

STAND. COM. REP. NO.

2510

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2251
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2251 entitled:

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

begs leave to report as follows:

The purpose of this measure is to update, organize, and clarify current campaign financing laws.

Testimony in support of the measure was submitted by one state organization. Testimony in support, with comments, was submitted by three private organizations. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that the campaign finance laws, codified in chapter 11, subpart B of part XII, Hawaii Revised Statutes, are unorganized, difficult to read, and inconsistent in some areas, due to the numerous amendments that have been made to these laws over the past thirty-six years. Your Committee also notes that the measure as received is based on and is substantially similar to H.B. No. 128, C.D. 2 (2009), which was passed by the 2009 Legislature, but was subsequently vetoed by the Governor. The Campaign Spending Commission has since met with the Governor's staff to discuss the reasons for the veto. The Commission submitted testimony that two concerns remained unaddressed after these discussions: the number of nominees from which to select commissioners, and the exception of competitively bid contracts from the campaign contribution prohibition. When preparing S.B.



2251, the Commission addressed both of these concerns and also made additional changes and amendments, as set forth in their testimony.

Your Committee believes that the recodification of the campaign spending laws is important and that any additional changes to S.B. No. 2251, although sensible, may only serve to delay the recodification by creating additional points of concern for the Governor.

Your Committee has amended this measure by:

- (1) Replacing its contents, except as set forth below, with the contents of H.B. No. 128, C.D. 2 (2009). The exceptions are as follows:
 - (A) Replacement of the provision regarding the number of candidates from which the Governor may select commissioners in the event of a vacancy with the provision from S.B. No. 2251, which addresses the Governor's concerns; and
 - (B) Replacement of the provision regarding the prohibition on contributions from state and county contractors with the provision from S.B. No. 2251, which addresses the Governor's concerns; and
- (2) Making technical, nonsubstantive changes for purposes of style, consistency, and clarity.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2251, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2251, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,



BRIAN T. TANIGUCHI, Chair



