

Honolulu, Hawaii

March 19, 2008

RE: S.B. No. 2579  
S.D. 2  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2579, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this bill is to:

- (1) Establish new penalties for failing to file required campaign spending reports or for filing substantially defective or deficient reports; and
- (2) Provide that campaign spending penalties and fines shall be deposited into the general fund rather than the Hawaii election campaign fund.

A member of the Hawaii County Council testified in support of this bill. The Campaign Spending Commission, The League of Women Voters of Hawaii, and Americans for Democratic Action Hawaii provided comments.

Your Committee has amended this bill by:

- (1) Clarifying that the new penalties prescribed by this measure apply to violations by all committees, rather than just a candidate's committee; and



- (2) Conforming present statutory language to reflect the new penalty provisions of this measure.

Your Committee is also mindful that requiring campaign spending penalties or fines to be deposited into the general fund might result in a non-sustainable loss of income for the Hawaii Election Campaign Fund. Therefore, your Committee has further amended this measure by inserting language that increases from \$2 to \$3, the check-off amount on state income tax returns that may be paid from an individual taxpayer's liability into the Hawaii Election Campaign Fund.

Finally, your Committee has also amended this bill by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, 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 S.B. No. 2579, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2579, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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

  
\_\_\_\_\_  
TOMMY WATERS, Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

HSC 1219-08

**Record of Votes of the Committee on Judiciary**

<b>Bill/Resolution No.:</b> SB2579, SD2 (SSCR2832)	<b>Committee Referral:</b> JUD	<b>Date:</b> 03-11-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. WATERS, Tommy (C)				X
2. OSHIRO, Blake K. (VC)	X			
3. EVANS, Cindy	X			
4. GREEN, Josh, M.D.	X			
5. ITO, Ken				X
6. LUKE, Sylvia	X			
7. McKELVEY, Angus L.K.	X			
8. MORITA, Hermina M.				X
9. SONSON, Alex M.	X			
10. SOUKI, Joseph M.	X			
11. TSUJI, Clift	X			
12. YAMANE, Ryan I.				X
13. YAMASHITA, Kyle T.	X			
14. MARUMOTO, Barbara C.	X			
15. PINE, Kymberly Marcos	X			
16. THIELEN, Cynthia	X			
<b>TOTAL (16)</b>	12	0	0	4
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b> _____				
<b>Distribution:</b> Original (White) – Committee     Duplicate (Yellow) – Chief Clerk's Office				