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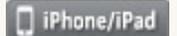
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Pupus and Politics: It's That Time of Year at the Hawaii Capitol

By [Chad Blair](#)[CONNECT](#)

| 02/14/2013

On Jan. 17, the day after the [Hawaii Legislature](#) kicked off its 2013 session, the [Chamber of Commerce of Hawaii](#) hosted lawmakers at Ferguson's Irish Pub in downtown Honolulu.

The soiree was the first of what's traditionally a string of lobbying efforts as the session gets under way. The "networking" events raise questions about whether special interests with money to burn are getting special access to lawmakers.

Over 100 business leaders registered to attend the chamber's "Meet & Greet with Legislators Pau Hana Reception," hoping to meet the 40 legislators the group said it expected to attend.



Chad Blair/Civil Beat

The pau hana followed a "Walk-Around at the State Capitol" earlier in the day, led by Sherry Menor-McNamara, the chamber's chief operating officer and senior vice president of government affairs.

Menor-McNamara was also part of the pau hana (pictured on this page) where legislators like Sen. [Will Espero](#) and Rep. [Romy Cachola](#) talked story with chamber members, many of them business owners. Former Big Island representative Jerry Chang and Pono Chong, the former majority leader of the Hawaii House of Representatives, now the chamber's director of business advocacy and government affairs, were also there.

The chamber's walk-around and pau hana are nothing new to Hawaii government, and are perfectly legal. Many

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organizations representing labor unions, industries and nonprofits invite lawmakers, and sometimes their staff, to similar events every legislative session.

The events range from blessings to award ceremonies, from informal fundraisers to formal receptions. (See the examples at the end of this article.) Not all events include food and alcohol, but some do.

Lawmakers who accept the invites say it helps them to network with constituents and better understand the issues they face, and how legislation might help or hurt. Similar arguments come from lobbying groups like the chamber.

But good-government advocates warn that the invitations represent a too-cozy relationship between interest groups and elected officials. It's the kind of access that most citizens don't have.

The [Hawaii State Ethics Commission](#) must continually remind lawmakers of the do's and don'ts of accepting gifts. Meanwhile, it keeps a close watch on efforts to relax the state gifts law — an issue that has surfaced in recent legislative sessions.

'Meeting Face-To-Face'

In its promotion for the meet-and-greet and pau hana, chamber officials made clear the reasons for holding them.

"One of the most important activities during the Legislative session is connecting business leaders to Hawaii Legislators," wrote chamber president and CEO Jim Tollefson. "Putting a face to business issues is essential to helping Legislators understand the impact certain legislation will have. Each year, Legislators have expressed how important meeting face-to-face and interacting with business leaders is to the process of understanding the issues facing Hawaii's businesses."

Asked about the perception that the events were intended to buy influence, Menor-McNamara told Civil Beat that the "meet-and-greet" should be understood as an opportunity for chamber members to become familiar with the legislative process and establish "a comfort zone" with lawmakers.

"A lot of our members can't go down to the Legislature during the workday because they are running their businesses," she said. "They can express their concerns about legislation."

As for the pau hana, Menor-McNamara also said it was an opportunity to meet lawmakers and have a forum to "talk story." She said the chamber is transparent about its activities, that all lawmakers were invited to the pau hana and that those that actually showed up numbered far fewer than the 40 advertised.

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As with every session, the chamber has a host of bills that are of interest to its members. This year they include proposals to raise the minimum wage to \$8.75 a hour, something proposed in Gov. [Neil Abercrombie's 2013 State of the State](#).

The chamber opposes the increase.

[As it testified](#) on one of the proposed measures, [House Bill 916](#): "This is a huge increase for business at a time when the economic recovery for many industries and businesses is still fragile. While only a small percentage of workers make minimum wage, this will greatly impact many businesses as they will be forced to raise the rates of many of their employees."

But Sen. Espero dismissed the notion that a lawmaker's vote can be bought. He echoed arguments made by Menor-McNamara.

"From my perspective it's an opportunity to hear from members," he said. "The chamber event was an opportunity for me and others to meet multiple chamber members and talk story. We talked about some business, social things, family things, but there was no specific lobbying per say. Even though [the chamber] is a lobbying group, it is much more. It is an advocacy group for small-business establishments and industry."

Rep. Cachola was out of town and could not be reached.

Do lawmakers give chamber members more attention when bills they are concerned about come before lawmakers?

"No, because the premise that because someone feeds you or gives you something to drink, that suddenly somehow you are beholden to them, that's wrong," said Espero. "It's outreach and networking. The dollar amount is \$25 or less, so to equate that with lobbying or decision making — it's really for them to meet and chat. I think that is a benefit for both sides."

Bills Decided On 'Merit'

Groups like Common Cause Hawaii express concern about the relationship between interest group invitations and legislation.

"I think it depends on to what extent, but influence is always going to be a concern," said executive director Carmille Lim. "If not direct influence then perceived influence. We understand that many of these events are for

educational purposes, but at the same time there are other educational venues that don't need a cost. Some tickets are over the \$25 limit. You can educate without including costs for food and overhead."

However, Espero compared invitations to campaign contributions and said neither influence legislation.

"It does not impact our decisions because we base our decisions strictly on discussion of the bills," he said. "You decide on the merits of the legislation."

Like many groups that send invitations to lawmakers, the Chamber of Commerce of Hawaii also donates money to campaigns.

From Jan. 1 to July 27, 2012, the election cycle leading up to last year's primary, the chamber's political action committee gave \$7,600 to nearly 30 legislative candidates, some of it for food and beverages for fundraisers.

Espero was not included in the contributions, but Pono Chong was. So was the candidate who defeated him, Jessica Wooley. Espero also received chamber money in 2011.

For the period March 1 through April 30, 2012, meanwhile — the most recent report posted online with the Ethics Commission — the chamber spent \$19,500 on lobbying. The time period coincided with the Legislature's 2012 session; Tollefson and Menor-McNamara are identified as the chamber's lobbyists.

Invitations Are Gifts

Under the State Ethics Code, invitations are considered "gifts."

In a Jan. 14 memo to all state senators and representatives, Les Kondo, executive director for the Hawaii State Ethics Commission, reminded lawmakers that "some of these invitations cannot be accepted."

To help lawmakers, Kondo directed them to guidelines. The commission also publishes a gifts law Q&A.

When it comes to food and drink events, a lawmaker may accept those valued under \$25.

Those above \$25, according to ethics guidelines, have to have a legitimate "state benefit, i.e., there is a reasonable relationship between the event and the legislator's or employee's official duties. Generally, a desire to 'show support' for an organization by attending a fundraising function is not, by itself, sufficient to establish a 'state benefit.'"

Lawmakers have often sought to loosen the laws on gifts, moves opposed by the Ethics Commission.

In the 2011 session, the [commission objected to a bill](#) that would have allowed lawmakers and state employees to accept free tickets to charitable events.

The measure, [Senate Bill 671](#), was later rewritten to make even more exemptions to the gifts law. The commission [submitted testimony](#) warning that the bill would allow legislators to accept "significant and costly gifts that will likely cause substantial harm to the public's perception of an ethical state government."

Ironically, SB 671 as initially drafted was intended to *strengthen* ethics laws. Among other things, it would have required lobbyists to disclose events attended by legislators, and require lobbyists and their clients to disclose all campaign donations made during legislative sessions.

Once amended — dramatically so — the legislation led to an outcry from good-government advocates like the Media Council of Hawaii, the League of Women Voters and Common Cause Hawaii. SB 671 was killed.

Proposed Legislation

The Ethics Code requires legislators to file gift disclosure statements if gifts are valued in excess of \$200. But the Ethics Commission does not have the resources to investigate every gift to every lawmaker.

Though not related directly to lawmaker invitations, at least three measures were introduced this session to strengthen statutes related to gifts. None have received a hearing and are probably dead for 2013.

A fourth measure, [HB 601](#), seeks to broaden ethics standards by prohibiting gifts from lobbyists. Exceptions would include leis under \$20 and flowers, food, beverages, tableware, decorations and entertainment for opening day of session.

"To strengthen public confidence in their elected officials and provide guidance to state officials and employees, the legislature finds that an even higher and more transparent standard of conduct must be established," [according to the bill](#). "It is not enough to comply with the State Ethics Code; state officials and employees must avoid even the appearance of impropriety or any conflict of interest in performance of their public duties, and the public must be a part of this process."

HB 601, sponsored by Speaker Emeritus [Calvin Say](#) and seven of his House supporters, has not been scheduled a hearing.

View some of the recent invitations to special events lawmakers received from interest groups:



Thanks for your RSVP!
We're looking forward to seeing you at...

Dealer Day at the State Capitol

12 noon - 1:30 p.m. Thursday,
January 17, 2013 - 3rd Floor, Room TBA

All legislators are invited to enjoy a catered plate lunch from Kakaako Kitchen and meet with auto dealers and dealership representatives from across the state.

AGENDA: (Very Informal)



hawaiiCigar ASSOCIATION



Legislative Meet and Greet

Friday, February 8, 2013, 10am to 11:30am
Room 423, Hawaii State Capitol

One food and drinks from Chu Wah Kam and Kamehameha Bakery will be provided by the HCA

Members of the Hawaii Cigar Association, and Cigar Rights of America will be on hand to meet and discuss the importance of SB653 and HB704

Mahalo Nui Loa

to those Legislators who have introduced and sponsored our premium cigar bills!

Sponsors: Josh Green MD, Suzanne Chan Oakland, Clarence Nishihara, Russell Roderman, and Malle Shimabokuro.

Representatives: Dee Morikawa, Faye Hanohano, John Mizuno and Kaniela Ing.

Special Attending Guests to the Meet and Greet Will Include:

Pepla "Jojo", Maria, Jaimie, Janny Garcia and Dandy Bermudez, of My Father Cigars
Robert Levin of Aulani Cigars, Rocky Patel of Rocky Patel Premium Cigars,
Pete Johnson of Tatuaje Cigars, Jeff Barylewicz of Corona Cigar Company and
Chairman and co-founder of Cigar Rights of America, Mike Talbot of Oliva Cigar Family,
Ed Trevino of General Cigar Company, and Les Drent of Kavaal Cigar

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Kindly RSVP to Stacy Ellamar by December 28, 2012
(808) 528-5557, ext. 5 or prprevents@prp-hawaii.com

By invitation only - invitation is not transferable

ADMISSION TICKET

LEGISLATORS' LUNCHEON

Monday, January 22, 2013

State Capitol, Conference Room 325

11:30 a.m.

(or immediately following the Governor's State of the State Address)

Hawaiian Buffet



Blessing Event

Friday, February 22, 2013

Bus Tours: 10-11:30 am, 1-2 pm

Luncheon: 11 am-12 pm

Program: 12 pm-1 pm

Luncheon by
Maui's Three's Bar & Grill

Entertainment features

Na Hoku Hanohano winner Willie K

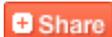
Maui's Winery Grounds
Ulupalakua Ranch - Kula, Maui, Hawaii

Business casual attire

Men: slacks, aloha shirt, closed toe shoes. No coat or tie.

Women: slacks, blouses, closed toe shoes. No high heels.

DISCUSSION: Should lawmakers be allowed accept invitations to interest groups' special events? Do you think it's buying influence or simply networking?



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Discussion



Add a comment...



Dave Kozuki · Top Commenter · Honolulu, Haw aii

Plate lunch, pupus at a bar type events sound like reasonable, time effective w ays to get law makers and their constituents raises red flags for me are the expensive venues and the large donations/fundraising events.

Reply · 2 · Like · February 14 at 2:24am

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