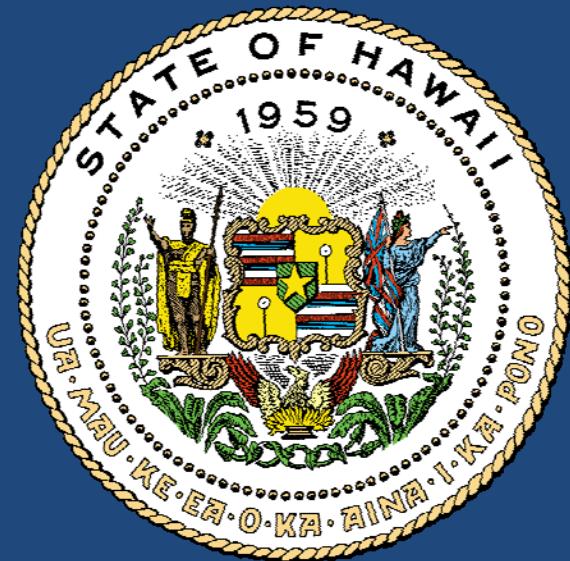


# Hawaii's Lobbyists Law

Hawaii State Ethics  
Commission

August 28, 2017



# **STATE LOBBYISTS LAW**

## HRS Chapter 97

**“Lobbying” means communicating directly or through an agent, or soliciting others to communicate, with any official in the legislative or executive branch, for the purpose of attempting to influence legislative or administrative action or a ballot issue.**

**“Lobbying” shall not include the preparation and submission of a grant application pursuant to chapter 42F by a representative of a nonprofit organization.**

**“Lobbyist” means any individual who:**

- (1) Receives or expects to receive, either by employment or contract, \$1,000 or more in monetary or in-kind compensation in any calendar year for engaging in lobbying, either personally or through the lobbyist’s agents; or
- (2) For pay or other consideration, on behalf of another person:
  - (A) Engages in lobbying in excess of five hours in any month of any reporting period described in section 97-3;
  - (B) Engages in lobbying in excess of ten hours during any calendar year; or
  - (C) Makes expenditures of \$1,000 or more of the person’s or any other person’s money lobbying during any reporting period described in section 97-3;

provided that an employee of a nonprofit organization who spends fewer than ten hours in any month lobbying on a grant application submitted pursuant to chapter 42F is not a lobbyist if the employee does not engage in lobbying on matters that are unrelated to the grant application.

## **Basic requirements of Lobbyists Law:**

- 1. Register as a lobbyist**
- 2. File expenditure reports**
- 3. No contingency-fee lobbying**

# 1. Who has to register?

- **Individual, not a company, who is**
- **Paid to**
  - **communicate with state officials directly or through an agent, or**
  - **solicit others to communicate with state officials**
- **For the purpose of attempting to influence legislative or administrative action**
- **Who spends**
  - **5 hours or more per month;**
  - **10 hours or more per year; or**
  - **\$1,000 or more during a reporting period  
(Jan. 1-Feb. 28; March 1-April 30; May 1-Dec. 31)**

## **Exceptions:**

- **Government employees**
- **Representing yourself**
- **Media**
- **Attorneys advising clients on the meaning of the law (or appearing in administrative proceedings)**
- **Grant in Aid (“GIA”) applications:**
  - Preparation of GIA;
  - Lobbying on GIA by employees of non-profit up to 10 hours a month

## Calculating 5 hours

### Include:

- **Drafting bills**
- **Writing testimony**
- **Meeting with lawmakers to discuss legislation**
- **Testifying**
- **Non-administrative time spent on “grassroots” lobbying (communicating with others to encourage them to contact lawmakers)**

- **Registration/Termination**
  - **Register within five days of beginning lobbying**
  - **Renew registration every other year (odd-numbered years)**
  - **Report changes within ten days**
  - **File notice of termination within ten days**
  - **File notice of termination within ten days; organization can terminate lobbyist's registration if necessary**

## **2. Who has to file an expenditure report?**

- All lobbyists
- Those who employ (or contract with) lobbyists
- Those who spend \$1,000 or more in a six-month period

# **When are expenditure reports due?**

- March 31**
  - For period January 1 – end of February**
- May 31**
  - For period March 1 – April 30**
- January 31**
  - For period May 1 – December 31**
- Special Session**
  - 30 days after only if you lobbied during special session**

## **What is included in expenditure report?**

- **Expenditures**
- **Contributions for the purpose of lobbying (not campaign contributions)**
- **Subject areas of lobbying**

- **Expenditures:**
  - **Payment**
  - **Gift**
  - **Anything of value**
- **Includes:**
  - **Preparation and distribution of materials**
  - **Media advertising**
  - **Compensation to lobbyists**
  - **Fees to consultants for services**
  - **Entertainment and events**
  - **Receptions, meals, food/drink**
  - **Gifts**
  - **Loans**
  - **Interstate transportation and related expenses (not inter-island)**

- **Expenditures do NOT include:**
  - **Campaign contributions**
  - **Administrative expenses to print/submit testimony or exhibits**

- **Contributions**
  - **Gifts, money, anything of value  
(including in-kind contributions)**
  - **Intended for lobbying**



"The people of Hawaii believe that public officers and employees must exhibit the highest standards of ethics."

THE HIGH ROAD (JANUARY/FEBRUARY 2016)  
Read More →  
from the

# The High Road

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Issue 2015-1

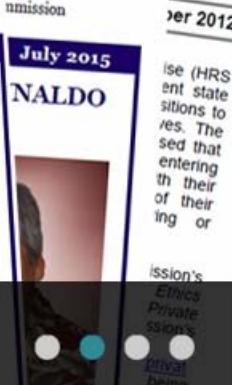
June 2015

July 2015

## WE'RE BACK!

After a long absence,  
The High Road is back!

The High Road is a publication of the Hawaii State Ethics Commission to inform state employees about the State Ethics Code and the State Lobbyists Laws.



Financial Disclosure Long Form (D-201)

Gifts Disclosures Form

2016 Legislation Relating to Ethics and Lobbying

2016 State Legislators Financial Disclosures

2015 State Officials Financial Disclosures

## What's New

**Lobbyists law training for lobbyists and organizations to be offered on March 15, 2016 – Register Now!**

Posted on March 1, 2016

**Ethics training for state employees to be offered on March 15, 2016 – Register Now!**

Posted on February 29, 2016

**The High Road (January/February 2016)**

Posted on February 17, 2016

**February 18, 2016 Commission Meeting**

## Filing Deadlines

**March 31, 2016**

- Lobbying Expenditures and Contributions Reports for January 1–February 29, 2016

**May 31, 2016**

- Financial Disclosure Statements for State Officials
- Lobbying Expenditures and Contributions Reports for March 1–April 30, 2016

**June 30, 2016**



**HAWAII STATE ETHICS COMMISSION**  
1001 BISHOP STREET, HONOLULU, HAWAII 96813  
or P.O. BOX 616, HONOLULU, HAWAII 96809  
TEL: (808) 587-0460 FAX: (808) 587-0470  
email: [ethics@hawaiiethics.org](mailto:ethics@hawaiiethics.org)  
Web site: [www.hawaii.gov/ethics](http://www.hawaii.gov/ethics)

THIS SPACE FOR OFFICE USE ONLY

NOTE: This is a public document.

### LOBBYIST REGISTRATION FORM

(Type or Print Clearly)

#### PART I LOBBYIST

NAME (Last)	(First)	(Middle)	TELEPHONE
MAILING ADDRESS (Street)			FAX
			EMAIL
(City)	(State)	(Zip Code)	
EMPLOYING ORGANIZATION (Fill in only if you are employed by a business entity which has been retained to lobby)			TELEPHONE
			FAX
			EMAIL
(City)	(State)	(Zip Code)	

#### PART II ORGANIZATION

NAME OF ORGANIZATION YOU LOBBY FOR (Do not abbreviate)	TELEPHONE
MAILING ADDRESS (Street)	
(City) (State) (Zip Code)	
NAME OF PERSON RESPONSIBLE FOR PREPARING ORGANIZATION'S EXPENDITURES STATEMENT	TELEPHONE
MAILING ADDRESS (Street)	
(City) (State) (Zip Code)	



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Issue 2012-1  
January 2012

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Financial Disclosure Forms

Gifts and Travel Disclosure Forms

2016 Legislative Session Update to Ethics and Lobbying Laws

2016 State Legislative Financial Disclosure Forms

2015 State Officials Financial Disclosures

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**June 30, 2016**

Disclosures ▾

Contracts ▾

Lobbying ▾

Forms ▾

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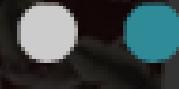
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## Registration Statements

2015-2016 Registration  
Statements

2013-2014 Registration  
Statements

Organizations' Expenditure  
Statements

Lobbyists' Expenditure  
Statements

Financial Disclosures



Home » 2015-2016 Lobbyist Registration Statements

## 2015-2016 LOBBYIST REGISTRATION STATEMENTS

▼ MENU

Hawaii State Ethics Commission's 2015-2016 Lobbyist Registration Statements

		View	Lobbyist Name	Organization Name	Lobby Year	Registration	Termination	Original	Amended
1		Form	Acosta, Michelle D.	Volunteer Legal Services Hawaii	2015-2016	02/05/2016	12/31/2016	✓	
2		Form	Aiona, Jr., James Richard	Hawaii Family Advocates	2015-2016	01/20/2015	12/31/2016	✓	
3		Form	Akina, William Kelii	Grassroot Institute of Hawaii	2015-2016	03/17/2015	12/31/2016	✓	
4		Form	Alabanza, Hajime N.	Hawaii Solar Energy Association	2015-2016	01/28/2016	12/31/2016	✓	
5		Form	Alcubilla, Sergio Josephus	Legal Aid Society of Hawaii	2015-2016	01/16/2015	12/31/2016	✓	
6		Form	Algire-Fedarcyk, Kathleen Megan	Hawaii Appleseed Center for Law and Economic	2015-2016	11/09/2015	12/31/2016	✓	
7		Form	Alivado, Shannon L.	General Contractors Association of Hawaii	2015-2016	03/12/2015	12/31/2016	✓	
8		Form	Alvarez-Sahagun, Patricia	AstraZeneca Pharmaceuticals LP	2015-2016	02/10/2015	12/31/2016	✓	
9		Form	Andrade, Eva M.	Hawaii Family Forum	2015-2016	01/15/2015	12/31/2016	✓	
10		Form	Andrade, Eva M.	Hawaii Family Forum	2015-2016	02/17/2016	12/31/2016	✓	
11		Form	Angulo, Javier	Wal-Mart Stores, Inc.	2015-2016	01/16/2015	12/31/2016	✓	
12		Form	Apo, Todd K.	Howard Hughes Corporation	2015-2016	02/16/2016	12/31/2016	✓	
13		Form	Arakaki, Gordon M.	Hawaii Employers' Mutual Insurance Company	2015-2016	02/09/2015	12/31/2016	✓	
14		Form	Arakaki, Gordon M.	National Self Storage Association	2015-2016	02/08/2016	12/31/2016	✓	
15		Form	Arakaki, Gordon M.	ProService Hawaii	2015-2016	02/18/2015	12/31/2016	✓	✓
16		Form	Arakaki, Gordon M.	ProService Hawaii	2015-2016	02/18/2015	12/31/2016	✓	
17		Form	Arakaki, Gordon M.	Public Storage	2015-2016	02/18/2015	12/31/2016	✓	
18		Form	Arakaki, Gordon M.	Reef Rescue Alliance	2015-2016	02/09/2015	12/31/2016	✓	
19		Form	Arakawa, David Z.	Land Use Research Foundation of Hawaii	2015-2016	02/02/2015	12/31/2016	✓	



FORM  
ORG  
(Rev. 3/2015)



HAWAII STATE ETHICS COMMISSION  
ORGANIZATION'S EXPENDITURES AND CONTRIBUTIONS REPORT

REPORT YEAR: **2016**

Amended Statement

For Lobbying Reporting Period:  January 1 - last day of February     March 1 - April 30     May 1 - December 31

**ORGANIZATION INFORMATION**

ABC Company

John Executive

Organization Name

Contact Person

12-345 Aloha Avenue, Suite 1000

Mailing Address (Number and Street or P.O. Box)

Honolulu

HI

96813

City

State

Zip Code

(808) 555-1234

ABCcompany@spacelink.com

Telephone

Extension

Email Address

**PART I. TOTAL EXPENDITURES**

		Total Amount
1	Preparation & Distribution of Lobbying Materials	1
2	Media Advertising	2
3	Compensation Paid to Lobbyists ( <b>Attached Additional Sheets As Needed</b> ) <i>List the names of all lobbyists and compensation paid to lobbyists during the statement period</i>	

Lobbyist Name

A. John Executive

Compensation Paid

1,000.00

B. Aloha Lobbyists, LLC

4,315.00

C.

C.

D.

D.

E.

E.

F.

F.

G. Total from Additional Attached Sheet(s)

G.

Add lines A through G

Total Compensation Paid ► 3

5,315.00



## Nonprofits & Advocacy

- Raise awareness for your mission.
- Strengthen the nonprofit sector.
- Mobilize members, volunteers, donors and board.
- Establish and expand government investment in important social problems.
- Reform laws and regulations that govern the operation and evaluation of your programs.
- The L word (Lobbying) is not a dirty word.



## **Common questions:**

- 1. Yes, non-profit lobbyists have to register and file expenditure reports, too.**
- 2. Yes, “commenting” on a bill is lobbying.**

**2017:**

- 388 registered lobbyists**
- 1,397 expenditure statements filed**

# State Ethics Commission

- Hawaii Constitution, Art. XIV
- To preserve public confidence in public servants
- Duties:
  - Education
  - Guidance
  - Enforcement
  - Disclosure

# Penalties

- Fines up to \$1,000 per violation

# HAWAII STATE ETHICS COMMISSION

Phone: (808) 587-0460

Email: ethics@hawaiiehics.org

dgluck@hawaiiehics.org

Website: <http://ethics.hawaii.gov>