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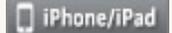
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Hawaii Elections May Soon Get Public Funding, More Transparency

By Nathan Eagle [CONNECT](#) | 03/21/2013**UPDATED 10:42 a.m., 3/21/2013**

Hawaii senators took action this week to advance bills that boost campaign spending transparency and improve voter turnout. But the biggest surprise came when they cut themselves out of plan to create a public funding program for legislative candidates starting in 2016.

The Judiciary and Labor Committee, chaired by Sen. [Clayton Hee](#), amended [House Bill 1481](#) so the publicly funded elections program would only apply to state House races.



Nathan Eagle/Honolulu Civil Beat

Even in its “half a bite” form, as Hee put it, the legislation faces a tough fiscal test in the Ways and Means Committee.

Hee said his committee is not inclined to agree to any specific plan until the financing can be defended.

Even strong advocates for public financing of campaigns acknowledged Wednesday that the funding question remains unanswered.

“What is a challenge for all of us is we don’t know how many people would respond to this opportunity,” said Janet Mason of the [League of Women Voters](#). “So we can’t really expect the money committees like Ways and Means

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to give a blank check.”

She said limiting it to the House races would create more opportunities for candidates to take advantage of the public funding option than if it were just the Senate. Preferably, both chambers would be included but Mason said it would still be a “terrific start.”

UPDATED Kory Payne, executive director of [Voter Owned Hawaii](#), a nonprofit that has been working on the bill and pushing it since its inception, said Thursday that there are solid estimates of how much it would cost.

He said under the very improbable situation in which two candidates in every Senate and House race maxed out their allowed spending, it would cost \$5 million annually. For just the House, the cost is estimated at \$2.5 million. But more realistically, he said it will probably cost closer to \$750,000 annually.

Hee commanded the hearing Tuesday, limiting the testimony to those against the bill or who had comments on the funding concern. With most people overwhelmingly in support, he said he didn’t want to debate the efficacy of the program.

“Until the financing numbers can be shown, this measure is somewhat in limbo,” Hee said. “Although if it doesn’t move out this year, we’ll certainly take it up next year.”

He noted that the amendment to limit the program to the House was based on a recommendation from [Voter Owned Hawaii](#). Payne said Thursday that Voter Owned Hawaii did not suggest the amendment.

“We’re disappointed the Senate took out Senate races from this bill but we’re still counting on House members to support it,” Payne said.

Hee said he decided to move HB 1481 forward in deference to his fellow committee member, Sen. Les Ihara, who made no comments during the hearing.

Who Paid for Your Political Ad?

A bill that would help residents keep better track of campaign money cleared the Judiciary and Labor Committee after the attorney general’s office highlighted a loophole that undermined the original intent.

[House Bill 1147](#) originally required noncandidate committees — super PACs — to identify their three biggest contributors in advertisements. But an amendment in the House changed it to let them pick just one of the top donors.

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Deputy AG Deirdre Marie-Iha said the bill may not completely achieve its objective because it would allow a super PAC to structure its financing in a way that would sidestep the intent of the provision.

“For example, if a super PAC had three large contributors — one who donated \$15,000, one of \$1 million and one of \$2 million — as currently structured in the bill before you, a super PAC could comply with this provision by disclosing only the \$15,000 contributor in their advertisement,” she said.

The committee unanimously voted to close the loophole by returning the provision to its original form.

“We think this would really help the public understand who is paying for political ads,” Mason said. “With *Citizens United* out there, disclosure is the best tool that we’ve got for reforming how campaigns are financed.”

The bill, which also expands how much campaign spending information must be included on the state’s [online database](#), heads to the Ways and Means Committee next.

Let’s Make It Easier to Vote

One of the League of Women Voters’ top priorities, [House Bill 321](#), sailed through the Judiciary and Labor Committee. It would let residents register to vote the same day as the election instead of 30 days in advance.

Legislators said the law would go into effect for the 2016 election, giving county clerks time to prepare.

The heads of the county elections divisions have said they are concerned the Legislature won’t give them the resources they need to implement the law should the bill pass.

The City and County of Honolulu estimates the initial startup and cost for a primary and general election would be more than \$145,000.

“There’s lots of evidence that providing same-day registration improves voter turnout,” Mason said. “We’re really excited about this modernization piece. We live in this beautiful, wonderful state but we have a democracy problem with at least 40 to 45 percent of people not voting.”

Hee said limiting the same-day voter registration to absentee and walk-ins only will give counties “absolute control” over same-day registrations.

The state Office of Elections supports the bill, too. Chief Elections Officer Scott Nago said there are built-in checks and balances to prevent voter fraud, which has come up as a concern in the past.

“The right to challenge a voter’s registration safeguards the integrity of the election process by ensuring that only

qualified individuals are allowed to register and vote,” he said in [his testimony](#) Tuesday.

The bill heads to Ways and Means next.

Of the five campaign spending and elections-related bills the Judiciary and Labor Committee heard Tuesday, it only shelved one.

But Hee said the decision to defer [House Bill 201](#) was based on his strong sense that similar legislation to improve candidate reporting requirements would continue to move forward through [Senate Bill 31](#).

The committee decided to wait to take action on a proposed constitutional amendment related to candidate residency requirements until Thursday. Hee said he planned to meet with the AG’s office Wednesday to improve the language in [House Bill 269](#).

As the bill stands, voters would be asked if they want to change the constitution to require candidates for state Senate and House seats to live in the legislative district they want to represent for at least a year prior to the next election.

Ihara said there’s more good-government bills moving forward this legislation session than he’s seen since 1994.

“On both the House and Senate sides, there’s an interest and an openness to try to improve our democracy in a number of ways,” he said Wednesday. “It’s dramatic.”

DISCUSSION: *How do you think lawmakers should improve the state’s election system?*

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Discussion



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Bart Dame ·  Top Commenter

I think the Senate's solution to the funding problem is both clever and obvious. A few years ago, advocates were pushing unfunded elections, but agreed to a greatly scaled back plan which only affected the Big Island council races. (The Big Island the pilot project).

Expanding this to all House races strikes me as a natural, incremental shift, which will allow residents-- and candidates-- to approach, its advantages and (for some) disadvantages, before leaping in whole hog at a time the budget is so tight.

I strongly agree with Voter Owned Hawaii that the public already pays for "private" campaign contributions as donors end sweetheart contracts, tax credits and other favors in return for their contributions. Campaign contributions are best understood as investments, they provide a MUCH higher rate of return than honest work!

So House, please don't whine that the Senate is inflicting upon you a program they refuse to be bound by. Public financing is a very distasteful job of constantly hitting up potential donors or worrying you might lose funding sources if you vote "the wrong way" in front of you. It is a gift, not a burden. Grab the opportunity. Please.

Reply ·  2 · Like · March 21 at 11:08am



Bart Dame ·  Top Commenter

I just read the language of the latest SD and am troubled by insertion of the clause limiting public-funding to the candidates in an election cycle. That provision cannot be viewed as a serious attempt to improve the bill as it is problematic.

Consistent with the understanding, "it ain't over 'til it's over," I am glad the bill remains alive. But this needs to be adopted. Limiting funding to the House (for now) makes sense and adequate funding should be available. But 15 is both unnecessary and problematic.

Reply · Like · March 21 at 3:47pm



Andy Parx ·  Top Commenter

Really Bart- the senate includes the house and not themselves and you've got some cockamamie reason that i

Reply · Like · March 22 at 12:47am



Dave Kozuki ·  Top Commenter · Honolulu, Hawaii

Can someone point me to a good explanation of why we need public funding? If we don't allow contributions, then all candidates are on equal footing. Their messaging can effectively get out using inexpensive web and social media technologies as well as through community media. While election year ads are certainly entertaining, they don't bring much value towards making an informed voting decision.

Reply · Like · March 21 at 4:40am



Dave Kozuki ·  Top Commenter · Honolulu, Hawaii

Voter-Owned Hawaii Thanks, still trying to understand this. So if we pay for the elections, then we still can't be on equal footing then to limit contributions?

Reply · Like · March 21 at 10:40am



Patricia Blair ·  Top Commenter · University of Nebraska-Lincoln

Dave, you have just given the best reason for public funding, "all candidates would be on equal footing". The more!

Reply · Like · March 21 at 12:02pm



Dave Kozuki ·  Top Commenter · Honolulu, Hawaii

Voter Owned Hawaii: So this is a completely voluntary program for candidates?



voter-owned Hawaii so this is a completely voluntary program for candidates?

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