



HAWAII STATE ETHICS COMMISSION

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

MEMORANDUM

TO: Legislators and Legislative Staff

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

DATE: April 11, 2006

SUBJECT: Attendance at “Appreciation” Receptions, Dinners, Meals, or Parties, etc.,
Offered by Lobbyists

Our office has received information that legislators and legislative staff may on occasion be invited to “appreciation” receptions or dinners (or other meals) or parties by a lobbyist. This may happen during the legislative session, before the legislative session, or after the legislative session. Because of the gifts section of the State Ethics Code, Hawaii Revised Statutes (“HRS”) section 84-11, it is the position of our office that attendance at appreciation or “thank you” receptions, dinners, lunches, meals, and parties, etc., would be prohibited for legislators or legislative staff to attend. The gifts section of the State Ethics Code prohibits the solicitation or acceptance of any gift (including anything of value or gifts of hospitality or entertainment) under circumstances in which it can “reasonably be inferred” that the gift is given to “influence” or “reward” official action.

It has been the position of our office that attendance at appreciation receptions, dinners, lunches, meals, or parties, etc., would be violative of the gifts section of the State Ethics Code, since a reception, dinner, meal, or party for purposes of appreciation or as a “thank you” would reasonably give the appearance that the event is held to influence or reward official action.

Our office has maintained that legislators may attend events where food and refreshments are offered, so long as the cost of the food and refreshments is reasonable, and the purpose for attending is to meet with lobbyists to consider legislative matters. The same standard would apply likewise to legislative staff, if the attendance of legislative staff serves a legitimate legislative purpose in conjunction with meeting with lobbyists. Thus, in events where lobbying is the primary focus, food and beverages that are reasonable would be acceptable for legislators, and also legislative staff who have a legitimate reason to be in attendance. However, receptions, dinners, meals, or parties, etc., that are simply meant to be in the nature of a thank you or an

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event to show appreciation would be barred by the gifts section of the State Ethics Code, HRS section 84-11.

If there are questions regarding the above, please contact the State Ethics Commission at 587-0460.

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

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