



STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION

235 SOUTH BERETANIA STREET, ROOM 300
HONOLULU, HAWAII 96813

February 5, 2021

TO: The Honorable Karl Rhoads, Chair
Senate Committee on Judiciary

The Honorable Jarrett Keohokalole, Vice Chair
Senate Committee on Judiciary

Members of the Senate Committee on Judiciary

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

SUBJECT: **Testimony on S.B. No. 406, Relating to Campaign Spending
Commission Staff**

Wednesday, February 10, 2021
9:15 a.m., Via Videoconference

Thank you for the opportunity to testify on this bill.¹ The Campaign Spending Commission (“Commission”) supports this bill.

This measure seeks to clarify Commission staff’s authority to perform all day-to-day functions of the office, including the conducting of investigations and filing of complaints. Section 1 of the measure amends subsection (b) of Hawaii Revised Statutes (“HRS”) §11-311 by adding “staff” to the composition of the Commission. Section 2 of the measure amends subsection (b) of HRS §11-402 by including complaints initiated by staff to those initiated by the Commission.

Upon further consideration, instead of the proposed amendment to HRS §11-311, the Commission requests that this Committee replace the contents of Section 1 with the following:

Section 1. Section 11-314, Hawaii Revised Statutes, is amended by amending paragraph (12) to read as follows:

“(12) Employ or contract with, without regard to chapters 76, 78, and 89, persons it finds necessary for the performance of its day-to-day functions, including a full-time executive director, and to fix their compensation; provided that the commission

¹ The companion bill is H.B. No. 146.

shall have the authority, at its discretion, to dismiss persons employed by or contracted with the commission; provided further that any persons employed or contracted by the commission shall have the authority, without further commission action, to perform the day-to-day functions of the commission;“

The Commission urges this Committee to pass this measure with the amendment to Section 1.

Statement Before The
SENATE COMMITTEE ON JUDICIARY
Wednesday, February 10, 2021
9:15 AM
Via Videoconference

in consideration of
SB 406
RELATING TO CAMPAIGN SPENDING COMMISSION STAFF.

Chair RHOADS, Vice Chair KEOHOKALOLE, and Members of the Senate Judiciary Committee

Common Cause Hawaii provides comments on SB 406, which clarifies that Campaign Spending Commission personnel includes staff and that the staff may initiate complaints on behalf of the commission.

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 Americans.

SB 406 appears, at page 1, line 3, to inadvertently elevate the Campaign Spending Commission's staff and personnel to the level of the Commission itself by providing that the "commission shall consist of staff and five members . . ." According to Hawaii Revised Statutes § 11-314(12), the commission employs the executive director and staff of the Campaign Spending Commission. SB 406 may be revised to provide that the Commission delegates to the executive director and staff the authority to initiate complaints and other administrative functions on behalf of the commission.

Thank you for the opportunity to provide comments on SB 406. If you have further questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii