
A BILL FOR AN ACT

RELATING TO THE ESTABLISHMENT OF A COMPREHENSIVE PUBLIC FUNDING
ELECTION.

BE IT ENACTED BY THE SILVER LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Silver Legislature finds that the pervasive
2 influence of private contributions and expenditures on public
3 elections in the State undermines democracy and the rights of
4 all Hawaii citizens to vote for the candidate of their choice
5 and to enjoy equal and meaningful participation in the
6 democratic process. These rights are guaranteed by the First
7 and Fourteenth Amendments to the United States Constitution, as
8 well as Sections 1, 2, 4, and 8 Article I of the State
9 Constitution.

10 The Silver Legislature further finds that candidates for
11 statewide office who lack access to personal wealth or wealthy
12 donors are precluded from running a competitive campaign because
13 their voices are drowned out by those who can afford to saturate
14 their constituents with television, radio, and other expensive
15 mass-media communications. Furthermore, the dramatic influx of
16 private money, coupled with recent high-profile law enforcement
17 investigations and prosecutions of campaign finance abuses, have
18 undermined the public's confidence in the political process and
19 fueled the public perception of corruption in Hawaii politics.

20 The Silver Legislature believes that the dominance of private
21 funding in State elections also burdens candidates and elected
22 officials with the incessant rigors of fundraising and decreases
23 the time available to carry out their public responsibilities.

1 Further, private funding creates a danger of actual corruption
2 by compelling elected officials to accept money from private
3 interests that are directly affected by governmental actions.

4 The purpose of this Act is to create a comprehensive public
5 funding system that will offer a viable and competitive
6 alternative to private funding sources, thereby substantially
7 reducing or eliminating the deleterious effects of private
8 financing described above.

9 SECTION 2. Candidates for elected offices of the State who
10 voluntarily run for office as a comprehensive public funding
11 candidate shall:

12 (a) Seek comprehensive public funding for the primary
13 election campaign period if the candidate: (1) resides in the
14 district from which election is sought; (2) agrees not to accept
15 or use any private money, including loans, and if elected, while
16 in office until the next election cycle begins; and (3) collects
17 the required number of \$5 qualifying contributions from
18 registered voters in the district.

19 (b) Receive funding from General Revenues, and report any
20 expenditure electronically within 24 hours of spending or making
21 a commitment to spend campaign funds.

22 (c) Be guilty of a misdemeanor if the candidate knowingly,
23 intentionally, or recklessly violates any provision of this Act.
24 A person who is convicted under this section shall be
25 disqualified from holding elective public office for a period of
26 four years from the date of conviction, and shall be removed
27 from office if elected.

28 SECTION 3. The Campaign Spending Commission shall establish
29 an independent, bi-partisan committee to review the progress of
30 the comprehensive public funding program established under this
31 Act.

32 SECTION 4. This Act shall take effect upon its approval.