



**SB2388**  
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS  
Senate Committee on Hawaiian Affairs

February 4, 2020

1:16 p.m.

Room 016

The Office of Hawaiian Affairs (OHA) Committee on Beneficiary Advocacy and Empowerment will recommend that the OHA Board of Trustees provide **COMMENTS** on SB2388, which would change the maximum amount of public funds available to qualifying candidates for the Board of Trustees, to match the maximum amount available to candidates running for the offices of state senator, state representative, county council, and prosecuting attorney.

Our agency recognizes that this measure would increase the amount of public funds available to qualifying candidates for OHA trustee. Currently, candidates for OHA trustee are limited to receiving no more than \$1,500 in public funds in any election year, a relatively limited amount, despite having to participate in statewide races. SB2388 would correct this discrepancy, but currently leaves open the amount of qualifying contributions from individuals needed to access such funding. OHA would respectfully recommend that the qualifying contribution amount for OHA candidates be commensurate with the requirements imposed on candidates for other legislative offices.

Mahalo nui loa for the opportunity to testify on this important measure.

KRISTIN E. IZUMI-NITAO  
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STATE OF HAWAII  
CAMPAIGN SPENDING COMMISSION

235 SOUTH BERETANIA STREET, ROOM 300  
HONOLULU, HAWAII 96813

February 3, 2020

TO: The Honorable Maile Shimabukuro, Chair  
Senate Committee on Hawaiian Affairs

The Honorable Kaiali'i Kahele, Vice Chair  
Senate Committee on Hawaiian Affairs

Members of the Senate Committee on Hawaiian Affairs

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

SUBJECT: **Testimony on S.B. No. 2388, Relating to the Office of Hawaiian Affairs**

Tuesday, February 4, 2020  
1:16 p.m., Conference Room 016

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 in subsection (c) and replaces this by changing the maximum amount to an undecided percent of the OHA expenditure limit established in HRS §11-423 for each election by adding that office to subsection (b) and deleting the fifteen percent<sup>1</sup> provided in the same subsection. If this bill had left the fifteen percent in subsection (b), the maximum amount of public funding available to OHA candidates would have increased from \$1,500 in any election year to \$21,383 per election and will be funded from the Hawaii Election Campaign Fund ("HECF")<sup>2</sup>. This would have been a significant increase for OHA candidates 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

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<sup>1</sup> This amendment will also affect the offices of state senator, state representative, county council member, and prosecuting attorney.

<sup>2</sup> The balance of the HECF as of December 31, 2019 is \$1,106,169.62.

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 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.

TESTIMONY OF ESTHER KIA'AINA IN SUPPORT OF SB 2388 BEFORE THE  
SENATE COMMITTEE ON HAWAIIAN AFFAIRS

February 4, 2020, 1:16 p.m., Conference Room 016

Chair Shimabukuro, Vice-Chair Kahele, and Committee Members:

My name is Esther Kia'aina and I am testifying in support of SB 2388, which seeks to increase the maximum amount of public funds available to candidates running for the Board of Trustees, Office of Hawaiian Affairs (OHA).

Under current law, candidates for OHA, who must run state-wide races, are eligible for \$1500 in public funding cumulatively for the election year, while all other candidates in the state are eligible for public funding for each the primary and general elections. Moreover, OHA candidates currently are eligible for less funding available to all other candidates for county and state offices. Given the challenges of running a state-wide election, it is unfair that OHA candidates are not treated more equitably under state law. As an example, state-wide races for the Governor and Lt. Governor are eligible for \$178,191, and \$99,787, respectively for each the primary and general elections.

I recommend that under SB 2388 that OHA candidates be eligible for public funding not to exceed fifteen (15%) per cent of the expenditure limit established in section 11—423(d) for each election. This will make OHA candidates eligible for \$21,383 each for the primary and general elections. This is an increase of \$41,266 from current law. I also recommend that qualifying contributions be set at \$5,000. The amounts being proposed are a result of careful consultation with the Hawaii Campaign Spending Commission and their previous testimony on various versions of SB 728, a similar bill from last session. I appreciate their efforts in supporting a fair level of public funding for OHA candidates. I believe that such an increase in funding will incentivize qualified OHA candidates to run and increase vibrancy and competition during the electoral process.

I respectfully urge the committee members to support the passage of SB 2388 out of your Committee.

Respectfully,

Esther Kia'aina

Statement Before The  
**SENATE COMMITTEE ON HAWAIIAN AFFAIRS**Tuesday, February 4, 2020  
1:16 PM  
State Capitol, Conference Room 016in consideration of  
**SB 2388**  
**RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.**

Chair SHIMABUKURO, Vice Chair KAHELE, and Members of the Senate Hawaiian Affairs Committee

Common Cause Hawaii supports SB 2388, which would (1) change the maximum amount of public funds available to each candidate running for the Office of State Senator, State Representative, County Council, and the Board of Trustees of the Office of Hawaiian Affairs to an unspecified per cent of the expenditure limit established for each election and (2) amend the amount each Office of Hawaiian Affairs candidate must raise in order to qualify for public funds.

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 advocating for money in politics solutions that employ small-dollar donors to make an impact in campaigns and public financing of our elections.

Common Cause Hawaii supports SB 2388 to include in the slate of candidates running for public office the board of trustees of the Office of Hawaiian Affairs. The use of public funds by more people to run for public office should be encouraged and promoted.

Common Cause Hawaii also suggests that the percent of the expenditure limit be raised from 15% to increase the maximum amount of public funds available in each election to a candidate for the office of state senator, state representative, county council member, board of trustees of the office of Hawaiian affairs, and prosecuting attorney under SB 2388. At the very least, the percent of the expenditure limit should not be lowered from 15%.

Thank you for the opportunity to testify in support of SB 2148. If you have further questions of me, please contact me at [sma@commoncause.org](mailto:sma@commoncause.org).

Very respectfully yours,

Sandy Ma  
Executive Director, Common Cause Hawaii