

KRISTIN E. 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, ROOM 300
HONOLULU, HAWAII 96813

March 11, 2013

TO: The Honorable Karl Rhoads, Chair
House Committee on Judiciary

The Honorable Sharon E. Har, Vice Chair
House Committee on Judiciary

Members of the House Committee on Judiciary

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

SUBJECT: **Testimony on S.B. No. 30, S.D. 1, Relating to Campaign Spending**

Tuesday, March 12, 2013
2:00 p.m., Conference Room 325

Thank you for the opportunity to provide testimony on this bill. The Campaign Spending Commission ("Commission") supports this bill and urges the Committee to pass the bill.

Section 1 of the bill amends HRS §11-423 (voluntary expenditure limits; filing affidavit) by amending subsection (b) to require candidates to file the affidavit to abide by statutory expenditure limits no later than the time to file nomination papers. This timeline is contained in HRS §12-6(e)¹ and was provided for in the prior campaign spending law (HRS §11-208(c) (2009 Replacement)). This would allow Commission staff to better implement the partial public financing program and achieve compliance with state election laws.

The bill also amends subsection (d) by adding "prosecuting attorney" to paragraph (4). Thus, the prosecuting attorney, along with state senators, state representatives, and county council members participating in the partial public financing program would be able to spend \$1.40 multiplied by the number of registered voters in the voting district. This amendment reinstates language deleted by Act 203, Sess. Laws Haw. (2005). This deletion forced the Commission to place the prosecuting attorney in the "all other offices" category of spending

¹ HRS §12-6(e) provides, "Upon the showing of a certified copy of an affidavit which has been filed with the campaign spending commission pursuant to section 11-208 by a candidate who has voluntarily agreed to abide by spending limits, the chief election officer or clerk shall discount the filing fee of the candidate by the following amounts: (1) For the office of the governor and lieutenant governor -- \$675; (2) For the office of mayor -- \$450; and (3) For all other offices -- \$225."

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limit, *i.e.*, 20 cents multiplied by the number of registered voters in the voting district. This seems unreasonable given the fact that the prosecuting attorney is a county-wide office. For example, under current law, the expenditure limit for the Honolulu Prosecuting Attorney for the 2012 elections was \$81,560 while the expenditure limit for the Honolulu Mayor was \$815,602. The expenditure limit for the Hawaii County Prosecuting Attorney for the 2012 elections was \$17,978 while the expenditure limit for the Hawaii County Mayor was \$179,776. Finally, the expenditure limit for the Kauai County Prosecuting Attorney for the 2012 elections was \$7,167 while the expenditure limit for the Kauai County Mayor was \$71,672.

Section 1 of this bill is also section 9 of H.B. No. 201, H.D. 1, which has been passed by the House and has crossed over to the Senate.