



STATE OF HAWAII  
CAMPAIGN SPENDING COMMISSION


235 SOUTH BERETANIA STREET, ROOM 300  
HONOLULU, HAWAII 96813

March 17, 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 S.B. No. 2388, SD1, Relating to Electioneering Communications**

Wednesday, March 23, 2022  
9:30 a.m., Conference Room 309 & via Videoconference

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

This purpose of the bill is to require the disclosure of electioneering communications to occur on the date of any subsequent expenditures for electioneering communications. The bill would restore the threshold amount of spending to “more than \$2,000,” which had been in place since the recodification of the Campaign Finance Law in 2010, but was modified by the Legislature in Act 3, Special Session of 2021. The bill also repeals one of the exceptions to the definition of electioneering communication on page 2 at lines 11-12 (“That constitute actual expenditures by the expending organization”). Thus, noncandidate committees would not be able to argue that the exception permits the committees to avoid the disclosure of expenditures.

The Commission prefers H.B. No. 1888, H.D. 2, because that bill also changes the disclosure date to when the advertisement actually runs, not when the expenditure or contract for expenditure for the electioneering communication is made. This would make the disclosure more relevant to the public since the disclosure will be made within twenty-four hours of the running or distribution of the advertisement, not when the expenditure or contract for the expenditure is made. However, since the Commission does not know how H.B. No. 1888, H.D. 2, will fare in the Senate, the Commission urges this Committee to add the language contained on page 3, lines 1-12 of that bill into this measure.

Statement Before The  
**HOUSE COMMITTEE ON GOVERNMENT REFORM**  
Wednesday, March 23, 2022  
9:30 AM  
Via Videoconference and Conference Room 309

in consideration of  
**SB 2388, SD1**  
**RELATING TO ELECTIONEERING COMMUNICATIONS.**

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

Common Cause Hawaii supports with one suggested amendment SB 2388, SD1, which (1) requires disclosure of electioneering communications to occur on the date of any subsequent expenditures for electioneering communications, (2) increases the monetary threshold that triggers disclosure of electioneering communications, and (3) repeals the exception to the definition of electioneering communication those communications that constitute actual expenditures by the expending organization.

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 people.

Common Cause Hawaii appreciates SB 2388, SD1, at pg. 1, lines 6-8, amending that portion of the Electioneering Communications statute to require subsequent disclosure filings after the initial \$2,000 aggregate spending threshold is reached. However, SB 2388, SD1, at pg. 2, lines 17-18, still excludes candidate or candidate committees from having to file electioneering communications statements of information. Therefore, the change contemplated by SB 2388, SD1 would not have the full intended effect.

Common Cause Hawaii suggests deleting the definition of person from Hawaii Revised Statutes § 11-341(d). We respectfully ask that this Committee adopt our suggested amendment to improve transparency and accountability in our political processes. Candidates and noncandidate committees must continue to be subject to the electioneering communications disclosure requirements for full public transparency and accountability.

Thank you for the opportunity to testify in support of SB 2388, SD1 with one suggested amendment. If you have questions of me, please contact me at [sma@commoncause.org](mailto:sma@commoncause.org).

Very respectfully yours,

Sandy Ma  
Executive Director, Common Cause Hawaii

**SB-2388-SD-1**

Submitted on: 3/21/2022 5:40:33 PM

Testimony for GVR on 3/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrea Quinn	Individual	Oppose	Written Testimony Only

Comments:

Dear Honorable Committee Members:

Please oppose SB 2388.

Thank you for the opportunity to present my testimony.

Andrea Quinn

Kihei, Maui