

# SB 2566

## **RELATING TO CAMPAIGNS**

*Description:*

Clarifies that public contractors are prohibited from making a campaign contribution during the duration of the contract by requiring all public contractors to explicitly agree through a provision in their public contracts to be subject to the prohibition and penalties for any violations.

KRISTIN IZUMI-NITAO  
EXECUTIVE DIRECTOR



PHONE: (808) 586-0285  
FAX: (808) 586-0288  
www.hawaii.gov/campaign

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

February 6, 2012

**TO:** The Honorable Will Espero, Chair  
Senate Committee on Public Safety, Government Operations,  
and Military Affairs

The Honorable Michelle N. Kidani, Vice Chair  
Senate Committee on Public Safety, Government Operations,  
and Military Affairs

Members of the Senate Committee on Public Safety, Government  
Operations, and Military Affairs

**FROM:** Kristin Izumi-Nitao, Executive Director *KIN*  
Campaign Spending Commission

**SUBJECT:** Testimony on S.B. No. 2566, Relating to Campaign Reporting Laws

Tuesday, February 7, 2012  
2:45 p.m., Conference Room 224

Thank you for the opportunity to testify on this bill. The Campaign Spending Commission ("Commission") supports the intent of the bill. The bill amends Hawaii Revised Statutes §§11-355 and 103D-101 to require that public contracts include a provision that a person entering into a contract agrees to be subject to the prohibitions of §11-355 (contractors' ban). The Commission notes that the state General Conditions for state contracts, drafted by the Department of the Attorney General, already contains a provision that reads:

"Campaign Contributions. The CONTRACTOR is hereby notified of the applicability of 11-205.5, HRS<sup>1</sup>, which states that campaign contributions are prohibited from specified state or county government contractors during the terms of their contracts if the contractors are paid with funds appropriated by a legislative body."

---

<sup>1</sup> The Department of the Attorney General is aware that the reference to §11-205.5 in the General Conditions needs to be changed to §11-355.

The Honorable Will Espero  
Testimony on SB 2566  
February 6, 2012  
Page 2

Paragraph 41 of the General Conditions. Thus, the Commission submits that the bill is redundant since the Attorney General's office is already requiring acknowledgement of the contractors' ban in the General Conditions for state contracts.