

Honolulu, Hawaii MAR 22 , 2023

RE: S.B. No. 197 S.D. 1 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 197, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Increase the fine for campaign spending law violations that may be assessed against a noncandidate committee that makes only independent expenditures and has received at least one contribution of more than \$10,000 or spent more than \$10,000 in the aggregate in an election period; and
- (2) Authorize the Campaign Spending Commission to order that the fine, or any portion of the fine, assessed against a noncandidate committee be paid from the personal funds of the noncandidate committee or if the noncandidate committee cannot pay, the personal funds of the candidate or officers of the noncandidate committee.

Your Committee received testimony in support of this measure from the Commission to Improve Standards of Conduct, Campaign



Spending Commission, League of Women Voters of Hawaii, and three individuals.

Your Committee finds that this measure implements one of the recommendations made by the Commission to Improve Standards of Conduct established by the House of Representatives in House Resolution No. 9, Regular Session of 2022. This measure attempts to reduce the influence of money in determining political outcomes at the state level by increasing the fine imposed for campaign spending law violations by certain noncandidate committees and allowing officers of a noncandidate committee to be held personally liable for fines assessed against noncandidate committees.

Your Committee has amended this measure by:

- Clarifying when the Campaign Spending Commission may order an administrative fine, or any portion of the fine, assessed against a noncandidate committee be paid from personal funds;
- (2) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 197, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 197, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

> Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

DAVID A. TARNAS, Chair



State of Hawaii House of Representatives The Thirty-second Legislature



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: Committee SB 197, SD 1		Committee	e Referral: Date: JHA, FIN 3/17/202			7/0000		
				IN, FIN	57	11/2023	<u></u>	
The recommendation is to:	 nmendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) 							
					-			
JHA Members			Ayes	Ayes (W	(R) N	ays	Excused	
1. TARNAS, David A. (C	:)							
2. TAKAYAMA, Gregg (<u>(VC)</u>	1.194.65					31	
3. GANADEN, Sonny	<u> 78 7 8 8 8</u>						(<u>11. 1977 p. 1989</u>	
4. HOLT, Daniel			_				~	
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5. HASHIMOTO, Troy N	J.							
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6. ICHIYAMA, Linda							•	
7. ILAGAN, Greggor			ing and a second se					
7. ILAOAN, Greggor	7 . 28	34635				e an an A		
8. KONG, Sam Satoru					7. <u> </u>			
			i interest					
9. MIZUNO, John M.			<u>~</u>			-		
		21 <u>1</u> 21						
10. SOUZA, Kanani								
TOTAL (1	10)		(-	-	- \	3	
The recommendation is: Adopted Image: Not Adopted If joint referral,								
committee acronym(s)								
Vice Chair's or designee's signature:								
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO								