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**STATE OF HAWAII**  
**CAMPAIGN SPENDING COMMISSION**

235 SOUTH BERETANIA STREET, ROOM 300  
HONOLULU, HAWAII 96813

February 21, 2018

TO: The Honorable Scott Y. Nishimoto, Chair  
House Committee on Judiciary

The Honorable Joy A. San Buenaventura, Vice Chair  
House Committee on Judiciary

Members of the House Committee on Judiciary

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

SUBJECT: **Testimony on H.B. No. 2247, Relating to Campaign Finance**

Thursday, February 22, 2018  
2:00 p.m., Conference Room 325

Thank you for the opportunity to testify on this bill. The Campaign Spending Commission ("Commission") offers the following comments on this bill.

The Commission questions the need for this measure. This bill amends Hawaii Revised Statutes ("HRS") §11-391(a) by requiring that the disclaimer requirement contained in that provision be applied to advertisements published "digitally or through the Internet or online social media." HRS §11-391(a) already applies to advertisements that are published through "electronic means." The Commission believes that publishing or communicating through electronic means includes advertisements published digitally or through the Internet or online social media; thus, the disclaimer on social media advertisements currently applies.

**HB-2247**

Submitted on: 2/20/2018 2:03:40 PM

Testimony for JUD on 2/22/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Benton Kealii Pang, Ph.D.	Individual	Support	No

Comments:



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**LATE**

**Written Testimony of TechNet  
Presented for the Record to  
House Judiciary Committee  
February 22, 2018  
Re: House Bill 2247**

Dear Chair Nishimoto, Vice Chair San Buenaventura and Members of the Judiciary Committee:

Thank you very much for this opportunity to testify on House Bill 2247, Relating to Campaign Finance.

On behalf of TechNet and our member companies, I respectfully request the House Judiciary Committee, hold the above bill and solicit further information from the affected industries before acting on this bill.

TechNet is the bipartisan policy and political network of CEOs and senior executives that promotes the innovation economy. Our membership includes dynamic start-ups to the most iconic companies on the planet.

The request to hold this bill is based on the following concerns:

1. This bill is entitled "Relating to Campaign Finance" and yet the introduction set forth in Section 1, describes the purpose of this bill as intending to address recent reports by government agencies describing actions by rogue entities which appear to represent foreign governments which have utilized social media, under false names and pretenses to encourage social discord on divisive societal issues, in support of one or more political candidates friendly to such governments. Thus the real nature and purpose of this bill has nothing to do with campaign finance, but an attempt to limit action which is already illegal.
2. The section of the Hawaii Revised Statutes sought to be amended by this bill is Section 11-391, HRS. This specific statute regulates "[A]ny advertisement" that is ...otherwise communicated, including by *electronic* or digital means [,] or through the Internet or online social media, shall...."

The addition of this proposed amendment does nothing to further the goal of preventing the false and illegal use of social media to encourage social discord. The reference to "digital means" and the inclusion of the reference to the use of the "internet" or "online social media" are already captured by the use of the term "electronic" means.

Moreover the reference to "internet or online social media" to this prohibition does not address the root of the problem which is the attempt by foreign actors to spread disinformation and encourage social divide by making specious arguments or reports and by creating false information. This statute regulates "advertisements". The type of statements or reports or vignettes being circulated to falsely influence people, is not being disseminated by way of "advertisements".

As well intended as this bill is, it appears this effort needs further refinement to correctly address the issues being raised by recent events, and perhaps more testimony and investigation before new laws are created which may not address the real concern.

For these reasons, TechNet respectfully requests the proposed amendment to HRS Sec 11-391 be held in committee for further review and discussion. I can be reached at [lbennett@technet.org](mailto:lbennett@technet.org) should you have any questions regarding our request.

Sincerely,



Executive Director