

Honolulu, Hawaii

February 3, 2016

RE: H.B. No. 182
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 182 entitled:

"A BILL FOR AN ACT RELATING TO VIOLATIONS OF THE LOBBYISTS LAW,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Remove the "wilfulness" requirement from violations relating to a lobbyist's failure to file a statement, or the filing of a false statement with the State Ethics Commission; and
- (2) Subject both violations to a strict liability standard.

The Hawaii State Ethics Commission and Common Cause Hawaii testified in support of this measure. A concerned individual testified in opposition. The League of Women Voters of Hawaii provided comments.

Your Committee finds that strict liability is the appropriate standard for a lobbyist's failure to file a statement or report. However, negligence is an appropriate standard for a lobbyist filing a false or incomplete statement or report.



Your Committee has amended this measure by requiring a negligence standard for the filing of a statement or report that contains false information or a material omission of any fact.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 182, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 182, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



