

STAND. COM. REP. NO.

1075

Honolulu, Hawaii

MAR 24 2017

RE: H.B. No. 279
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 279, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS AND
EXPENDITURES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Distinguish between expenditures or disbursements for electioneering communications or any other coordinated activity in cooperation, consultation, in concert with, or at the request or suggest of a candidate, candidate committee, of their agents and the financing of the dissemination, distribution, and republication of a candidate's campaign material, by separating these two provisions into separate subsections under section 11-363, Hawaii Revised Statutes; and
- (2) Specify instances where the financing of the dissemination, distribution, or republication of a candidate's campaign material is not a contribution to that candidate.

Your Committee received testimony in support of this measure from the Campaign Spending Commission.



Your Committee finds that by separating the provisions relating to the expenditures or disbursements for electioneering communications or any other coordinated activity and the financing of the dissemination, distribution, and republication of a candidate's campaign material, this measure clarifies the types of activities or instances that would result in a contribution to and an expenditure by a candidate or a contribution to that candidate, respectively. These activities or instances would be required to be reported accordingly.

Your Committee has amended this measure by clarifying that the incorporation of material into an advertisement or electioneering communication is not a contribution to the candidate if the material was incorporated by a different candidate, or by a noncandidate committee, advocating the defeat of the candidate that originally prepared the material.

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. 279, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 279, H.D. 1, 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,



GILBERT S.C. KEITH-AGARAN, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 279 HD1	Committee Referral: JDL	Date: 3/15/17		
<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
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes