

Honolulu, Hawaii

February 20, 2015

RE: H.B. No. 1183

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1183 entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish a comprehensive public funding program for candidates for the offices of state senator and representative, beginning with the 2016 elections.

This measure also:

- (1) Repeals the eligibility of candidates for state senator and representative for public funds under the existing partial public financing program for election candidates; and
- (2) Appropriates funds to the Campaign Spending Commission to prepare for the public funding of candidates under this measure, including funds for staff support.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Americans for Democratic Action, Open Law Alliance, and nine individuals. The Libertarian Party of Hawaii opposed this measure. The Campaign Spending Commission and the League of Women Voters of Hawaii submitted comments.



Your Committee has amended this measure by replacing the contents of section 1, which establishes the comprehensive public funding program, with similar provisions modeled after the contents of House Bill No. 2533, House Draft 1, 2014. As amended, section 1 of the measure establishes a comprehensive public funding program for candidates for the offices of state senator and representative that, among other things:

- (1) Permits individuals seeking to qualify for public funding to raise seed money of up to \$3,000 to determine their viability as publicly funded candidates;
- (2) Requires candidates for state senate to obtain at least four hundred signatures from registered voters in the district accompanied by a \$5 contribution from each of the signatories to qualify for public funding, and candidates for state representative to obtain at least two hundred signatures with a \$5 contribution from each of the signatories;
- (3) Allows qualifying contributions to be made in cash, in addition to check or money order, and requiring a signed affirmation:
 - (A) Stating that the contribution was made from the contributor's own funds and that nothing of value was received in exchange for the contribution; and
 - (B) Acknowledging that violation of the public funding requirements may result in an administrative fine or criminal prosecution;
- (4) Permits candidates who are certified for public funding to raise supplemental contributions from Hawaii residents of up to \$50 per contributor;
- (5) Requires the Campaign Spending Commission, in each odd-numbered year, to publish notice statewide of whether there is sufficient funding to operate the public funding program in the next general election year;
- (6) Expressly requires publicly funded candidates to comply with all campaign finance laws in addition to the requirements of the comprehensive public funding program; and



- (7) Makes technical amendments for the purposes of clarity, conformity, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1183, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1183, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



