



LATE

P.O. Box 22703 • Honolulu, Hawaii 96823 • (808) 286-2285 • info@commoncausehawaii.org

**Senate JGO Committee
Thursday 4/9/09 at 10:00 AM in Room 016
HB 128**

TESTIMONY

Nikki Love, spokesperson, Common Cause Hawaii

Chair Taniguchi, Vice Chair Takamine, and Committee Members,

I am submitting comments regarding House Bill 128, Proposed SD1.

While we do not have objections to the Campaign Spending Commission's recodification of campaign finance laws, we do have concerns regarding this proposed SD1.

Contributions from Corporations/Companies/Unions

We urge the Committee to insert language that would prohibit corporations, companies, unions, and any other business entities from donating funds from their treasuries to campaigns, either directly to candidates or via PACs.

We are glad to see that JGO is not proposing an increase in the existing \$1,000 limit, as the House has attempted. We can wait for the appeals court to decide the pending case, or even better, we urge you to clarify this now and simply ban corporate donations, as twenty other states and the federal government have done.

As articulated by the U.S. Supreme Court, a prohibition on corporate donations is justified because it prevents the appearance and reality of corruption, prevents a threat to political integrity, prevents capital from unduly influencing politics and misusing corporate advantages, and prevents the use of corporations as conduits for circumventing individual contribution limits.

Candidates' Donations from Campaign Funds

This proposed draft loosens the existing restrictions on donating from campaign funds to schools, libraries, and other groups. These restrictions were enacted in response to abuse by former elected officials who used campaign funds to inappropriately "seed" the community and curry favor with voters. We ask you not to roll back this important reform.

There are many ways the legislature can support schools, libraries, and community organizations, but using campaign finance law is a very bizarre choice. By loosening these restrictions, it anoints political campaigns as a gatekeeper for philanthropy, and promises yet another advantage to well-funded incumbents and candidates. We urge you to maintain the current restrictions on proper use of campaign funds.

Mahalo for the opportunity to submit testimony.

From: Carolyn Golojuch [golojuchc@hawaii.rr.com]
Sent: Thursday, April 09, 2009 2:47 AM
To: JGO Testimony
Subject: Opposition of HB128: Campaign Spending

LATE

RE: Opposition of HB128: Campaign Spending

TO: Hawaii State Senate Judiciary

There is serious concern about HB 128 SD1 because campaign finance laws as it stands now will not be in the best interest of the people of Hawaii. I firmly oppose ANY corporate donations to political campaigns and object to moving to raise the limit on legislators' donations to charities of their choice and to schools and libraries from their campaign funds.

HB128 SD1 on Campaign Spending as written today will short change the people of Hawaii again. It is so important that HB128 SD1 clarify its language now to ensure that Hawaii does not move backward on this issue. Please insert language that would prohibit corporations from donating funds from their treasuries to campaigns, either directly to candidates or via PACs.

Unfortunately, the restrictions as listed now on B128 SD1 on donations from campaign funds to schools, libraries, and other groups have its own problems. Incumbents' campaign funds should not be used to "seed" the community and cuddle up with community groups. Recent history has shown that political campaigns should not be the gatekeeper for philanthropy, and the abuse is one marker for its malfunction. Please maintain the current restrictions on proper use of campaign funds.

Please address the faults with this bill before it moves on.

Mahalo,
Rev. Carolyn Martinez Golojuch, MSW
92-954 Makakilo Dr. #71
Makakilo, HI 96707
808 672-9050

"If more people believed in justice, equality would be reality." cmg

LATE

To: Senator Brian Taniguchi, Chair
Senator Dwight Takamine, Vice Chair
Senate Committee on Judiciary and Government Operations

From: Seth Corpuz-Lahne
103A Prospect St
Honolulu, HI 96813

RE: Comments on HB 128 HD1 SD1 Proposed

Hearing: April 9, 2009
Conference Room 016
10:00 AM

Chair Taniguchi, Vice-Chair Takamine, members of the Committee on Judiciary and Government Operations. I would like to submit comments regarding the proposed SD1 of HB 128 HD1. I support the recodification of Hawaii's Campaign Finance statutes. Our current statutes are the result of piecemeal amendments and have evolved over time to be so labyrinthine that neither the candidates nor the public can easily decipher them. Thanks to the work of Director Wong and the hard working staff at the Campaign Spending Commission the CSC has written a recodification that is both comprehensive and non-substantive. Unfortunately, this proposed draft *is* substantive.

Although the bulk of the bill is indeed the CSC's draft, there is an amendment that would allow candidates to "seed" money from their campaigns among their constituency by allowing them to give unlimited amounts to public schools and libraries, and doubles the amount they can give to other charitable organizations. No doubt there are those among you who say, "What's objectionable about allowing this? Certainly our schools and libraries deserve extra funding." Put simply they do, but they deserve to get it properly, through the budget process. That money should be coming from the People of the State of Hawaii, not from a candidate in what could be construed as an attempt to make said schools, libraries and charitable organizations beholden to the candidate. Furthermore, if the donors wished to see their money go to schools, libraries and charitable organizations they are free to donate that money directly. There are members of this committee and the Senate who were witness to former Senator Kawamoto's indictment over just this subject. His misuse of campaign funds to peddle influence was wrong then, and it is wrong now.

Recodification will clarify the law for both candidates and the public. However recodification, when substantive, is not recodification. I propose that this SD1 draft be **amended to remove the clause allowing "seeding" of campaign contributions**. Hawaii needs and deserves a clearer and more understandable campaign finance law, but not at the cost of introducing a substantive amendment that raises numerous questions about conflicts of interest, vote-buying and ethics. Mahalo for your consideration and wisdom.

Seth Corpuz-Lahne