

STAND. COM. REP. NO. 710

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 439
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
S.B. No. 439 entitled:

"A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that
increased fines may apply if a noncandidate committee fails to
timely file a second preliminary general report with the Campaign
Spending Commission.

Your Committee received testimony in support of this measure
from the Campaign Spending Commission, Common Cause Hawaii, and
one individual.

Your Committee finds that Act 79, Session Laws of Hawaii
2015, required noncandidate committees to file an additional
preliminary report by October 1 of the year of a general election.
This measure makes conforming amendments to make the late filing
of a second preliminary general report by noncandidate committees
subject to a fine of \$300 per day, which matches the fine imposed
on candidate committees that are late in filing preliminary
reports.

Your Committee has amended this measure by:



- (1) Clarifying that the monetary fine shall be a maximum of \$300 per day, provided that in the aggregate the fine shall not exceed twenty-five percent of the total amount of contributions or expenditures and a minimum fine of \$300, rather than the aggregate amount only applying to the percentage of the total amount of contributions or expenditures;
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 S.B. No. 439, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 439, 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.:* SB 439	Committee Referral: JDL	Date: 2/27/17		
<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