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## Panel to hear bill to loosen law on gifts to state workers

By Susan Essoyan

POSTED: 01:30 a.m. HST, Mar 22, 2011

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The House Judiciary Committee will hold a hearing this afternoon on a bill to allow legislators and other state employees to accept free tickets to nonprofit fundraisers as well as trips sponsored by other governments, with no restrictions.

The measure would dramatically alter Hawaii law, which prohibits state employees from accepting or soliciting any gift that can reasonably inferred as intended to

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influence or reward them in the performance of their duties. The Ethics Commission has interpreted the law to allow small "gifts of aloha," such as lei, and meals valued under \$25.

House Majority Leader Blake Oshiro wrote the new draft of the legislation (SB 671, HD 1) to include broad exceptions allowing state employees to accept free fundraiser tickets from nonprofit organizations and invitations from any "official government entity," including foreign governments. The bill would require state employees who accepted such gifts to report them annually, but impose no limit on the value of the gift.

"I broadened it to pretty much any nonprofit organization and, to somewhat allow for a balance, inserted a requirement that the gift be disclosed so there is clear transparency," said Oshiro (D, Halawa-Aiea). "In hearing from the nonprofit organizations, they really want elected officials to be in attendance at their fundraising events — one, because they think it is a draw; and two, because they feel there is an educational value to learning about the organization."

Some civic groups, however, were taken aback by the proposal.

"It makes a mockery of the state ethics code," said Jean Aoki, acting legislative liaison for the League of Women Voters of Hawaii. "It's totally unacceptable. These exemptions should not have been put in. Can you picture the junkets to other countries? The whole thing smells. Why would we want to ruin our state ethics code? It has very good guidance. It's general in nature but it's very clear."

The state Ethics Commission voted 3-1 last week to oppose a narrower version of the bill, SB 671, SD 2, that would have altered the ethics code to allow state employees to accept invitations to fundraisers for bona fide charities that are eligible to receive tax-deductible donations. The commission will be testifying against this new draft as well, according to Leslie Kondo, executive director.

"There are two big issues that the commission noted," Kondo said yesterday. "One, of course, is that the legislators and state officials are not precluded from going to these events. They can pay their way, but also the ethics code does not preclude them from accepting an invitation; there just needs to be some bona fide or legitimate state purpose or state benefit, then they would be allowed to accept the gift under the gift statute."

The push to change the gift law, which has been on the books since 1972, comes after the Ethics Commission recently advised legislators that they would be violating the law

if they accepted \$200 tickets as gifts from lobbyists to attend a fundraising dinner for the Hawaii Institute of Public Affairs. Some legislators have routinely accepted such tickets in the past and want to continue doing so.

"There are things that elected officials as well as employees have just assumed were permissible, and suddenly we're being told we should not attend the events unless we pay the full ticket price," Oshiro said. "I don't attend a lot of events, but there are some elected officials that do and they just feel it's an essential part of their duties."

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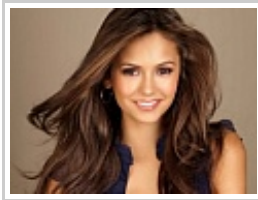
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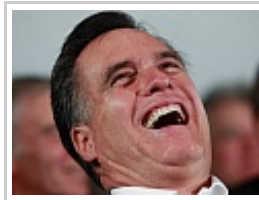
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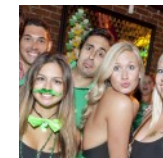


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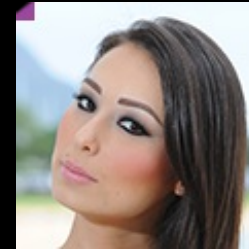
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