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STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION
235 SOUTH BERETANIA STREET, ROOM 300
HONOLULU, HAWAII 96813

January 31, 2020

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 *KI*
Campaign Spending Commission

SUBJECT: **Testimony on H.B. No. 1707, Relating to Violations of Campaign Finance Law**

Tuesday, February 4, 2020
2:05 p.m., Conference Room 325

Thank you for the opportunity to testify on this bill.¹ The Campaign Spending Commission ("Commission") supports this bill.

This bill amends Hawaii Revised Statutes ("HRS") §11-410 by amending subsection (a)(1) by replacing "an individual" with "a person other than a noncandidate committee that makes only independent expenditures" and amending subsection (a)(2) by replacing "corporation, organization, association, or labor union" with "noncandidate committee that makes only independent expenditures and has either received at least one contribution of more than \$10,000 from any one person or has made expenditures of more than 10,000 in the aggregate, in an election period." The bill also increases the amount of a fine that the Commission may assess against a committee that makes only independent expenditures (Super PAC) from an amount not to exceed \$1,000 to an amount not to exceed \$5,000 or an amount not exceeding three times an unlawful contribution or expenditure. The increase in the amount of the fine is necessary in enforcement cases against Super PACs. Further, the trebling of the amount of an unlawful contribution or expenditure as a fine is already applicable to individuals.

¹ The companion bill is S.B. 2148.

It makes sense to extend this potential increased fine to Super PACs. The Commission believes that the higher fine amount will be a more effective deterrent for Super PACs.

The bill also allows the Commission to assess fines against the officers of noncandidate committees. Presently, subsection (c) authorizes the Commission to order that fines be paid out of a candidate's personal funds.

This bill also deletes the reference to political activities of liquor commission employees (HRS §281-22) in subsection (a).

The Commission requests that this Committee pass this measure.

Statement Before The
HOUSE COMMITTEE ON JUDICIARY
Tuesday, February 4, 2020
2:05 PM
State Capitol, Conference Room 325

in consideration of
HB 1707
RELATING TO VIOLATIONS OF CAMPAIGN SPENDING LAW.

Chair LEE, Vice Chair SAN BUENAVENTURA, and Members of the House Judiciary Committee

Common Cause Hawaii supports HB 1707, which would (1) increase the amount of the fine that may be assessed against a noncandidate committee making only independent expenditures that has received at least one contribution of more than \$10,000, or spent more than \$10,000 in an election period, for campaign spending law violations and (2) allow the Campaign Spending Commission to order that payment of a fine assessed against a noncandidate committee, or any portion thereof, be paid from the personal funds of an officer of the noncandidate committee.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening democracy through improving our campaign finance system with laws that amplify the voices of everyday Americans by requiring strong disclosures and making sure everyone plays by the same commonsense rules.

HB 1707 is necessary to permit enforcement of campaign spending laws against Super PACs. Under current campaign spending laws, the trebling of the amount of an unlawful contribution or expenditure as a fine is already applicable to individuals. Super PACs should be subject to the same penalties as individuals. The increased fine amount, as proposed under HB 1707, will hopefully be a more effective deterrent against Super PACs with their deep pockets from violating campaign spending laws.

Thank you for the opportunity to testify in support of HB 1707, and Common Cause Hawaii respectfully urges the Committee members to pass HB 1707 out of your Committee. If you have further questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii



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COMMITTEE ON JUDICIARY
TUESDAY, February 4, 2:05 pm, Room No. 325

HB1707, RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW
TESTIMONY

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

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

The League of Women Voters of Hawaii **supports HB1707** that amends definitions as the Campaign Spending Commission recommends; in addition and most importantly for the League's support, HB1707 increases fines for violations by independent expenditure committees (Super PACS), and allows CSC to collect fines from the officers of non-candidate committees as well as from the candidate him or herself.

Thank you for the opportunity to submit testimony.

HB-1707

Submitted on: 2/3/2020 4:05:22 AM

Testimony for JUD on 2/4/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Azuma Chrupalyk	Individual	Support	No

Comments:

HB-1707

Submitted on: 2/3/2020 12:28:11 PM

Testimony for JUD on 2/4/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Best	Individual	Support	No

Comments:

HB-1707

Submitted on: 2/3/2020 1:25:21 PM

Testimony for JUD on 2/4/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow	Individual	Support	No

Comments:

finer are one way to stop violations. the higher the better.

HB-1707

Submitted on: 2/3/2020 2:09:48 PM

Testimony for JUD on 2/4/2020 2:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	Individual	Support	No

Comments:

HB-1707

Submitted on: 2/3/2020 2:54:07 PM

Testimony for JUD on 2/4/2020 2:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Ching	Individual	Support	No

Comments:

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

I support HB1707. Please pass this bill.

Mahalo for the opportunity to testify.

Randy Ching

Honolulu (makikirandy@yahoo.com)

HB-1707

Submitted on: 2/3/2020 9:26:17 PM

Testimony for JUD on 2/4/2020 2:05:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair Lee and Members of the House Committee on Judiciary,

I am writing in support of HB1707. HB 1707 would (1) increase the amount of the fine that may be assessed against a noncandidate committee making only independent expenditures that has received at least one contribution of more than \$10,000, or spent more than \$10,000 in an election period, for campaign spending law violations and (2) allow the Campaign Spending Commission to order that payment of a fine assessed against a noncandidate committee, or any portion thereof, be paid from the personal funds of an officer of the noncandidate committee.

HB 1707 is necessary to permit enforcement of campaign spending laws against Super PACs. Under current campaign spending laws, the trebling of the amount of an unlawful contribution or expenditure as a fine is already applicable to individuals. Super PACs should be subject to the same penalties as individuals. The increased fine amount, as proposed under HB 1707, will hopefully be a more effective deterrent against Super PACs with their deep pockets from violating campaign spending laws.

Mahalo,

Caroline Kunitake