

JAN 22 2016

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# A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1       SECTION 1. Section 11-314, Hawaii Revised Statutes, is  
2 amended to read as follows:

3       "§11-314 Duties of the commission[-]; operating expenses.

4       (a) The duties of the commission under this part are to:

5           (1) Develop and adopt forms required by this part;

6           (2) Adopt and publish a manual for all candidates,  
7 candidate committees, and noncandidate committees,  
8 describing the requirements of this part, including  
9 uniform and simple methods of recordkeeping;

10          (3) Preserve all reports required by this part for at  
11 least ten years from the date of receipt by the  
12 commission;

13          (4) Permit the inspection, copying, or duplication of any  
14 report required by this part pursuant to rules adopted  
15 by the commission under chapter 91; provided that this  
16 paragraph shall not apply to the sale or use of  
17 information under section 11-344;



- 1           (5) Ascertain whether any person has failed to file a  
2           report required by this part or has filed a  
3           substantially defective or deficient report. The  
4           commission shall notify the person by first class mail  
5           that a fine may be assessed for the failure to file or  
6           the filing of a substantially defective or deficient  
7           report, and the defective or deficient report shall be  
8           corrected and explained. All fines collected under  
9           this section as authorized by sections 11-340 and 11-  
10          410 shall be deposited in the general fund of the  
11          State;
- 12          (6) Hold public hearings;
- 13          (7) Investigate and hold hearings for receiving evidence  
14          of any violations pursuant to subpart I of this part;
- 15          (8) Adopt rules pursuant to chapter 91;
- 16          (9) Request the initiation of prosecution for the  
17          violation of this part pursuant to section 11-411;
- 18          (10) Administer and monitor the distribution of public  
19          funds under this part;



1 (11) Suggest accounting methods for candidates, candidate  
2 committees, or noncandidate committees in connection  
3 with reports and records required by this part;

4 (12) Employ or contract with, without regard to chapters  
5 76, 78, and 89, persons it finds necessary for the  
6 performance of its functions, including a full-time  
7 executive director, and to fix their compensation;  
8 provided that the commission shall have the authority,  
9 at its discretion, to dismiss persons employed by or  
10 contracted with the commission;

11 (13) Conduct random audits and field investigations, as  
12 necessary; and

13 (14) File for injunctive relief when indicated.

14 (b) The operating expenses of the commission, including  
15 staff salaries and fringe benefits, shall be paid from general  
16 revenues of the state."

17 SECTION 2. Section 11-421, Hawaii Revised Statutes, is  
18 amended by amending subsection (c) to read as follows:

19 "(c) Moneys in the fund shall be paid to candidates by the  
20 comptroller as prescribed in section 11-431 [~~and may be used for~~]



1 the commission's operating expenses, including staff salaries  
2 and fringe benefits]."

3 SECTION 3. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ or so much  
5 thereof as may be necessary for fiscal year 2016-2017 for the  
6 campaign spending commission's operating expenses, including  
7 staff salaries and fringe benefits.

8 The sum appropriated shall be expended by the campaign  
9 spending commission for the purposes of this Act.

10 SECTION 4. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 5. This Act shall take effect on July 1, 2016.

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INTRODUCED BY: ~~DC. Richards~~  
Matt L  
Michelle Sedani  
Mike Gakhan  
Cherise & Nicholas  
Ed Rive



# S.B. NO. 2438

**Report Title:**

Campaign Finance; Campaign Spending Commission; Operating Expenses

**Description:**

Replaces the Hawaii election campaign fund with the general revenues of the State as the funding source for the operating expenses of the campaign spending commission. Appropriates moneys to the commission for operating expenses.

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