

SB2634

LATE

TESTIMONY



Senate Judiciary and Labor Committee
Chair Clayton Hee, Vice Chair Maile Shimabukuro

Monday 02/24/14 at 10:15AM in Room 016
SB2634– Relating to Lobbyists

Testimony of Support
Carmille Lim, Executive Director, Common Cause Hawaii

Dear Chair Hee, Vice Chair Shimabukuro, and members of the Senate Judiciary & Labor Committee:

Common Cause Hawaii strongly supports SB2634, which requires individuals who spend more than \$750 on lobbying during a statement period to categorize each expenditure by dollar amount and describe each expenditure by nature and purpose, as determined by the state ethics commission.

By requiring this, we would increase the level of transparency for lobbyist reporting by giving public more insight as to how lobbyists are spending their resources.

While lobbyists currently are required to file an expenditure report, these forms do not provide enough information to help the public decipher how lobbyists are spending their resources. Similarly, while these expenditure forms do include checkboxes for issue areas a lobbyist is working on, these issue areas are too broad to capture the lobbyists' objectives.

Thank you for the opportunity to testify on SB2634.

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: OccupyHiloMedia@yahoo.com
Subject: *Submitted testimony for SB2634 on Feb 24, 2014 10:15AM*
Date: Sunday, February 23, 2014 10:57:51 PM

SB2634

Submitted on: 2/23/2014

Testimony for JDL on Feb 24, 2014 10:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kerri Marks	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: autumnrose2010@yahoo.com
Subject: Submitted testimony for SB2634 on Feb 24, 2014 10:15AM
Date: Sunday, February 23, 2014 11:12:24 PM
Attachments: [2014-2-24 SB2634 lobbyist expenditure2 .docx](#)

SB2634

Submitted on: 2/23/2014

Testimony for JDL on Feb 24, 2014 10:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Autumn Rose	Individual	Support	Yes

Comments: I wasn't able to attach my information sources after all. Your notice says to email them directly to the committee. I would like to include them in the testimony record.

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SB2634 is just a tiny baby step toward increasing public trust by supporting disclosure of money spent to gain access to lawmakers and to influence the bills that you pass... or kill. Please take this tiny baby step and keep going forward.

Sadly, even if lobbyists are required to categorize expenditures and required to describe the nature and purpose of expenditures – if their expenditures are listed as \$0.00, there is nothing to categorize or describe.

For example: I have no idea how long the practice of lobbyists holding campaign fundraisers for legislators has been going on in Hawaii, but it has come to light recently, thanks to the State Campaign Spending Commission's searchable database through data.hawaii.gov and to investigative reporters like Ian Lind.

Alicia Maluafiti, registered lobbyist and executive director of Hawaii Crop Improvement Association, was listed as the “person in charge” of a \$500/person fundraiser for Sen. Baker (CPN chair) as well as person in charge of a joint fundraiser for Senators Nishihara (AG chair) and Kidani (WAM vice chair), also suggested \$500/person, per legislator – all in Dec. 2013.

Hawaii Crop Improvement Association is a nonprofit trade association representing the agricultural seed industry in Hawaii. Member companies include Dow AgroScience, Monsanto, Pioneer Hi-Bred International, Syngenta and BASF, biotech companies producing herbicides (RoundUp and Atrazine) as well as herbicide-tolerant GMO seed corn, GMO soybean seeds, GMO sunflower seeds and GMO cotton seeds. I heard that something like 80% of the GMO seed corn in the world is grown in Hawaii.

I checked Alicia Maluafiti's latest lobbyist report, filed 1-31-2014 with the state Ethics Commission, to find out how much money she spent for these senators' fundraising events. The report listed:

Expenditures made by lobbyist: Preparation and distribution of lobbying materials -- \$0; Media and advertising -- \$0; Postage -- \$0; Entertainment and events -- \$0; Receptions, meals, food & beverages -- \$0; Gifts -- \$0; Loans -- \$0; Other disbursements -- \$0.

Only moneys listed were “Fees paid to lobbyist”: \$2200 from HCIA; \$500 from CAI.

How can that be? Three fundraisers held and no expenditures -- not even for lei? According to AP reporter Jennifer Kelleher, “It turns out lobbyists in Hawaii operate under a long-accepted interpretation of the law by the state ethics commission, which says money obtained from business or advocacy groups doesn't have to be reported by lobbyists.”

Right this minute, the lone surviving bill to label GMOs SB2521 has been referred to CPN/WAM and is awaiting a hearing. Sen. Baker's CPN is the deciding committee, so I am told. How much would you bet that SB2521 gets scheduled for a hearing?

Any ordinary citizen who wants the GMO labeling bill to be heard must wonder: Was the Dec. fundraiser that lobbyist Maluafiti held for Sen. Baker a bribe? Or was it a “thank you” for her

support in 2013 and her continued support in 2014? I don't know. I don't know how much was spent on the fundraiser or how much was contributed to Sen. Baker's campaign chest.

I'm just a lay person, a novice trying to understand the way our legislature works. But if I were a lawmaker, I am sure I would want to avoid ANY HINT of impropriety, any hint of being swayed by money and favors, of bribes. I would be abhorred if I were even offered a "thank you gift" of any substance from someone or a business that greatly profited from my actions as a lawmaker. I would not want ANY HINT of being bought and paid for.

I don't understand why you, our lawmakers, don't also want to avoid any hint of impropriety. I don't understand why you don't do all you can to pass meaningful lobbying laws that bolster the public's faith in a government that operates for the good of all people.

The art and science of lobbying -- of getting laws passed for private benefit -- is a quantum leap ahead of our current wimpy laws.

Please pass SB2634 and KEEP GOING for the public good. In any case, thank you for at least giving this lobbying bill a hearing.

Attached, For Your Information:

Ian Lind, *Civil Beat*, 2-20-2014, "Lobbyists Test Another Path to Influence"

Lee Fang, *The Nation*, 2-9-1014, "Where Have All the Lobbyists Gone?"

Nathan Eagle, *Civil Beat*, 1-22-13, "Is It Time to Beef Up Hawaii's Lax Lobbying Law?"

Peggy Kerns, NCSL Center on Ethics in Government, 1-9-2012, " 'To My Great Shame' "
(Abramoff book review)