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Ethics Bill Advances; Hooser Will Seek Ethics Opinion

BY JIM DOOLEY



Gary Hooser

An amended ethics bill allowing state officials to accept free tickets to charitable fundraisers was passed by the state Senate today and sent to the House for further action.

The state Ethics Commission will meet next week to discuss the bill and related questions about lawmakers' attendance at similar events, including a free dinner this week that was hosted by a lobbying group.

The dinner, called A Taste of Ag, was organized by the Hawaii Crop Improvement Association, a trade group that represents biotechnology companies and producers of genetically modified food products.

Les Kondo, executive director of the Ethics Commission, said he did not know enough about the purpose and cost of the dinner to determine if officials' attendance at the event was permissible under the ethics code.

Numerous lawmakers attended the dinner, held Tuesday evening at the Brasserie Du Vin Restaurant on Bethel Street, although few contacted Kondo's office for a reading on the ethical implications of their attendance.

One state official with regulatory authority over some activities of the genetically modified food industry acknowledged today that he was a guest at the dinner.

Gary Hooser, named by Gov. Neil Abercrombie to head the state Office of Environmental Quality Control, told Hawaii Reporter that he attended the dinner although he was not on the official guest list.

Hooser said he was meeting an acquaintance for a meal that they had intended to eat at the Brasserie Du Vin, but did not know the restaurant was closed to the public because of the Taste of Ag dinner.

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Alicia Maluafiti, a professional lobbyist and executive director of the Hawaii Crop Improvement Association, recognized Hooser at the door and invited him inside, Hooser said.

"It was kind of a happenstance thing," said Hooser, a former Kauai state senator.

"If I had been (formally) invited, I wouldn't have attended," said Hooser, noting that he opposed aspects of the Genetically Modified Organism (GMO) industry when he served in the senate.

"On Kauai, these companies are a very big presence," Hooser said.

"I believe that the industry in the past would have considered me unfriendly," Hooser continued.

He acknowledged that the Office of Environmental Quality Control, which oversees the preparation and acceptance of environmental impact statements, could have authority over certain GMO-related activities.

The Senate is scheduled to vote tomorrow on Hooser's nomination to serve as head of OEQC.

Asked if he intended to seek an after-the-fact ethics ruling on the propriety of his presence at the dinner, Hooser said, "After this call, I guess I will."

Kondo, newly appointed to the Ethics Commission position, caused consternation at the Capitol last month when he told lawmakers the ethics code barred acceptance of free \$200 tickets to a charitable fundraiser hosted by the nonprofit Hawaii Institute for Public Affairs.

That prompted inquiries to Kondo about similar events to which legislators are invited, including the Taste of Ag.

"There are many, many events that legislators are invited to," Kondo said.

Nikki Love, head of the public interest group Common Cause Hawaii, said, "It's about time we have a serious discussion about these lobbying events and access to legislators. What kind of events are happening, are they appropriate, and are they being properly disclosed?"

In its original form, the ethics bill passed by the Senate today would have expanded public disclosure requirements imposed on legislators and lobbyists, said Love.

But the measure was completely overhauled and replaced by the current measure that simply permits state officials to accept fundraiser tickets worth up to \$200 from charitable nonprofits registered with the Internal Revenue Service.

The original bill "had good language to improve transparency in this area," said Love.

That was "before the legislators gutted it," she said.

Hooser told Hawaii Reporter that he has "mixed feelings" both about attending such events and about efforts to regulate attendance.

It's true that lawmakers could pay their own way at fundraisers for worthy causes, he said.

But that can be expensive, he added.

"Legislators are deluged with these requests and invitations," he said.

"Accepting a free ticket can be a way to show support for a deserving cause," he continued.

"Just by showing up, you can bring added value to the event. The nonprofits really appreciate your being there," Hooser said.



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And sometimes its just socializing, he continued.

"There are times when legislators are looking for something do. It's a way to network with each other. Sure, everybody is lobbying everybody else, but senators are lobbying each other, too. It's a form of building a social network," Hooser said.

Taking free tickets to events organized by professional lobbyists "is another matter," said Hooser.

"But nobody is going to buy my vote for a \$50 or \$100 dinner," he said.

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Jim Dooley joined the Hawaii Reporter staff as an investigative reporter in October 2010. Before that, he has worked as a print and television reporter in Hawaii since 1973, beginning as a wire service reporter with United Press International. He joined Honolulu Advertiser in 1974, working as general assignment and City Hall reporter until 1978. In 1978, he moved to full-time investigative reporting in for The Advertiser; he joined KITV news in 1996 as investigative reporter. Jim returned to Advertiser 2001, working as investigative reporter and court reporter until 2010. Reach him at Jim@hawaiireporter.com

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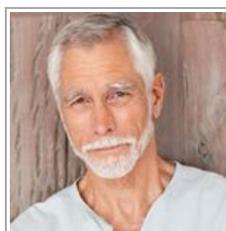
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