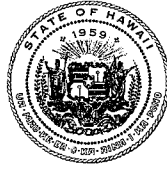


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STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION
235 SOUTH BERETANIA STREET, ROOM 300
HONOLULU, HAWAII 96813

February 6, 2008

TO: The Honorable Brian Taniguchi
The Honorable Clayton Hee
Members of the Senate Committee on Judiciary and Labor

FROM: Barbara U. Wong, Executive Director *BW*
Campaign Spending Commission

SUBJECT: Testimony on S.B. No. 3140, Relating to Campaign Spending

Wednesday, February 6, 2008
9:00 a.m. in Conference Room 016

Chair Taniguchi, Vice-Chair Hee, and Members of the Senate Committee on Judiciary and Labor, thank you for the opportunity to testify on this bill.

The Campaign Spending Commission ("Commission") is authorized to issue advisory opinions, pursuant to Hawaii Revised Statutes ("HRS") §11-193(a) (15) "as to whether the facts and circumstances of a particular case constitute or will constitute a violation of the campaign spending laws."

This bill proposes to amend the law to specify that "Nothing in this section shall be construed to allow the commission to issue rules through an advisory opinion."

We are opposed to this bill.

- The bill proposes to add superfluous language. There is no apparent policy reason for the bill as the Commission does not issue rules through advisory opinions.
- HRS § 91-3 already specifies the "[p]rocedure for adoption, amendment, or repeal of rules."

The Twenty-Fourth Legislature
Regular Session of 2008

LATE

THE SENATE
Committee on Judiciary and Labor
Senator Brian T. Taniguchi, Chair
Senator Clayton Hee, Vice Chair

State Capitol, Conference Room 016
Wednesday, February 6, 2008; 9:00 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 3140
RELATING TO CAMPAIGN SPENDING**

The ILWU Local 142 supports S.B. 3140, which clarifies that the Campaign Spending Commission shall not issue rules through the issuance of an advisory opinion.

We understand that an advisory opinion rendered by the Campaign Spending Commission is an interpretation of the campaign spending law. If such an advisory is then transformed into a rule without a public hearing or an amendment of the law, then it appears that the Campaign Spending Commission would be overstepping its authority and legislative intent. This should not be permitted.

The ILWU urges passage of S.B. 3140 to clarify the Commission's authority. Thank you for the opportunity to provide testimony on this matter.

LATE

Isaac W. Choy, CPA
2733 E. Manoa Road
Honolulu, Hawaii 96822

Before the Committee on Judiciary and Labor
Wednesday, February 6, 2008 at 9:00am ✓
Conference Room 016

Support of SB 3140

Chair Taniguchi, Vice Chair Hee and other committee members.

I am testifying in favor of this legislation.

The rules making process is another way that the public can voice its comments and provide input. The process has safeguards to restrict law making via rules. It is a long and lengthy process to give everyone a chance to look at the rule and hopefully avoid any unintended consequences. Therefore I support this bill.

Thank you for this opportunity to testify

Respectfully submitted.

Isaac W. Choy, CPA