



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SIXTH LEGISLATURE, 2012**

ON THE FOLLOWING MEASURE:

H.B. NO. 2457, RELATING TO LIMITED EXEMPTION UNDER STATE ETHICS CODE REGARDING CHARITABLE EVENTS.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY

DATE: Thursday, February 2, 2012 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): David M. Louie, Attorney General, or
Robyn B. Chun, Deputy Attorney General

Chair Keith-Agaran and Members of the Committee:

The Department of the Attorney General supports this bill.

This bill amends sections 84-11 and 84-13, Hawaii Revised Statutes (HRS), to provide a limited exemption under the State Ethics Code to permit legislators and state employees to accept invitations or complimentary tickets from charitable entities to attend charitable events other than golf tournaments.

Attending events sponsored by charitable entities provides lawmakers and government officials with opportunities to learn about the services charitable entities are providing and the disadvantaged populations they serve. Attending these events also helps them keep current on community needs and issues. Accordingly, invitations or complimentary tickets to such events, excluding golf tournaments, for legislators and state officials should be exempt from the prohibitions of section 84-11, HRS. At the same time, to further the interests of transparency and full disclosure, the receipt and actual value of the invitations or complimentary tickets are still subject to the reporting requirements set forth in section 84-11.5, HRS.

We respectfully request that the committee pass this bill.



HAWAII STATE ETHICS COMMISSION

State of Hawaii • Bishop Square, 1001 Bishop Street, ASB Tower 970 • Honolulu, Hawaii 96813

February 2, 2012

The Honorable Gilbert S. C. Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice Chair
House Committee on Judiciary
Hawaii State Capitol, Room 302
415 South Beretania Street
Honolulu, Hawaii 96813

Re: **Testimony on HB No. 2457, Relating to Limited Exemption
Under State Ethics Code Regarding Charitable Events**

Hearing: Thursday, February 2, 2012; 2:00 p.m.
State Capitol, Conference Room 325

Testifying: Leslie H. Kondo, Executive Director and General Counsel
Hawaii State Ethics Commission

The Honorable Gilbert S.C. Keith-Agaran, Chair; The Honorable Karl Rhoads,
Vice Chair; and Members of the House Committee on Judiciary:

The State Ethics Commission opposes House Bill 2457, Relating to Limited Exemption Under State Ethics Code Regarding Charitable Events. This bill amends the State Ethics Code to allow state legislators and state employees to accept invitations and free tickets from charitable entities to fundraisers and informational functions sponsored by them or by other charitable entities.

Currently, the State Ethics Code prohibits state legislators and state employees from accepting any gift, including invitations to charitable fundraiser events, if it is reasonable to infer the gift is offered to influence or reward the legislator or employee. The State Ethics Code also prohibits a state employee, including a legislator, from receiving an "unwarranted" benefit or privilege as a result of his or her state position. The State Ethics Commission has interpreted these laws as prohibiting the acceptance of an invitation or free ticket to a charitable fundraiser event whose fair market value is \$25 or more, unless there is a reasonable and clear "state purpose" associated with the state employee's participation in the event.

The Honorable Gilbert S. C. Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice Chair
February 2, 2012
Page 2

Article XIV of the State Constitution states that “[t]he people of Hawaii believe that public officers and employees must exhibit the highest standards of ethical conduct.” The State Ethics Code was enacted pursuant to this constitutional mandate and expressly reflects that the statute’s purpose is to preserve the public’s confidence in its public servants. The State Ethics Code represents the legislature’s clear and unambiguous determination as to the minimum standards of conduct required to achieve that purpose; the minimum standards of conduct so that the public has confidence that state employees, including legislators, are doing the right things, for the right reasons.

House Bill 2457, however, will create a significant exception to those standards of conduct that the legislature had determined, as a minimum, must be met to foster public confidence in state government. This bill will allow legislators and state employees to accept more gifts and to receive “unwarranted” benefits simply because of their state positions. More specifically, the bill will allow legislators and state employees to accept invitations to charitable events, without regard to the value of the invitation, without regard to the relationship between the charitable organization and the recipient, and without regard to the purpose of the invitation.

As you know, many charitable, non-profit organizations, including 501(c)(3) non-profit organizations, lobby the legislature.¹ Those organizations lobby for and against substantive bills that may result in significant changes to State policy (e.g. civil unions). Charities compete with each other and with for-profit organizations for state contracts, state grants-in-aid² and other state funding, benefits, and assistance.³

This bill will allow legislators to accept invitations and free tickets of unlimited value from these lobbying organizations, invitations and tickets which clearly would be prohibited from for-profit organizations engaged in substantively identical lobbying

¹ For example, a number of 501(c)(3) organizations filed lobbying expenditures reports with the State Ethics Commission within the past year: The American Heart Association; The American Cancer Society, Hawaii Pacific, Inc.; Life of the Land; Hawaii Family Forum; the Nature Conservancy; Blue Planet Foundation; Hawaii Longterm Care Association; Hawaiian Humane Society; the Humane Society of the United States; Historic Hawaii Foundation; Kanu Hawaii; The March of Dimes; Phocused; and The Outdoor Circle.

² The 2011 Legislature received grants-in-aid applications from a number of 501(c)(3) organizations, including, Catholic Charities Hawaii, Goodwill Industries of Hawaii, YMCA, Bishop Museum, Rehabilitation Hospital of the Pacific Foundation, Easter Seals Hawaii and Adult Friends for Youth.

³ See, for example, Senate Bill No. 1143, which provides a grant directly to a 501(c)(3) organization. Other bills provide funds to indirectly fund grants or other aid; see also Senate Bill No. 2659, which seeks an emergency appropriation to support certain human services, health and education needs. Many of the entities providing those services and which will receive the state funds, such as Goodwill Industries of Hawaii, Catholic Charities Hawaii, The Children’s Alliance of Hawaii, Phocused, Child & Family Services, appear to be 501(c)(3) organizations.

The Honorable Gilbert S. C. Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice Chair
February 2, 2012
Page 3

activities. This bill will allow state employees to accept invitations and free tickets of unlimited value and without any limit as to the number of such invitations and tickets from charitable organizations that are subject to the employee's official action. In such circumstances, it is reasonable to infer -- as the Ethics Commission has opined -- that the charitable organization is offering the free fundraiser ticket, is inviting the legislator or state employee to the fundraiser to influence or reward official action.

The bill's justification for amending the State Ethics Code is that "[a]ttendance by lawmakers and government officials at events sponsored by charitable entities provide them with opportunities to help keep them current with community issues." In the Ethics Commission's opinion, giving consideration to the statutory purpose of the State Ethics Code, such reasoning does not support or justify weakening the ethical standards that the legislature had determined were necessary to foster public confidence in state government. The bill offers no reasonable explanation as to why legislators and state employees must attend an event that is likely exclusive, expensive and primarily, if not completely, social in nature in order to "keep them current with community issues."

Many non-profit and for-profit organizations, lobbyists representing both types of organizations, and ordinary citizens visit legislators and state officials in their respective offices to help keep legislators and state officials current with their issues. Moreover, many non-profit and for-profit organizations have successfully found ways in which to meet, communicate with and educate legislators and state officials about issues important to their respective organizations, without having to offer invitations or free tickets to lavish events. For example, Kamehameha Schools, a charitable entity as defined by the bill, invited legislators to an informal breakfast in Conference Room 325 of the State Capitol "to update [legislators] on the educational initiatives, statewide community outreach, public education support, and land and community building activities Kamehameha Schools continues to pursue." Other non-profit organizations, such as the Building Industry Association, the Hawaii Automobile Dealers Association, and the Hawaii Dental Association, host similar types of events to discuss their respective legislative priorities, offering modest meals, many of which are held in conference rooms at the State Capitol.

Absent a clear and compelling need for legislators and state officials to be allowed to attend expensive and lavish fundraiser events, which the State Ethics Commission believes is markedly absent here, the State Ethics Commission believes that amending the State Ethics Code to allow legislators and state officials to accept more gifts, especially from organizations that lobby and seek to influence official action, is contrary to both the constitutional mandate and the State Ethics Code's state purpose.

For all of these reasons, the State Ethics Commission opposes HB 2457 and requests that the Committee hold the bill.



LEAGUE OF
WOMEN VOTERS®

League of Women Voters of Hawaii

49 South Hotel Street, Room 314 | Honolulu, HI 96813

www.lwv-hawaii.com | 808.531.7488 | voters@lwvhawaii.com

House Committee on Judiciary
Chair Rep. Gilbert S.C. Keith-Agaran, Vice Chair Rep. Karl Rhoads

Thursday 2/2/12 at 2:00 PM in Room 325

HB 2457 — RELATING TO LIMITED EXEMPTION UNDER STATE ETHICS CODE REGARDING CHARITABLE
EVENTS

TESTIMONY

JoAnn Maruoka, Legislative Committee Member, League of Women Voters of Hawaii

Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members:

The League of Women Voters of Hawaii strongly opposes HB 2457 to exempt from restrictions on gifts under the ethics code invitations or complimentary tickets to a widely attended charitable event from a charitable entity, whether or not the charitable entity is the host of the charitable event.

We caution against being persuaded by the use of the term "charitable." While it would seem to give the sense of a high-level purpose, we are gravely concerned about the inherent risks of actual or at the least the perception of conflict of interest, including undue influence and use of public office for personal gain. There are red flags here: accepting tickets, *even if the event is not hosted by the organization giving the ticket*; no limit on the ticket dollar value; no limit on the number of fundraiser tickets that an organization can give; no restriction on whether the organization that gives the ticket lobbies and/or receives funds from the legislature. These beg the question of what is driving this bill and why it is needed.

Public service is a public trust, and ethics and integrity are critical to citizens having confidence in our government. As the director of the National Conference of State Legislatures (NCSL) Center for Ethics puts it, "Ethics are the standard of what is right and wrong, and they are based on our values. Being ethical requires making a moral judgment, and that's not always easy. Ethical behavior takes courage and has to be practiced. Public officials feel added pressures. The ethical choices we make often occur in the public arena, often under the media's lens."

We also refer you to a January 2012 NCSL article (http://ncsl.typepad.com/the_thicket/2012/01/to-my-great-shame.html) about convicted felon Jack Abramoff who spoke to the Kentucky legislature about his years as a Washington lobbyist and his conviction for fraud, tax evasion and conspiracy...



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Abramoff had lots to say about how lobbyists work and the traps for public officials. Legislators may be doing things that are not illegal, but are wrong, he said. Legal lines are drawn, but these lines are not always "right." No lawmaker believes he or she can be bought. But government is composed of "ordinary, decent people who slowly accommodate themselves to a system that is rife with moral predicaments," he said." Included in his advice to the Kentucky state legislators, Abramoff said "There is a connection between money and politics. Any gift, no matter how small, is a form of bribery... Politicians are human and humans are grateful to people who do nice things for them. This is how lobbyists gain access... And remember that a public servant works for the public, not for lobbyists."

For government to work people must have faith in the integrity of its elected officials and the culture of honesty. The purpose in having a Code of Ethics is to prevent corruption in government. Every step forward in protecting against corruption helps improve public confidence in government. We see the proposed exemption as a step backward. Since there are no sound or persuasive reasons to make the exemption, we urge you to hold the bill in committee.

Thank you for the opportunity to submit testimony.



Committee on Judiciary
House of Representatives
Thursday, February 2, 2012

HB 2457, Relating to Limited Exemption Under State Ethics Code Regarding Charitable Events

Testimony in Support

Mr. Chairman and Members of the Committee, my name is Linda Chu Takayama and I am Chair of the Hawaii Foodbank, a nonprofit charitable organization that distributes more than 12 million pounds of food to over 183,000 individuals each year. Except for modest funding to ship food to our neighbor island affiliates, the Foodbank receives no government funds.

We support this bill. Legislators are invited to our events to give them an opportunity to learn about and witness first-hand the concern and support of our donors, volunteers and recipients. We hope organizations such as ours that provide community-wide services would be of interest and importance to public policy makers.

Our limited resources would make it difficult to organize these events separately for individual legislators. Removing the restriction on their attendance would serve to promote awareness and education of our mission to feed the hungry.

Thank you for your consideration

Linda Chu Takayama
(808) 545-3060

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 702 Honolulu, Hawaii 96813

Phone: (808) 531-2198 Fax: (808) 534-1199

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Daryl Selman, President
Judith F. Clark, Executive Director
Aloha House
American Civil Liberties Union of Hawaii
Assistive Technology Resource Ctrs. of HI
Bay Clinic, Inc.
Big Brothers Big Sisters of Honolulu
Big Island Substance Abuse Council
Blueprint for Change
Bobby Benson Center
Catholic Charities Hawaii
Central Oahu Youth Services Assn.
Child and Family Service
Coalition for a Drug Free Hawaii
Domestic Violence Action Center
EPIC, Inc.
Family Support Hawaii
Friends of the Missing Child Center of HI
Hale Kipa, Inc.
Hale 'Opio Kauai, Inc.
Hawaii Behavioral Health
Hawaii Student Television
Healthy Mothers Healthy Babies Coalition
Hina Mauka Teen Care
Hui Malama Learning Center
Kahi Mohala Behavioral Health
Kama'aina Kids, Inc.
KEY (Kualoa-Hecia Ecumenical Youth) Project
Kids Behavioral Health
Kids Hurt Too
Kokua Kalihi Valley
Kula No Na Poe Hawaii
Lanai Community Health Center
Life Foundation
Marimed Foundation
The Maui Farm, Inc.
Maui Youth and Family Services
Palama Settlement
P.A.R.E.N.T.S., Inc.
Parents and Children Together (PACT)
Planned Parenthood of Hawaii
Queen Liliuokalani Children's Center
Kona Unit
REAL
Salvation Army Family Intervention Svcs.
Salvation Army Family Treatment Svcs.
Sex Abuse Treatment Center
Susannah Wesley Community Center
The Catalyst Group
The Children's Alliance of Hawaii
Waikiki Health Center
Women Helping Women
YouthVision
YWCA of Kauai

January 31, 2012

To: Representative Gilbert Keith-Agaran, Chair
And members of the Committee on Judiciary

TESTIMONY IN SUPPORT OF HB 2457 RELATING TO LIMITED EXEMPTION UNDER STATE ETHICS CODE REGARDING CHARITABLE EVENTS

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports HB 2457 Relating to Limited Exemption Under State Ethics Code Regarding Charitable Events.

Many charitable organizations seek funding from the Hawaii Legislature or advocate on behalf of their clients on legislative issues. It is important for State Legislators to be knowledgeable about health and social service issues that come before the Legislature and about the resources available to those in need.

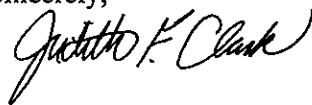
Attending special events put on by charitable organizations is one appropriate way to increase knowledge about issues, needs, and resources. Legislators have opportunities at these events to talk with staff and volunteers, and learn from beneficiaries of services. Many of the people that legislators meet at these events have never been to the Capitol or spoken with a legislator before. It gives them a chance to share their stories with someone who can make a difference in their lives.

I do not believe that legislators are likely to be influenced in their voting and other actions because they received a free ticket to a dinner. I do think that they are likely to get new insights into and information about issues with which they deal by having the opportunity to talk with service providers and recipients.

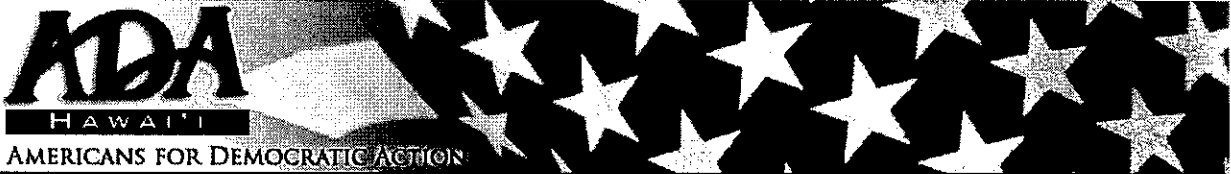
Hawaii Youth Services Network does not put on fundraising events so we will not benefit directly from this legislation.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark
Executive Director



OFFICERS	DIRECTORS			MAILING ADDRESS
Guy Archer, President	John Bickel	Jan Lubin		PO. Box 617
Juliet Begley, Vice-President	Karin Gill	Stephen O'Harrow	Bart Dame (Alt)	Honolulu
Fritz Fritschel, Treasurer	Tom Horton	Barbara Polk,	Josh Frost (Alt)	Hawai'i 96822
Chuck Huxel, Secretary	Nancy Bey Little	George Simson	Marsha Schweitzer (Alt)	

February 1, 2012

TO: Chair Gilbert Keith-Agaran, Vice Chair Karl Rhoads
Members of the House Committee on Judiciary

FROM: Americans for Democratic Action/Hawaii
Barbara Polk, Legislative Chair

TESTIMONY IN OPPOSITION TO HB 2457 RELATING TO LIMITED EXEMPTION UNDER THE STATE ETHICS CODE REGARDING CHARITABLE EVENTS

Americans for Democratic Action/Hawaii strongly opposes HB 2457 that would substantially reduce public confidence in government, as well as in a number of local charities.

1. Nothing in current law prevents legislators or state employees from attending fundraisers or information events put on by non-profit organizations. As all other members of the community do, public officials can attend by paying for the ticket. Indeed, legislators, unlike members of the public, have other legitimate ways of not bearing the cost themselves—they can use their office allowance, or, under some circumstances, campaign funds.
2. Non-profits presumably hold fundraisers to raise money because they need it to run their operations. Accepting free tickets is a little like scooping up some coins from a street musician's hat to feed your parking meter.
3. Section 1 of the bill would provide an automatic exemption to part (a) by allowing in (b) legislators and state employees to accept tickets to fundraisers even when there is a clear intent to influence or reward a legislator or public employee in performance of their duties. Although it includes a reporting requirement, transparency is not a substitute for ethics in government. Such an exemption undermines the purpose of the gifts section of ethics law.
4. Section 3 of the bill would allow legislators or other public officials to *request* such tickets from a non-profit organization: they would be allowed to use their "official position to secure . . . advantages . . . for oneself" and to solicit "compensation or other consideration for the performance of the legislator's or employee's official duties"
5. Many non-profit organizations receive state grants-in-aid: currently, twenty-two organizations are applying for grants in aid of public money; 117 organizations applied for

grants-in-aid last year. While not all of these are 501.c.3 organizations, some are. These organizations have a motivation or would certainly be perceived to have the motivation to seek to influence decisions, in contravention of the intent of the ethics provisions. By creating this exception, the bill would allow these organizations to seek to influence legislators or public employees through fundraiser gifts—exactly the type of activity the gifts portion of the ethics code seeks to prohibit.

6. By making this bill apply to all public employees, it also means that non-profits are able to use free tickets to their own or other fund-raisers to lobby or reward those public employees who are responsible for regulating some of their activities, for example health centers or pre-schools.

7. The bill goes beyond a 501.c.3 organization giving a ticket to its own fundraiser—it would also allow it to give tickets to other non-profit fundraisers. We have difficulty thinking of cases in which a non-profit organization would want to use its scarce resources to do this, other than to influence or reward a public official in contravention of the intent of the gift law. This provision would allow organizations to avoid the appearance of attempts to influence by horse-trading tickets to each other's fundraisers.

8. 501.c.3 organizations are often attached to for-profit businesses or other 501.c. organizations and share their interests. Allowing them to “gift” legislators and public employees through their non-profit affiliate allows such entities to hide lobbying activities. It may also encourage other organizations to set up a 501.c.3 organization for that purpose.

9. The general public is losing patience with legislators enacting perks for themselves, as evidenced by the insider trading scandal in Congress. It is difficult to understand why you would want to do this. It is somewhat dishonest to appear at a fund-raiser that others have paid to attend, looking as though you have also paid when you have not.

10. The negative reactions are not only to the legislature—since last year, some of them are also to the non-profits that have backed this bill. Their contributors wonder why they are asked to donate when the non-profit has enough money to pay legislators to attend their functions. In testimony last year, it became clear that some non-profits that hold expensive fundraisers pay for legislators to attend as “bait” for lobbyists and corporate executives. Although the purported purpose is to raise money by getting more people to attend, it is clear that what is being sold is not the dinner or the charity, but easy access to decision makers for an afternoon or evening.

The ability of the public to trust its elected officials and public employees is essential for a functioning democracy. The reason we have ethics laws is that honorable people may not always perceive the ethical implications for their actions. For all of these reasons, Americans for Democratic Action/Hawaii urges you to defeat HB 2457.



House JUD Committee
Chair Gilbert Keith-Agaran, Vice Chair Karl Rhoads

Thursday 2/2/12 at 2:00PM in Room 325
HB 2457 – Ethics Code / Charitable Events

TESTIMONY

Nikki Love, Executive Director, Common Cause Hawaii

Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members:

Common Cause Hawaii opposes HB 2457. This bill creates an exemption in the gifts law regarding gifts of tickets to charitable events.

This bill allows legislators and state employees to accept charitable event tickets from 501(c)(3) nonprofits. We are concerned about this bill for the following reasons:

- These gifts may be received even if it is obvious that the gift is intended to influence or reward.
- These gifts may be accepted not just from the 501(c)(3) nonprofit hosting the activity, but from another 501(c)(3) as well.
- The nonprofit that gives the gift could have interests pending at the legislature, be subject to government regulation, or compete for and receive government funds.
- As a result of this bill, some nonprofits may feel obligated to offer free tickets to their fundraisers. It seems unlikely that most nonprofits could afford that.
- The bill requires disclosure of these gifts, but the existing annual reporting deadline is far too late – June 30. This is after the adjournment of the legislative session, so bills would be finalized before the public could see what gifts may have been given to influence legislators.

There is nothing preventing legislators and state employees from attending these charitable events on their own dime, just as regular citizens do.

We believe that strong ethics and gifts laws play a critical role in preventing situations of undue influence, promoting fairness in policymaking and implementation, and promoting greater trust in government. We ask the Committee to uphold our ethics and gifts laws.

Mahalo for the opportunity to submit testimony.

Testimony for HB2457 on 2/2/2012 2:00:00 PM

Testimony for HB2457 on 2/2/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Wednesday, February 01, 2012 12:58 PM

To: JUDtestimony

Cc: ndavlantes@aol.com

Testimony for JUD 2/2/2012 2:00:00 PM HB2457

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Nancy Davlantes

Organization: Individual

E-mail: ndavlantes@aol.com

Submitted on: 2/1/2012

Comments:

Why do some in the legislature keep trying to tinker with the state gifts law? This bill would allow legislators and state employees to accept charitable event tickets from 501c3 nonprofits, even if the gift is intended to reward or influence their official action. What is it about the word "ethics" that some lawmakers don't seem to get?

These these efforts to create loopholes in our gifts law must be stopped once and for all.

Testimony for HB2457 on 2/2/2012 2:00:00 PM

Testimony for HB2457 on 2/2/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Wednesday, February 01, 2012 1:25 PM

To: JUDtestimony

Cc: shaglund@hotmail.com

Testimony for JUD 2/2/2012 2:00:00 PM HB2457

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Sue Haglund

Organization: Individual

E-mail: shaglund@hotmail.com

Submitted on: 2/1/2012

Comments:

Please do not pass this bill. HB2457 creates a loophole in our current gifts law.

"Complimentary tickets" from charitable entities, just as private corporations, can easily influence public officials in their capacity to make, pass, and implement legislation. Just because "charitable" is a loosely fixed term to identify not-for-profits entity, that does not and shall not exempt them for our gifts laws.

Please do not pass HB 2457.

Testimony for HB2457 on 2/2/2012 2:00:00 PM

Testimony for HB2457 on 2/2/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Wednesday, February 01, 2012 12:12 PM

To: JUDtestimony

Cc: blockard@iname.com

Testimony for JUD 2/2/2012 2:00:00 PM HB2457

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Brodie Lockard

Organization: Individual

E-mail: blockard@iname.com

Submitted on: 2/1/2012

Comments:

Stop trying to do this! It's simply bribery.

Testimony for HB2457 on 2/2/2012 2:00:00 PM

Testimony for HB2457 on 2/2/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Thursday, February 02, 2012 6:36 AM

To: JUDtestimony

Cc: jyohta@hawaii.rr.com

Testimony for JUD 2/2/2012 2:00:00 PM HB2457

Conference room: 325

Testifier position: Oppose

Testifier will be present: No

Submitted by: Jeanne Ohta

Organization: Individual

E-mail: jyohta@hawaii.rr.com

Submitted on: 2/2/2012

Comments:

The definition includes "widely attended." What does that mean? How many? Since this seems subjective, it creates a loophole in the gifts law. This definition as written favors large charity organizations over smaller ones which could not afford to provide complimentary tickets to a "widely attended" number of policymakers.