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STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION

235 SOUTH BERETANIA STREET, ROOM 300
HONOLULU, HAWAII 96813

March 15, 2019

TO: The Honorable Chris Lee, 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 ^{T.B.} For
Campaign Spending Commission

SUBJECT: **Testimony on S.B. No. 728, SD 1, HD 1 Relating to the Office of Hawaiian Affairs**

Monday, March 18, 2019
2:05 p.m., Conference Room 325

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

Section 1 of this bill amends Hawaii Revised Statutes ("HRS") §11-425 by deleting the current maximum amount of public funds available for candidates running for the office of Hawaiian affairs ("OHA") of \$1,500 in any election year and replaces this by increasing the maximum amount to fifteen percent of the OHA expenditure limit established in Hawaii Revised Statutes ("HRS") §11-423 for each election. Thus, if this bill were to go into effect for the 2020 elections, the maximum amount of public funding available to OHA candidates will increase from \$1,500 in any election year to \$21,383 per election and will be funded from the Hawaii Election Campaign Fund ("HECF")¹. This is a significant increase under this bill.

Section 2 of this bill also provides for an amendment to HRS §11-429 by increasing the minimum amount of qualifying contributions that must be raised by OHA candidates from the current \$1,500 to an unspecified amount. Under HRS §11-302, a qualifying contribution is defined as an aggregate monetary contribution of \$100 or less by an individual Hawaii resident during a matching payment period. Candidates will not qualify for any public funding until they

¹ The current balance of the HECF is \$969,390.03.

can raise this minimum amount in qualifying contributions. The Commission supports an increase in the minimum amount and suggests an amount of \$5,000 or an amount that would make it competitive but not out of reach for an OHA candidate interested in participating in the public funding program.

Since the inception of the public funding program in the 1980 election, the Commission has disbursed over \$4 million in public funding to qualified candidates and only 15 OHA candidates have taken advantage of this voluntary program receiving a total amount of \$10,950.



SB728 SD1 HD1
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS
House Committee on Judiciary

March 18, 2019

2:05 p.m.

Room 325

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on SB728 SD1 HD1, which would increase the maximum amount of public funds available to each candidate running for the OHA Board of Trustees.

OHA appreciates that SB728 SD1 HD1 would raise the amount of public campaign funding that OHA Board of Trustee candidates would be eligible to receive; however, OHA does note that other candidates running statewide campaigns are eligible to receive substantially more public funds.

Under Section 13D-1, Hawai'i Revised Statutes, all nine OHA Trustees are elected at-large by all qualified voters in the state. Similar to other statewide offices, considerable resources may therefore be required for an OHA Trustee candidate to run a viable statewide campaign. According to the testimony of the State of Hawai'i Campaign Spending Commission, providing OHA Trustee candidates with the same access to public campaign funds as other candidates for statewide offices, such as the lieutenant governor, would allow OHA candidates to receive up to \$99,787 in public funds. OHA notes that SB728 SD1 HD1 would instead provide OHA candidates with less than \$22,000.

OHA respectfully suggests that the Committee may wish to consider increasing the public campaign funding limit for OHA Trustee candidates to an amount more commensurate with that currently established for other statewide campaigns.

Mahalo for the opportunity to testify on this measure.



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COMMITTEE ON JUDICIARY

MONDAY, 3/18/19, 2:05 pm, Room 325
SB728 SD1 HD1, RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS
TESTIMONY

Beppie Shapiro, Legislative Committee, League of Women Voters of Hawaii

Chair LEE, Vice-Chair BUENAVENTURA, and Committee Members:

The League of Women Voters of Hawaii **supports the intent of SB728 SD1 HD1** that would increase the amount of public funding available to candidates for Trustee of the Office of Hawaiian Affairs (OHA), and would increase the number of eligible donations required for those candidates to participate in the partial public funding campaign.

The League of Women Voters has long supported public campaign financing nationally and in Hawaii. A public campaign funding program's goals are:

- People without extraordinary wealth or wealthy friends can run for and win public office; elected officeholders are reflective of the community at large
- Candidates spend more time listening to and meeting with their constituents, instead of constantly needing to raise money
- Elected officials are less indebted to a narrow set of big money donors, and are more accountable to all voters.

We believe the rationale for providing OHA candidates with public funding more adequate to conducting a statewide campaign for election will

- increase the number of those candidates seeking public funding, and
- will allow a wider diversity of applicants to run for OHA Trustee positions.
- Thank you for the opportunity to submit testimony.



Monday, March 18, 2019

Senate Bill 728 SD1 HD1
Supporting the Intent

Aloha Chair Lee, Vice Chair San Buenaventura, and Members of the Committee on Judiciary,

The Democratic Party of Hawai'i (The Party) **supports the intent of SB728 SD1 HD1 Relating to the Office of Hawaiian Affairs**, which increases the maximum amount of public funds available to each candidate running for the board of trustees of the office of Hawaiian affairs to fifteen percent of the expenditure limit established for each election. It amends the amount each board of trustees candidate must raise in order to qualify for public funds.

The Party appreciates the legislature's interest in and ongoing discussion of public funding for candidates seeking public office, in this case for the Board of Trustees of the Office of Hawaiian Affairs. The Party supports public funding for all elections for public office.

For these reasons we support the intent of this measure.

Mahalo for the opportunity to testify,

Josh Frost
Co-Chair, Legislation Committee
Democratic Party of Hawai'i

Zahava Zaidoff
Co-Chair, Legislation Committee
Democratic Party of Hawai'i

TESTIMONY OF ESTHER KIA'AINA IN SUPPORT OF SB 728, SD1, HD1
BEFORE THE HOUSE COMMITTEE ON JUDICIARY

March 18, 2019, 2:05 p.m., Conference Room 325

Chair Lee, Vice-Chair Buenaventura, and Committee Members:

My name is Esther Kia'aina of Nanakuli, Oahu. I am testifying in support of SB 728, SD1, HD1 which increases the maximum amount of public funds available to candidates running for the Board of Trustees, Office of Hawaiian Affairs. The importance of SB 728, SD1, HD1 is that it provides some form of equity in the amount of funds available to all OHA candidates, whether they are At-Large or Island Resident candidates, who must run a state-wide campaign. Such funds can be used for the necessary costs associated with outreach and campaigning on each of the islands.

I appreciate the Hawaii Campaign Spending Commission's recommendations that have been incorporated into this current version of the bill. SB 728, SD1 will increase the amount of funds that OHA candidates are eligible to receive in public funding from \$1500 cumulatively for an election to \$21,383 each for the primary and general elections. This is an increase of \$41,266 from current state law. I believe it will incentivize qualified OHA candidates to run and increase vibrancy and competition.

I respectfully urge the committee members to support the passage of SB 728, SD1, HD1 out of your Committee. I trust the Committee will ensure that the effective date will be in time for the 2020 elections and that a minimum threshold amount that each OHA Board of Trustee candidate must raise to qualify for public funds is reinserted in any final legislation.

Respectfully,

Esther Kia'aina
estherkiaaina@aol.com

SB-728-HD-1

Submitted on: 3/16/2019 12:55:39 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

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

Comments:

SB-728-HD-1

Submitted on: 3/16/2019 2:55:58 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Support	No

Comments:

Support. The bill attempts to provide OHA candidates with more reasonable public funding accommodations recognizing that their race is statewide. The increase in public funding, though much less than other statewide races, is reasonable at this time. With more experience and data, future increase may be possible. Public funding for all elected offices decreases the opportunity for “big money” to influence elections and encourages increased choice of candidates for election by voters.

SB-728-HD-1

Submitted on: 3/18/2019 3:27:07 AM

Testimony for JUD on 3/18/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kamuela Werner MPH	Individual	Support	No

Comments: