

CITIZEN VOICE

802 Prospect St., #203 Honolulu, HI 96813 791-3780

April 17, 2006

Honorable Calvin K.Y. Say,
Speaker of the House
Hawaii State Capitol
Honolulu, Hawaii 96813

Dear Speaker Say:

After the demise of Common Cause there was a lapse in citizen oversight of the legislature. This lack of oversight has led to blatant disregard for ethical behavior by the legislature, especially the House which is under your purview.

Now comes Citizen Voice, organized to step up and fill the gap left by Common Cause as the watchdog organization reporting on ethical lapses of the legislature. We do not intend to simply report, we fully intend to shout long and loud when your House ignores ethical standards and/or the law.

A case in point is Representative Herkes who has become the poster child for what is wrong in your House. According to the Pacific Business News article of April 14, 2006, Representative Herkes allowed an industry representative to draft amendments to a bill regulating that industry's activities. "Kaiser Permanente Hawaii lobbyist Chris Pablo acknowledged that he drafted the amendments to the bill and circulated them among other health plans, like the Hawaii Medical Service Association, to enlist their support." Even worse, he doesn't have the faintest idea what that bill means although it was heard by his committee. While we are on the subject of his Consumer Protection and Commerce Committee, again by his own words, (please see Richards Borreca's article in Sunday's April 16th Star Bulletin) he apparently believes "consumer protection" means protect his special interest industries by allowing their employees to write amendments that he then slips into legislation without public hearings. The resulting amendment, which Rep. Herkes sprung on the committee for passage, was no longer a simple bill to cancel the sunset provision of the rate regulation law - **all the new language was highly favorable to the health insurers.** One section in particular practically assures that any attempt at rate regulation would be tied up in litigation virtually forever. Without your indulgence this blatant disregard of ethical practices would not be happening and **MUST STOP IMMEDIATELY!**

Citizen Voice expects you, as speaker, to remove the healthcare insurance industry representatives from Chairman Herkes office and put Bill SB2917 back to its original wording and pass it in order to reinstate rate regulation of the healthcare insurance industry. Moreover, if you wanted to be seen as a true leader of an ethical organization you would remove Rep. Herkes of his Chairmanship of the CPC Committee as a warning to all Chairs that unethical conduct will not be tolerated. As my mother once told me "it's not what they say, but how they act that tells you who they are."

Sincerely,

/s/

George Fox,
Executive Director