

STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION


235 SOUTH BERETANIA STREET, ROOM 300
HONOLULU, HAWAII 96813

February 7, 2022

TO: The Honorable Angus L.K. McKelvey, Chair
House Committee on Government Reform

The Honorable Tina Wildberger, Vice Chair
House Committee on Government Reform

Members of the House Committee on Government Reform

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

SUBJECT: **Testimony on H.B. No. 2376, Relating to Elections**

Wednesday, February 9, 2022
09:30 a.m., Via Videoconference

Thank you for the opportunity to testify on this bill. The Campaign Spending Commission (“Commission”) provides the following comments on this bill.

This bill amends Hawaii Revised Statutes (“HRS”) §11-381(a) by repealing the limits that candidates are permitted to use campaign funds on donations to community service, educational, youth, recreational, charitable, scientific, literary organization, public school, or public library. The limits were placed on donation amounts because the Legislature found that incumbent candidates had an unfair advantage over new candidates to “seed the community” during election campaigns because of larger war chests. This disparity still remains today. The Commission also notes that contributors make contributions to candidates for the purpose of seeking nomination or election to office. HRS §11-381(a)(1). If a contributor wanted to donate to an IRS 501(c)(3) tax-exempt organization or a public school or library, that contributor would give the money directly to the organization and receive whatever tax benefit that the contributor would be entitled to by making the donation.

Statement Before The
Wednesday, February 9, 2022
9:30 AM
Via Videoconference, Conference Room 309

in consideration of
HB 2376

RELATING TO ELECTIONS.

Chair McKELVEY, Vice Chair WILDBERGER, and Members of the House Government Reform Committee

Common Cause Hawaii opposes HB 2376, which repeals the cap on the amount of campaign funds candidates may donate to any community service, educational, youth, recreational, charitable, scientific, literary organization, public school, or public library.

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

Candidates are currently permitted to donate campaign funds to any community service, educational, youth, recreational, charitable, scientific, literary organization, public school, or public library up to twice the maximum amount that one person may contribute to that candidate -- \$2,000 for a 2 year office, \$4,000 for 4 year non-statewide office, and \$6,000 for a 4 year statewide office. See Hawaii Revised Statutes § 11-357.

HB 2376 removes the cap, which could create conflicts of interest and an appearance that votes were cast in exchange for a donation from the candidate's campaign funds.

Thank you for the opportunity to testify in opposition to HB 2376. If you have further questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii