

CONFERENCE COMMITTEE REP. NO. 61

Honolulu, Hawaii

APR 22 2021

RE: S.B. No. 404
H.D. 2
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 404, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONEERING COMMUNICATIONS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Lower the monetary threshold that triggers disclosure of electioneering communications. Repeals the requirement that disclosures of electioneering communications occur on the date of any subsequent expenditures;
- (2) Classify election advertisements sent by mail at any postal rate as electioneering communications;
- (3) Exempt communications that are actual expenditures of an organization from being considered electioneering communications; and



- (4) Exclude candidate and candidate committees from the disclosure requirements.

Your Committee on Conference finds that electioneering communications are meant to expose noncandidate influences on elections which have been shown to radically influence the outcomes of elections in the State. Your Committee on Conference further finds that changing the disclosure date to the date on which the advertisement runs and triggering the requirement to file a statement of information at that time will increase public transparency and accountability in campaign advertising.

Your Committee on Conference has amended this measure by making it effective upon its approval; provided that it applies beginning with the 2022 primary election.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 404, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 404, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



ANGUS L.K. MCKELVEY
Co-Chair



KARL RHOADS
Chair



MARK M. NAKASHIMA
Co-Chair



Hawai'i State Legislature

CLR 61

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 404, HD 2	Date/Time: 4/21/21 2:57 pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				MCKELVEY, Angus L.K., Co-Chr.	✓			
LEE, Chris	✓				NAKASHIMA, Mark M., Co-Chr.	✓			
FEVELLA, Kurt	✓				KOBAYASHI, Dale T.	✓			
					TOKIOKA, James Kunane	✓			
					WARD, Gene	✓			
TOTAL	3	0	0	0	TOTAL	5	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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