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## Will Hawaii Lawmakers Require More Government Transparency?

By Nathan Eagle CONNECT | 04/15/2014



The Hawaii State Capitol

Almost all of the bills to boost government transparency and hold public officials more accountable are dead this legislative session, but a handful have managed to make it to the final days of decision-making.

Still, the fate of the measures to reform Hawaii's [lax lobbying laws](#) and shine a broad ray of sunlight on the financial interests of state board and commission members is far from certain.

House and Senate leadership on Monday started picking members from their respective chambers to serve on the conference committees that will determine the final shape of each surviving bill over the next two weeks.

[Senate Bill 2629](#), introduced by Sen. [Les Ihara](#), would force lobbyists to report the money they spend and who gave it to them within 30 days of the end of a special session. It's in direct response to the two-week special session last fall to legalize gay marriage.

Anonymous mailers targeted state lawmakers who were considering voting in favor of same-sex marriage, such as Reps. [John Mizuno](#) and Linda Ichiyama. The flyers, which Mizuno considered a hit piece, were sent to Hawaii homes in October without indicating who was behind them.

News outlets [reported within days](#) that it was the First Assembly of God's political handiwork, but not how much the church was spending on its effort to sway lawmakers or who the major donors were. That information had to wait until the lobbying reports came out — three months later.

State law only requires lobbying reports to be filed four times a year. In this case, the next one wasn't due until the end of January so the public didn't know who was behind the lobbying efforts or to what degree until well after [Gov. Neil Abercrombie signed the bill into law](#).

Ihara told [Civil Beat](#) Monday that SB 2629 would help ensure the lobbying reports are available when they're still relevant.

[Senate Bill 2634](#), introduced by Sens. [David Ige](#) and Ihara, would require lobbyists to itemize their expenses so the public can have a better picture of how they are exerting their influence.

The form the state [Ethics Commission](#), which enforces the lobbying laws, currently uses gives lobbyists the option of disclosing their expenses in several categories, but doing so is voluntary. Many lobbyists simply fill in a lump sum and leave the other slots blank.

The House and Senate versions of the two lobbying bills don't seem too far apart. Ihara considers their chance of passage this session to be pretty good.

Both measures have strong support from the Ethics Commission, [League of Women Voters](#) and [Common Cause Hawaii](#). But there has been resistance from conservative groups and religious organizations who opposed the same-sex marriage bill, such as [Hawaii Family Advocates](#), which spent \$23,317 lobbying lawmakers during the [special session](#).

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### About the Author

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## Disagreement Over Disclosing Financial Interests

A third piece of ethics legislation that's still alive, [Senate Bill 2682](#), would require 16 of the most powerful boards and commissions in Hawaii to make their financial disclosure forms public for the first time.

It's a controversial piece of legislation that board members have opposed despite the calls for more transparency.

Critics have said [disclosing the financial interests would have a chilling effect](#) on people wanting to serve on boards and commissions. Supporters maintain that the added requirement hasn't proven to be a problem for other public bodies who already have to file the reports, but the transparency has instilled more public confidence.

The Senate and House drafts diverge sufficiently to suggest a tough time in conference committee.

The Senate version only included the [Public Utilities Commission](#) whereas the House added 15 more, including the [Hawaii Community Development Authority](#), [University of Hawaii Board of Regents](#) and the [Board of Land and Natural Resources](#).

The Ethics Commission says it lacks the resources to vet the roughly 1,800 financial disclosure statements it receives annually from state employees, including all the volunteer board members. Only 180 or so are open to public inspection now, counting those filed each year by all 76 state lawmakers.

Ethics Executive Director [Les Kondo](#) has said it's unlikely the commission can catch all the potential conflicts of interest, but enlisting the public's help by making the forms available for more boards would help.

The commission operates on just under \$1 million annually with a staff of 10. Its jurisdiction covers more than 60,000 state employees, plus candidates for state office and hundreds of lobbyists.

The measure, introduced this session by Sen. Maile Shimabukuro, has been put forward in one version or another for years but has ultimately died every time.

Even if it clears the Legislature this time, Ihara said it could be ripe for a veto. He said there are concerns over the bill affecting current board members who started their terms without having to file public financial disclosure statements.

It will be up to the conference committee to amend the language to resolve this issue. Sens. [Clayton Hee](#) and Shimabukuro and Reps. Angus McKelvey and [Karl Rhoads](#) were appointed Monday to co-chair the committee.

## The Fallen

The Ethics Commission had been tracking a dozen or so bills related to ethics and lobbying this session. Aside from the two lobbying measures and financial disclosure bill, all the others have died.

An effort to [prohibit private employers from compensating legislative interns](#) cleared the House but died in Senate.

A bill to require board members to complete [training on public meetings](#) met a similar demise.

A measure to let [public schools raise money for private nonprofits](#) moved quickly through the Senate but was indefinitely deferred March 28 in the House.

An [effort to combat nepotism](#) also failed. The bill would have prohibited a legislator or public official from directly helping any relative get a job with the state.

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**DISCUSSION:** *What do you think of the Legislature's efforts to increase government transparency and accountability?*

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Discussion



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

Nathan rocks!

Reply · Like ·  3 · April 15 at 10:51am



**Mary Morgan Evans** · Works at UNITE HERE

So much potential in these bills. Come on legislators-- this is an opportunity to repair the public's broken confidence in government.

Reply · Like ·  2 · April 15 at 4:30pm



**Patricia Blair** ·  Top Commenter · University of Nebraska-Lincoln

If the legislature fails to do its duty, then I hope that Civil Beat joins Henry Curtis to publish finances.

Reply · Like ·  1 · April 15 at 12:20pm



**John Bond** ·  Top Commenter

[http://en.wikipedia.org/wiki/The\\_Third\\_Wave](http://en.wikipedia.org/wiki/The_Third_Wave)

The Third Wave was a social experiment to demonstrate that even democratic societies are not immune to the appeal of fascism. It was undertaken by history teacher Ron Jones with sophomore high school students attending his "Contemporary World" history class as part of a study of Nazi Germany.

Hawaii has now a unique blend of Corporate Fascism and Developer/Construction Fascism that has taken over the Hawaii political system. If Hitler were around today in Hawaii he would be wearing an Aloha shirt and would be absolutely thrilled how his principals of National Socialism has been morph into the type of "government" that is evolving in Hawaii today. Voter apathy is lower than ever (possibly lowest in the US) and this is exactly what the Hawaii Developer/Construction Fascism government system strives for.

Everyone is just trying to survive - no one has time for "democracy" any more and our "elected" officials are too well rewarded just going with the Developer/Construction Fascism system that supplies their campaign funds and opportunity for re-election ...

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