

SUNSHINE LAW MEETING
MINUTES OF THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

Date: Thursday, June 20, 2019
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

Chair Graulty called the meeting to order at approximately 10:04 a.m.

Agenda Item No. I: Consideration and Approval of the Minutes of the May 16, 2019 Meeting

Commissioner Wood made and Commissioner Fong seconded a motion to approve the minutes of the May 16, 2019 Sunshine Meeting. The motion carried (Graulty, Tschumy, Wood, and Fong voting; DeGuzman abstaining).

Agenda Item No. II: Consideration and Approval of the Executive Session Minutes of the May 16, 2019 Meeting (Regarding Evaluation of Executive Director Daniel Gluck)

Vice Chair Tschumy made and Commissioner Fong seconded a motion to approve the executive session minutes of the May 16, 2019 meeting. The motion carried (Graulty, Tschumy, Wood, and Fong voting; DeGuzman abstaining).

Agenda Item No. III: Election of Officers for 2019

After a brief discussion about the election of officers, Chair Graulty and Vice Chair Tschumy were nominated to be Chairperson of the Commission for 2019. Commissioner Fong made, and Vice Chair Tschumy seconded, a motion to close the nominations for Chairperson. The motion carried unanimously (Graulty, Tschumy, DeGuzman, Wood, and Fong voting). The Commission members voted on paper ballots, and Chair Graulty was elected to continue as Chairperson of the Commission for 2019.

Commissioner Fong nominated Vice Chair Tschumy to continue as Vice Chairperson of the Commission for 2019. Commissioner Fong moved, and Commissioner Wood seconded, a motion to close the nominations for Vice Chairperson. The motion carried unanimously (Graulty, Tschumy, DeGuzman, Wood, and Fong voting). The Commission members voted on paper ballots, and Vice Chair Tschumy was elected to continue as Vice Chairperson of the Commission for 2019.

Agenda Item No. IV: Executive Director's Report

Education / Training Report

Executive Director Gluck stated that the Commission's staff was on track to train the most employees it has ever trained in a year.

Guidance and Assignment Statistics – May 2019

Executive Director Gluck stated that staff had been busy with the high volume of assignments.

Miscellaneous Office Projects / Updates

- a. On-line training system for state employees

Executive Director Gluck stated that significant progress had been made in the online training program. An independent designer helped with the graphics, and staff hopes to get the online training running within the next few months.

b. Hawaii ethics conference

Executive Director Gluck stated that the ethics conference has been tentatively scheduled on September 5, 2019 and that approximately 35 people were expected to attend from the Commission, the Honolulu Ethics Commission, and the neighbor island ethics commissions. Executive Director Gluck informed the Commission of staff's offer to pay the airfare for a Hawaii County ethics official to attend the conference, and the Commission had no objections to this.

Executive Director Gluck next discussed the Council on Governmental Ethics Laws ("COGEL") conference to be held in Chicago. Chair Graulty indicated that he will attend the COGEL conference and Vice Chair Tschumy and Commissioner Fong also expressed interest in attending the conference. Commissioner Wood is considering attending.

A discussion of office furniture followed. The Commission agreed with Executive Director Gluck's plan to purchase additional furniture for the conference room.

Executive Director Gluck reported that 93% of required financial disclosure statements had been filed for the 2019 disclosure period. Staff Attorney Chang summarized the status of the financial disclosure filings and stated approximately 165 people were delinquent in filing their disclosure statements, which is better than in past years at this time. Executive Director Gluck explained that a list of delinquent filers will be published on the Commission's website as provided by law. The Commission by consensus agreed that it need not review the list of delinquent filers before it is published.

Agenda Item No. V: Akana v. Hawaii State Ethics Commission and Daniel Gluck, Civil No. 18-1-1019-06 (JHA)

Executive Director Gluck summarized the status of the lawsuit and stated that there had been no changes since the last meeting.

Agenda Item No. VI: Akana v. Hawaii State Ethics Commission and Daniel Gluck, Civil No. 19-1-0379-03 (JHA)

Executive Director Gluck summarized the status of Rowena Akana's appeal of the Commission's decision. Ms. Akana filed her opening brief, and the Commission's answering brief is due on July 15, 2019. Ms. Akana also filed a motion to supplement the record on appeal with additional evidence, which was denied by Judge Ashford. Executive Director Gluck summarized the arguments Ms. Akana made on appeal.

ADJOURNMENT OF SUNSHINE LAW MEETING

At 10:47 a.m., Commissioner Wood made and Vice Chair Tschumy seconded a motion to adjourn the Sunshine Meeting. The motion carried unanimously (Graulty, Tschumy, DeGuzman, Wood, and Fong voting).

The meeting was adjourned at 10:47 a.m.

Minutes approved on: July 18, 2019