

STAND. COM. REP. NO.

2932

Honolulu, Hawaii

FEB 27 2020

RE: S.B. No. 2145
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2145 entitled:

"A BILL FOR AN ACT RELATING TO ORDERS OF THE CAMPAIGN SPENDING COMMISSION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Provide that the right to a contested case hearing is deemed waived if a person does not request a hearing within twenty days of receipt of the Campaign Spending Commission's preliminary determination; and
- (2) Permit an order of the Campaign Spending Commission to be confirmed as a judgment in the Circuit Court, giving the order the same force and effect as any other judgment issued by the Circuit Courts; provided that there shall be no appeal from the judgment.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General and one individual.

Your Committee finds that orders of the Campaign Spending Commission should have the same force and effect as any other



judgment issued by the Circuit Courts. Furthermore, your Committee finds that requiring a person to request a hearing within twenty days of receipt of the preliminary determination, or otherwise waive the right to a contested case hearing, is unreasonable; therefore, your Committee believes that this time period should be extended to thirty days.

Your Committee has amended this measure by:

- (1) Extending the deadline for requesting a contested case hearing after a preliminary determination of probable cause by the Campaign Spending Commission from within twenty days to within thirty days of receipt of the preliminary determination; and
- (2) 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 that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2145, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2145, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2145	Committee Referral: JDC	Date: 2/11/20		
<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
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
FEVELLA, Kurt				/
TOTAL	4			1
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