

**HB-732-HD-1**

Submitted on: 3/13/2023 2:54:54 PM

Testimony for JDC on 3/16/2023 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Daniel Foley	Testifying for Commission to Improve Standards of Conduct	Support	Remotely Via Zoom

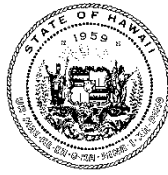
Comments:

Dear Mr. Chairman and members of the Senate Judiciary Committee,

As Chair of the Commission to Improve Standards of Conduct, I support HB 732, HD 1, that would authorize the Campaign Spending Commission to presume that a violation of a campaign spending law has occurred if a respondent fails to explain or otherwise respond to a complaint alleging a campaign spending violation. See Commission's December 1, 2022 Final Report at page 21. This bill would increase the efficiency and effectiveness of the Campaign Spending Commission in enforcing campaign spending laws.

Mahalo, Judge Daniel Foley (ret.)

**KRISTIN E. IZUMI-NITAO**  
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**STATE OF HAWAII**  
**CAMPAIGN SPENDING COMMISSION**

235 SOUTH BERETANIA STREET, ROOM 300  
HONOLULU, HAWAII 96813

March 14, 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 H.B. No. 732, HD1, Relating to Complaints Alleging Violations of Campaign Spending Laws.**

Thursday, March 16, 2023  
10:30 a.m., Conference Room 016 & Videoconference

Thank you for the opportunity to testify on this bill, which was submitted by the Commission to Improve Standards of Conduct ("CISC"). The Campaign Spending Commission ("Commission") supports this bill.

This bill amends Hawaii Revised Statutes ("HRS") §11-403 to treat the respondent's failure to explain or otherwise respond to a complaint as a rebuttable presumption that a campaign finance violation 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.



Committee on Judiciary  
Chair Karl Rhoads, Vice Chair Mike Gabbard

Thursday March 16, 2023, 10:30 am Room 016 & Videoconference  
HB732 HD1 — RELATING TO COMPLAINTS ALLEGING VIOLATIONS OF CAMPAIGN  
SPENDING LAWS.

TESTIMONY

Beppie Shapiro, Legislative Committee, League of Women Voters of Hawaii

Chair Rhoads, Vice Chair Gabbard, and Committee Members:

**The League of Women Voters of Hawaii supports HB732 HD1 which allows the campaign spending commission (CSC) to treat a respondent's failure to explain or otherwise respond to a complaint alleging a violation of campaign spending laws as a rebuttable presumption that a violation has occurred.**

When a candidate for election, a candidate Committee, or a non-candidate Committee, appears to the CSC to have violated one or more of the campaign spending laws, the CSC contacts the responsible party(ies) reporting the apparent violation. If the party(ies) fail to respond, a lot of time and effort can go into the CSC making further attempts to contact them. We all know in our own lives what a hassle it is to try to get a non-responsive person or business to attend to our contacts. HB732 HD1 will allow the CSC to short-cut this time-consuming process by proceeding as if a violation has occurred, subject to the condition that the candidate or Committee involved can rebut this presumption, presumably by submitting further facts or explanations which satisfy CSC that no violation occurred.

Please pass HB732 HD1.

Thank you for the opportunity to submit testimony.

**HB-732-HD-1**

Submitted on: 3/13/2023 3:23:03 PM

Testimony for JDC on 3/16/2023 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
lynne matusow	Individual	Support	Written Testimony Only

Comments:

Another great product of the "Foley Commission" and others. Please support. If you don't respond to a complaint you should pay the price. Ignorance in this case will no longer be bliss.