



## HAWAI'I STATE ETHICS COMMISSION

State of Hawai'i · Bishop Square, 1001 Bishop Street, ASB Tower 970 · Honolulu, Hawai'i

Committee: House Committee on Judiciary & Hawaiian Affairs  
Bill Number: HB 135  
Hearing Date/Time: February 2, 2023, 2:00 p.m.  
Re: Testimony of the Hawai'i State Ethics Commission in **SUPPORT** of  
H.B. 137, Requiring Lobbyists to Identify Lobbying Matters with  
Specificity with a **PROPOSED AMENDMENT**

Aloha Chair Tarnas, Vice Chair Takayama, and Committee Members:

The Hawai'i State Ethics Commission ("Commission") **supports** H.B. 137, which requires lobbyists to identify the matters they lobbied on with greater specificity than currently required in Haw. Rev. Stat. chapter 97.

Hawaii's lobbying laws are intended to provide transparency around lobbyist activity. This measure furthers that purpose by requiring specific description of what the lobbyist engaged on, versus a broad subject area. While this may put an additional burden on lobbyists, the net benefit to the public greatly outweighs the burden.

The Commission is committed to updating its online filing system to try to make this proposed new requirement as simple as possible, such as adding drop down fields or simple selector buttons for each bill or resolution.

**Proposed amendment:** To have time to update its online filing system and to educate lobbyists about the new requirement, the Commission requests the effective date be amended to January 1, 2025.

Mahalo for the opportunity to submit testimony on House Bill 137.

Very truly yours,

/S/ Robert D. Harris  
Robert D. Harris  
Executive Director and General Counsel

**HB-137**

Submitted on: 1/31/2023 11:13:58 AM

Testimony for JHA on 2/2/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Daniel Foley	Commission to Improve Standards of Conduct	Support	Written Testimony Only

Comments:

Dear Chairman Tarnas and members of the Judiciary and Hawaiian Affairs Committee,

As Chair of the Commission to Improve Standards of Conduct (Commission), I support HB137 requiring greater disclosure by lobbyists for reasons stated in the Commission's December 1,2022 Final Report to the House of Representatives, specifically found at page 28 of the Report.

Mahalo, Judge Daniel Foley (ret.)



Committee on Judiciary & Hawaiian Affairs  
Chair David A. Tarnas, Vice Chair Gregg Takayama

Thursday, February 2, 2023, 2:00 p.m. and Conference Room 325  
HB137 — Relating to Lobbyists

TESTIMONY

Judith Wong, Legislative Committee, League of Women Voters of Hawaii

Chair Tarnas, Vice Chair Takayama, and Committee Members:

**The League of Women Voters of Hawaii supports BILL NUMBER HB137**

This bill provides for transparency in lobbyists' spending. The requirements of the bill provide for detailed information regarding funds used in lobbying for or against any bills, programs or actions, thus allowing for transparency. This increases public trust.

Thank you for the opportunity to submit testimony.

**HB-137**

Submitted on: 2/1/2023 10:09:29 AM

Testimony for JHA on 2/2/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
lynne matusow	Individual	Support	Written Testimony Only

Comments:

This is similar to or identical to a recommendation of the Commission to Improve Standards of Conduct. I attended and participated in most of their meetings. This bill creates transparency. The public at large wants to know who the influencers in legislation are, who are the "shadow" government behind the legislators, who is really calling or trying to call the shots. Please pass.

**TESTIMONY OF BOB TOYOFUKU REGARDING HB 137 RELATING TO  
LOBBYISTS**

February 2, 2023

To: Chairman David A. Tarnas and Members of the House Committee on Judiciary and  
Hawaiian Affairs:

My name is Bob Toyofuku and I am submitting this testimony in my individual capacity. I currently lobby at the Hawaii Legislature on a variety of issues for various clients and have been lobbying for many years. I am not opposing the intent of this amendment but want to illustrate that this amendment needs to be more specific and clarify the requirements for the lobbyist.

My comments are directed to the amendment made to the disclosure law on page 2, lines 20 and 21 and on page 3, lines 1 through 3. I feel that if the committee intends to pass this bill there needs to be some clarification of what is meant by “commented on” and because of the additional requirements in this disclosure law what is meant by the terms ”support” and “oppose” in the current law.

Currently, lobbyists need only to disclose the “subject area”. For example, if a client is involved in the transportation area, the lobbyist would disclose the appropriate area(s) listed on the form. However, if this bill becomes law, which bills should the lobbyists disclose? A lobbyist may be monitoring 500 bills for his/her various clients and as many as 50 bills for one client. The lobbyist would need to know specifically what bills to disclose. If there has been testimony submitted on a bill, either in support or in opposition or even commented on, it seems

clear that the amendment requires that the bill number should be disclosed under this amendment. However, if a lobbyist only discusses several bills with a legislator to determine whether there will be a hearing on these bills, does he or she disclose the bill numbers? Another question to be determined is whether the terms “support” and “oppose” now mean active support or opposition.

The last point I want to bring to the committee’s attention is that several lobbyists have multiple clients and are monitoring and testifying on many bills. I understand that the goal of the recommendations by the Commission to Improve Standards of Conduct is more transparency. However, I feel that the listing of hundreds of bills by number which would not necessarily be beneficial for the general public. This would necessitate the public logging on to the Legislature website and researching the bills on the report to determine what each bill is about and this may be hopeful thinking at best.

Thank you for the opportunity to submit this testimony.