



HAWAII STATE ETHICS COMMISSION

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

August 15, 2016

Timothy E. Johns, Chair
Randall M. Tanaka, President
World Conservation Congress
National Host Committee/Hawaii 2016
1601 East West Road
Honolulu, HI 96848

Through:

Joanne Lo Grimes, Esq.
Carlsmith Ball
1001 Bishop St. Suite 2100
Honolulu, HI 96813
Email: jgrimes@carlsmith.com

Dear Mr. Johns and Mr. Tanaka:

Thank you for your letter dated August 8, 2016, regarding proposed invitations to State of Hawaii legislators, officials, and employees to participate in the International Union for Conservation of Nature ("IUCN") World Conservation Congress ("WCC") events from September 1-10, 2016, to be held at the Blaisdell Center and the Hawaii Convention Center. It is our understanding that IUCN is providing a number of complimentary passes to the event. The WCC Host Committee, a private non-profit organization created to assist the State of Hawaii in carrying out its hosting obligations, has selected state officials, employees, and legislators to receive the following passes:

- **One Day Pass.** Allows the invitee to attend one day of the WCC and participate in all public sessions/events, with access to the exhibition area. An invitee using the pass for the first day of the WCC can attend the Opening Ceremony and the Opening Reception. An invitee using the pass for the last day can attend the Closing Ceremony. One day passes will be offered to: the Governor; the Lieutenant Governor; their chiefs of staff; employees and members of the boards and commissions of the Department of Land and Natural Resources (the primary State agency responsible for the State's hosting of the WCC); and members of the Host Committee's Youth Engagement Working Group, one of whom is a state employee. The value of a one day kamaaina pass is approximately \$75.
- **Four Day Pass.** Allows the invitee to attend any four days of the WCC and participate in all public sessions/events, with access to the exhibition area. Invitees include: all state legislators; all Host Committee members and subcommittee chairs. Of the

Timothy E. Johns, Chair
Randall M. Tanaka, President
August 15, 2016
Page 2

thirteen Host Committee members and nine subcommittee chairs, seven are state employees or legislators. The value of a four day kamaaina pass is approximately \$300.

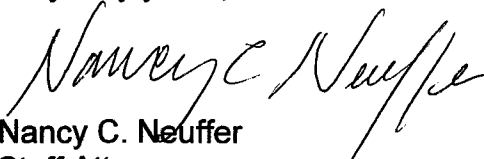
- **Ten Day Pass.** Allows the invitee to attend the entire WCC and participate in all public sessions/events, with access to the exhibition area. Invitees include: the Senate president; the chairs of the Senate committees on Tourism and International Affairs, and Water, Land, and Agriculture; the House speaker; and the chairs of the House committees on Tourism, and Water and Land.¹ The value of a ten day kamaaina pass is approximately \$900.

It is our understanding that the WCC is held every four years and brings together several thousands of people from government, civil society, indigenous groups, business, and academia with the goal of conserving the environment and creating good environmental governance. The State of Hawaii submitted the winning bid to host the WCC and entered into a Hosting Agreement with IUCN in 2014. It is our further understanding that the invitees' attendance will provide them with the substantive information offered, which will assist them in better performing their duties, including the consideration of future regulations and legislation aimed at protecting the environment. Attendance will also allow the invitees to serve as ambassadors to promote and showcase Hawaii's resources, facilities, economic sectors, cultural diversity, hospitality, and commitment to conservation.

The Hawaii State Ethics Commission recognizes the importance to the State in hosting the WCC. The Commission views the attendance by the legislators and state officials and employees described above as beneficial to the interests of the State. The Commission notes that the WCC appears to be a joint project between the State of Hawaii and the IUCN and, as such, the State has recognized that its interests are served by promoting the WCC. Consequently, the Commission does not believe that the acceptance of the passes as described above is prohibited by the State Ethics Code, Hawaii Revised Statutes chapter 84.

Thank you for your inquiry. We appreciate your sensitivity to ethical concerns. If you have any questions, please do not hesitate to contact our office at 587-0460.

Very truly yours,


Nancy C. Neuffer
Staff Attorney

NCN:va

¹ It is our understanding that the Office of Hawaiian Affairs ("OHA") has an agreement with the IUCN providing that OHA will fund certain protocol and cultural aspects of the WCC and, in exchange, IUCN will provide OHA with twenty 10 Day Passes.

*16 AUG -9 AM 11:39



**IUCN
World
Conservation
Congress**
Hawaii 2016

STATE OF HAWAII
STATE ETHICS COMMISSION

1601 East West Road, Honolulu, HI 96848

August 8, 2016

Mr. Daniel M. Gluck
Executive Director
Hawaii State Ethics Commission
1001 Bishop Street, Suite 970
Honolulu, HI 96813

Re: Proposed Invitations to State of Hawaii Employees and Legislators to Participate in
IUCN World Conservation Congress - Related Events in September 2016

Dear Director Gluck,

In September 2016, the State of Hawaii will host the 2016 IUCN World Conservation Congress (the "Congress"), the world's largest and most diverse nature conservation event, which convenes every four years to improve the management of the natural environment for human, social, and economic development. In July 2014, the State of Hawaii played a key role in preparing and submitting Hawaii's winning proposal to host the Congress in Honolulu. This letter serves to provide you with details of the important upcoming Congress-related events and activities to which certain State of Hawaii employees and legislators will be invited to attend. Attendance by the invitees at these events is necessary to achieve the important State purpose underlying the State of Hawaii's bid for the Congress.

IUCN, International Union for Conservation of Nature and Natural Resources ("IUCN"), a quasi-governmental international organization based in Switzerland, plans to extend proposed invitations to State employees and Legislators as they are identified by the WCC National Host Committee / Hawaii 2016 (the "Host Committee", a Hawaii non-profit corporation formed for the purpose of supporting the State of Hawaii to carry out its financial and legal commitments as the host state of the Congress). The Host Committee members include executives and leaders from Hawaii's business, visitor industry, educational, government, civic and community sectors, who understand and anticipate the tremendous opportunity to showcase Hawaii's natural resources, world class facilities, and outstanding economic sectors; its culture, people, and its diverse cultural heritage and talents, as well as its incomparable hospitality and its commitment to conservation. The Congress also will provide an opportunity to showcase the Hawaii Convention Center as a strategically located global meeting place and Hawaii's meetings, incentives, conferences and exhibitions market infrastructure.

The Congress is a ten-day event running from September 1st through the 10th, consisting of an Opening Ceremony and Opening Reception on September 1st, the Forum on September 2nd through the 5th, the Members' Assembly on September 6th through the 10th, and the Closing Ceremony on the 10th. To provide the best opportunity to fulfill the important State purpose underlying its proposal to host the Congress, the Host Committee has identified key State employees and legislators to attend all or some of the events listed below, at no cost. These events are designed to promote substantive learning opportunities while the invitees serve as key "ambassadors" for Hawaii. Participation will enable the invitees to network with delegates from private, public, and nonprofit sectors, allowing them to keep abreast of topical and relevant information about the environment and conservation on a global basis. The information to be gleaned from participation at these events will help each employee and legislator better perform his or her official duties, which include the consideration of future regulations and legislations to conserve and protect Hawaii's natural resources.

Certain State employees and legislators will be offered the following invitations:

1. One Day Pass. The one-day pass would allow the invitee to attend, without charge, any one day of the Congress, and participate in all public sessions/events, plus access to the exhibition area. An invitee using the pass for the first day of the Congress also can attend the Opening Ceremony and Opening Reception. An invitee using the pass for the last day of the Congress also can attend the Closing Ceremony. The Opening Ceremony will feature a presentation protocol by the Kumu Hula and Hula Practitioners of the Lālākea Foundation. Invitations will be offered to approximately 700 invitees, including the Governor and Lt. Governor of Hawaii, their Chiefs of Staff, employees and members of boards and commissions of the Department of Land and Natural Resources (the primary State agency responsible for the State's hosting of the Congress), and members of the Host Committee's Youth Engagement Working Group¹ formed to ensure participation by Hawaii's youth. The value of a one-day kama'aina pass is approximately \$75.00. For information regarding registration fees, see <http://iucnworldconservationcongress.org/participer/inscription/registration-fees-and-categories>.
2. Four Day Pass. The four-day pass would allow the invitee to attend, without charge, any four days of the Congress and participate in all public sessions/events, plus access to the exhibition area (such as the Forum from September 2 – 5), plus access to the exhibition area. The Forum is a hub of public debate, bringing together people from all around the world to discuss and develop solutions to the world's most pressing conservation and sustainability challenges. Topics demonstrate innovative, scalable solutions from all areas and from all around the globe to address challenges at local and global levels – from small islands to entire regions,

¹ The Youth Engagement Group includes one member who is a State of Hawaii employee.

from individual to collective actions. The Forum will include high level dialogues to training workshops that explore the depths of conservation and innovation. For information about the Forum, see <http://www.iucnworldconservationcongress.org/programme/forum>. The four-day pass also could be used to attend any other days of the Congress. Invitees include all State of Hawaii legislators, and all Host Committee members and subcommittee chairs.² The value of a four-day kama'aina pass is approximately \$300.00.

3. Ten-Day Pass. The ten-day pass is to attend the entire Congress from September 1 – 10, participate in all public sessions/events such as the Forum and Member's Assembly, with access to the exhibition area. See, <http://iucnworldconservationcongress.org/programme>. The ten-day pass also includes the Opening and Closing Ceremonies, and the Opening Reception. Invitees include the State of Hawaii Senate President, the chairs of Senate committees on Tourism & International Affairs, and Water, Land & Agriculture; the State of Hawaii House Speaker and chairs of House committees on Tourism, and Water & Land. Twenty ten-day passes also have been provided to the Office of Hawaiian Affairs ("OHA") to be used by OHA employees to attend the Congress and monitor the proceedings and learn various challenges and solutions to the world's environment and development issues, in connection with OHA's Strategic Goals of Economic Self-Sufficiency, Education, Health, Land and Water, Culture, and Governance. The value of a ten-day kama'aina registration to the full Congress is approximately \$900.00.

The Host Committee has played a vital role in supporting the efforts of the State of Hawaii and will assist State employees and legislators in registering for the Congress should they accept the proposed invitations.

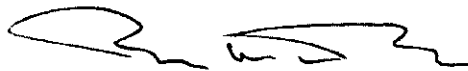
We respectfully request your opinion on the appropriateness of extending invitations to State of Hawaii employees and legislators to the above-listed events, to promote a bona fide State purpose as described in this letter. Thank you very much.

Very truly yours,

WCC National Host Committee / Hawaii 2016



Timothy E. Johns, Chair



Randall M. Tanaka, President

4870-9918-8021.5.067091-00002

² Of the thirteen Host Committee members and nine subcommittee chairs, approximately seven persons also are State of Hawaii employees or legislators.