STAND. COM. REP. NO.

Honolulu, Hawaii

FEB 0 9

RE: H.B. No. 656 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 H.B. No. 656 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose of this measure is to exclude:

- Communications on clothing and other attire associated with a candidate's candidate committee from the definition of "advertisement"; and
- (2) Clothing, other attire, yard signs, and sundry items and advertisements made by a candidate or candidate's candidate committee from electioneering communication reporting requirements.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee recognizes the testimony on this measure by the Campaign Spending Commission, who raised in its testimony that articles of clothing are not advertisements and are therefore not electioneering communications. The Campaign Spending Commission

2021-1351 HB656 HD1 HSCR HMS0

STAND. COM. REP. NO. 104 Page 2

additionally testified that yard signs are also not electioneering communications because they are not "broadcast, from a cable, satellite, television, or radio broadcast station; published in any periodical or newspaper or by electronic means; or sent by mail at a bulk rate."

Your Committee has accordingly amended this measure by:

- Deleting the provision excluding communications on clothing and other attire associated with a candidate's candidate committee from the definition of "advertisement";
- (2) Removing communication of a candidate's name on clothing, other attire, and yard signs from the exclusion provisions under the definition of "electioneering communication";
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it choose to deliberate on this measure, to examine the amendments made to this measure and the concerns raised by testifiers on the disclosure requirements for advertisements and electioneering communications.

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 H.B. No. 656, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 656, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

STAND. COM. REP. NO. 104 Page 3

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

ANGUS L.K. MCKELVEY, Chair



State of Hawaii House of Representatives The Thirty-first Legislature HSCR 104

Record of Votes of the Committee on Government Reform

	ee Referral:	Date	1.5.11	
Bill/Resolution No.:Committee Referral:Date:HB456GVR, JHA, FINZ·35·21				
θ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: θ Pass, unamended (as is) θ Pass, with amendments (HD) θ Hold θ 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)				
			an a	
3. CULLEN, Ty J.K.				
4 FLL Stackup K M				
4. ELI, Stacelynn K.M.				
5. ICHIYAMA, Linda			<u>, ng kapatèn ng Mès</u> é	
6. MIZUNO, John M.	7	anterio de la construcción de la co	n in an ann an Ann <u>a an A</u> nna Anna Anna Anna Anna Anna Anna	
7. WOODSON, Justin H.				
8. YAMASHITA, Kyle T.				
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9. WARD, Gene				
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TOTAL (9)	1	る	\aleph	
The recommendation is: θ Adopted θ Not Adopted				
If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				