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# A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 5, OF THE HAWAII  
STATE CONSTITUTION REGARDING PUBLIC FINANCING OF CAMPAIGNS  
FOR PUBLIC OFFICE.

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

1           SECTION 1. The legislature acknowledges public concerns  
2 about the current private financing system for election  
3 campaigns in Hawaii. Campaign donation scandals in Hawaii have  
4 highlighted a "pay to play" system among government contractors  
5 who feel they must donate to state and county executives to be  
6 considered for contracts.

7           In the legislative branch, most campaign contributors of  
8 larger-sized donations to legislators have a stake in  
9 legislation that could affect their interests. When this  
10 happens, a conflict of interest between the legislator's public  
11 duty and the legislator's responsibility as a serious-minded  
12 candidate is sometimes or often perceived by the public.

13           On both national and local political levels, public trust  
14 of elected officials have steadily declined in the past decade.  
15 This is due in part to a public perception that the first  
16 loyalty of politicians is to their own self-interests for



1 re-election and securing campaign donations and secondarily for  
2 the public good. Whether true or not, this perception has  
3 eroded the people's spirit of democracy and has reduced our  
4 civic capacity to solve national and local problems.

5 The legislature finds that one possible means of addressing  
6 these concerns is to allow public financing of election  
7 campaigns. The range of public financing could be a small  
8 amount, as is currently the case, or high enough to allow  
9 participating candidates to be competitive. While the Hawaii  
10 constitution provides for partial public funding of campaigns,  
11 there is doubt whether full public financing is allowed for the  
12 full range of public financing levels, including the full  
13 funding of campaigns.

14 The purpose of the Act is to propose an amendment to  
15 article II, section 5, of the Constitution of the State of  
16 Hawaii to allow a full range of public financing levels of  
17 campaigns for public offices of the State and its political  
18 subdivisions.

19 SECTION 2. Article II, section 5, of the Constitution of  
20 the State of Hawaii is amended to read as follows:



1 "CAMPAIGN FUNDING, SPENDING LIMIT

2 SECTION 5. The legislature shall establish a campaign fund  
3 to be used for [~~partial~~] public financing of campaigns for  
4 public offices of the State and its political subdivisions, as  
5 provided by law. The legislature shall provide a limit on the  
6 campaign spending of candidates."

7 SECTION 3. The question to be printed on the ballot shall  
8 be as follows:

9 "Shall a full range of public financing levels be allowed  
10 for campaigns for public offices in the State and its  
11 political subdivisions?"

12 SECTION 4. Constitutional material to be repealed is  
13 bracketed and stricken.

14 SECTION 5. This amendment shall take effect upon  
15 compliance with article XVII, section 3, of the Constitution of  
16 the State of Hawaii.

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INTRODUCED BY: 



**Report Title:**

Public Financing; Campaigns for Public Office; Constitutional Amendment

**Description:**

Places a question on the 2008 general election ballot that asks if the constitution should be amended to allow a full range of public financing levels for campaigns for public offices of the State and its political subdivisions.

