

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: October 18, 2018
Time: 9:00 a.m.
Place: Hawaii State Ethics Commission Conference Room
American Savings Bank Tower
1001 Bishop Street, Suite 960
Honolulu, Hawaii 96813

AGENDA

CALL TO ORDER

- I. Consideration and Approval of the Minutes of the September 21, 2018 Meeting
- II. 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.

III. Executive Director's Report

1. Education / Training Report

2. Guidance and Assignment Statistics – September 2018

Attachment 2: 2018 Guidance and Assignment Statistics / Website Traffic

3. 2018 Candidate Financial Disclosure Statements

4. Miscellaneous Office Projects / Updates

a. Hiring of Office Manager / Secretary

5. *Financial Report for FY 2018-2019 (Quarter Ending September 30, 2018)
– deferred to November 15, 2018 meeting*

IV. 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
SEPTEMBER 21, 2018 MEETING

Attachment 1: Sunshine Law Meeting Minutes of the September 21, 2018 Hawaii
State Ethics Commission Meeting

SUNSHINE LAW MEETING
MINUTES OF THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

Date: Friday, September 21, 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
Melinda S. Wood, Commissioner
Wesley F. Fong, Commissioner

State Ethics Commission Staff

Daniel M. Gluck, Executive Director
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

CALL TO ORDER

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

Agenda Item No. I: Consideration and Approval of the Minutes of the August 16, 2018 Meeting

Vice Chair Tschumy made and Commissioner Wood seconded a motion to approve the minutes of the August 16, 2018 meeting. The motion carried (Graulty, Tschumy, DeGuzman, and Wood voting).

1 **Agenda Item No. II: Consideration and Approval of the Executive Session**
2 **Minutes of the August 16, 2018 Meeting (Regarding Discussion of Akana v. Hawaii**
3 **State Ethics Commission, Civil No. 18-1-1019-06 (JHA)**
4

5 Vice Chair Tschumy made and Commissioner Wood seconded a motion to
6 approve the minutes of the August 16, 2018 meeting. The motion carried (Graulty,
7 Tschumy, DeGuzman, and Wood voting).
8
9

10 **Agenda Item III: Akana v. Hawaii State Ethics Commission, Civil No. 18-1-1019-06**
11 **(JHA)**
12

13 Executive Director Gluck reported that the Commission's Motion to Dismiss
14 would be heard at 8:30 a.m. on Wednesday, October 10. He reported that the Plaintiff
15 had not yet filed her opposition to the Commission's motion and that there had been no
16 other filings.
17

18 Commissioner Fong joined the meeting at 10:02 a.m.
19
20

21 **Agenda Item No. IV: Executive Director's Report**
22

23 *Education / Training Report*
24

25 Executive Director Gluck reported that there are many trainings scheduled for the
26 last few months of the year. Chair Graulty asked who conducted the trainings;
27 Executive Director Gluck responded that each of the attorneys conducts trainings
28 throughout the year. There was a discussion regarding trainings scheduled for the
29 week of October 22nd.
30

31 *Guidance and Assignment Statistics – August 2018*
32

33 *Attachment 2: 2018 Guidance and Assignment Statistics*
34

35 Executive Director Gluck reported that staff were able to close many cases in
36 August. Additionally, in response to the Commission's question in August, he provided
37 information regarding traffic to the Ethics Commission's website on Attachment 2. He
38 stated that he was unable to determine the number of unique visitors to the site, or
39 whether website visits came from inside the office or from members of the public, but
40 the information was available for the Commissioners. The Commission discussed how
41 best to publicize its work.
42

1 *2018 Candidate Financial Disclosure Statements*

2
3 Executive Director Gluck stated that there were 202 candidates for state office in
4 the 2018 election cycle, 197 of whom have now filed their candidate financial disclosure
5 statements. More than 75% of those (156) used the new e-filing system.

6
7 There are still 128 individuals who have not yet filed their financial disclosure
8 statements, the vast majority of whom are board/commission members. Nearly all
9 public filers – that is, individuals whose financial disclosures are public – have filed.

10
11 *Miscellaneous Office Projects / Updates*

12
13 *a. Hiring of Investigator*

14
15 Executive Director Gluck stated he was very pleased to announce that Jason
16 Kamisugi would be the Commission’s Investigator beginning on Tuesday, October 2.

17
18 *b. Hiring of Office Manager / Secretary*

19
20 Executive Director Gluck stated that the office is actively seeking a new Office
21 Manager/Secretary. The Commission discussed ways to recruit new candidates.

22
23
24 **ADJOURNMENT OF SUNSHINE LAW MEETING**

25
26 At 10:20 a.m., Vice Chair Tschumy made and Commissioner Wood seconded a
27 motion to adjourn the Sunshine Law meeting. The motion carried unanimously (Grauldy,
28 Tschumy, DeGuzman, Wood, and Fong voting).

29
30 The meeting was adjourned at

31
32
33
34 Minutes approved on: _____

SUNSHINE LAW MEETING
AGENDA ITEM II

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.

SUNSHINE LAW MEETING
AGENDA ITEM III

EXECUTIVE DIRECTOR'S REPORT

Attachment 1: Executive Director's Report

Attachment 2: 2018 Guidance and Assignments Statistics/Website Traffic

SUNSHINE MEETING
AGENDA ITEM III
EXECUTIVE DIRECTOR'S REPORT
October 18, 2018

1. Education / Training Report

a. Recently held trainings/presentations:

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
95 attendees

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
Approximately 40 attendees

General Ethics Training
Department of Education, new Complex Area Superintendents
Friday, September 28, 2018
10:30 a.m. – 12:00 p.m.
Queen Liliuokalani Building
1390 Miller Street, Room 309
8 attendees

b. Upcoming trainings/presentations:

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 – 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

Kapiolani Community College Ethics Training
Friday, November 2, 2018
4303 Diamond Head Road
Ohia 118 Auditorium
Honolulu, Hawaii
10:00 a.m. – 11:30 a.m.

Ethics Training for Charter Schools Governing Boards
Tuesday, November 13, 2018
State Office Tower, Room 204
Honolulu, Hawaii
9:00 a.m.

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

University of Hawai'i at Manoa Ethics Training
Friday, December 14, 2018
1:30 p.m. – 3:00 p.m.
Room TBD
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 – September 2018

Attachment 2: 2018 guidance and assignment statistics

3. 2018 Candidate Financial Disclosure Statements

4. Miscellaneous Office Projects / Updates

a. Hiring of Office Manager/Secretary

**5. Financial Report for FY2018-2019 (Quarter Ending September 30, 2018)
– *deferred to November 15, 2018 meeting***

| 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 | 1 | 4 | | | | 20 |
| # of People Trained | 75 | 6 | 197 | 100 | 267 | 126 | 0 | 50 | 159 | | | | 980 |
| Attorney of the Day | 128 | 61 | 74 | 91 | 119 | 90 | 89 | 85 | 57 | | | | 794 |
| New assignments | | | | | | | | | | | | | |
| Advisory Opinion | 1 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | | | | 4 |
| Complaint | 5 | 10 | 8 | 4 | 6 | 8 | 3 | 11 | 4 | | | | 59 |
| Gifts/Invitations/Travel | 13 | 13 | 9 | 21 | 17 | 17 | 20 | 22 | 21 | | | | 153 |
| Guidance | 11 | 7 | 2 | 3 | 4 | 4 | 6 | 7 | 3 | | | | 47 |
| Judicial Selection Comm'n | 3 | 5 | 3 | 1 | 1 | 0 | 3 | 4 | 2 | | | | 22 |
| Training Request | 0 | 4 | 1 | 2 | 1 | 0 | 0 | 1 | 0 | | | | 9 |
| Record Request | 1 | 2 | 0 | 3 | 0 | 0 | 2 | 1 | 1 | | | | 10 |
| Project/Other | 4 | 2 | 1 | 2 | 2 | 1 | 5 | 2 | 2 | | | | 21 |
| Total | 38 | 43 | 24 | 36 | 32 | 32 | 39 | 48 | 33 | 0 | 0 | 0 | 325 |
| Closed Assignments | | | | | | | | | | | | | |
| Advisory Opinion | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | | | | 3 |
| Complaint | 4 | 2 | 9 | 3 | 24 | 2 | 5 | 20 | 0 | | | | 69 |
| Gifts/Invitations/Travel | 16 | 7 | 3 | 10 | 26 | 2 | 36 | 32 | 12 | | | | 144 |
| Guidance | 5 | 5 | 3 | 1 | 8 | 1 | 3 | 6 | 1 | | | | 33 |
| Judicial Selection Comm'n | 0 | 0 | 0 | 0 | 7 | 0 | 1 | 9 | 0 | | | | 17 |
| Training Request | 0 | 0 | 1 | 1 | 1 | 1 | 0 | 2 | 0 | | | | 6 |
| Record Request | 0 | 2 | 1 | 1 | 1 | 1 | 1 | 2 | 0 | | | | 9 |
| Project/Other | 6 | 2 | 2 | 1 | 4 | 4 | 0 | 3 | 2 | | | | 24 |
| Total | 31 | 19 | 19 | 18 | 71 | 11 | 46 | 75 | 15 | 0 | 0 | 0 | 305 |

Dataset Views

| | | | | | | | | | | | | | |
|---------------------------|-----|-----|------|-----|------|-----|-----|-----|-----|---|---|---|-------|
| Disclosures | 115 | 116 | 190 | 213 | 435 | 191 | 222 | 135 | 73 | | | | 1,690 |
| Lobbyist Registrations | 268 | 301 | 315 | 323 | 360 | 180 | 195 | 168 | 105 | | | | 2,215 |
| Organization Expenditures | 119 | 72 | 195 | 146 | 239 | 124 | 96 | 69 | 36 | | | | 1,096 |
| Lobbyist Expenditures | 118 | 67 | 157 | 129 | 221 | 130 | 85 | 84 | 35 | | | | 1,026 |
| Ethics Advice | 79 | 61 | 152 | 115 | 124 | 72 | 52 | 94 | 67 | | | | 816 |
| Total | 699 | 617 | 1009 | 926 | 1379 | 697 | 650 | 550 | 316 | 0 | 0 | 0 | 6,843 |