

STAND. COM. REP. NO.

646

Honolulu, Hawaii

MAR 02 2017

RE: S.B. No. 440
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 Ways and Means, to which was referred S.B. No. 440, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the fines imposed by the Campaign Spending Commission.

Specifically, the measure:

- (1) Increases the fine amounts imposed on a noncandidate committee that makes only independent expenditures and either receives certain contributions or makes a certain amount of expenditures in an election period;
- (2) Authorizes the Campaign Spending Commission to order a person who violates campaign finance laws to pay for costs of investigative services and bank fees for the production of subpoenaed documents incurred by the Commission due to the violation; and
- (3) Requires that any costs recovered by the Campaign Spending Commission be deposited into the Hawaii election campaign fund.



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

Your Committee finds that increasing the maximum fine amounts that may be assessed against noncandidate committees making only independent expenditures, also known as political action committees or Super PACs, will not only address inflation, but also more effectively deter these entities from violating campaign finance laws. Your Committee also finds that allowing the Campaign Spending Commission to recover from violators the investigative costs and fees incurred in an enforcement action, and depositing the recovered moneys into the Hawaii election campaign fund, will improve the fund's sustainability and, consequently, the State's ability to provide partial public financing of political campaigns by eligible candidates.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 440, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

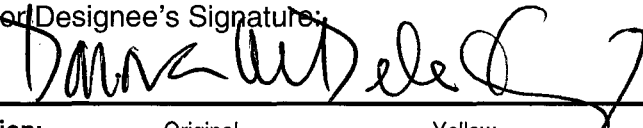


JILL N. TOKUDA, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 440, SDI	SDL, WAM	2/22/17		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood	/			
HARIMOTO, Breene	/			
INOUE, Lorraine R.	/			
KAHELE, Kaiali'i	/			
RIVIERE, Gil	/			
SHIMABUKURO, Maile S.L.	/			
TANIGUCHI, Brian T.	/			
WAKAI, Glenn	/			
TOTAL	11			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes