



PROJECTING THE COST OF A CONSTITUTIONAL CONVENTION IN HAWAI`I

FINAL REPORT

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CONSTITUTIONAL CONVENTION COST TASK FORCE

State of Hawai`i

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INTRODUCTION

Aloha Mai Kākou. On November 4, 2008, Hawai`i voters will be asked, “Shall there be a convention to propose a revision of or amendments to the Constitution?” It is a decision that will have a lasting impact on the future of Hawai`i because our constitution represents the fundamental governing principles and values of our state.

The founders of our state recognized the importance of maintaining a living, evolving constitution when they incorporated a provision that allows for the public to decide whether or not to hold a constitutional convention at least once every 10 years. A constitutional convention would directly involve Hawai`i’s citizens in determining the future governance of our state.

A constitutional convention is an organized gathering of publicly elected delegates for the purpose of reviewing and proposing amendments to our State Constitution. All Hawai`i residents over the age of 18, including elected officials, would be eligible to become a delegate. Any proposed constitutional amendments arising from a constitutional convention could be ratified by voters during a subsequent general election.

Previous Constitutional Conventions

The last constitutional convention in Hawai`i was held 30 years ago in 1978. Prior to 1978, Hawai`i held constitutional conventions in 1968 and 1950. The 1978 Constitutional Convention resulted in a number of significant achievements that continue to shape our government, including the creation of the Office of Hawaiian Affairs; establishment of term limits for the Governor and Lieutenant Governor; creation of the Judicial Selection Commission; requirement that the Governor submit an annual balanced budget; creation of the Council on Revenues to prepare revenue estimates for a six-year planning period; establishment of the resign-to-run provisions for elected officials seeking another political office; and adoption of the Hawaiian language as an official state language.

Constitutional Convention Question on the 2008 General Election Ballot

Article 17, Section 2 of the Hawai`i State Constitution establishes that, at a minimum, voters be given the opportunity to convene a constitutional convention every 10 years.¹ The last time the citizens of Hawai`i were given the opportunity to vote on convening a constitutional convention was November 3, 1998. Because a full nine years elapsed without the Legislature submitting the constitutional convention question to the voters, Lieutenant Governor James R. Aiona, Jr. was authorized by law to submit the question directly to the voters.²

¹ Pursuant to Article 17, Section 2 of the Hawai`i State Constitution (HAW. CONST.), the State Legislature may put this question to voters at any time.

² HAW. CONST. Article 17, Section 2

On December 11, 2007, Lieutenant Governor Aiona issued a letter to then Acting Chief Election Officer Rex Quidilla, certifying that the question, “Shall there be a convention to propose a revision of or amendments to the Constitution?” will appear on the November 2008 General Election ballot. As a result, on November 4, 2008, the citizens of the State of Hawai`i will have the opportunity to vote on whether to convene a constitutional convention.

Cost of Convening a Constitutional Convention

Ultimately, the people of Hawai`i must decide whether or not to convene a constitutional convention. While there are strong advocates for and against a constitutional convention, educating the public about the potential costs of holding a constitutional convention will help ensure that the issue will be decided by an affirmative “yes” or “no” vote, and not by blank ballots.

This concern is based upon the fact that under Hawai`i law, when voting on whether to hold a constitutional convention, as well as proposed constitutional amendments, blank ballots are counted as “no” votes.³

Some research has indicated that public support for a constitutional convention may be dependant in part on the cost associated with holding a constitutional convention. Accordingly, the public should be informed with an accurate and credible assessment of the cost of a constitutional convention in advance of its decision.

Constitutional Convention Cost Task Force

In order to provide the public with accurate and credible information on the potential cost of convening a constitutional convention in advance of the November 2008 General Election, Lieutenant Governor Aiona assembled an 11-member task force to conduct a comprehensive, non-partisan and transparent study of the possible cost projections to hold a constitutional convention.

If Hawai`i voters decide to convene a constitutional convention, the State Legislature would determine the number of convention delegates, the level of funding and the facilities for a convention, among other considerations.

The Task Force was designed neither to advocate for nor against a constitutional convention. Rather, its goal solely was to provide voters with realistic information about the potential cost and thus assist them in making an informed and educated decision on whether or not to convene a constitutional convention.

³ HRS Section 11-151 (3)

The Task Force comprised the following leading community, government and legislative officials:

- Lt. Governor James R. “Duke” Aiona, Jr. (chair)
- State Senate Majority Leader Gary Hooser
- State Senator Gordon Trimble
- State House Minority Leader Lynn Finnegan
- State Representative Joseph Souki
- Pi’ilani Kaopuiki, President, League of Women Voters of Honolulu
- Kaipo Lum, Board Member, Native Hawaiian Chamber of Commerce
- Chief Elections Officer Kevin Cronin, Office of Elections
- State Attorney General Mark Bennett
- State Comptroller Russ Saito
- State Budget and Finance Director Georgina Kawamura

From May 30, 2008 to July 31, 2008, the Task Force held seven public meetings, considering a range of factors that could affect the overall cost of a constitutional convention. This report contains the findings and conclusions of the Task Force.

Task Force Analysis

To perform its cost analysis, and provide consistent results, the Task Force agreed upon certain assumptions about the elements and procedures of a constitutional convention. The assumptions were based primarily on past constitutional convention practices and the collective agreement of the Task Force. The Task Force was fortunate to include House Speaker Emeritus Joseph Souki, a delegate to the 1978 Constitutional Convention, who provided valuable input and insight in this process.

The assumptions underlying the Task Force’s considerations were as follows:

- There would likely be 25, 51, 75 or 102 delegates to a constitutional convention;
- The delegates would likely be compensated for their service, and neighbor island delegates would be provided a per diem payment in addition to their base compensation to offset travel and lodging costs;
- Each delegate would have paid staff;
- The convention would employ its own paid staff beyond delegate staff;
- The convention would likely be held in a public facility accessible to delegates, staff and the general public;
- The convention would likely be 90 to 120 days in duration, which includes a pre-convention preparation period and a post-convention “wrap-up” period; and
- Whenever possible, the convention would utilize modern technology, including the Internet, telecommunications and video to maximize public participation and reduce costs.

Subcommittees & Assignments

The Task Force divided into four (4) subcommittees whose areas of purview corresponded to the four major cost drivers of a constitutional convention: (1) Elections, (2) Facilities, (3) Organization, and (4) Voter Education/Public Notification. Each subcommittee consisted of three (3) Task Force members, and was led by its own Chair. All members of the Task Force were invited to participate in each of the four subcommittees, regardless of whether they were official members of that particular subcommittee. The subcommittee members and assignments were as follows:

Elections Subcommittee

The Elections Subcommittee was chaired by Chief Elections Officer Kevin Cronin, and included Attorney General Mark Bennett and State Senator Gary Hooser. The mission of the Elections Subcommittee was, "To assess the cost of organizing and conducting for Hawai'i voters a fair, efficient and honest election of delegates to a constitutional convention."

The Elections Subcommittee was tasked to consider various election scenarios, including traditional precinct voting, mail-in voting and Internet voting.

In addition, the Elections Subcommittee adhered to the following legal guidance:

- Article 17, Section 2 of the Hawai'i Constitution provides:
 - If a constitutional convention is approved by the voters, delegates to the convention shall be chosen at the next regular election unless the legislature shall provide for the election of delegates at a special election;
 - Notwithstanding any provision in the constitution to the contrary, other than Section 3 of Article XVI, any qualified voter of the district concerned shall be eligible to membership in the convention.
 - The legislature shall provide for the number of delegates to the convention, the areas from which they shall be elected and the manner in which the convention shall convene.
- All election laws provided by HRS Chapter 11 are applicable to a constitutional convention.

Facilities Subcommittee

The Facilities Subcommittee was chaired by State Comptroller Russ Saito, and included State Representative Joseph Souki and Mr. Kaipo Lum, Board Member of the Native Hawaiian Chamber of Commerce. The mission of the Facilities Subcommittee was, "To assess the cost of facilities to host a constitutional convention, including plenary sessions, meeting rooms, staff offices and public hearings."

The Facilities Subcommittee was tasked with looking into possible venues capable of supporting the requirements of a constitutional convention and evaluating the available facilities based on several key criteria:

- Suitability of the facility to accommodate the constitutional convention requirements for plenary sessions, meetings and public hearings;
- Proximity to dining facilities for delegates and staff;
- Proximity to office facilities for delegates and staff;
- Accessibility to the facilities by delegates and staff from throughout the State, including public transportation and parking accommodations; and
- Accessibility to the facilities from remote locations, including neighbor islands via teleconferencing and other technological systems.

In addition, the Facilities Subcommittee adhered to the following legal guidance:

- Article 17, Section 2 of the Hawai'i Constitution provides:
 - The legislature shall also provide for the necessary facilities and equipment for the convention; and
 - The constitutional convention shall convene not less than five months prior to the next regularly scheduled general election.

Organizational Subcommittee

The Organizational Subcommittee was chaired by State Budget Director Georgina Kawamura, and included Attorney General Mark Bennett and State House Minority Leader Lynn Finnegan. The mission of the Organizational Subcommittee was, "To assess the day-to-day operations cost for an efficient, well-organized constitutional convention."

The Organizational Subcommittee was tasked to assess the costs for the following organizational and operational requirements of a constitutional convention:

- Delegate salaries and per diem;
- Delegate staff;
- Convention staff; and
- Equipment, supplies and other miscellaneous expenses.

Voter Education Subcommittee

The Voter Education Subcommittee included Task Force Chair Lieutenant Governor James R. Aiona, Jr., Pi'ilani Kaopuiki, President of the League of Women Voters of Honolulu and State Senator Gordon Trimble. The mission of the Voter Education Subcommittee was, "To determine the cost of informing and educating Hawai'i voters of proposed constitutional amendments resulting from a constitutional convention prior to the subsequent general election."

The Voter Education Subcommittee was tasked with dividing the costs into two general categories: (1) Public Inspection Costs and (2) Voter Education Costs, taking into special consideration prior convention practices, as well as recent advances in information technology that allow for broad dissemination of information in innovative and cost-efficient ways.

In addition, the Voter Education Subcommittee adhered to the following legal guidance:

- Article 17, Section 2 of the Hawai'i Constitution provides:
 - At least 30 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 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; and
 - 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.

Public Meetings

The Constitutional Convention Cost Task Force held seven public meetings at the Office of the Lieutenant Governor. Public meetings were promoted through the Lieutenant Governor's State of Hawai'i web site, and members of the public were invited to attend and comment. Approved minutes of each meeting were posted on the Lieutenant Governor's web site at <http://hawaii.gov/lsgov/concon> and copies were made available for public inspection at the Office of the Lieutenant Governor.

SUBCOMMITTEE REPORTS

The following reports represent the final work prepared by the Task Force subcommittees. Where appropriate, we have included graphs and charts to enhance the clarity of analysis.

I. ELECTIONS SUBCOMMITTEE

To achieve its goal of assessing the cost of organizing and conducting for Hawai'i voters a fair, efficient and honest election of delegates to a constitutional convention, the Elections Subcommittee took into account several assumptions described in more detail below, and applied them to five election procedures it identified as viable alternatives.⁴ Using the generally accepted cost of the 2000 general election as a baseline, the Subcommittee adjusted for inflation the 2000 election costs for each election procedure to come to its determination.

Assumptions

The Subcommittee agreed upon certain assumptions from which to consider projected delegate election costs. These assumptions were based on Hawai'i's historical election experiences and included:

- The number of registered voters in Hawai'i as of July 2008: 695,864
- The number of polling places statewide: 339;
- Election of delegates would be by district and not at large;
- Delegate candidates would be on one ballot card;
- The public would be allowed to vote by absentee mail, absentee walk-in or at the polls, unless stated otherwise;
- Vote-counting centers would be established in each county, and
- Election by Internet voting would be an option.

Additionally, the Subcommittee determined that that the actual number of delegates to be elected would not have a material impact on the reasonable costs projected to conduct the delegate election. The Subcommittee also based its cost estimates on the assumption that a delegate election would be held either on or prior to the November 2010 general election.⁵

Alternative Election Formats and Dates

An election of delegates to a constitutional convention may be held in conjunction with a regular election, or via special election on any date deemed appropriate by the State Legislature.⁶

⁴ The Subcommittee took no position on the format for electing delegates, agreeing to leave that decision to policymakers.

⁵ The Elections Subcommittee observed that any date after 2010 could result in a reasonable increase in costs due to inflation and other factors unknown at this time. The Subcommittee thus did not consider other dates past 2010 given that costs estimated that far out in time would be speculative at best.

⁶ HAW. CONST. Article 17, Section 2

The Subcommittee identified and considered five possible election formats for electing constitutional convention delegates.⁷

1. 2010 General Election at 334 state polling places.
2. Separate special election at 334 polling places;
3. Separate special election at 180 polling places;
4. Separate special election by mail-in ballot only;
5. Separate special election by Internet voting only.

In selecting the above, the Subcommittee recognizes that there are other possible election formats, including a combination of any of the above-listed options. However, the Subcommittee determined that the five election formats listed above present the most viable cross-section of choices to analyze the costs associated with an election of delegates.

Ranges of Delegate Election Costs

The Subcommittee adopted a basic methodology to establish the reasonable ranges of election costs associated with the various election formats that were considered. The methodology involved identifying particular cost items (i.e., personnel, postage, fuel, etc.) required to conduct the actual elections, as well as special processes such as walk-in absentee voting and mail-in absentee voting. The Subcommittee then determined the reasonable cost for each particular cost item and special process based on the 2000 elections' estimated costs, adjusting costs for inflation to reach 2008 cost standards. The Office of Elections staff then used the resulting dollar amounts to roughly estimate reasonable low and high cost estimates for each election format to accommodate varying cost factors that generally impact the final cost of an election of delegates.

The Subcommittee excluded from consideration the potential costs of a vote counting system. This exclusion was primarily based upon a pending protest of the Office of Elections' recent selection of a vendor to lease new voting equipment to the state. The protest determining the nature of the state's contract with the successful vendor could affect the nature of the voting system that may be available to the state for the delegate elections, the system's accompanying election services, and costs.

Under these circumstances, the majority of the Subcommittee concluded that any vote counting system costs offered here would be an arbitrary guess at best.⁸ For its members to identify a vote counting system cost at this time risks misleading others and adversely affecting 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 future date.

⁷ The five election options considered do not exhaust all possibilities.

⁸ In the 2002 and 2003 elections, the state spent roughly \$350,000 for a vote counting system for the special elections held to elect a representative to Congress at each election.

Additionally, vote counting systems costs would likely not be applicable to an election of delegates for a constitutional convention, as the state would already be subject to incur costs for leasing vote counting systems for a period of time without lapsing any normally scheduled election cycle. In such a case, minimal costs would be required, applicable only to a special election independent of a general election, to train elections officials on and prepare the vote counting systems.

Given the above, the Subcommittee carefully considered the range of costs for a special election held with the November 2010 General Election.

Election at All Polling Places with the 2010 General Election

The Subcommittee determined that most of the costs of a special election held in conjunction with the 2010 general election could be absorbed by the general election's costs. All costs would necessarily be assumed with the general election as there would be significant overlap of basic cost items with a few exceptions, including:

- Additional preparations and printing of demonstration and election ballots;
- Shipping of additional ballots to the neighbor islands;
- Additional facsimile ballots needed for training purposes;
- Additional publication costs and miscellaneous charges;
- Additional labor costs for ballot packers to account for additional time requirements.

*Estimated range of additional election costs to conduct an election at all polling places with the general election: **\$500,000 to \$700,000.***

Special Election at All Polling Places Not Held with the General Election

A special election held at any time other than during a general election would involve preparing and conducting a complete election solely to elect delegates to the constitutional convention. The cost for a separate special election would be basically the same as the cost for a general election. Cost items would include personnel expenses, ballot preparation and printing, computer services, election support services, precinct operations, voter services, election administration, and all costs associated with the county clerks. This special election format would not allow the delegate election costs to be absorbed by the election costs incurred for a general election.

*Estimated range of election costs to conduct a separate special election at all polling places: **\$2,300,000 to \$2,600,000.***

Special Election at 180 Polling Places Not with the General Election

The Subcommittee considered a separate special election to elect delegates utilizing 180 polling places, slightly more than half of the 334 polling places that would be used for a general election. Reducing the number of polling places would also reduce the

number of walk-in absentee sites and absentee ballot locations. This would result in fewer election-day officials required to conduct the election. Even with these reductions, the other election costs for such an election remain essentially the same as the costs for such items at a regular election.

*Estimated range of election costs to conduct a separate special election at a reduced number of polling places and other facilities: **\$2,000,000 to \$2,300,000.***

Special Election Conducted by Mail

A special election conducted solely by mail-in vote would avoid the regular election labor, ballot distribution and other related costs. An election by mail, however, would involve substantial postage costs. The estimated postage costs for the most part would offset the costs for a regular election. The result is that the cost of an all-mail election is not materially different than the cost of a regular election.

*Estimated range of election costs to conduct a separate special election by mail only: **\$2,300,000 to \$2,600,000.***

Special Election Conducted on the Internet

A special election by Internet voting would eliminate all the costs associated with a regular election, including the election-day officials, ballots, counting center and election support services, among other things. An Internet election, however, would introduce a whole new set of considerations involving the technical aspects of establishing an Internet voting system with adequate security features and safeguards to ensure the integrity of the voting and vote counting process. This likely would require procuring specialized Internet voting services from a commercial vendor. One such vendor estimated the cost for an Internet vote service at \$2.75 per vote.

*Assuming 650,000 people vote during an Internet election at \$2.75 per vote, estimated range of election costs to conduct a special election by Internet voting: **\$1,650,000 to \$1,900,000.***

Total Election Cost Range

Based on the above information, the total estimated cost range of various election formats is: **\$500,000 to \$2,600,000.**

II. FACILITIES SUBCOMMITTEE

To achieve its goal of assessing the cost of facilities to host a constitutional convention, including plenary sessions, meeting rooms, staff offices and public hearings, the Facilities Subcommittee started with two primary planning variables. First, the size of the constitutional convention was to range from 25 to 102 delegates, with each delegate assumed to require two staff support personnel. This means that the constitutional convention would need to support 75 to 300 people plus convention staff. The second variable was the expectation that a constitutional convention would last from 90 to 120 days, which includes a pre-convention “set-up” and a post-convention “break-down” period.

The Subcommittee reviewed the following criteria to evaluate available facilities:

- Suitability of the facility to accommodate the constitutional convention; requirements for plenary sessions, meetings and public hearings;
- Proximity to dining facilities for delegates and staff;
- Proximity to office facilities for delegates and staff;
- Accessibility to the facilities by delegates, staff and the public from throughout the State, including public transportation and parking accommodations;
- Accessibility to the facilities from remote locations, including neighbor islands via teleconferencing and other technological systems.

The biggest single challenge in selecting a convention facility was the duration of time that the facility would be required to house the convention. Most facilities of this size cannot be committed to a single convention for three or four months continuously.

Some facilities have food service and dining facilities close by. In these cases, food was assumed to be covered by per diem allowances. Some facilities have their own food service and dining facilities, and allow food to be prepared on-site or delivered. However, for cost estimating purposes, a simplifying assumption was that food would be covered by per diem allowances.

Some facilities have lodging on site. Lodging was also assumed, for planning purposes, to be covered by per diem allowances and not factored in as a facility cost.

There appeared to be consensus, reinforced by Representative Souki’s experience as a delegate to a previous constitutional convention, that everything related to the constitutional convention – plenary session rooms, meeting/hearing rooms, offices and parking – should be located reasonably close together. The need to have offices close by was the biggest challenge in this regard. Every delegate was assumed to have an office, which would accommodate two staffers. Office space would then range from 350 to 450 gross square feet, depending on configuration. Finding 45,000 square feet of space for offices within reasonable walking distance from the plenary and meeting rooms significantly reduces the pool of potential convention sites.

Accessibility to the facilities by delegates and staff was also an important concern. Drive times and availability of public transportation would affect the synergy of the convention. Likewise drive time to and from the airport, and to and from lodging were thought to be of special concern to delegates from the neighbor islands. The availability of parking accommodations was also a concern.

The Subcommittee also addressed concerns within the convention facilities, including amenities for restroom, break/dining areas, pedestrian/ADA access, and provisions for media and the public.

An option considered by the Subcommittee was accessibility to the facilities from remote locations, including neighbor island locations, by way of teleconferencing and other technological systems, if appropriate, for fuller participation by the citizenry throughout the state. The availability and/or adaptability of facilities for the use of teleconferencing systems might be considered as a way to enhance public interaction with the convention.

Viable Constitutional Convention Facilities

After reviewing several potential convention center facilities, the Subcommittee recommended costs from the following four viable facilities:

- The State Capitol (including legislative offices)
- The State Capitol (not including legislative offices) but reinforced by commercial leased office space
- The State Department of Defense 298th Regiment Multifunctional Training Unit, Regional Training Institute (DOD 298th Regiment RTI)
- The Neal S. Blaisdell Center Exhibition Hall

State Capitol

The State Capitol is the most feasible venue for the constitutional convention. The Capitol facilities were considered ideal for a constitutional convention, as they were designed to accommodate the universe of activities that occurs during a legislative session, which in many ways will be mirrored during a constitutional convention. There are facilities for plenary sessions, meeting/hearing rooms and offices. There are accommodations for the media and teleconferencing/technological means of including remote and neighbor island participants. There is also parking (in between legislative sessions), access by public transportation, and convenient access to the airport and hotels for neighbor island delegates. One potential hitch would be the planned use of the Senate Chambers for ballot counting for the primary and general elections, but that can be accommodated even with the convention in progress.

An assessment of the cost of utilizing the State Capitol for a Constitutional Convention must take several factors into account. First, there are moving costs associated with relocating legislators and staff out of their current offices, and then reversing the

process at the conclusion of the convention. The Subcommittee found that moving costs would vary depending upon the number of delegates involved. The following table provides the total moving cost according to the number of constitutional delegates:

STATE CAPITOL MOVING COSTS

25 DELEGATES	51 DELEGATES	75 DELEGATES	102 DELEGATES
\$105,000	\$214,200	\$315,000	\$428,400

In addition, the Subcommittee took into account increased costs for energy utility and services during the convention (versus normal off-session costs). Because the energy consumption of a constitutional convention would be similar to that of a legislative session, the Subcommittee decided to measure the increase in energy utility costs experienced when the Legislature is “in session.” The resulting increase in energy utility costs would be approximately \$32,000 per month.

Accordingly, the following table outlines the increased energy cost of utilizing the State Capitol to house a Constitutional Convention:

STATE CAPITOL ENERGY UTILITY COSTS

90 DAYS	\$96,000
120 DAYS	\$128,000

Based on the above, the total cost of utilizing the State Capitol to house a constitutional convention is reflected below:

TOTAL STATE CAPITOL COSTS

DURATION	25 DELEGATES	51 DELEGATES	75 DELEGATES	102 DELEGATES
90 DAYS	\$201,000	\$310,200	\$411,000	\$524,400
120 DAYS	\$233,000	\$342,200	\$443,000	\$556,400

State Capitol Reinforced by Commercial Leased Office Space

If the use of the State Capitol in its entirety was not acceptable, an option would be to use the State Capitol for plenary sessions, meetings and hearings, and rent commercial space in the downtown area for office space. The primary cost of this alternative was the rented office space.

Due to the diversity of the commercial real estate market, a wide range of costs could be involved. In addition, the availability of office space in close proximity to the Capitol for 90 or 120 days cannot be assured. As such, a combination of commercial and state offices may be required. The following two tables estimate the cost of leasing commercial office space and unimproved loft space in the Honolulu capitol district:

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

COST OF LEASED 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

DOD 298th Regiment Regional Training Institute (RTI)

The 298th Regiment RTI, previously known as the Hawai'i Military Academy, is located in Waimanalo and can be made available for a constitutional convention. The RTI has ample parking and amenities. Its auditorium could be used for the plenary sessions. Its classrooms could be used for meetings and hearings. Its full-service kitchen and dining room could be made available to convention delegates and staff, and its two billeting buildings could be converted for use as office space. The 90-day usage fee for the RTI would be approximately **\$150,000**.

In addition, converting and retrofitting the billets to offices would involve moving furniture for living quarters out, moving office furniture in, and reversing the process upon the conclusion of the constitutional convention. Additionally, installation of partitions, possible modular furniture and additional utilities should also be taken into consideration. The total estimated conversion and retrofit costs range from \$125,000 for 25 offices to \$499,000 for 102 offices.

Additionally, it should be noted that if the Legislature decides to hold the election of delegates to a constitutional convention in conjunction with the 2010 General Election, the RTI may not be available for convention purposes.

The primary drawback of the RTI is that it would only be available for 90 days, and some Subcommittee members said that accessibility would be a concern given its Waimanalo location. More specifically, it was viewed by some as too far away and with inadequate public transportation. However, aside from the option of housing the convention in its entirety at the State Capitol, the RTI is the most cost efficient location for a constitutional convention. The following table outlines the cost of housing a constitutional convention at the RTI facility in Waimanalo

COST OF DOD (RTI) FACILITY IN WAIMANALO

COSTS	25 DELEGATES	51 DELEGATES	75 DELEGATES	102 DELEGATES
USAGE FEE	\$150,000	\$150,000	\$150,000	\$150,000
BILLET CONVERSION & RETROFIT	\$125,000	\$251,000	\$368,000	\$499,000
TOTAL	\$275,000	\$401,000	\$518,000	\$649,000

Neal S. Blaisdell Center Exhibition Hall

The Neal 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.

Estimated cost for rental of the Neal S. Blaisdell Exhibition Hall: **\$1,449,540 for 90 days and \$1,617,720 for 120 days**, broken down as follows:

COST OF NEAL S. BLAISDELL EXHIBITION HALL

DURATION	PLENARY SESSION AREA	MEETING & HEARING ROOMS	OFFICE SPACE	TOTAL
90 DAYS	\$143,000	\$167,000	\$1,138,500	\$1,449,540
120 DAYS	\$191,520	\$223,200	\$1,203,000	\$1,617,720

A selection of any of the viable options presented above will result in a constitutional convention that can be effectively conducted. Certain costs associated with the facilities may differentiate depending on the facility. These costs were included in the Organizational Subcommittee report.

Other Facilities Investigated

The Facilities Subcommittee also looked at other possible convention facilities, as described below.

Department Of Education (DOE)

McKinley High School has the most appropriate facilities – Hirata Hall for plenary sessions, classrooms for committee meetings and temporary staff offices. It also has parking on site and nearby at the Blaisdell Center. It is also on a major bus line, and is easily accessible from downtown and Waikiki hotels. However, it would not be practical to use school facilities, such as McKinley High School, as it would be extremely disruptive to school activities based on the current DOE year-round schedule.

University of Hawai'i

The University of Hawai'i welcomed the opportunity to assist with a constitutional convention. University officials were willing to work with the Task Force within the normal academic calendar, which has the spring semester ending in mid-May and the fall semester beginning in mid-August. However, its facilities would be available for only three months exactly, thus leaving no time for set-up and take-down. This option was held aside and could be investigated further if other options don't pan out.

The Subcommittee also considered the East-West Center as a possible venue; however, its schedule did not allow setting aside the facility for three or four months for a convention. The facility also has no space for offices, and parking was a problem.

Hawai'i Tourism Authority (HTA)

The Hawai'i Convention Center has ample capacity to accommodate a constitutional convention. However, the HTA was concerned that setting aside space for 90 or 120 days for a convention would negatively impact its ability to generate convention business for Hawai'i. It would also adversely impact HTA's revenue production and budget for FY10-11.

Department Of Transportation

The Subcommittee looked into Department of Transportation facilities at Honolulu Harbor that might be made available for a constitutional convention. Without looking into any infrastructure, feasibility or implementation requirements, the DOT provided information on three facilities: Pier 2, Pier 10 and Pier 11. All three piers offer significant space that is available. At Pier 2, there are 33,890 square feet of space in the baggage claim area and 24,575 square feet of space in the passenger queuing area. At Pier 10, there are 12,600 square feet of space; and at Pier 11 there are 8,725 square feet of space plus an additional 4,600 square feet that could be made available if some equipment were removed. However, because of their design, these properties do not offer advantages for use in support of the constitutional convention.

Total Facilities Cost Range

Based on the above information, the total estimated cost range for credible facilities to hold a constitutional convention (from 90 to 120 days) is: **\$201,000 to \$1,617,720.**

III. ORGANIZATIONAL SUBCOMMITTEE

To achieve its goal of assessing the day-to-day operational cost for an efficient, well-organized constitutional convention, the Organizational Subcommittee reviewed the costs associated with the organization of past constitutional conventions, updated for inflation, and considered current operation costs for related functions in both the legislative and executive branches of government.

Organizational costs associated with a constitutional convention can be broken down into five distinct categories: (1) delegate compensation and per diem; (2) delegate staff compensation; (3) convention staff compensation; (4) equipment and supply costs; and (5) other miscellaneous expenses.

The Task Force determined a convention would include 25, 51, 75 or 102 delegates. Accordingly, the Subcommittee structured its report to reflect the range of costs by delegate count and length of convention, which the Task Force estimated to be 60 to 90 days for operational purposes and an additional 30-day period for convention “set-up” and “break-down” purposes.

Delegate Compensation

The Task Force initially considered not including compensation for delegates, as delegate service is a civic duty comparable to jury service or neighborhood board participation. However, the Task Force recognized that delegate compensation would assure optimal public participation and decided to base its cost analysis on delegate compensation.

Another potential means of alleviating the cost of delegate compensation or operational cost of the convention that was not included in the final analysis was the option of adding a 2009 tax “check-off” box that would allow Hawai’i taxpayers to contribute a portion of their income tax return to help underwrite the cost of a constitutional convention.

The Task Force noted that in the 1978 Constitutional Convention, only seven of the 102 total delegates had held political office. Accordingly, the Task Force recognized that delegates could benefit from education on ethics and parliamentary procedure. The training could be helpful to delegates who are unfamiliar with the conduct of meetings and rules of public office. In addition, it would help to ensure adherence to open and transparent convention practices. This training could likely be accomplished without incurring additional costs.

In setting the rate of delegate compensation, the Subcommittee applied the rate of \$4,201 per month for each delegate, which mirrors the salaries legislators will make beginning January 1, 2010.

The table below provides a range of delegate compensation costs depending upon the number of delegates and the length of their service (60 to 90 days):

DELEGATE BASE COMPENSATION

NUMBER DELEGATES	60 DAY CONVENTION	90 DAY CONVENTION	120 DAY CONVENTION
25 Delegates	\$210,050	\$ 315,075	\$420,100
51 Delegates	\$428,502	\$ 642,753	\$857,004
75 Delegates	\$630,150	\$ 945,225	\$1,260,300
102 Delegates	\$857,004	\$1,285,506	\$1,714,008

Delegate Fringe Benefit Costs

Fringe benefits such as the Federal Insurance Contributions Act (FICA), workers compensation, unemployment insurance and employee health benefits should be considered as assumed obligations. While some of the cost of fringe benefits is deducted from employee salaries, a portion of the cost for fringe benefits is also borne by the state. The Subcommittee set the fringe benefit rate for purposes of this discussion at 18.05 percent of the total for salaries listed above. The following table reveals the total cost of delegate compensation plus an additional 18.05 percent for fringe benefits:

DELEGATE BASE COMPENSATION + FRINGE BENEFIT PAYMENTS

NUMBER DELEGATES	60 DAY CONVENTION	90 DAY CONVENTION	120 DAY CONVENTION
25 Delegates	\$ 247,964	\$ 371,946	\$495,928
51 Delegates	\$ 505,847	\$ 758,770	\$1,011,693
75 Delegates	\$ 743,892	\$1,115,838	\$1,487,784
102 Delegates	\$1,011,693	\$1,517,540	\$2,023,386

Delegate Per Diem

The Subcommittee determined that, in addition to salary, neighbor island delegates should also be provided a per diem payment to offset some travel, lodging and meal costs. The current per diem rate for state employees is \$90 per day as provided in collective bargaining contracts. However, it was noted that state legislators earn a per diem of \$150 per day during session and \$120 per day while not in session.

For purposes of this report, the Task Force decided to provide a range that includes all three per diem options. The following tables show per diem costs at each rate based on

the number of delegates. The first table assumes a 60-day convention, the second table assumes a 90 day convention, and the third table assumes a 120-day convention:

60 DAY CONVENTION DELEGATE PER DIEM

NUMBER DELEGATES	@\$90	@\$120	@\$150
25 Delegates – 7 Neighbor Island	\$37,800	\$50,400	\$63,000
51 Delegates – 6 Neighbor Island	\$86,400	\$115,200	\$144,000
75 Delegates – 21 Neighbor Island	\$113,400	\$151,200	\$189,000
102 Delegates – 32 Neighbor Island	\$172,800	\$230,400	\$288,000

90 DAY CONVENTION DELEGATE PER DIEM

NUMBER DELEGATES	@\$90	@\$120	@\$150
25 Delegates – 7 Neighbor Island	\$ 56,700	\$ 75,600	\$ 94,500
51 Delegates – 16 Neighbor Island	\$129,600	\$172,800	\$216,000
75 Delegates – 21 Neighbor Island	\$170,100	\$226,800	\$283,500
102 Delegates – 32 Neighbor Island	\$259,200	\$345,600	\$432,000

120 DAY CONVENTION DELEGATE PER DIEM

NUMBER DELEGATES	@\$90	@\$120	@\$150
25 Delegates – 7 Neighbor Island	\$75,600	\$100,800	\$126,000
51 Delegates – 16 Neighbor Island	\$172,800	\$230,400	\$288,000
75 Delegates – 21 Neighbor Island	\$226,800	\$302,400	\$378,000
102 Delegates – 32 Neighbor Island	\$345,600	\$460,800	\$576,000

Delegate Staff Compensation

The Subcommittee discussed a number of delegate staffing options. Initially, it was thought to assign a specific salary for all delegate staff. However, the Task Force decided that a more flexible approach would be to appropriate a set sum to each delegate and allow delegates to hire staff according to their individual staffing needs.

The Task Force concluded that each convention delegate should be authorized a total of \$10,000 to be used for personal staff. As mentioned above, each delegate will have the discretion to hire an appropriate number of staff. Based on the above, the following table provides cost projections for delegate staff depending on the number of delegates:

DELEGATE STAFF COMPENSATION

NUMBER DELEGATES	\$10,000 APPROPRIATION
25 Delegates	\$ 250,000
51 Delegates	\$ 510,000
75 Delegates	\$ 750,000
102 Delegates	\$1,020,000

Delegate Staff Fringe

The Organizational Subcommittee strongly recommends that delegate staff should be considered contractual employees, and therefore not require fringe benefits. Under this approach, there would be no additional cost to the state for delegate staff fringe.

However, if fringe benefits must be considered for these salaries at a rate of 18.05 percent, the following table reflects the total delegate staff costs (delegate staff compensation plus fringe benefit payments):

DELEGATE STAFF COMPENSATION + FRINGE BENEFIT PAYMENTS

NUMBER DELEGATES	\$10,000 APPROPRIATION + 18.05% FRINGE BENEFIT COST
25 Delegates	\$ 295,125
51 Delegates	\$ 602,055
75 Delegates	\$ 885,375
102 Delegates	\$1,204,110

Convention Staff Compensation

The cost for the convention staff can vary significantly, depending on the wide range of positions that are justifiably needed to handle the operations of a convention. In reviewing past expenditures, the Subcommittee found that the 1968 Constitutional Convention reported spending \$346,000 on staff and the 1978 Constitutional Convention spent \$160,000 on staff. While the Subcommittee cannot explain the variance in spending, it is assumed that the larger number for 1968 included both delegate staff and convention staff. Efforts to confirm this have been difficult, as there is no known itemized cost breakdown for the 1968 convention.

The Subcommittee utilized information in a report entitled, *Proceedings of the Constitutional Convention of 1978* to determine appropriate staffing levels for an organized and well-functioning convention. The Subcommittee also looked at the current session staffing levels for the State Legislature.

Prior conventions have greatly benefitted from the use of borrowed legislative and executive branch personnel, particularly those with specific skill sets such as lawyers and accountants. In that regard, the Subcommittee strongly recommends that the convention take advantage of the knowledge and expertise already embedded in both the executive and legislative branches by encouraging the use of government employees to staff a convention.

Because the Organizational Subcommittee was not privy to precise salaries for existing legislative employees, many of the reported positions from the 1978 Constitutional Convention were utilized, applying the current salaries of comparable executive branch employees over a 60 to 90 day period. In doing so, the Subcommittee studied the duties and responsibilities of the 1978 staff positions and compared those duties to existing position descriptions according to the Department of Human Resources Development (DHRD). Where applicable, the Subcommittee listed the comparable government employee SR number.

Finally, *Proceedings of the Constitutional Convention of 1978* indicates that there were four “miscellaneous” employees that did not have any specific duties as described by the report. For these employees, the Subcommittee filled these miscellaneous positions with computer and technology personnel.

It is important to note that, unlike delegate compensation and delegate staff compensation, convention staff costs are likely not dependent upon the number of delegates.

The following table provides estimated convention staffing needs and their related costs:

CONVENTION STAFF COMPENSATION COSTS

	1978 Constitutional Convention Staff Position	1978 Con Con Salary	2008 Exec. Branch Position	2008 SR #	2008 Monthly Salary	Salary - 60 days	Salary - 90 days
1	Chief Clerk	11,250.05	No comparable		7,000	14,000	21,000
1	Assistant Clerk	9,326.90	No comparable		5,810	11,620	17,430
1	Chief Attorney	11,250.05	Senior Deputy AG		7,000	14,000	21,000
1	Attorney	6,274.35	Deputy AG		6,250	12,500	18,750
1	Attorney	6,276.02	Deputy AG		6,250	12,500	18,750
1	Attorney	5,971.40	Deputy AG		6,250	12,500	18,750
1	Attorney	6,276.02	Deputy AG		6,250	12,500	18,750
1	Parliamentarian	1,890.00	No comparable		2,598	5,196	7,794
1	Parliamentarian	650.00	No comparable		2,598	5,196	7,794
1	Accountant	4,821.45	Accountant VI	SR-26A	4,447	8,894	13,341
1	Sergeant-at-Arms	3,649.00	No comparable		3,295	6,590	9,885
1	Assistant Sergeant-at-Arms	2,473.35	No comparable		2,810	5,620	8,430
1	Journal Clerk	6,848.21	Clerk III	SR-08A	2,057	4,114	6,171
1	Journal Clerk	4,550.00	Clerk III	SR-08A	2,057	4,114	6,171
1	Engrosser	3,015.00	No comparable		3,507	7,014	10,521
1	Records Clerk	2,781.45	Stores Clerk II	SR-08A	2,057	4,114	6,171
1	Supply Clerk	2,449.00	Proc & Supply Clk I	SR16A	2,810	5,620	8,430
1	Accounting Clerk	5,200.80	Account Clerk V	SR-15A	2,705	5,410	8,115
1	Chief Legal Stenographer	2,646.45	Legal Secretary	SR-18A	3,042	6,084	9,126
1	Legal Stenographer	2,353.35	Legal Clerk I	SR-14A	2,598	5,196	7,794
1	Legal Stenographer	2,353.35	Legal Clerk I	SR-14A	2,598	5,196	7,794
1	Legal Stenographer	2,353.35	Legal Clerk I	SR-14A	2,598	5,196	7,794
1	Secretary of Chief Clerk	2,393.35	Secretary III	SR-16A	2,310	4,620	6,930
1	Information Clerk	1,794.25	Info Spec I	SR-16A	2,887	5,774	8,661
1	Information Clerk	1,652.20	Info Spec I	SR-16A	2,887	5,774	8,661
1	Chief Messenger	1,980.00	Offc Serv Supr	SR-14A	2,598	5,196	7,794
1	Messenger	1,496.15	Clerk III	SR-08A	2,057	4,114	6,171
1	Messenger	1,431.62	Clerk III	SR-08A	2,057	4,114	6,171
1	Messenger	1,496.15	Clerk III	SR-08A	2,057	4,114	6,171
1	Messenger	1,496.15	Clerk III	SR-08A	2,057	4,114	6,171
1	Messenger	1,496.15	Clerk III	SR-08A	2,057	4,114	6,171
1	Messenger	1,675.64	Clerk III	SR-08A	2,057	4,114	6,171
1	Messenger	1,380.00	Clerk III	SR-08A	2,057	4,114	6,171
1	Messenger	322.63	Clerk III	SR-08A	2,057	4,114	6,171
1	Messenger	1,496.15	Clerk III	SR-08A	2,057	4,114	6,171

1	Messenger	1,496.15	Clerk III	SR-08A	2,057	4,114	6,171
1	Custodian	1,496.15	Janitor II	BC-02	2,633	5,266	7,899
1	Custodian	1,496.15	Janitor II	BC-02	2,633	5,266	7,899
1	Custodian	661.28	Janitor II	BC-02	2,633	5,266	7,899
1	Parking Attendant	1,215.12	Parking & Security	SR-09A	2,139	4,278	6,417
1	Print Shop Manager	3,723.60	Offset Press Oper	BC-08	3,295	6,590	9,885
1	Chief Machine Operator	3,271.05	Offset Oper IV	WS-08	3,507	7,014	10,521
1	Machine Operator	2,092.50	Offset Oper I	BC-05	2,928	5,856	8,784
1	Machine Operator	2,264.75	Offset Oper I	BC-05	2,928	5,856	8,784
1	File Clerk	1,794.25	Clerk III	SR-08A	2,057	4,114	6,171
1	File Clerk	1,231.08	Clerk III	SR-08A	2,057	4,114	6,171
1	File Clerk	1,794.25	Clerk III	SR-08A	2,057	4,114	6,171
1	File Clerk	1,794.25	Clerk III	SR-08A	2,057	4,114	6,171
1	File Clerk	1,794.25	Clerk III	SR-08A	2,057	4,114	6,171
1	Misc Employee	4,928.55	Clerk IV	SR-10A	2,224	4,448	6,672
1	Misc Employee	1,855.10	Clerk IV	SR-10A	2,224	4,448	6,672
1	Misc Employee	1,250.87	Clerk IV	SR-10A	2,224	4,448	6,672
1	Misc Employee	1,390.52	Clerk IV	SR-10A	2,224	4,448	6,672
53	TOTAL	\$160,319.86				\$319,432	\$479,148

In supplying the above information, the Subcommittee is mindful of the fact that some of the 1978 positions listed above may be outmoded and/or unnecessary. Both the Engrosser and Legal Stenographer positions may fall into this category. Additionally, given modern communication methods, there may not be a need for quite so many messenger positions. Lastly, depending upon the facility involved, custodial costs may be included.

Additionally, the above convention staff costs could be significantly reduced if the convention is permitted to utilize legislative and executive branch personnel.

Pre-Convention & Post-Convention Staff Compensation

The Task Force recognizes that the convention may need to employ some staff both before and after the convention for “set-up” and “break-down” purposes. To accommodate this need, the Task Force agreed to include a lump sum appropriation in the amount of **\$159,716** – which represents half of the total convention staff cost over a one month period. This lump sum may be utilized to employ pre- and post-convention staff as necessary.

Convention Staff Fringe

The Subcommittee strongly recommends that convention staff should be considered contractual employees, and therefore convention staff would not require fringe benefits.

However, if fringe benefits must be considered for these salaries at a rate of 18.05 percent, the following table reflects the total delegate staff costs (convention staff compensation plus fringe benefit payments):

CONVENTION STAFF COMPENSATION + FRINGE BENEFIT PAYMENTS

DURATION	CONVENTION STAFF BASE COMPENSATION	CONVENTION STAFF COMPENSATION + 18.05% FRINGE
PRE & POST CONVENTION STAFF	\$159,716	\$188,545
60 DAY CONVENTION	\$319,432	\$377,089
90 DAY CONVENTION	\$479,148	\$565,634

Equipment and Supply Costs

The cost of equipment and supplies are a major cost driver of a convention, particularly with facilities that were not designed to house a large public gathering of this nature. To get a handle on what equipment and supplies were necessary, the Organizational Subcommittee again looked to the 1978 convention. However, the Subcommittee recognizes that significant advancements in technology have occurred over the past 30 years. In that regard, we were careful to include modern technology whenever possible to provide a realistic approach to modern convention operations.

For example, with the advent of email, fax machines and the Internet, there is likely no need for the convention to employ 11 messengers as was the case in 1978. Alternatively, given today's standard business practices, it is appropriate for delegates and some staff to be provided with computers and Internet connectivity. Additionally, videoconferencing capabilities could potentially allow citizens on the neighbor islands to be more involved in the convention.

The Subcommittee believes that the equipment and supplies listed below are reasonably necessary to enable each delegate, and the convention as a whole, to

conduct business. The following list of equipment and supplies is not exhaustive, and there may be other business tools that could assist in the day-to-day operations of a convention. However, the Subcommittee focused only on the equipment and supplies that are likely needed for the effective and efficient operation of a constitutional convention.

Based on the above, the following table illustrates the equipment and supply costs that are necessary for the effective and efficient operation of a constitutional convention. Each of the figures presented below factors in the equipment and supply needs for: delegates, delegate staff (two per delegate) and convention staff.

Additionally, the figures are front-loaded to reflect the necessary fixed cost purchases that would likely occur at the outset of the convention. Specifically, hardware purchases like telephones and computers would raise the first month cost, with only recurring maintenance costs in the ensuing months.

Additionally, it should be noted that these figures reflect a suggested retail value and do not take into account any potential discounts that may be realized through volume purchases.

CONSTITUTIONAL CONVENTION EQUIPMENT & SUPPLY COSTS PER MONTH

EQUIPMENT / SUPPLIES	25 DELEGATES	51 DELEGATES	75 DELEGATES	102 DELEGATES
Stationary & Office Supplies	\$3,450	\$5,790	\$7,950	\$10,380
Telephone / Cell Phone	\$75,200	\$129,800	\$180,200	\$236,900
Copier, Printer, Scanner & Fax	\$17,600	\$31,900	\$45,100	\$59,950
Computer & Software	\$134,190	\$233,874	\$325,890	\$429,408
Email	\$13,125	\$22,875	\$31,875	\$42,000
Wi-fi Capability	\$50,000	\$70,000	\$87,000	\$135,000
Internet Transport	\$2,000	\$2,000	\$3,000	\$3,000
FIRST MONTH COST (Includes fixed costs)	\$295,565	\$496,239	\$681,015	\$916,638
60 DAYS	\$429,340	\$779,631	\$981,840	\$1,307,130
90 DAYS	\$510,615	\$829,381	\$1,125,165	\$1,483,422
120 DAYS	\$591,890	\$1,046,136	\$1,421,040	\$1,867,182

Optional Videoconferencing Equipment Costs

The Task Force agreed to study the cost of modern technology whenever it could potentially enhance public participation in convention proceedings. One such tool would be the use of videoconferencing equipment to allow neighbor island constituents an opportunity to personally engage in convention activity without having to travel to O`ahu.

However, given the rather prohibitive costs of videoconferencing capability, and the fact that the State Legislature has not yet employed this method of communication, the Task Force believes that videoconferencing should not be included as a standard and ordinary business cost in calculating the cost of a constitutional convention.

Accordingly, the Subcommittee provided a separate table that details the monthly costs of videoconferencing capability as an optional cost only:

OPTIONAL VIDEOCONFERENCING EQUIPMENT COSTS PER MONTH

EQUIPMENT / SUPPLIES	25 DELEGATES	51 DELEGATES	75 DELEGATES	102 DELEGATES
Videoconferencing (5 Sites Total)	\$206,000	\$206,000	\$206,000	\$206,000
Videoconferencing Transport	\$32,700	\$32,700	\$32,700	\$32,700
Recording Equipment	\$121,000	\$121,000	\$121,000	\$121,000
Video Streaming per 1-4 hour Event	\$5,200	\$5,200	\$5,200	\$5,200
MONTHLY COST	\$364,900	\$364,900	\$364,900	\$364,900
60 DAYS	\$729,800	\$729,800	\$729,800	\$729,800
90 DAYS	\$1,094,700	\$1,094,700	\$1,094,700	\$1,094,700
120 DAYS	\$1,459,600	\$1,459,600	\$1,459,600	\$1,459,600

Miscellaneous Expenses

Finally, there are other miscellaneous expenditures that will augment the overall functioning of a convention. While there are numerous variations of potential expenditures, the Organizational Subcommittee's analysis was confined to costs that are material to the convention's overall success.

The following are some appropriate examples:

- **Postage and Freight Costs**: Postage and freight will be essential to allow the convention delegates and staff to do business and communicate with others.
- **Neighbor Island Travel**: The Task Force also agreed that it was 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.
- **Staff Travel & Per Diem**: There may be a need for convention staff to accompany delegates to the neighbor islands for hearings or other official business. As such, we have included a cost for staff travel per diem in the overall organizational budget.

Where the Subcommittee did not have access to the Legislative Branch costs for these items, it took the actual 1978 cost and applied the appropriate rate of inflation between 1978 and 2008 (329.5%).

Some of these miscellaneous expenditures are fixed, while others may vary depending upon the number of delegates and the length of the convention. For example, the Subcommittee believes preparation of the Convention Journal would likely be the same no matter how many delegates participate or how long the convention may last. Likewise, the postage and freight costs will probably also remain constant.

Alternatively, there are other miscellaneous costs that will fluctuate based on the number of delegates and the length of the convention. For example, in the area of delegate travel, the Subcommittee estimated that the cost of a round-trip inter-island ticket was \$200. The Task Force assumed one round-trip per week for neighbor island delegates during the convention. Calculations have been provided based on a 60, 90 or 120 day convention.

The following is an estimated cost listing of miscellaneous expenses that are material to the overall success of a convention:

CONSTITUTIONAL CONVENTION MISCELLANEOUS EXPENSES

MISCELLANEOUS EXPENSES	25 DELEGATES	51 DELEGATES	75 DELEGATES	102 DELEGATES
Postage & Freight (applied rate of inflation to actual 1978 cost)	\$4,483	\$4,483	\$4,483	\$4,483
Delegate Travel (one trip per week for neighbor-island delegates)	\$11,200 (60 day)	\$25,600 (60 day)	\$33,600 (60 day)	\$51,200 (60 day)
	\$16,800 (90 day)	\$38,400 (90 day)	\$50,400 (90 day)	\$76,800 (90 day)
	\$22,400 (120 day)	\$51,200 (120 day)	\$67,200 (120 day)	\$102,400 (120 day)
Staff Airline Travel (neighbor island hearings)	\$2,500 (12.5 round trip tickets)	\$5,000 (25 round trip tickets)	\$7,500 (37.5 round trip tickets)	\$10,000 (50 round trip tickets)
Staff Per Diem @ \$90 per day	\$2,000 (22 days)	\$3,000 (33 days)	\$4,000 (44 days)	\$5,000 (55 days)
Staff Hotel & Rental Car @\$100 per day	\$2,000 (20 days)	\$3,000 (30 days)	\$4,000 (40 days)	\$5,000 (50 days)
60 DAY TOTAL	\$22,183	\$41,083	\$53,583	\$75,683
90 DAY TOTAL	\$27,783	\$53,883	\$70,383	\$101,283
120 DAY TOTAL	\$33,383	\$66,683	\$87,183	\$126,883

Journal Printing & Binding Costs

The 1978 Constitutional Convention allocated \$151,001.92 toward Journal printing and binding costs. When properly adjusted for inflation, the current cost would be **\$497,551**. The Subcommittee recognizes that, unlike in 1978, there are a myriad of modern approaches to documenting convention proceedings, including video, Internet, CD/DVD technology and other forms of digital media. Because other, more cost-effective options currently exist, the Subcommittee did not believe it was appropriate to include printing and binding costs as a “material” miscellaneous expense in calculating the cost of a constitutional convention.

Instead, the Subcommittee believes that other, more cost-effective options should be properly explored. Accordingly, the Subcommittee has chosen not to itemize the cost of printing and binding as a miscellaneous expense.

Total Operational Cost Range

Based on the items listed above, the Organizational Subcommittee concluded that the day-to-day operational cost range for a constitutional convention falls into a broad range, depending upon the number of delegates, the length of convention, the rate of per diem, and whether or not delegate staff and convention staff would receive fringe benefits.

- *The low estimate, comprising 25 delegates, 60 days of operation, \$90 per diem rate, and no fringe benefits for delegate staff or convention staff: **\$1,466,435**.*
- *The high estimate, comprising 102 delegates, 120 days of operation, \$150 per diem rate and full fringe benefits: **\$6,551,740**.*

IV. VOTER EDUCATION SUBCOMMITTEE

To achieve its goal of projecting reasonable costs necessary to inform and educate Hawai'i voters of proposed constitutional amendments resulting from a constitutional convention in advance of a subsequent general election, the Voter Education Subcommittee took into account the voter education campaign used in the last constitutional convention, current constitutional mandates, and how modern technology could assist the effort.

Public Inspection Costs

Pursuant to the Hawai'i Constitution, the full text of all proposed amendments must be made available at:

- Public Libraries (30 days prior to election)
- County Clerks Offices (30 days prior to election)
- Office of Elections (30 days prior to election)
- Every Polling Place (election day only)

Because more than 100 proposed amendments emerged from the 1978 Constitutional Convention, the Subcommittee estimated that the full text of the proposed amendments in 2010 will be approximately 30 pages in length (double sided).

The following information was gathered prior to the Subcommittee's cost analysis:

Public Libraries

The Hawai'i State Public Library System (HSPLS) consists of 51 libraries, located on Hawai'i, Kaua'i, Lana'i, Maui, Moloka'i, and O'ahu.

County Clerks Offices

There are four county clerks offices in the State of Hawai'i (one office for each of the four counties).

Office of Elections

The State of Hawai'i Office of Elections is located in Pearl City. The Subcommittee accounted for two copies of the proposed constitutional amendments to be placed at the Office of Elections.

Polling Locations

According to the Office of Elections, there will be 339 polling places throughout the State of Hawai'i in 2008.

Based on the above information, the Hawai'i Constitution requires a minimum of 396 copies of the proposed constitutional amendments to be made available for public inspection at select locations throughout the State of Hawai'i. Accordingly, the Subcommittee gathered three separate cost estimates from local printers (including Correctional Industries) to print 396 documents, which would each be 30 pages in length (double-sided), using 8.5" x 11" paper and black & white print. The Subcommittee received the following cost estimates:

PRINT COST ESTIMATES (HAWAI'I VENDORS)

Printer A	\$ 3,165.00
Printer B	\$ 1,603.00
Printer C	\$ 565.00

Alternatively, the Subcommittee suggests that the full text of proposed amendments could be made available for public inspection at each of the above-listed locations via computer/Internet portal. This alternative would allow users to opt between on-site inspection and/or printing of the proposed constitutional amendments for personal use.

Voter Education Costs

The Subcommittee decided the most effective way to inform and educate voters would be through a web site that would comprise all relevant information and resources and utilize various media to drive traffic to the web site and public inspection sites.

To more clearly identify the costs associated with a voter education program, cost breakdowns for Internet, radio, television, newspaper and public relations agencies were gathered independent of each other.

Public Relations Agencies

The Subcommittee built into its cost analysis projections for retaining the services of a public relations agency, in case these services are not provided internally. According to Pacific Business News, the top 10 public relations agencies in Hawai'i, ranked by gross billings for public relations work in 2006, were:

1. Communications Pacific
2. McNeil Wilson Communications Inc.
3. Sheila Donnelly & Associates
4. Stryker Weiner & Yokota Public Relations Inc.
5. Bennet Group Strategic Communications
6. Becker Communications Inc.
7. Bright Light Marketing Group Inc.
8. The Limtiaco Co. Inc.
9. StarrPR
10. Hastings & Pleadwell: A Communication Co.

According to Pacific Business News, the average hourly billing rates for the top 10 public relations agencies were \$92 - \$248. Public relations services for a voter education campaign likely would require approximately 10 to 20 hours per week of support staff and three to 10 hours per week of principal consulting. When applied to the average hourly billing rates, these estimates equate to approximately \$920 to \$1840 per week for support staff and approximately \$744 to \$2,480 per week for principal consulting.

Estimated costs to retain the services of a public relations agency:

- *4-week public relations services: **\$6,656 - \$17,280.***
- *6-week public relations services: **\$9,984 - \$25,920.***

Constitutional Convention Web Site

Because the web site will serve as the informational hub of the public education campaign, the Subcommittee took care to obtain cost estimates for the design, development and maintenance of a constitutional convention web site. The web site could house all of the proposed constitutional amendments in full detail, including testimony and status updates. Other government, media and private web sites could link to the constitutional convention web site to spread the knowledge base of information.

Additionally, the web site could facilitate public input about proposed amendments, and make videos available for download to help inform the public of proposed amendments. A potential feature of the web site could be to facilitate public input through a "wiki" tool, which would allow either delegates (if internal) or the public to comment directly on proposed constitutional amendments.

The State Constitution mandates voter education to take place after a constitutional convention, when the constitutional amendments have been proposed. However, the Subcommittee recognized that a web site could help inform and educate the public during a convention as well.

There was a broad range of web-design and development firms and cost is dependent, in part, on the sophistication level of content and the applications required. The Subcommittee found that a credible cost range for the design and development of a constitutional convention web site would range from \$15,000 to \$20,000. In addition, the Subcommittee decided to include potential maintenance costs, which would include adding new components to the web site as well as major content changes. Potential maintenance costs would range from \$5,000 to \$7,500 over two to three months.

*Estimated costs for web site design, development, and maintenance: **\$20,000 to \$27,500.***

Notwithstanding the above information, there is the possibility that the Department of Accounting and General Services (DAGS) may be able to assign technical support personnel to design and develop a web site at nominal cost. However, DAGS would rely upon constitutional convention staff for ongoing maintenance. This potential reduction in web site costs was not included in the final cost projection.

Media Education Program

The Subcommittee also obtained cost estimates for a “Media Education Program” that uses newspaper, radio and television media to educate the public. The media program was designed to drive voters to the Con Con web site and the public inspection sites, since the public is entitled to full explanations of each proposed constitutional amendment.

The Subcommittee recognized that, while electronic media is now widespread, radio and television ads would not be adequate to fully explain all the proposed constitutional amendments being presented for ratification – a decision based in part on the more than 100 proposed amendments in 1978. Therefore, the Subcommittee agreed that the major thrust of a media campaign would be to drive voters to other sources of information where they could view all of the proposed amendments in full detail, such as the web site and public inspection sites.

The Subcommittee agreed that a newspaper insert could be a major component of the media relations campaign as the print medium would be more conducive to providing detailed information on the proposed constitutional amendments than other traditional media outlets.

The following was a description of the Subcommittee's findings and an analysis of potential costs:

- Newspaper Insert Cost

An 8-page, full-color newspaper insert could be included in the Honolulu Star-Bulletin/Midweek, Honolulu Advertiser, The Kaua'i Garden Island, West Hawai'i Today, Hawai'i Tribune-Herald, and the Maui News.

A total of 758,140 four-color pieces, 11" wide x 11.5" high, could be produced, including some graphics assistance, minimal copywriting and layout. Distribution could include MidWeek (268,377), Honolulu Star-Bulletin (64,073), Honolulu Advertiser (152,082, all islands), and the four daily neighbor island newspapers listed above (70,093 – Wednesday).

The pieces could be inserted into the various newspapers approximately one to two weeks prior to the 2010 General Election. To augment readership of the newspaper insert, public relations efforts could direct voters to "look for the insert in the newspaper."

- *Estimated cost for production and distribution of the newspaper insert, as described above: **\$60,000 to \$70,000, depending on the day of the week.***

- Television Production Costs

The average cost of producing a television commercial in Hawai'i is approximately **\$10,000**. Additionally, the economies of scale dictate that the more commercials being produced at once, the less expensive each individual commercial will be.

- *Estimated cost of producing one to three television commercials: **\$10,000 to \$25,000.***

- Radio Production Costs

Radio production costs are generally nominal due to the common use of television commercial voiceovers or radio stations allowing studio production time at no charge as a complement to airtime purchase.

- Radio Airtime Costs

The average cost of radio airtime for a statewide ballot campaign in Hawai'i to attain adequate reach and frequency is approximately **\$500 to \$1,000 per station / per week.**

The stations surveyed include: Clear Channel, Cox Radio, Salem Media, Visionary Entertainment, Pacific Radio Group, New West, etc.

The primary target audience for a radio campaign would be registered voters in Hawai'i.

Estimated costs for a radio ad campaign to reach the primary target audience:

- *A four-week radio ad campaign to include 6 radio stations on O`ahu + 2 radio stations each on Kaua`i, Maui and Hawai`i = **\$24,000 to \$48,000.***
- *A six-week radio ad campaign to include 6 radio stations on O`ahu + 2 radio stations each on Kaua`i, Maui and Hawai`i = **\$36,000 to \$72,000.***

- Television Airtime Costs

The average cost of television airtime for a statewide ballot campaign in Hawai'i to attain adequate reach and frequency is approximately **\$2,000 to \$4,000 per station / per week.**

The stations surveyed include: KGMB-TV 9, KITV-4, KHNL-TV 8, KHON-TV 2, and Oceanic Time Warner Cable.

Similar to the radio campaign, the primary target audience of a television campaign would most likely be registered voters in the State of Hawai'i.

Estimated costs for a television ad campaign to reach the primary target audience

- *A four-week television commercial campaign to include KGMB-TV 9, KITV-4, KHNL-TV 8, KHON-TV 2, and Oceanic Time Warner Cable (includes Neighbor Islands): **\$40,000 to \$80,000.***
- *A six-week television commercial campaign to include KGMB-TV 9, KITV-4, KHNL-TV 8, KHON-TV 2, and Oceanic Time Warner Cable (includes Neighbor Islands): **\$60,000 to \$120,000.***

Community Forums

The League of Women Voters (LWV) agreed to host a series of community "talk story" sessions and host an online forum to educate and inform voters on proposed constitutional amendments.

LWV could coordinate talk story sessions by hosting various groups across the state. 'Olelo has agreed to videotape public gatherings, town hall meetings, forums, etc. both preceding and following a Con Con without charge. Nominal costs included tape, crew

meals, duplication and promotion. ‘Olelo can arrange programming to air live, if given enough notice in advance and at a location that could provide a live feed to ‘Olelo. Neighbor islands could receive footage at the same time it airs on ‘Olelo via a HITS feed that would need to be coordinated with the University of Hawai‘i.

‘Olelo can provide a master DVD copy of the program and 5 to 10 copies upon request, but the requestor would need to purchase the DVD at a nominal charge of \$3.

The LWV-Hawai‘i web site calendar can be utilized and the LWV can be the source contact for scheduling the talk story sessions. The one-time cost of calendaring the events would be **\$60**.

Additionally, the LWV-Hawai‘i web site can list all proposed constitutional amendments with full explanations. And the LWV can accept, arrange and post any “pro” or “con” comments submitted by the public on proposed constitutional amendments, as well as link with the Con Con web site.

- *Estimated cost for LWV facilities, equipment and utilities: **\$1,000***

College Student Support

To support public education efforts, students at the University of Hawai‘i, Hawai‘i Pacific University, Chaminade University of Honolulu, Brigham Young University Hawai‘i and other academic institutions may be a valuable volunteer resource to help educate the public on proposed constitutional amendments. Getting involved in a constitutional convention could increase students’ awareness of Hawai‘i’s government and Constitution, as well as facilitate greater civic involvement and voter outreach.

Earned Media

The Subcommittee recognizes that earned media will play an important part of educating voters about proposed constitutional amendments. Earned media, as opposed to paid media, relies upon the outreach efforts of those involved with convening a constitutional convention and the resulting media coverage.

Earned media will most likely be a part of services provided by a public relations agency, if one is attained. Additionally, opinion editorials, grassroots activities, and convention delegate, staff and volunteer outreach could garner increased media coverage of proposed constitutional amendments. Since there is no additional costs incurred through earned media efforts, these considerations have no bearing on the total cost projections discussed in this report.

Total Public Inspection / Voter Education Costs

The cost projections outlined below include estimates for a four to six week voter education campaign and extended period of operation for a web site. Other forms of

media could be added as delegates of the constitutional convention find necessary, including several efforts that could reduce the overall cost of a voter education campaign. However, the Voter Education Subcommittee focused on a broad range of education services, modeling the voter education campaign in the 1978 Constitutional Convention and incorporating the use of modern technology to achieve its stated goal of obtaining cost projections to inform and educate Hawai'i voters of proposed constitutional amendments resulting from a constitutional convention in advance of a subsequent general election.

Total Voter Education Cost Range

- *Estimated cost for public inspection: **\$565 to \$3,165***
- *Estimated cost for voter education: **\$161,656 to \$341,420***
- *Total estimated cost range for public inspection and voter education: **\$162,221 to \$344,585***

CONCLUSION

The Constitutional Convention Cost Task Force has held seven public meetings and numerous subcommittee meetings over a two-month span, from May 30, 2008 to July 31, 2008. The Task Force studied a range of issues that could affect the overall cost of convening a constitutional convention, including:

- Timing of an election of constitutional delegates and constitutional convention;
- Number of delegates that would participate;
- How an election of delegates could be held in a fair and cost-effective manner;
- What public facilities are available to accommodate the general operations of a constitutional convention; and
- How the use of technology can enhance the cost-effectiveness of a constitutional convention.

Based on the findings of the four subcommittees (Elections, Facilities, Organizational and Public Inspection/Voter Education) and by agreement of the Task Force, the potential cost range of the various reasoned options to convene a constitutional convention is approximately: **\$2,329,656 to \$11,114,045.**

Several cost factors are built into both the lowest and highest reasoned cost projection. Among them:

- Delegates would be elected by district and not at-large.
- The public can vote by absentee mail, absentee walk-in or at the polls (Internet and mail-only election formats were also considered).
- Facilities would need to include room for plenary sessions, meeting rooms, staff offices and public hearings.
- Facilities would need to be accessible to delegates, staff and the public from throughout the state, including public transportation and parking accommodations.
- Delegates would each be paid for their service.
- Delegates would receive fringe benefits at a rate of 18.05 percent, which includes the Federal Insurance Contributions Act (FICA), workers compensation, unemployment insurance and employee health benefits.
- Delegates would each receive a per diem payment to offset some travel, lodging and meal costs.
- Delegates would each receive \$10,000 to hire personal staff for the convention.
- Convention staff would comprise approximately 53 employees during the convention and 40 employees for pre- and post-convention activities.
- Delegates and staff would receive equipment and supplies, including stationary and office supplies; telephone/cell phones; copiers, printers, scanners and faxes; computers and software; email; wi-fi capabilities; and Internet transport.

- Miscellaneous expenses would be covered, such as postage and freight; delegate travel (one trip per week for neighbor island delegates); staff airline travel (neighbor island hearings); staff per diem; and staff hotel and car rental.
- Pursuant to the Hawai'i Constitution, the full text of all proposed constitutional amendments must be made available at public libraries, county clerk offices, every polling place and the office of elections.
- Pre- and post-convention activities would last approximately 30 days.
- To inform and educate voters of proposed constitutional amendments, costs of a voter education campaign were included, such as for public relations services, a web site, newspaper insert, television and radio commercials and community forums.

The following table identifies key differences between the lowest and highest reasoned cost projections, as determined by the Task Force. Several cost factors not shown in the table below are detailed in the various subcommittee reports.

LOWEST REASONED COST \$2,329,656		HIGHEST REASONED COST \$11,114,045
Election at all polling places with the 2010 General Election	Election Format	Special election at all polling places or special election conducted by mail
25	Number of Delegates	102
90 days	Total Duration of Convention (includes pre- and post-convention activities)	120 days
State Capitol	Constitutional Convention Facility	Neal S. Blaisdell Center
\$4,201 per month	Delegate Compensation	\$4,201 per month
Yes	Delegate Fringe Benefits	Yes
\$90 per day	Delegate Per Diem	\$150 per day
\$10,000	Delegate Staff Compensation	\$10,000
No	Delegate Staff Fringe Benefits	Yes

53	Number of Convention Staff	53
\$319,432 (60-day)	Convention Staff Compensation	\$479,148 (90-day)
No	Convention Staff Fringe Benefits	Yes
Yes	Miscellaneous Expenses (i.e. postage and freight, delegate travel, neighbor island travel expenses)	Yes
Yes	Proposed Amendments at Public Inspection Sites	Yes
Yes	Media Education Program	Yes
4 weeks	Duration of Media Education Campaign	6 weeks
Yes	Con Con Web Site	Yes
Yes	Community Forums	Yes

The Task Force recognizes that this report is not an exhaustive list of all possible cost factors related to convening a constitutional convention in Hawai'i. If the public decides in the November 2008 General Election to hold a constitutional convention, the State Legislature will determine the appropriate level of funding for a constitutional convention. However, the cost range provided in this report is a transparent, credible and accurate projection of likely costs for the State of Hawai'i to convene a constitutional convention.