

Honolulu, Hawaii

April 30, 2009

RE: H.B. No. 128
H.D. 1
S.D. 1
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 128, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to update, organize, and clarify, as well as make minor substantive amendments to, current campaign finance laws.

Your Committee on Conference notes that this measure does not revise current substantive law regarding contribution limits to candidate committees or noncandidate committees; the language in this measure is identical to that currently codified in HRS 11-204(a) and 11-204(b). Your Committee on Conference does not consider it prudent to address new or clarified limitations on such contributions at this time due to pending appellate judicial review



of *Charmaine Tavares Campaign v. Barbara U. Wong* by the Intermediate Court of Appeals.

Your Committee on Conference has amended this bill by:

- (1) Amending certain definitions for clarity and consistency;
- (2) Restricting the limitation on contributions by contractors with the State to contributions by non-bid contractors only;
- (3) Allowing for pro-rata attribution of contributions by partnerships and limited liability companies considered as partnerships by the Internal Revenue Service among the partners or members;
- (4) Specifying the manner in which contributions by partnerships and limited liability companies will be treated;
- (5) Increasing the limit on contributions by non-residents from 20 percent to 30 percent of the total contribution received by a candidate or candidate committee for each election period;
- (6) Providing that campaign funds to be used for donations to public schools or public libraries are subject to limitations similar to those for donations to community service or educational organizations already allowed under current law;
- (7) Specifying that each candidate who qualified for the maximum amount of public funding in any primary election and who is a candidate for a subsequent general election must apply with the Campaign Spending Commission to be qualified to receive the maximum amount of public funds; and
- (8) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 128, H.D. 1, S.D. 1, as amended herein, and recommends that



it pass Final Reading in the form attached hereto as H.B. No. 128,
H.D. 1, S.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE


BRIAN T. TANIGUCHI, Chair


JON RIKI KARAMATSU, Co-Chair


BLAKE K. OSHIRO, Co-Chair



