

## HAWAII

# Maui County Plans to Post List of Lobbyists Online

A simple request from a citizen leads to a colorful exchange with a county attorney and, eventually, a change in policy.

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In June, Madge Schaefer wanted to know who was registered to lobby government officials on Maui, Lanai and Molokai.

She scoured the county Board of Ethics website but struck out, which was somewhat of a surprise given that [Honolulu](#) and the [state](#) both post their lists of registered lobbyists online.

Schaefer gave Maui's Corporation Counsel a call and was told the list could be emailed to her. When she didn't receive it by the next business day, she filed a formal records request under Hawaii's Uniform Information Practices Act. She received the list 10 minutes later.

County of Maui



*Maui County Council Chair Mike White is questioning the administration's enforcement of the lobbyist registration law.*

The list identifies the people being paid by private companies and nonprofits to persuade elected officials and others in local government to take certain actions. (Think land development, GMO regulations and plastic bag bans.)

Thanks to Schaefer's effort, which County Council Chair Mike White brought to light in a [column in the Maui News](#) last month (albeit without naming names), the public can soon expect to have a much easier time finding out who is a registered lobbyist in Maui County.

The Board of Ethics voted unanimously last week to post the list on its website. It's unclear when that will start.

"Understanding who a testifier represents can help to determine how a piece of testimony is evaluated," White said in his testimony before the Board of Ethics. "The fact that this list is currently unpublished goes against the spirit of maintaining an open and transparent government."

What really galled Schaefer was the county's decision to bill her 75 cents for the list it had already emailed to her.

"Why is the list of registered lobbyists being treated as privileged information?"

Schaefer asked Deputy Corporation Counsel Richard Rost in a July email exchange.

"You are now responding 12 business days after my request and in what can only be described as vexatious billing, demanding 75 cents for copying of a one-page document I already have. Really?"

Rost wrote back that Schaefer had been given the courtesy of an immediate response to her request, a courtesy he noted is not required of the county under the UIPA.

"The County is permitted to charge for copies under the law, and not billing you for the documents in question would have been unfair to all the other requesters who are charged for their document requests," he said. "Indeed, the County is permitted to decline to furnish documents until copying fees are paid. Again, as a courtesy, the County provided the documents to you instead of requiring payment first, as it was entitled to do under the law."

Rost called it "unfortunate" and "deeply illogical" that Schaefer saw the request to pay 75 cents as "bullying."

"It is your position that a taxpayer resident of Maui County is not entitled to public information and that what I got was a courtesy, because I didn't have to pay in advance," Schaefer responded.

"I have occasion to request information from other county departments and it is almost without exception, prompt and courteous, and startling to you I'm sure, absolutely free!

"To receive a lecture from you about what is fair is patronizing," Schaefer continued.

"What is, to use your term, 'deeply illogical,' is a senior attorney, replying late to an already filled request, in hot pursuit of 75 cents. I would hope that instead you would spend your time on more important matters.

"Of course, I will pay the 75 cents, so in a way you will be the winner in this truly trivial matter," Schaefer wrote.

Here's the list of Maui's registered lobbyists.



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