

**Hawaii**  
*Holding Power Accountable*

Statement Before The  
Friday, February 12, 2021  
10:00 AM  
Via Videoconference, Conference Room 309

in consideration of  
**HB 239**  
**RELATING TO CAMPAIGN ADVERTISEMENTS.**

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

Common Cause Hawaii supports HB 239, which (1) requires that the name and address of a candidate, candidate committee, noncandidate committee, or other person paying for a campaign advertisement be displayed in a prominent location and (2) requires, in the case of any multiple-page advertisement, that the required disclosures be made on the first page of the advertisement or on the cover page of the publication if the advertisement is used as the lead article and displayed on the cover page of a state- or county-wide distributed publication.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening democracy through transparency in our campaigns and elections.

HB 239 would provide the public with more, clearer notice as to what is an actual paid political advertisement and who paid for the political advertisement. HB 239 would increase transparency.

Thank you for the opportunity to testify in support of HB 239. 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

**HB-239**

Submitted on: 2/10/2021 10:08:02 AM

Testimony for GVR on 2/12/2021 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lynne matusow	Individual	Support	No

Comments:

I am in full support of this bill. This will increase transparency, something which was lacking in 2020 when Midweek ran what readers believed was a pages long article about a Honolulu mayoral candidate and the fact that it was an ad, not a news piece, was buried. That fact became a major news item. This bill will rectify that shameful behavior in the future.

**HB-239**

Submitted on: 2/10/2021 11:05:25 AM

Testimony for GVR on 2/12/2021 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
tlaloc tokuda	Individual	Support	No

Comments:

I am a member of Common Cause Hawaii and i support HB 239 because it would provide the data the public needs to know as to what is an actual paid political advertisement and who paid for the political advertisement. This is an important bill as it would would increase transparency. Please pass this into the floor for its next hearing.

Mahalo for your consideration,

Tlaloc Tokuda

Kailua Kona HI 96740

**HB-239**

Submitted on: 2/10/2021 1:08:31 PM

Testimony for GVR on 2/12/2021 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Golojuch Jr	Individual	Support	No

Comments:

Aloha Representatives,

I fully support HB 239.

Mahalo,

Michael Golojuch, Jr.

**HB-239**

Submitted on: 2/10/2021 3:13:26 PM

Testimony for GVR on 2/12/2021 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair McKelvey, Vice Chair Wildberger and Committee on Government Reform,

Please support HB239. This bill will constructively increase transparency for political advertisements.

HB239 would provide the public with more, clearer notice as to what is an actual paid political advertisement and who paid for the political advertisement. HB 239 would increase transparency of election campaigns.

Political advertisements usually are essential for winning an election. Because of this, the candidate with the most money in their campaign war chest has the greatest advantage. Political advertisements play on the fact that elections are a popularity contest - whomever has the best marketing strategy with the strongest funding often wins.

The average person will not question a political advertisement and immediately accept the information promoted at face value. This is a serious issue that's similar to truth in advertising.

Eligible voters deserves to know which media stories are political advertisements and who is endorsing the candidate through the advertisement. This bill will empower engaged voters to quickly discern paid commercials from real news stories and opinion editorials.

Thank you for your time and attention to this matter. I appreciate the opportunity to provide testimony in support of HB239.

Mahalo,

Caroline Kunitake

**HB-239**

Submitted on: 2/10/2021 3:21:41 PM

Testimony for GVR on 2/12/2021 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Larry Meacham	Individual	Support	No

Comments:

Testimony in SUPPORT of HB 239.

Testimony in SUPPORT of HB 239.

Thank you for the opportunity to offer testimony.

Who is paying for political ads is often unclear. HB 239 would provide more information to the public about who is paying for an ad, and when it is political, thus allowing them to evaluate it accordingly.

Thank you for the opportunity to offer testimony.



49 South Hotel Street, Room 314 | Honolulu, HI 96813  
www.lwv-hawaii.com | 808.531.7448 | voters@lwv-hawaii.com

COMMITTEE ON GOVERNMENT REFORM  
FRIDAY, 2/12/21, 10 AM, Room No. 309

HB239 RELATING TO CAMPAIGN ADVERTISEMENTS  
**TESTIMONY**

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

Chair McKelvey, Vice-Chair Wildberger and Committee Members:

**The League of Women Voters of Hawaii supports this bill, which requires that the name and address of a candidate, candidate committee, noncandidate committee, or other person paying for a campaign advertisement be displayed in a prominent location.**

HB239 will provide useful information to the public – when seeing statements in campaign advertisements, we will know who paid for the advertisement. Knowing who or what organization is supporting the campaign in this way lets us consider how this individual or organization might benefit from the supported candidate's election. Then we as voters, can decide whether we share their interest in supporting the candidate or whether we value their opinions.

Thank you for the opportunity to submit testimony.

**HB-239**

Submitted on: 2/11/2021 6:21:32 AM

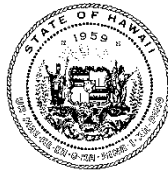
Testimony for GVR on 2/12/2021 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Anderson	Individual	Support	No

Comments:

Passing HB 239 will provide the public with more, clearer notice as to what is an actual paid political advertisement and who paid for the political advertisement. HB 239 would increase transparency so I am in support.





STATE OF HAWAII  
CAMPAIGN SPENDING COMMISSION


235 SOUTH BERETANIA STREET, ROOM 300  
HONOLULU, HAWAII 96813

February 11, 2021

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. 239, Relating to Campaign Advertisements.**

Friday, February 12, 2021  
10:00 a.m., Via Video Conference

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

This bill amends Hawaii Revised Statutes (“HRS”) §11-391(a)(2)(A) by requiring the notice mandated by paragraph (2)(A) in cases where it “is not readily apparent to a reasonable person that the advertisement is an advertisement.” An “advertisement” is any communication that (1) Identifies a candidate or ballot issue and (2) Advocates the nomination, opposition, or election of the candidate or advocates the passage or defeat of the ballot issue. HRS §11-302. If a communication does not meet the definition of “advertisement,” then no disclaimer is required. The advertising disclaimer requirements should not be applied to communications that are not HRS §11-302 political advertisements.

The bill adds a new subsection (b) to HRS §11-391 that requires the advertisement disclaimer to be placed in a prominent location on the first page of a multi-page advertisement and on the cover page if the advertisement is used as the lead article and displayed on the cover page of a state-wide or county-wide publication. This amendment is not necessary. Multi page advertisements, e.g. mailers or post cards printed front and back or tri-fold mailers, routinely have the disclaimer at the end of the advertisement. The Commission has not found this to be a problem. For the one case that was brought to the Commission involving a cover story advertisement in the MidWeek, the Commission found that the placement of the disclaimer at the end of the advertisement (last page) did not violate HRS §11-391. In that case, the cover page lead was descriptively connected to the second page, and the second page was descriptively

connected to the last page, where the disclaimer was placed. The Commission did not believe the placement of the disclaimer at the end was deceptive.

The Commission opposes this bill and asks this Committee to defer or hold this bill.

**HB-239**

Submitted on: 2/11/2021 8:41:07 AM

Testimony for GVR on 2/12/2021 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Best	Individual	Support	No

Comments:

this bill would increase transparency, something citizens want