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**STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION**

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January 31, 2017

TO: The Honorable Gilbert S.C. Keith-Agaran, Chair
Senate Committee on Judiciary and Labor

The Honorable Karl Rhoads, Vice Chair
Senate Committee on Judiciary and Labor

Members of the Senate Committee on Judiciary and Labor

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

SUBJECT: **Testimony on S.B. No. 309, Relating to Elections**

Thursday, February 2, 2017
9:00 a.m., Conference Room 016

Thank you for the opportunity to testify on this bill.¹ Staff of the Campaign Spending Commission (“Commission”) offer its comments on this bill.² Staff opposes this bill. This bill would amend Hawaii Revised Statutes (“HRS”) §11-341 by exempting candidate committees from filing statements of information for electioneering communications where the communication contains the advertisement disclaimer required by HRS §11-391.

HRS §11-341 is a disclosure law that ensures transparency in political spending. HRS §11-341 requires a candidate committee to file a statement of information within twenty-four hours after the disclosure date of an electioneering communication. Although HRS §11-333 and §11-334 require candidates to file periodic disclosure reports, these reports do not contain the same information that would appear in a statement of information for electioneering communication. For example, HRS §11-341(b)(6) requires the disclosure of the names and addresses of persons who contributed to the candidate committee for the purpose of publishing or

¹ The companion bill is H.B. 1399.

² The Commission will consider this measure at its February 15, 2017 meeting. At that time, staff will present its recommendations on this bill to the Commission.

broadcasting of the communication. HRS §11-341(b)(8) requires the identification of any coordinated expenditures in the making and distribution of the electioneering communication. HRS §11-391 also does not provide for the disclosure of this information. This information is essential for the public. This measure will reduce transparency in the political process.

For these reasons, staff opposes this bill and requests that it be held by this Committee.