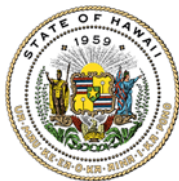


SUNSHINE LAW MEETING



HAWAII STATE ETHICS COMMISSION

State of Hawaii · Bishop Square, 1001 Bishop Street, ASB Tower 970 · Honolulu, Hawaii 96813
50th ANNIVERSARY 1968-2018

NOTICE OF MEETING OF THE HAWAII STATE ETHICS COMMISSION

Date: August 16, 2018
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 July 19, 2018 Meeting
- II. Consideration and Approval of the Executive Session Minutes of the July 19, 2018 Meeting (Regarding Discussion of Akana v. Hawaii State Ethics Commission, Civil No. 18-1-1019-06 (JHA))

The Commission may convene an executive session pursuant to Hawaii Revised Statutes section 92-5(a)(4) to consult with the Commission's attorneys on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.

- III. Akana v. Hawaii State Ethics Commission, Civil No. 18-1-1019-06 (JHA)

Discussion of case status.

The Commission may convene an executive session pursuant to Hawaii Revised Statutes section 92-5(a)(4) to consult with the Commission's attorneys on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.

IV. Executive Director's Report

1. Education / Training Report
2. Guidance and Assignment Statistics – July 2018

Attachment 2: 2018 Guidance and Assignment Statistics

3. 2018 Candidate Financial Disclosure Statements
4. Miscellaneous Office Projects / Updates
 - a. Hiring of Investigator

V. Adjournment

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.

Any interested person may submit data, views, or arguments in writing to the Commission on any agenda item. An individual or representative wishing to testify may notify any staff member of the Commission prior to the meeting or, during the meeting itself, may inform a Commissioner or Commission staff of a desire to testify. Testimony must be related to an item that is on the agenda, and the testifier shall identify the agenda item to be addressed by the testimony.

SUNSHINE LAW MEETING
AGENDA ITEM I

MINUTES: CONSIDERATION AND APPROVAL OF THE MINUTES OF THE
JULY 19, 2018 MEETING

Attachment 1: Sunshine Law Meeting Minutes of the July 19, 2018 Hawaii State
Ethics Commission Meeting

SUNSHINE LAW MEETING
MINUTES OF THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

Date: Thursday, July 19, 2018

Time: 10:00 a.m.

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

Present: State Ethics Commission Members

Reynard D. Graulty, Chair
Ruth D. Tschumy, Vice Chair
Susan N. DeGuzman, Commissioner
Wesley F. Fong, Commissioner

State Ethics Commission Staff

Susan D. Yoza, Associate Director
Nancy C. Neuffer, Staff Attorney
Virginia M. Chock, Staff Attorney
Bonita Y.M. Chang, Staff Attorney
Kee M. Campbell, Staff Attorney

Excused: Melinda S. Wood, Commissioner

CALL TO ORDER

The meeting was called to order at 10:00 a.m.

Agenda Item No. I: Appointment of Wesley F. Fong and re-appointment of Melinda Wood to the Hawaii State Ethics Commission

Chair Graulty congratulated Commissioner Fong on his appointment to the Commission and also announced that Commissioner Wood has been reappointed.

1 **Agenda Item No. II: Consideration and Approval of the Minutes of the**
2 **June 21, 2018 Meeting**

3
4 Vice Chair Tschumy made and Commissioner DeGuzman seconded a motion to
5 approve the minutes of the June 21, 2018 meeting. The motion carried. (Graulty,
6 Tschumy, DeGuzman voting; Fong abstaining).
7

8
9 **Agenda Item No. III: Akana v. Hawaii State Ethics Commission,**
10 **Civil No. 18-1-1019-06 (JHA)**

11
12 **RECESS OF SUNSHINE LAW MEETING AND CONVENING OF EXECUTIVE**
13 **SESSION**

14
15 At 10:03 a.m., Vice Chair Tschumy made and Commissioner Fong seconded a
16 motion to convene an Executive Session pursuant to Hawaii Revised Statutes section
17 92-5(a)(4) to consult with the Commission's attorneys on questions and issues
18 pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.
19 The motion carried unanimously (Graulty, Tschumy, DeGuzman, and Fong voting).
20

21 The Commission met in Executive Session with Deputy Attorney General Robyn
22 Chun to discuss the status of the Akana case.
23

24
25 **ADJOURNMENT OF EXECUTIVE SESSION AND RETURN TO SUNSHINE LAW**
26 **MEETING**

27
28 At 10:25 a.m., Commissioner DeGuzman made and Vice Chair Tschumy
29 seconded a motion to adjourn the Executive Session and return to the Sunshine Law
30 meeting. The motion carried unanimously (Graulty, Tschumy, DeGuzman, and Fong
31 voting).
32

33
34 **Agenda Item No. IV: Executive Director's Report**

35
36 1. *Education / Training Report*

37
38 Associate Director Yoza reported that several training sessions were scheduled
39 in the coming months, and that the Commission had received additional requests for
40 training sessions.
41

42 2. *Guidance and Assignment Statistics – June 2018*

43
44 *Attachment 2: 2018 Guidance and Assignment Statistics*
45

1 Associate Director Yoza noted that the staff has been busy with numerous
2 investigations. Chair Graulty asked about the decrease in Attorney of the Day calls, and
3 Associate Director Yoza said this may be due to the normal ebb and flow of those
4 inquiries.

5
6 *3. 2018 Financial and Gifts Disclosure Statements*
7

8 Associate Director Yoza reported that approximately 1,800 financial disclosure
9 statements were filed by the May 31, 2018, deadline. Approximately 195 state officials
10 have not yet filed their financial disclosure statements, and staff is following up with
11 those officials.

12
13 Associate Director Yoza reported that the deadline for candidates for state office
14 to file their financial disclosure statements is July 23, 2018, and only 55 of the 200
15 candidates have filed their disclosure statements to date. Staff sent courtesy reminders
16 to candidates who have not yet filed.

17
18 The Gifts Disclosure Deadline was June 30, 2018, and approximately 220 gift
19 disclosure statements have been filed. Staff will review those statements to determine
20 whether further action is warranted.

21
22 *4. Financial Report for FY 2017-2018*
23

24 *Attachment 3: Fourth Quarter and Year-End Report for FY 2017-2018*
25

26 Associate Director Yoza reported that \$13,600 (approximately 1%) of the Ethics
27 Commission's budget for FY 2017-2018 lapsed back to the State. In the fourth quarter,
28 the Commission paid for travel and registration fees for the Council on Governmental
29 Ethics Laws conference and for the Commission's computer specialist to attend a
30 training class in Arizona; office rent; and a consulting contract for the Commission's
31 e-filing project.

32
33 *5. Miscellaneous Office Projects / Updates*
34

35 *a. Hiring of Investigator*
36

37 Associate Director Yoza informed the Commission that its investigator plans to
38 leave his employment in August 2018. Staff is currently looking for a new investigator
39 and is advertising the position.
40

41
42 **ADJOURNMENT OF SUNSHINE LAW MEETING**
43

44 At 10:39 a.m., Commissioner DeGuzman made and Commissioner Fong
45 seconded a motion to adjourn the Sunshine Law meeting. The motion carried
46 unanimously (Graulty, Tschumy, DeGuzman, and Fong voting).

1 The meeting was adjourned at 10:39 a.m.

2

3

4 Minutes approved on: _____

DRAFT

SUNSHINE LAW MEETING
AGENDA ITEM IV

EXECUTIVE DIRECTOR'S REPORT

Attachment 1: Executive Director's Report

Attachment 2: 2018 Guidance and Assignments Statistics

SUNSHINE MEETING
AGENDA ITEM IV
EXECUTIVE DIRECTOR'S REPORT
August 16, 2018

1. Education / Training Report

a. Upcoming trainings/presentations:

Lobbyists Law Training – Weinberg Fellows
Hilton Waikiki Beach Hotel
Thursday, August 23, 2018
10:00 a.m. – 11:00 a.m.

Ethics Training – University of Hawai'i at Mānoa
Tuesday, August 28, 2018
10:00 a.m. – 11:30 a.m.
Kuykendall Auditorium
1733 University Avenue
Honolulu, Hawai'i

General Ethics Training – Kona
Friday, September 7, 2018
10:00 a.m. – 11:30 a.m.
Natural Energy Laboratory of Hawai'i Authority (NELHA)
Hale Iako Training Classroom, Room #119
74-4460 Queen Ka'ahumanu Highway, #101
Kailua-Kona, Hawai'i

General Ethics Training – Kapolei
Thursday, September 27, 2018
10:00 a.m. – 11:30 a.m.
University of Hawaii at West O'ahu
91-1001 Farrington Highway
Kapolei, Hawai'i

General Ethics Training – Hawai'i Tourism Authority
Thursday, September 27, 2018
9:30 a.m. – 10:30 a.m.
Hawai'i Convention Center
1801 Kalākaua Avenue
Honolulu, Hawai'i

General Ethics Training – O‘ahu
Tuesday, October 23, 2018
9:30 a.m. – 11:00 a.m.
Mission Memorial Auditorium
550 South King Street
Honolulu, Hawai‘i

General Ethics Training
Department of Health, Sanitation Branch
Wednesday, October 24, 2018
10:00 a.m. – 11:30 a.m.

General Ethics Training – Maui
Friday, October 26, 2018
10:00 a.m. – 11:30 a.m.
University of Hawai‘i Maui College
310 W. Ka‘ahumanu Avenue
Kahului, Hawai‘i

DOE Introduction and Training - Maui
Friday, October 26, 2018
1:00 p.m. – 4:00 p.m.
Pu‘unēnē School – Library
Pu‘unēnē, Hawai‘i

Ethics Training for State Government Attorneys
Monday, December 3, 2018
9:30 a.m. – 11:00 a.m.
State Capitol Auditorium
415 South Beretania Street
Honolulu, Hawai‘i

Ethics Refresher Course
Wednesday, December 5, 2018
10:00 a.m. – 11:30 a.m.
State Capitol, Room 423
415 South Beretania Street
Honolulu, Hawai‘i

General Ethics Training – Hilo
Monday, December 17, 2018
10:00 a.m. – 11:30 a.m.
University of Hawai‘i – Hilo Campus
UCB 100
200 W. Kāwili Street
Hilo, Hawai‘i

2. Guidance and Assignment Statistics – July 2018

Attachment 2: 2018 guidance and assignment statistics

3. 2018 Candidate Financial Disclosure Statements

4. Miscellaneous Office Projects / Updates

- a. Hiring of Investigator

2018	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Year to date
Training statistics													
# of Trainings	3	1	4	1	3	3	0						15
# of People Trained	75	6	197	100	267	126	0						771
Attorney of the Day	128	61	74	91	119	90	89						652
New assignments													
Advisory Opinion	1	0	0	0	1	2	0						4
Complaint	5	10	8	4	6	8	3						44
Gifts/Invitations/Travel	13	13	9	21	17	17	20						110
Guidance	11	7	2	3	4	4	6						37
Judicial Selection Comm'n	3	5	3	1	1	0	3						16
Training Request	0	4	1	2	1	0	0						8
Record Request	1	2	0	3	0	0	2						8
Project/Other	4	2	1	2	2	1	5						17
Total	38	43	24	36	32	32	39	0	0	0	0	0	244
Closed Assignments													
Advisory Opinion	0	1	0	1	0	0	0						2
Complaint	4	2	9	3	24	2	5						49
Gifts/Invitations/Travel	16	7	3	10	26	2	36						100
Guidance	5	5	3	1	8	1	3						26
Judicial Selection Comm'n	0	0	0	0	7	0	1						8
Training Request	0	0	1	1	1	1	0						4
Record Request	0	2	1	1	1	1	1						7
Project/Other	6	2	2	1	4	4	0						19
Total	31	19	19	18	71	11	46	0	0	0	0	0	215