



STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION

235 SOUTH BERETANIA STREET, ROOM 300
HONOLULU, HAWAII 96813

January 30, 2019

TO: The Honorable Chris Lee, Chair
House Committee on Judiciary

The Honorable Joy A. San Buenaventura, Vice Chair
House Committee on Judiciary

Members of the House Committee on Judiciary

FROM: Kristin Izumi-Nitao, Executive Director *KIN*
Campaign Spending Commission

SUBJECT: **Testimony on H.B. No. 367, Relating to Campaign Finance**

Thursday, January 31, 2019
2:00 p.m., Conference Room 325

Thank you for the opportunity to testify on this bill. The Campaign Spending Commission (“Commission”) opposes this bill.

Section 1 of the bill amends the definition of “advertisement” by “exclud[ing] communications of a candidate’s name on clothing or other attire associated with that candidate’s campaign committee” in Hawaii Revised Statutes (“HRS”) §11-302. This is unnecessary. Under Hawaii Administrative Rule §3-160-2, clothing is a sundry item. Sundry items are already excluded from the definition of “advertisement” in HRS §11-302.

Section 2 of the bill amends HRS §11-341(d) by excluding communications of a candidate’s name on clothing, yard signs, or on sundry items associated with that candidate’s campaign committee. Again, this amendment is unnecessary since all of these items are either excluded from the definition of electioneering communications because clothing and other sundry items are not advertisements by definition, or in the case of yard signs, are not broadcast, published or sent by bulk rate mail, and thus cannot be electioneering communications.

Section 2 also exempts advertisements by candidates from the reporting requirements of HRS §11-341. Specifically, this means that candidates and candidate committees would not need to file statements of information for electioneering communications once the committee spends an aggregate amount of more than \$2,000 during a calendar year. Electioneering communications are defined as advertisements to vote for the candidate that are broadcast from a

cable, satellite, television, or radio station; published in any periodical or newspaper or by electronic means (which includes Facebook boosts, Google ads, or other social media); or, mailed by bulk rate. This will actually decrease transparency in campaign spending in elections, which the Commission simply cannot support. This proposed amendment also contradicts HRS §11-341(b) which contains references as to what information candidate committees must provide on the statement of information for electioneering communication.

TESTIMONY
ON BEHALF OF THE LIBERTARIAN PARTY OF HAWAII
c/o 1658 Liholiho St #205
Honolulu, HI 96822

January 29, 2019

RE: HB367 to be heard Thursday January 31, in Room 325, at 2:00 PM
SUPPORT

To the members of the House Committee on Judiciary

This just needs to be done. Ideally candidates who were fined over such issues in 2018 should be eligible for a refund upon enactment.



Tracy Ryan
For The Libertarian Party of Hawaii

HB-367

Submitted on: 1/29/2019 9:50:27 PM

Testimony for JUD on 1/31/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Honolulu County Republican Party	Support	No

Comments:

HB 367 Late

To: House Committee on Judiciary
From: Nikki Love Kingman, Board Member, Common Cause Hawaii
Hearing: Thursday, January 31, 2019, 2:00 pm, Room 325

Testimony opposing HB 367

Dear Chair Chris Lee, Vice Chair Joy A. San Buenaventura and Committee Members,

Common Cause Hawaii submits this testimony in opposition to HB 367. This bill makes changes to Hawaii's campaign spending law.

We are concerned about Section 2 of the bill, which creates new exemptions in the law regarding Electioneering Communications reporting. It would exempt advertisements "broadcast, published, or distributed by any candidate or that candidate's candidate committee to promote the election of that candidate or oppose the election of an opponent of that candidate; provided that the advertisement is in compliance with section 11-391."

This exemption would result in reduced disclosure for advertisements by candidates and candidate committees. Although candidates report their spending in periodic reports, Electioneering Communications reporting provides more timely disclosure for campaign ads and mailers. We urge the Committee to maintain this reporting requirement, for the sake of transparency.

Thank you for the opportunity to testify.

Nikki Love Kingman
Board Member, Common Cause Hawaii

LATE

HB-367

Submitted on: 1/31/2019 12:10:55 PM

Testimony for JUD on 1/31/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Smart	Individual	Support	No

Comments: