reduce the estimated amount of subsidized travel, reduce the estimated number of computers and telephones, etc.

Two caveats bear repeating. First, the as yet undetermined cost of the vote counting system for the election of convention delegates is likely to be substantial. This cost needs to be added to any final estimate totals. Second, use of the Neal S. Blaisdell Center and the Hawaii Convention Center depends on whether these facilities are able and willing to preempt prior contracted scheduled events. Furthermore, the cost of any necessary compensation to preempted parties would also need to be added to any final estimate totals.

SUMMARY

Finally, it should be noted that the high and low estimates listed in this summary are in fact comparative extremes. It is extremely likely that the final cost will be an intermediate amount that reflects a variety of tradeoffs among cost elements. The ballot question of whether to convene a constitutional convention will simply require a "yes" or "no" answer and will have no "price tag" attached. It will be up to the Legislature to appropriate the funds and thereby make the final determination as to cost elements. While the low cost estimates identified in this report may be achievable, it may not be surprising if legislators are lobbied to support policies that could drive costs to much higher levels, such as:

- Making the convention more "inclusive" (more rather than fewer delegates)
- Paying delegates and staffs a "living wage" (higher salaries)
- Recognizing the importance of the work of the delegates (more rather than fewer staff, more sophisticated equipment)
- Reducing the influence of "special interests" (publicly funded elections) and
- Providing greater public information and access (more extensive broadcasting of proceedings)

**Table 8-1
Low and High Reasonable Costs of a Constitutional Convention**

Low Estimate	Cost Item	High Estimate
ELECTION ⁽¹⁾		
\$500,000	Election of Delegates	\$2,600,000
\$ amt unknown	Vote Counting System ⁽²⁾	\$ amt unknown
\$116,248	Campaign Spending Com. Oversight (not publicly funded)	NA
NA	Campaign Spending Com. Oversight (publicly funded)	\$20,816,354
PERSONNEL ⁽³⁾		
\$71,250	Delegate Salaries	\$1,841,000
\$96,900	Delegate Per Diem	\$544,800
\$2,447,600	Employee Compensation	\$5,061,800
\$35,995	Travel	\$145,222
\$200,105	Payroll/Fringe Benefits	\$1,344,292
FACILITIES		
\$227,250 ⁽⁴⁾	Plenary/Conference Rooms & Offices	\$3,134,627 ⁽⁵⁾
OPERATIONAL ⁽⁶⁾		
\$334,020 ⁽⁷⁾	Furniture	\$2,132,600 ⁽⁸⁾
\$40,727	Office Supplies/Stationery/Paper	\$162,909
\$348,314	Print Shop Copiers/Printers/Scanners/Faxes	\$685,380
\$33,092	Postage	\$132,368
\$172,048	Journal Printing/Binding	\$197,905
COMMUNICATIONS ⁽⁹⁾		
\$694,200	Computer Systems	\$1,232,000
\$51,793	Telephones	\$351,627
\$174,734	Television Coverage	\$372,224
EDUCATION ⁽¹⁰⁾		
\$737,600	LRB Con Con Studies	\$850,000
\$131,000	Voter Education ⁽¹¹⁾	\$131,000

COST ESTIMATES FOR A CONSTITUTIONAL CONVENTION

Low Estimate	Cost Item	High Estimate
\$565	Public Inspection of Proposed Amendments	\$3,165
\$6,413,441	TOTAL ESTIMATED COSTS (2008 dollars)	\$41,739,273
\$6,936,778	INFLATION ADJUSTED TO 2010 ⁽¹²⁾	\$45,145,198
\$7,214,249	INFLATION ADJUSTED TO 2011 ⁽¹²⁾	\$46,951,006
\$7,502,819	INFLATION ADJUSTED TO 2012 ⁽¹²⁾	\$48,829,046

- (1) Chapter 4, Election Costs.
- (2) Chapter 4, Election Costs: Does not include undetermined costs for the vote counting system, which could be substantial.
- (3) Chapter 2, Personnel Costs.
- (4) Chapter 3, Facilities Costs: State Capitol building for plenary and conference rooms and commercial office space for offices.
- (5) Chapter 3, Facilities Costs: Hawaii Convention Center for all rooms. *Includes* additional estimated cost for modular office furniture for open-floor space at Center in Chapter 7. Does *not* include costs (estimated in excess of \$4 million) for preempting prior contracted events at Center.
- (6) Chapter 7, Operational Costs.
- (7) Chapter 7, Operational Costs: Based on purchase.
- (8) Chapter 7, Operational Costs: Based on rental.
- (9) Chapter 6, Information and Communication Systems Costs.
- (10) Chapter 5, Education Costs.
- (11) Chapter 5, Education Costs: Does not include undetermined costs for media buy component, which could be substantial.
- (12) Adjusted for 4% inflation annually.

Appendix A

HOUSE OF REPRESENTATIVES
TWENTY-FOURTH LEGISLATURE, 2008
STATE OF HAWAII

H.C.R. NO. 231
H.D. 1

HOUSE CONCURRENT
RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE COST OF
CONVENING A CONSTITUTIONAL CONVENTION.

1 WHEREAS, pursuant to article XVII, section 2, of the
2 Constitution of the State of Hawaii, at least once every ten
3 years, the electorate at any general or special election must
4 vote to determine whether to convene a constitutional convention
5 to propose a revision of or amendments to the state
6 constitution; and

7
8 WHEREAS, in 1998, the electorate voted against convening a
9 constitutional convention; and

10
11 WHEREAS, the electorate will vote at the November 4, 2008,
12 general election on whether to convene a constitutional
13 convention to propose a revision of or amendments to the state
14 constitution; and

15
16 WHEREAS, the last constitutional convention in Hawaii was
17 held twenty-nine years ago; and

18
19 WHEREAS, the 1978 constitutional convention was located in
20 the historic old federal building in Honolulu based on location
21 and office space; and

22
23 WHEREAS, in addition, the large former Honolulu office of
24 the Internal Revenue Service was used for plenary sessions, the
25 old courtrooms were used for large committee meetings, and the
26 auditorium and conference rooms at the State Capitol were used
27 for committee hearings and informational sessions; and

28
29 WHEREAS, there were one hundred two constitutional
30 convention delegates representing fifty-one districts throughout
31 the State; and

32

HCR231 HD1



1 WHEREAS, the delegates were compensated \$1,000 per month,
2 which was equal to the legislative salary at that time, and each
3 delegate's salary was capped at \$4,000 for the entire
4 convention; and

5
6 WHEREAS, Oahu delegates received a per diem allowance of
7 \$10 and neighbor island delegates received a per diem allowance
8 of \$30; and

9
10 WHEREAS, a total of three hundred fourteen delegate staff
11 positions, in a myriad of job descriptions including clerk,
12 receptionist, researcher, and secretary, supported the
13 convention process; and

14
15 WHEREAS, in addition to the delegates' staff, there were
16 fifty-three other convention employees; the Chief Clerk,
17 Assistant Clerk, Chief Attorney and four additional attorneys,
18 two parliamentarians, an accountant, Sergeant-at-Arms, Assistant
19 Sergeant-at-Arms, two journal clerks, an engrosser, Records
20 Clerk, Supply Clerk, Accounting Clerk, Chief Legal Stenographer
21 and three additional legal stenographers, the secretary of the
22 Chief Clerk, two information clerks, Chief Messenger and ten
23 additional messengers, three custodians, a parking attendant,
24 Print Shop Manager, Chief Machine Operator and two additional
25 machine operators, five file clerks, and four miscellaneous
26 employees; and

27
28 WHEREAS, the Legislature appropriated \$2,500,000 towards
29 the expenses of the 1978 constitutional convention, with the
30 actual expenditures totaling a little over \$2,032,401; and

31
32 WHEREAS, however, that appropriation does not reflect the
33 cost of the election or the substantial effort that was made,
34 beginning in 1976, to educate the public on the possible
35 constitutional issues and the importance of the delegate
36 election; and

37
38 WHEREAS, for instance, an additional \$485,599 was
39 appropriated to conduct the election of constitutional
40 convention delegates and \$8,500 was appropriated to supervise
41 campaign contributions and expenditures; and

42
43 WHEREAS, the Legislative Reference Bureau received \$72,000
44 as a separate appropriation (in addition to an amount allocated

HCR231 HD1



1 as an expense of the convention) to provide assistance and
2 services to the convention, including updating the Hawaii
3 Constitutional Convention Studies; and

4
5 WHEREAS, \$2,500 was also appropriated to prepare and
6 publish a taxation and finance manual for the convention; and

7
8 WHEREAS, if the expenses of the 1978 constitutional
9 convention (e.g. \$2,032,401) were simply adjusted for inflation
10 to 2008, the cost would be approximately \$6,579,742; however,
11 the issue of the cost of a constitutional convention is more
12 complicated than simply adjusting costs to reflect the effects
13 of inflation; and

14
15 WHEREAS, it is important to provide the public with an
16 estimate of the cost to taxpayers to convene a constitutional
17 convention so voters can make an informed decision on the issue
18 at the 2008 general election; now, therefore,

19
20 BE IT RESOLVED by the House of Representatives of the
21 Twenty-fourth Legislature of the State of Hawaii, Regular
22 Session of 2008, the Senate concurring, that the Legislative
23 Reference Bureau is requested to study the costs of convening a
24 constitutional convention and provide an estimate of the
25 projected total cost; and

26
27 BE IT FURTHER RESOLVED that in completing the study, the
28 Legislative Reference Bureau is requested to consider, among
29 other things, that the constitutional convention would:

- 30
31 (1) Convene not less than five months prior to the next
32 regularly scheduled general election;
- 33
34 (2) Be held at a leased facility in Honolulu large enough
35 to accommodate the general operations of the
36 constitutional convention, including plenary sessions,
37 large committee meetings, and informational sessions
38 and to house offices for the delegates;
- 39
40 (3) Be likely to have one hundred two delegates;
- 41
42 (4) Require appropriate staff to ensure public input and
43 facilitate operation of the constitutional convention;
44 and

HCR231 HD1



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(5) Involve adequate compensation for both delegates and staff; and

BE IT FURTHER RESOLVED that the Legislative Reference Bureau is requested to submit a report of its findings, including an estimate of the projected cost of convening a constitutional convention, to the Senate and House of Representatives no later than September 1, 2008; and

BE IT FURTHER RESOLVED that a certified copy of this Concurrent Resolution be transmitted to the Director of the Legislative Reference Bureau.

