

From: [G Hooser](#)
To: [Standards of Conduct](#)
Subject: late testimony for todays hearing
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Wednesday, October 19, 2022

COMMISSION TO IMPROVE STANDARDS OF CONDUCT

Judge Daniel R. Foley (Ret.), Chair
Robert D. Harris Kristin E. Izumi-Nitao Janet Mason
Barbara C. Marumoto Nikos Leverenz Florence T. Nakakuni

Testimony

Aloha Judge Foley and Commission,

I am unable to attend todays meeting but did want to forward to you my brief comments and thoughts on the draft bills before you today.

SuperPacs - RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW.

1. The Commission might also consider a basic “filing fee” that escalates according to the amount of money spent or anticipated to be spent by the SuperPac. Only candidate committees would be exempt from such a fee.
2. Require SuperPacs to provide for public review their proposed electioneering materials in advance of the actual commercial dissemination. This would allow all parties the time needed to review for accuracy and respond as may be appropriate. Note – This proposal only involves expanding the existing requirement so that it includes “advance notice” and the provision of an actual copy of the “electioneering communication” to be made public at the time of that notice.
3. I would also encourage the Commission to explore instituting a tax on the point of sale for all purchases of media or campaign related services/materials - made by all persons/entities other than candidate committees. This would be similar to a tax on alcohol, tobacco, gasoline etc. The proceeds of the tax could be dedicated to funding publicly funded elections.

Two ticket purchase ban - RELATING TO CANDIDATE COMMITTEE EXPENDITURES.

This is absolutely needed and will put a halt to the abuse of holding “faux” fundraisers just to provide the opportunity for incumbents who have large bank accounts and or who are running unopposed - and use there excess campaign funds to finance an associates campaign.

RELATING TO PRELIMINARY DETERMINATION OF PROBABLE CAUSE.

No substantive comment. Proposal sounds reasonable and necessary

RELATING TO PUBLIC RECORDS.

No substantive comment. Reducing the cost and making public record access easier for the public is a good thing.

Expanding prohibition of state and county contractors, family etc - RELATING TO CAMPAIGN CONTRIBUTIONS.

No substantive comment. Proposal sounds like it closes a significant loophole.

Eliminating the financial minimum threshold - RELATING TO CANDIDATE COMMITTEE AND NONCANDIDATE COMMITTEE FUNDRAISERS.

Proposal sounds like it closes a significant loophole. It does get complicated when an “event” is held without a ticket price or suggested donation, but during the event a host or the candidate or someone “makes a plea for financial help”...I am guessing this would not be required to be noticed as a fundraising because “the primary purpose” is a rally and not a fundraiser. Experienced fundraising professionals will teach that the secret to raising money is just to ask people for it. **Perhaps, if there is any explicit fundraising ask by any person representing the campaign during the event, then it will be considered a fundraiser?**

Failure to file organizational report -RELATING TO CANDIDATE COMMITTEE AND NONCANDIDATE COMMITTEE ORGANIZATIONAL REPORTS.

No substantive comment. Proposal sounds reasonable and necessary

Failure to respond to a complaint - RELATING TO COMPLAINTS ALLEGING VIOLATIONS OF CAMPAIGN SPENDING LAWS.

No substantive comment. Proposal sounds reasonable and necessary

RELATING TO CAMPAIGN SPENDING COMMISSION ORDERS.

No substantive comment. Proposal sounds necessary

\$100 cash limit - RELATING TO CAMPAIGN SPENDING CASH CONTRIBUTIONS

No substantive comment. Proposal sounds reasonable and necessary

Permitted uses - RELATING TO CAMPAIGN FUNDS

This change is important and necessary. Too many candidates will utilize contributions to nonprofits as a way to essentially buy votes and support. While it may seem to be a worthy use of campaign funds it is far too easy to abuse this option to curry favor with what are often major community institutions/organizations. Campaign funds should be used for direct campaign expenses only.

Banning soliciting or accepting campaign contributions during the legislative session RELATING TO CAMPAIGN CONTRIBUTIONS.

This change is important and necessary.

Regards,

Gary Hooser