

From: [G Hooser](#)
To: [Standards of Conduct](#)
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09/05/22

Testimony/Communication
Commission to Improve Standards of Conduct (CISC)

Aloha Judge Foley and Commissioners,

Below is a copy of an email and blog post that I wrote recently that references the Commission to Improve Standards of Conduct (CISC) and the work you are doing - It contains specific public policy recommendations.

You may have seen or received this from others, but I am sending it today in its entirety to ensure that members of the commission are aware of the public policy recommendations being suggested as priority items, and that this is included as part of the public record.

As always, I am available to further discuss any of the below initiatives, and others if you have questions or if I can add value to the conversation.

Mahalo for the work you are doing, and for all that each of you do in your individual agency or organization.

Sincerely,

Gary Hooser
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Dear Reader,

It's time to pivot to policy.

Mail-in voting for the general election begins around October 20th, with votes counted on November 8th. The 2023 legislative session opens on January 18th. Subtract out major holidays - and you can see there are not a whole lot of days left to prepare for the session.

The issues and proposals around ethics, lobbying, and campaign finance reform will hopefully be at the top of the 2023 legislative agenda.

I'm cautiously optimistic that the recommendations due on December 2 from the "Commission to Improve Standards of Conduct (CISC)" will include the strong specific legislative proposals needed to help clean up our government, disempower the lobbying class, and level the playing field for candidates.

The Commission was initiated and established by the State House of Representatives in response to a federal investigation that's put two legislators in prison for accepting bribes.

Its purpose is to review and assess existing state laws and rules and provide recommendations to further the goals of the Code of Ethics, lobbying laws, campaign finance laws, and other applicable laws..." (paraphrased)

I've attended via Zoom a few of the Commission meetings and have been impressed with the quality discussion and earnestness expressed by Chair Judge Daniel R. Foley (retired) and the various Commission members.

The Commission continues to discuss and consider a long list of issues and proposals. They are actively seeking additional public input.

My hope is that the below list of proposals, or similar, will be included in their final recommendations offered to the legislature.

- 1) Allow voters to decide whether or not to establish term limits for State legislators. *Legislators in 15 other states including California are term-limited.
- 2) Establish a publicly fully funded election program providing qualified candidates sufficient means to run credible campaigns. Maine and Arizona both have established successful programs that can serve as models.
- 3) Require the legislature to comply with the state constitution Article III – Section 12 which says: “Every meeting of a committee in either house or of a committee comprised of a member or members of both houses held for the purpose of making a decision on matters referred to the committee shall be open to the public.” *In other words ban backroom secret meetings that now occur in both the conference committee process and in regular committee meetings.
- 4) Require recorded votes by committee members for every decision impacting bills referred to their committee. Remove the unilateral power of the Chair replacing it with rules making it clear that the Chair may make decision recommendations, but all decisions are validated and made public by a recorded vote of committee members. *The current practice of allowing the Chair to kill bills, behind closed doors, without a vote, violates the core principles of our democracy and is inherently corrupt.
- 5) Require all elected officials holding a State or County office to disclose all outside income. This disclosure shall include the specific source of the income, the amount of income received, and the service provided in return for that income. *This should include client/consultant income from LLCs owned in whole or part by the elected official, and include income from legal clients of those elected officials who are also private attorneys.
- 6) Restrict the use of campaign funds for use only in the campaign cycle they are donated in, and only for activities directly related to that campaign. *This means no hoarding of funds, and stopping the practice of using campaign funds as a general slush fund for non-campaign-related purposes.

Other important but less systemic in nature initiatives:

* Ban the acceptance or solicitation of campaign contributions during the legislative session. *28 other states place restrictions on giving and receiving campaign contributions during the legislative session.

* Ban all campaign contributions from corporations and registered lobbyists.*22 other states completely prohibit corporations from contributing to political campaigns.

* Reduce the maximum campaign contribution to \$500.

Whether you support the above proposals or not, or if you have suggestions to improve them, and/or if you have other thoughts or ideas to offer - PLEASE PARTICIPATE IN THIS VALUABLE DISCUSSION AND LET YOUR VOICE BE HEARD.

Email the Commission at standardsofconduct@capitol.hawaii.gov

All comments and testimony are placed on their webpage (<https://www.capitol.hawaii.gov/specialcommittee.aspx?comm=cisc&year=2022>) and available for public review.

This is important. I truly believe the CISC Commission is taking its job seriously and will do the right thing, but strong and broad-based public input is an essential element of making this happen.

Gary Hooser (<http://www.garyhooser.com>)

