



STATE OF HAWAII  
CAMPAIGN SPENDING COMMISSION

235 SOUTH BERETANIA STREET, ROOM 300  
HONOLULU, HAWAII 96813

January 30, 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 S.B. No. 467, Proposing an Amendment to Article II of the Constitution of the State of Hawaii.**

Tuesday, January 31, 2023  
10:00 a.m., Conference Room 16 & Videoconference

Thank you for the opportunity to testify on this bill. The Campaign Spending Commission ("Commission") offers the following comments on this bill.

This bill proposes an amendment to Article II of the Constitution of the State of Hawaii proposing the establishment of expenditure limits on "any independent expenditure committee to influence the outcome of a state election." If the intent of this measure is to curb the spending of committees that do not have contribution and expenditure limits (*i.e.*, Super PACs), for clarity, the Commission recommends that the provision in Section 2 be amended as follows:

"Section \_\_\_\_ . Limitations on moneys expended by any ~~independent expenditure committee~~ noncandidate committee making only independent expenditures to influence the outcome of a state election shall be provided by law."<sup>1</sup>

If the intent of this measure is to curb independent expenditures made by all noncandidate committees (except ballot-issue committees), the Commission recommends the following amendment to Section 2:

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<sup>1</sup> See *e.g.*, Hawaii Revised Statutes §11-393.

Testimony of the Campaign Spending Commission

S.B. No. 467, Proposing an Amendment to Article II of the Constitution of the State of Hawaii

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“Section \_\_\_\_ . Limitations on ~~[moneys expended]~~ independent expenditures by any ~~[independent expenditure]~~ noncandidate committee to influence the outcome of a state election shall be provided by law.”

The Commission defers to the Department of the Attorney General regarding the constitutionality of any amendment to Article II.



AMERICANS FOR DEMOCRATIC ACTION

**LATE**

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January 30, 2023

TO: Chair Rhoads and Members of the Judiciary Committee

RE: SB 467 PROPOSING AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF THE STATE OF HAWAII.

Support for a Hearing on Jan 31

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

Americans for Democratic Action Hawaii supports this bill as it would propose an amendment to the Hawai'i State Constitution to allow the Legislature to enact laws establishing limitations on moneys expended by any independent expenditure committee to influence the outcome of a state election. We saw in the last election a hideous amount of money from outside independent expenditure committees spent in our campaigns. Free speech should not be only for those who can afford it.

Thank you for your consideration.

Sincerely,

John Bickel, President

**SB-467**

Submitted on: 1/28/2023 1:43:12 PM

Testimony for JDC on 1/31/2023 10:00:00 AM

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

Comments:

I am in full support. We cannot let special interest groups ramrod elections.

**SB-467**

Submitted on: 1/27/2023 8:58:05 PM

Testimony for JDC on 1/31/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Elections should be Idea or no Vote. No more Mail in Ballots this is so Crooked and now We the people trust no one in the Government!!!!