



STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION

235 SOUTH BERETANIA STREET, ROOM 300
HONOLULU, HAWAII 96813

February 6, 2023

TO: The Honorable Karl Rhoads, Chair
Senate Committee on Judiciary

The Honorable Mike Gabbard, Vice Chair
Senate Committee on Judiciary

Members of the Senate Committee on Judiciary

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

SUBJECT: **Testimony on S.B. No. 203, Relating to Complaints Alleging Violations of Campaign Spending Laws.**

Tuesday, February 7, 2023
9:30 a.m., Conference Room 16 & Videoconference

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

This bill amends Hawaii Revised Statutes (“HRS”) §11-403 to treat a respondent’s failure to explain or otherwise respond to a complaint as an admission that a violation of law has occurred. This would allow the Commission to timely process complaints in cases where the Commission has given notice of the complaint (including a copy of the complaint) to the respondent and the respondent fails to respond. Currently, the Commission makes repeated attempts to communicate with the respondent to get a response before putting the matter on a meeting agenda for action.

Due to concerns raised in the House Committee on Judiciary & Hawaiian Affairs on this measure’s companion bill, the Commission asks this Committee to amend this measure by deleting “admission” in line 13 on page 1 and inserting “presumption” in its place.

The Commission requests that this committee pass this measure with the described amendment.

SB-203

Submitted on: 2/4/2023 8:59:52 AM

Testimony for JDC on 2/7/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
daniel foley	Testifying for Commission to Improve Standards of Conduct	Support	Written Testimony Only

Comments:

Dear Chairman Rhoads and members of the Senate Juciary Committee,

As Chair of the Commission to Improve Standards of Conduct, Commission), I support SB 203 for reasons stated in the Commission's December 1, 2022 Final Report to the House of Representatives with the recommendation that "presumption" be substituted for "admission" as recommended by the Commission. Report at 21.

Mahalo, Judge Daniel Foley (ret.)

TO: Members of the Committee on Judiciary

FROM: Natalie Iwasa
808-395-3233

HEARING: 9:30 a.m. Tuesday, February 7, 2023

SUBJECT: SB 203 – Relating to Complaints Alleging Violations of Campaign Spending
Laws – **OPPOSED**

Aloha Chair Rhoads and Committee Members,

Thank you for allowing the opportunity to provide testimony on SB 203, which would allow the campaign spending commission to treat a nonresponse to a complaint as an admission of violation.

If I understand correctly, the respondent would have potentially no more about a week to respond to a complaint.

What happens if the respondent is off island?

What happens if mail is delayed?

The respondent should have adequate time to respond to a complaint. Given that violations could mean significant penalties, allowing the commission to simply say someone is guilty merely because the person hasn't responded, especially when there may be legitimate reasons for not replying. is simply wrong.

Please vote "no" on SB 203.

SB-203

Submitted on: 2/4/2023 4:28:01 PM

Testimony for JDC on 2/7/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

In full support. Individuals will ignore notices and this lets them know that if they do so they will have admitted guilt.