



# HAWAII STATE ETHICS COMMISSION

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

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February 6, 2009

The Honorable James Kunane Tokioka, Chair  
The Honorable Blake K. Oshiro, Vice Chair  
House Committee on Legislative Management  
Hawaii State Capitol, Room 439  
415 South Beretania Street  
Honolulu, Hawaii 96813

Re: **Testimony on H.B. No. 970, Relating to Lobbyists**

Hearing: Friday, February 6, 2009, 2:00 p.m.  
State Capitol, Conference Room 423

Testifying: Daniel J. Mollway, Executive Director and General Counsel  
Hawaii State Ethics Commission

The Honorable James Kunane Tokioka, Chair; The Honorable Blake K. Oshiro, Vice Chair; and Honorable Members of the House Committee on Legislative Management:

Thank you for this opportunity to testify today on H.B. No. 970, Relating to Lobbyists. The purpose of this bill is to extend the “cooling-off” period for former legislators from one to two years before they may lobby the Legislature, and to bar certain former state appointees from becoming a paid lobbyist for two years after leaving a state position.

The Hawaii State Ethics Commission acknowledges the noble intent behind this bill. However, at this point in time, we are unable to support a two-year ban on former legislators from becoming lobbyists. Currently, a one-year ban is in place, and we have not heard of any particular problem with the one-year ban that warrants its extension. We believe that a one-year ban is sufficient in striking a balance between creating a reasonable “cooling-off” period, while at the same time not being so severe as to deny employment for an extended period of time.

Similarly, we, at this point, cannot agree with a two-year ban for former appointees whose positions require the advice and consent of the Senate. We are unaware of any information that suggests that such a ban is needed.

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Again, we would like to point out that the length of any ban must be weighed on the need for a reasonable "cooling-off" period, and the severity of denying employment for an unwarranted length of time. Overzealous laws inhibit competent individuals from entering public service, thus depriving the State of the benefit of qualified individuals.

For the reasons set forth above, the Hawaii State Ethics Commission cannot, without further information, support this bill. We appreciate the opportunity to testify on this bill, and I will be happy to address any questions that members of this Committee may have.

DJM/af



# THE LEAGUE OF WOMEN VOTERS OF HAWAII

## TESTIMONY ON HB 970 RELATING TO LOBBYISTS

Committee on Legislative Management  
Friday, February 6, 2009  
2:00 p.m.  
Conference Room 423

Testifier: JoAnn Maruoka, Legislative Team Member, LWV-HI

Chair Tokioka, Vice Chair Oshiro, and members,

The League of Women Voters of Hawaii supports HB 970 to prohibit former legislators and appointees whose appointments were subject to senate confirmation from engaging in lobbying for 24 months after termination of employment.

The 24-month restriction is sound and rational to preclude both the appearance and the actual misuse of influence. It is also similar to post-government employment restrictions that apply to senior officials departing Federal Service.

Certainly, lobbyists have only the power public officials give them. However, widespread scandals involving paid lobbyists and the resulting public anger make it more important than ever to enact appropriate measures to help ensure our elected and appointed officials operate in a trustworthy, ethical manner while in public service and subsequently in interacting with former colleagues.

We urge you to pass HB 970. Thank you for this opportunity to testify.