

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 2700
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2700 entitled:

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

begs leave to report as follows:

The purpose of this measure is to amend the Comprehensive Public Funding Pilot Project for Elections to the Hawaii County Council by, among other things:

- (1) Clarifying requirements for matching payments for qualified small dollar amounts;
- (2) Expanding the qualifying period to November 15 of the year prior to the general election, as well as the period of time a candidate may seek comprehensive public funding for a primary election;
- (3) Raising the pilot project ceiling to \$350,000;
- (4) Clarifying how the base amount of public funding shall be calculated;
- (5) Replacing the term "equalizing funds" with "matching payment for qualified small dollar contributions"; and
- (6) Repealing the requirement of a minimum fund amount.



The League of Women Voters, Americans for Democratic Action/Hawaii, Common Cause, and numerous concerned individuals testified in support of this measure. The Campaign Spending Commission testified in opposition to this measure. Voter Owned Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the term "participating candidate" to "certified candidate";
- (2) Adding a specific pre-condition that a candidate must demonstrate that the candidate's campaign account has a balance of less than \$2,000 to be eligible for matching payments for qualified small dollar contributions;
- (3) Extending the period of time within which the Campaign Spending Commission has to distribute funds from five days after receipt of a report of receipts of qualified small dollar contributions to 20 days after receipt;
- (4) Specifying that reports of receipts of qualified small dollar contributions shall be filed no more frequently than once every 14 calendar days;
- (5) Requiring qualified small dollar contributions to be made in the form of check or money order payable to the Hawaii Election Campaign Fund to conform with other provisions for public funding;
- (6) Changing the beginning date for the "qualifying period" to September 5;
- (7) Deleting the provision extending the time period for collecting qualifying contributions;
- (8) Adding language clarifying how to calculate base amounts in the event that there was no county council general election in the previous two election periods;
- (9) Adding a new subsection explicitly granting the Campaign Spending Commission the authority to adjust base amounts after a redistricting, using proportional methodology;
- (10) Changing the effective date to January 7, 2059, to promote further discussion of this measure; and



- (11) 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 H.B. No. 2700, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2700, H.D. 1, and be referred to the Committee on Finance.

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




GILBERT KEITH-AGARAN, Chair



HSCR576-12

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: <u>HB 2700</u>	Committee Referral: <u>JUD, FIN</u>	Date: <u>2/9/12</u>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <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. KEITH-AGARAN, Gilbert S.C. (C)	✓			
2. RHOADS, Karl (VC)	✓			
3. BROWER, Tom	✓			
4. CABANILLA, Rida T.R.				✓
5. CARROLL, Mele	✓			
6. COFFMAN, Denny				✓
7. HERKES, Robert N.	✓			
8. ITO, Ken	✓			
9. LUKE, Sylvia	✓			
10. McKELVEY, Angus L.K.	✓			
11. SOUKI, Joseph M.				✓
12. TSUJI, Clift	✓			
13. FONTAINE, George R.	✓			
14. MARUMOTO, Barbara C.	✓			
15. THIELEN, Cynthia	✓			
TOTAL (15)	12	0	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <u></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				