

CAMPAIGN SPENDING COMMISSION

STATE OF HAWAII

In Re the Matter of)	CA 10-09
)	
Christine Camp)	
)	
Respondent)	
_____)	

CONCILIATION AGREEMENT

On or around June 15, 2010, Mr. Carroll E. Cox (“Cox”) filed a complaint against Mayor Mufi Hannemann, (“Hannemann”) Docket No. 10-03. On or around June 23, 2010, John C. McLaren filed a complaint against Mayor Mufi Hannemann, Docket No. 10-04. The Hannemann Committee 2010 (“Committee”) is the candidate committee for Hannemann. Ms. Christine Camp (“Respondent”) is a volunteer for the Committee. On or around July 14, 2010, Barbara U. Wong, Executive Director for the Campaign Spending Commission (“Commission”), initiated an investigation of Respondent. The investigation was initiated pursuant to section 11-F, Act 211, Session Laws of Hawaii 2010 (“SLH 2010”), to determine whether the Hawaii campaign spending laws had been violated.

NOW, THEREFORE, Respondent and the Commission enter into this Conciliation Agreement (“Agreement”) pursuant to section 11-FFF, Act 211, SLH 2010 on the terms and conditions set forth below:

- I. The Commission has jurisdiction over Respondent and the subject matter of this administrative action.
- II. Respondent is aware that she may consult with an attorney regarding this Agreement. Respondent is represented by Robert G. Klein, Esq. and David J. Minkin, Esq. of McCorriston Miller Mukai MacKinnon.

- III. Respondent was sent a letter, dated July 15, 2010, notifying Respondent that two complaints were filed against Hannemann alleging among other things, that a false Notice of Intent To Hold A Fundraiser (“Notice”) in Pittsburgh, Pennsylvania on June 10, 2010 was filed by Hannemann. Further, that the letter informed Respondent that Mr. Paul Overby (“Overby”) provided Respondent a Notice for the above-referenced fundraiser with a date of June 9, 2010, with Overby’s signature and without Hannemann’s signature for filing. Overby signed the Notice as the person in charge. Also, that Hannemann provided that it was not his signature on the Notice that was filed.
- IV. Respondent agrees she received adequate notice of the two alleged violations of filing a false Notice and filing the Notice late in this Conciliation Agreement and waives any further notice of these two alleged violations of the Hawaii campaign spending laws.
- V. Respondent waives the opportunity to explain or otherwise respond to the notice provided for the two alleged violations in a Commission meeting conducted pursuant to chapter 92, HRS. Respondent’s attorney had hand-delivered a letter, dated July 21, 2010, responding to the letter dated July 15, 2010 to Respondent.
- VI. The Commission has made a preliminary determination that probable cause exists that Respondent committed a violation of the Hawaii campaign spending law by filing a late Notice with an incorrect date. Respondent waives findings of facts and conclusions of law.

- VII. Respondent has requested a contested case hearing by the Commission, pursuant to chapter 91, HRS, and waives the contested case hearing.
- VIII. Pursuant to sections 91-9(d) HRS and 11-JJJ (b), Act 211, SLH 2010, the parties hereby agree to modify the proceedings and informally dispose of this matter in accordance with the terms and conditions of this Agreement.
- IX. This Agreement, upon complete performance of the terms and conditions stated herein, has the effect of remedial or corrective action taken by Respondent pursuant to section 11-FFF, Act 211, SLH 2010.
- X. Respondent, having voluntarily and fully cooperated with this investigation, desires to resolve any further administrative proceedings and potential litigation by entering into this Agreement with the Commission on her own volition without any coercion or duress and with full knowledge and understanding.
- XI. The parties agree to the pertinent facts as follows:
1. On or around June 15, 2010, Cox filed a complaint against Hannemann. On or around June 23, 2010, McLaren filed a complaint against Hannemann. On or about July 14, 2010, Barbara U. Wong, Executive Director for the Commission, initiated an investigation of Respondent.
 2. Hannemann is a 2010 candidate for Governor and the Committee is his candidate committee. Respondent is a volunteer for the Committee.
 3. Overby forwarded a Notice with the date of June 9, 2010, his signature, and without Hannemann's signature to Respondent prior to June 9, 2010. Respondent was responsible for filing the Notice for Overby.

4. Hannemann signed a Notice that was otherwise not filled in, and provided it to Respondent with a general authorization to complete and file the Notice.
5. In the afternoon of June 9, 2010, Respondent received information that Hannemann was in Washington, D.C., which conflicted with the information she had received prior that Hannemann would be in Pittsburgh, Pennsylvania on June 9, 2010. Respondent assumed that the dates for the meeting in Washington, D.C. and the fundraiser in Pittsburgh, Pennsylvania were switched and filled out a Notice indicating the fundraiser was going to be held on June 10, 2010.
6. Sometime around 2:30 p.m. on June 9, 2010, Respondent was informed by her assistant of a 2:30 p.m. meeting out of the office. Respondent left the Notice and the notice signed by Hannemann and the notice signed by Overby on her desk. Respondent left the office immediately and later realizing the Notice had to be filed, called her assistant to hand-deliver the Notice to the Campaign Spending Commission office.
7. Respondent failed to make clear to her assistant to file the Notice she filled out, along with the two notices, one with the Hannemann signature, and one that Overby filled out and signed.
8. On or about June 9, 2010, a fundraiser, as defined in section 11-203, HRS, was held for Hannemann at The Allegheny HYP Club in Pittsburgh,

Pennsylvania from 5:00 p.m. to 7:00 p.m., Eastern Standard Time, which was from 11:00 a.m. to 1:00 p.m. Hawaii Standard Time (“HST”).

9. A Notice for the fundraiser described in paragraph no. 8 above was filed with the Commission on June 9, 2010 at 3:08 p.m. HST. The date of the fundraiser was listed as June 10, 2010 on the Notice. The price or suggested contribution per person was listed in the Notice as \$500 or \$1,000 or \$2,500 per person.
10. Section 11-203, Hawaii Revised Statutes (“HRS”), provides as follows:

Fundraisers and fundraising activities. (a) As used in this section, “fundraiser” means any function held for the benefit of a person that is intended or designed, directly or indirectly, to raise funds for political purposes for which the price or suggested contribution for attending the function is more than \$25 per person.

(b) No fundraiser or fundraising activity shall be held unless a notice of intent to hold the function is filed by the person in charge of the function with the commission prior to the date of the function setting forth the name and address of the person in charge, the price per person, the date, hour, and place of the affair and the method thereof.
11. Respondent did not file the Notice prior to the fundraiser as required by section 11-203 HRS, but instead filed the Notice after the fundraiser was held, but on the same day as the fundraiser.
12. Respondent admits the Notice was filed late with the wrong date listed on the Notice.
13. Respondent did not knowingly, intentionally, or recklessly violate section 11-203 HRS.

XII. Settlement Terms

1. As final settlement of the matter and issues in Sections I through Section XI of this Conciliation Agreement No. 10-09, Respondent agrees to an assessment of \$100 pursuant to section 11-228 (a).
 2. Terms of payment of the assessment shall be by Order of the Commission.
 3. Respondent agrees to comply with Hawaii campaign spending laws.
 4. It is understood that by voluntarily entering into this Agreement, Respondent intends to remedy or correct the alleged violation, but this Agreement shall not be construed as, and does not constitute, an admission of liability or wrongdoing by Respondent.
- XIII. The Commission upon its own motion or a written request of anyone filing a complaint under section 11-BBB, Act 211, SLH 2010, may review compliance with the Agreement. If the Commission believes that the Agreement has been violated, it may institute administrative proceedings or a civil action in the Circuit Court of the First Circuit pursuant to section 11-JJJ (d), Act 211, SLH 2010.
- XIV. This Agreement shall become effective as of the date that all parties have signed and the Commission has approved the Agreement.
- XV. This Agreement constitutes the entire agreement between the Commission and Respondent on the matters raised herein, and no other statement, promise, or agreement, either in writing or oral, not contained in this Agreement made by either party or by agents of either party shall be enforceable.

XVI. This Agreement, unless violated, is a complete and final settlement with respect to the violation by Respondent that is the subject of the Agreement.

FOR THE COMMISSION:

Barbara Wong, Executive Director

Date: _____

FOR THE RESPONDENT:

Ms. Christine Camp

Date: _____