

STAND. COM. REP. NO.

1085

Honolulu, Hawaii

MAR 19

, 2021

RE: S.B. No. 405  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Government Reform, to which was referred  
S.B. No. 405, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS,"

begs leave to report as follows:

The purpose of this measure is to allow candidates, candidate committees, and noncandidate committees to choose which excess contributions by nonresident contributors to return within thirty days of the end of the election period, after which time all excess contributions shall escheat to the Hawaii Election Campaign Fund.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, League of Women Voters of Hawaii, and eight individuals.

Your Committee finds that the Hawaii Election Campaign Fund was established to be used for partial public financing of campaigns of the State and its political subdivisions. Your Committee further finds that this measure will provide an additional source of income for the Hawaii Election Campaign Fund and allow candidates to more readily use available public financing through the Fund.

2021-2495 SB405 HD1 HSCR HMSO-1



Your Committee additionally finds that when the law was changed to allow for unreturned contributions to escheat to the Hawaii Election Campaign Fund, nonresident contributions were not included because the law that limited candidates from receiving thirty percent of a contribution from a nonresident contributor is in a different part of the Hawaii Revised Statutes. Accordingly, your Committee sees this measure as a way to close this unforeseen loophole.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 405, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 405, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Government Reform,



ANGUS L.K. MCKELVEY, Chair



Record of Votes of the Committee on Government Reform

<b>Bill/Resolution No.:</b> SB 405 SD1	<b>Committee Referral:</b> GVR, JHA, FIN	<b>Date:</b> 3-17-22		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
GVR Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	✓			
2. WILDBERGER, Tina (VC)	✓			
3. CULLEN, Ty J.K.	✓			
4. ELI, Stacelynn K.M.				✓
5. ICHIYAMA, Linda				✓
6. MIZUNO, John M.	✓			
7. WOODSON, Justin H.	✓			
8. YAMASHITA, Kyle T.	✓			
9. WARD, Gene	✓			
<b>TOTAL (9)</b>	7	0	0	2
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				