

STAND. COM. REP. NO.

1123

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 257
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 257, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to amend the
campaign finance laws by, among other things:

- (1) Regulating automated phone calls by including them
within the definition and regulation of advertisements;
- (2) Changing report filing deadlines;
- (3) Requiring that a supplemental report be filed by
candidate committees in non-election years;
- (4) Adding specified fines for the late filing or failure to
file organizational reports, an electioneering
communications statement, a notice of intent to hold a
fundraiser, and an expenditure of public funds report
when required by law;
- (5) Adding a cap of an unspecified amount on the price of
fundraiser tickets that may be purchased with campaign
funds;



- (6) Applying notice and disclaimer requirements to an advertisement that is not paid for by an independent party; and
- (7) Repealing the tax deduction for qualifying contributions to a candidate who files an affidavit regarding public funds.

Your Committee received testimony in support of this measure from the Campaign Spending Commission. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that the campaign finance laws, codified at chapter 11, part XIII, Hawaii Revised Statutes, were passed by the Legislature in 2010. This measure clarifies and makes substantive changes to some of these laws. Your Committee believes that these amendments are reasonable and necessary to improve transparency and accountability in the election and campaign financing systems.

Among other things, this measure adds a supplemental reporting requirement for candidate committees in non-election years. Your Committee believes that the current method of reporting for candidate committees is sufficient to adequately inform the public of candidate committee activities. Your Committee also notes that another measure that was referred to and heard by your Committee, H.B. No. 258, H.D. 1, adds an additional preliminary report filing deadline on September 30 of each election year in order to align the filing deadlines for candidate committee reports with the earlier primary election date established during the 2010 legislative session to conform with federal law. Your Committee believes that the inclusion of a September 30 preliminary reporting requirements is a logical amendment to this measure.

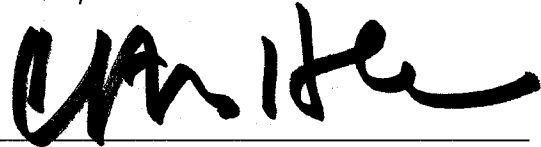
Your Committee has amended this measure by:

- (1) Adding the supplementary September 30 preliminary report filing requirement from H.B. No. 258, H.D. 1;
- (2) Deleting the non-election year supplemental candidate committee reporting requirement; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 257, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 257, H.D. 2, 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
Labor,

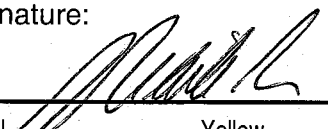


CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 257, HD2	Committee Referral: JDL	Date: 3/28/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam				✓
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes