

Chair Karl Rhoads
Vice-Chair Jarret Keohokalole
Senate Committee on Judiciary
Tuesday, February 22, 2022
9:30 a.m.
Testify in Person Via Videoconferencing



RE: **SB555** Relating to Campaign Fundraising - **URGE TO STRENGTHEN**

Dear Chair Rhoads, Vice-Chair Keohokalole & Committee Members,

90% of readers who responded to the Honolulu Star-Advertiser’s online poll regarding the recent “pay-to-play” corruption scandal in the Legislature felt it was the “Tip of the iceberg; not as rare as we hope.” The Star-Advertiser’s editorial board suggested “banning political fundraisers, and the inevitable influence-peddling during legislative sessions.”

SB555 attempts to do just that; however, the Hawaii Legislative Council of the Chamber of Sustainable Commerce urges this Committee to tighten the language of the bill and strengthen its impact. The current proposed draft of SB555 merely goes through the motions of reform, while leaving the door wide open for “pay-to-play” corruption and influence-peddling to continue.

Limiting the prohibited activity to “fundraising” is not enough; we urge you to also prohibit legislators from “soliciting campaign contributions” and, most importantly, “accepting any contributions during legislative session.”

If you enact SB555 in its current proposed form, one of your more wily colleagues could send out letters and email blasts at critical points during the legislative session to alert their supporters that while legislators are not permitted to hold “fundraisers”, invested parties are welcome to hand-deliver or mail-in a check — or simply click that embedded “donate” button.

Other states have already figured out that hallow reforms offer hallow returns. According to a recent white-paper produced by the National Conference of State Legislatures, there are many states that impose a “prohibition/restriction on *any* contributions during session”.

Here are a few of those states listed in that NCSL white-paper:

Georgia: Ga. Code § 21-5-35. No member of the General Assembly, public officer elected statewide, or campaign committee of either shall **accept** a contribution during a legislative session.

Hawaii Legislative Council	Kim Coco Iwamoto AQuA Rentals, LLC Honolulu	Elle Cochran Maui Surfboards Maui	Russel Rudderman Island Naturals Hilo / Kona	Joell Edwards Wainiha Country Market Kauai	Maile Meyer Na Mea Hawaii Honolulu
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Nevada: Nev. Rev. Stat. §§ 294A.300, 294.310. It is unlawful for a member of the legislature, the lieutenant governor or the governor to **solicit or accept** any monetary contributions for any political purpose during the period beginning 30 days before a regular session of the legislature and ending 30 days after the final adjournment of a regular session.

Tennessee: Tenn. Code Ann. § 2-10-310. A member of the General Assembly may not **solicit or accept** contributions from the convening of the General Assembly's regular annual session to the earlier of May 15 or the conclusion of the annual session. Tenn. Code Ann. § 3-6-108(i).

Texas: V.T.C.A., Election Code § 253.034, Texas Ethics Commission Rule § 22.11. During a period beginning on the 30th day before the date a regular session convenes and continuing through sine die adjournment, neither a person nor a PAC may make a political contribution to a statewide officeholder or a member of the legislature, and such persons shall **not accept** a political contribution during this period.

Utah: Utah Code §36-11-305. It is unlawful for **any person**, lobbyist, principal or political committee to **make contributions** to members of the legislature or the governor or to a campaign committee of such a person during a legislative session.

Virginia: Va. Code § 24.2-940. No member of the General Assembly or statewide official shall **solicit or accept** a contribution from any person or political committee on and after the first day of a regular session of the General Assembly through adjournment sine die of that session.

Washington: RCW § 42.17.710. Contributions may **not be solicited or accepted** by statewide elected officials or state legislators during the period from 30 days before until 30 days after the regular session of the Legislature. Contributions are prohibited during any special legislative session.

SB555 appears to be the legislature's first direct anti-corruption reform bill in this new age of enlightenment. Let it demonstrate the commitment and rigor of those moral legislators who will stand with voters and businesses focused on closing corruption-friendly loopholes that have widened over time. **Please strengthen the language of SB555 to prohibit fundraising, soliciting and accepting campaign contributions by legislators, or their representatives, during legislative session.**

C H A M B E R O F S U S T A I N A B L E C O M M E R C E

Hawaii	Kim Coco Iwamoto	Elle Cochran	Russel Rudderman	Joell Edwards	Maile Meyer
Legislative	AQuA Rentals, LLC	Maui Surfboards	Island Naturals	Wainiha Country Market	Na Mea Hawaii
Council	Honolulu	Maui	Hilo / Kona	Kauai	Honolulu