

Ethics Bill Changed, Debated Anew

By **Jim Dooley** - March 22, 2011



Blake Oshiro

BY JIM DOOLEY – Legislators quizzed state Ethics Commission executive director Leslie Kondo this afternoon about recent guidance he has delivered on gifts that



State House Majority Leader Blake Oshiro

lawmakers may not accept under the state Ethics Code.

House Majority Leader Blake Oshiro said Kondo's advice has caused a "flurry of inquiries" from legislators to Oshiro's office about whether they can accept free tickets to fundraisers and other gatherings.

Kondo's appearance before the House Judiciary Committee concerned a bill that would amend the Ethics Code to allow state employees, including legislators, to accept free gifts from non-profits, regardless of their value or the motivation behind the gifts.

At the close of the hearing, the committee voted to delay further consideration of the bill until next week.

The measure, [SB671](#), began in the Senate as an attempt to clarify and strengthen public disclosure requirements on legislators and lobbyists.

The measure has been repeatedly re-written, most recently by House members, as Kondo has advised lawmakers that the ethics code forbids the acceptance of gifts or meals worth more than \$25 unless there is a public benefit to the transaction.

Kondo told the committee the bill as now written would allow state employees too accept free invitations to fundraisers and free travel within the state or to the Mainland or foreign countries.

“The new exception would allow any legislator and any employee to accept an invitation to those types of events without regard to the value of the invitation, the relationship between the host organization and the recipient, or the purpose behind the invitation” Kondo said.

“Invitations could be accepted even where it reasonably could be inferred that the invitation is offered to influence or reward the legislator or State employee,” said Kondo.

The Ethics Commission voted last week to recommend against passage of the bill.

Representatives of the public interest groups Common Cause and Americans for Democratic Action testified today that the latest version of the bill is even more permissive than the measure opposed by the Ethics Commission.

Oshiro questioned Kondo closely about past formal opinions issued by the Ethics Commission and noted that the Code itself has been virtually unchanged since enacted into law nearly four decades ago.

“We haven’t touched this gift law for 39 years,” Oshiro said. But suddenly, he said, he is receiving many calls from his colleagues about whether they can accept free tickets to various events.

Committee chairman Gilbert Keith-Agaran noted that the legislators and lobbyists are obligated to disclose most gifts after they have been given and accepted.

Common Cause Hawaii director Nikki Love noted that such disclosures occur after the Legislature has adjourned for the year.

But Keith-Agaran said the disclosures are still made in time for voters to make informed decisions about legislators seeking re-election.

Comments

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Jim Dooley

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