



HAWAII STATE ETHICS COMMISSION

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

NOTICE OF MEETING OF THE HAWAII STATE ETHICS COMMISSION

Date: Friday, March 17, 2017

Time: 10:00 a.m.

Place: Hawaii State Ethics Commission Conference Room
American Savings Bank Tower
1001 Bishop Street, Suite 960
Honolulu, Hawaii 96813

A G E N D A

CALL TO ORDER

- I. Consideration and Approval of the Minutes of the February 16, 2017, Meeting
- II. Consideration and Approval of the Executive Session Minutes of the February 16, 2017, Meeting
- III. Executive Director's Report
 1. Education / Training Report
 2. Guidance and Assignment Statistics
 3. Electronic Filing System Update
 4. Personnel Updates
 5. Ethics Awards & Social Media
 - a. Attachment – social media samples
 6. Miscellaneous Office Projects / Updates

If you require an accommodation because of a disability, please contact the Hawaii State Ethics Commission by telephone at (808) 587-0460, by facsimile at (808) 587-0470 (fax), or via email at ethics@hawaiiethics.org.

IV. Legislative Update

Update on bills upon which the Ethics Commission has testified, including:

a. Bills introduced at the request of the Ethics Commission:

i. Still alive:

1. [HB 508/SB 1090](#): Increases fines for ethics violations and for violations of the lobbyist law, chapter 97, HRS. Clarifies the ethics code's language regarding the assessment of fines in the context of a settlement agreement. Removes statutory remnants from when violations of chapter 97, HRS, were criminal offenses. (HB508 alive; SB 1090 dead.)
2. [HB 511/SB 853](#): Makes changes to the laws governing lobbyists. Amends the definition of "expenditure," "lobbyist," and "lobbying." Allows a person who employs a lobbyist to file a notice of termination. Amends reporting requirements for reports covering special sessions of the legislature. Requires that lobbyist registration statements be posted on the state ethics commission's website within a reasonable time after filing and remain on the website for at least 4 years. (HB511 alive; SB853 dead.)
3. [HB 512/SB 872](#): Clarifies that the Ethics Commission may employ or retain its own attorneys. (SB872 alive; HB512 dead.)
4. [HB 852/SB 856](#): Increases fines for failures to timely file financial disclosure statements. Allows the state ethics commission to use e-mail or first-class mail to notify those individuals who fail to timely file their financial disclosure statements. Directs the commission to publish the names of individuals who fail to file their financial disclosure statements by the statutory deadline. (HB852 alive; SB856 dead.)

ii. Dead:

1. [HB 290/SB 458](#): "Omnibus" bill (contains all the provisions of the other six bills).

2. [HB509/SB 875](#): Clarifies how the Ethics Commission may provide guidance and resolve allegations of violations. (Both measures dead.)
3. [HB510/SB 1089](#): Clarifies service and conflict disclosure provisions relating to task force members, designees, and representatives. (Both measures dead; a similar measure, [HB 98](#), is also dead.)

b. Other bills

- i. [HB 71](#): Prohibits a sitting governor or mayor from maintaining outside employment or receiving emoluments. (Dead.)
- ii. [HB 98](#): Clarifies the fair treatment law by delineating limitations placed on persons who are task force members from those placed on legislators who are task force members. Clarifies that legislators are not prohibited from making statements or taking action in the exercise of their legislative functions. (Dead.)
- iii. [HB 110](#): Makes appropriation for the public employment cost items of and cost adjustments for employees of the various legislative agencies. Appropriates funds. (Alive.)
- iv. [HB 166](#): Authorizes the University of Hawaii to create, promote, and participate in new economic enterprises and expand workforce opportunities based on inventions and discoveries generated by or at the University by establishing the Innovation and Commercialization Initiative Program. Creates the University innovation and commercialization initiative special fund. (Dead.)
- v. [HB 425/SB 138](#): Makes certain sections of the State Code of Ethics inapplicable to technology transfer activities sponsored by University of Hawaii if the activities comply with the regulatory framework and research compliance program approved by the Board of Regents. Requires the Board of Regents to submit written status reports. Ethics Commission opposes. (HB425 alive; SB138 dead.)
- vi. [HB 847/SB 137](#): Establishes the Innovation and Commercialization Initiative Program to expressly give the University of Hawaii the legal authority to create, promote, and participate in new economic enterprises and expand workforce opportunities based on

inventions and discoveries generated by or at the University. Ethics Commission submitted comments. (Both measures alive.)

- vii. [HB 1156/SB 1022](#): Establishes the Innovation and Commercialization Initiative Program to expressly give the University of Hawaii the legal authority to create, promote, and participate in new economic enterprises and expand workforce opportunities based on inventions and discoveries generated by or at the University. Creates Special Fund. (Both measures dead.)
- viii. [HB 1157/SB 1023](#): Clarifies that certain sections of the State Ethics Code do not apply to technology transfer activities sponsored by the University of Hawaii; provided that the activities comply with the regulatory framework and research compliance program approved by the Board of Regents. Requires the Board of Regents to submit a written status report to the Legislature every two years. (Both measures dead.)
- ix. [HB 1530](#): Appropriates funds to provide for the expenses of the Legislature, Auditor, Legislative Reference Bureau, Ombudsman, and Ethics Commission. (Signed into law by Governor.)
- x. [SB 240](#): Requires the chief counsel and chief legal and regulatory advisor to the public utilities commission to file annually a disclosure of financial interest with the state ethics commission. (Dead.)
- xi. [SB 1287](#): Exempts extracurricular service of employees from the state ethics code if certain conditions are met. Defines detached remuneration and extracurricular service. (Dead.)
- xii. [SB631](#): Exempts tangible and nonperishable gifts received by an elected or appointed official on behalf of the State from gift reporting requirements under the ethics code. Requires the gift to be publicly recorded as property of the State and allows the gift to remain with the official's state agency or be transferred to the state archives or state foundation on culture and the arts at the end of the official's term. (Alive.)

V. Requests for Advisory Opinions

1. Consideration of language of deleted (i.e., redacted) Advisory Opinion regarding a state employee's ability to engage in private employment where potential conflicts may arise between the employee's private employment and duties as a state employee.

The Commission may convene an executive session pursuant to Hawaii Revised Statutes §§ 92-5(a)(8) and 84-31(f) to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a state or federal law, or a court order.

2. Consideration of language of deleted (i.e., redacted) Advisory Opinion regarding potential conflicts between a state official's: (1) private participation in a lawsuit and duties as a state official; and (2) private employment and duties as a state official.

The Commission may convene an executive session pursuant to Hawaii Revised Statutes §§ 92-5(a)(8) and 84-31(f) to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a state or federal law, or a court order.

VI. Adjournment