

STAND. COM. REP. NO. 564 -22

Honolulu, Hawaii

FEB 18 , 2022

RE: H.B. No. 1426  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Government Reform, to which was referred  
H.B. No. 1426 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify that a person waives the right to a contested case hearing if the person fails to request a contested case hearing within twenty days of receipt of the Campaign Spending Commission's preliminary determination; and
- (2) Allow the Campaign Spending Commission to have an order confirmed as non-appealable judgment by the First Circuit Court, giving the order the same force and effect as any other judgment issued by the circuit courts.

Your Committee received testimony in support of this measure from the Campaign Spending Commission. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from Common Cause Hawaii.

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Your Committee finds that the proposed amendments in this measure will expedite the administrative process to confirm the Campaign Spending Commission's orders as judgments in the First Circuit Court.

Your Committee notes that there may be instances where a person may not receive proper notification of the preliminary determination of the Campaign Spending Commission and be unable to respond within twenty days to contest such determination and request a contested hearing. Because of this delay, a contested hearing for the preliminary determination may not take place and due process will not be afforded to the person receiving the preliminary determination through the judicial system by way of review. Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it choose to deliberate on this measure, to examine this issue.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1426, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1426, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Government Reform,

  
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ANGUS L.K. MCKELVEY, Chair



