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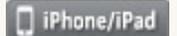
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## Show Us The Money: Bill Calls For Early Financial Disclosure

By Chad Blair

CONNECT

02/20/2013

Hawaii legislators are required to file public financial disclosure statements by May 31 of each year.

But that falls after the end of the regular legislative session, which usually wraps up business by the first week in May.

That makes it difficult to find out the connections lawmakers might have with groups and issues before the [Hawaii Legislature](#), and whether there are potential conflicts of interests.

Should a lawmaker who works for a company, for example, be allowed to vote on legislation that would impact that company directly?

[House Bill 1132](#), which passed a second House committee Tuesday and now heads to the floor for a full vote, would move the disclosure deadline to between Jan. 1 and Jan. 31.

The [Hawaii State Ethics Commission](#) supports HB 1132.

"By moving the filing requirement to January 31, legislators' financial disclosure statements would be made available to the public early in the legislative session," the [commission testified](#). "This earlier disclosure, in turn, would enable the public to assess a legislator's actions or positions against the legislator's publicly disclosed financial interests."



Chad Blair/Civil Beat

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## Potential Conflicts

Financial disclosures can be revealing.

Kauai Rep. Jimmy Tokioka, to cite [a recent case](#), reported that he made between \$50,000 and \$100,000 annually as a business manager for Oceanic Time Warner Cable.

As Civil Beat research revealed, during the 2012 session Tokioka also voted on telecommunications legislation. Critics charged that Tokioka had a conflict of interest, though then-House Speaker [Calvin Say](#) ruled that Tokioka had no conflict.

Most lawmakers currently wait until after session to disclose financial interests. In 2011, that included [60 percent of state senators](#) and [70 percent of state representatives](#).

Lawmakers have not appeared eager to change the disclosure deadline.

A [bill in the 2012 session](#), introduced by Republican state Sen. [Sam Slom](#), would have required the deadline be moved from May 31 to Jan. 15. Lawmakers [were split over the idea](#), and the measure didn't get a hearing.

This year, there is new leadership in both chambers and increased focus on ethics, transparency and accountability. HB 1132 unanimously passed the House Legislative Management Committee Feb. 1.

It's unclear how many lawmakers have already filed 2013 financial disclosures. As of Tuesday, only one out of Hawaii's 76 legislators had a current disclosure posted online: [Gil Keith-Agaran](#), the former House representative from Maui appointed to fill [Shan Tsutsui's](#) vacated Senate seat.

The Ethics Commission told Civil Beat that several lawmakers besides Keith-Agaran had filed their paperwork but that the commission, with manpower limitations, had not yet posted the information online.

HB 1132 was introduced by Rep. Takashi Ohno, a Democrat in his first term in office.

Though he has not yet filed his 2013 disclosure, Ohno did file [a 2012 report](#) in early December. As in the case of Keith-Agaran, new lawmakers are required to submit financial disclosures within 30 days of their election or appointment.

## Improve 'Public Confidence'

If passed by the Legislature and signed by the governor, HB 1132 would become law immediately.

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Thus far, no one has testified in opposition to the bill.

In its written testimony, the Ethics Commission explained that legislators are not subject to the [Code of Ethics](#) prohibiting state employees from taking "official action directly affecting a business in which the employee has a financial interest."

HB 1132's proposed amendment to the law, the commission explained, would not expand or change the scope of the conflicts of interest provision: "Nonetheless, the State Ethics Commission believes that HB No. 1132, by requiring an earlier financial disclosure statement filing requirement for legislators, would improve openness, transparency and public confidence in state government."

In its supporting testimony, Americans for Democratic Action/Hawaii stated, "Legislators' financial information allows the public, as well as other legislators, to monitor for potential conflicts of interest, and helps to promote the integrity of and confidence in the political system."

"We believe that moneyed interest must be made transparent to the public early in the legislative session," Common Cause Hawaii testified. "We help the public know who is financially supporting our elected officials — and by extension, the policy decisions being made."

The League of Women Voters of Hawaii also supports HB 1132. So does island blogger and Civil Beat contributor Ian Lind.

"Financial disclosures provide just one example in which public interest provisions are watered down by deadlines that are less than timely," Lind wrote on [his blog this week](#). "My cynical take is that the late deadline offered a way for legislators to say they voted for public disclosure, while at the same time deferring to opponents of disclosure by setting the annual deadline well after the end of the legislative session."

At Tuesday's hearing before House Judiciary, [Les Kondo](#), executive director of the Ethics Commission, told lawmakers, "For the committee's information, we frequently get calls from the public and others questioning why legislators are not required to file during session."

HB 1132 passed Judiciary with a unanimous vote, with Chairman [Karl Rhoads](#) only adding "technical and non-substantive amendments to clarify who gets to file and when."

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**DISCUSSION:** *Should lawmakers be required to file financial disclosure forms during session? How will the disclosures will affect lawmakers' behavior or votes?*



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LMG is not a new committee,M

Reply · Like · February 20 at 9:47pm



**Chad Blair** · ★ Top Commenter · Works at Honolulu Civil Beat

Really? I'll fix ASAP. Thanks, Marilyn.

Reply · 2 · Like · February 21 at 10:03am



**Robert Manning** · ★ Top Commenter · Santa Ana High School

I wish that I could "bitch" slap one at a time all the voters that voted for this Karl Rhoads.

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**Heidi Pliszka** · ★ Top Commenter · Honolulu, Hawaii

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