

SUNSHINE LAW MEETING  
MINUTES OF THE HAWAI'I STATE ETHICS COMMISSION

STATE OF HAWAI'I

Date: Friday, March 27, 2020  
Time: 9:30 a.m.  
Call-in: 808-829-4853, access code 624 551 106#

Present: State Ethics Commission Members

Reynard D. Grauly, 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  
Patrick Lui, Computer Specialist

**CALL TO ORDER**

Chair Grauly called the meeting to order at 9:30 a.m.

**Agenda Item No. I: Consideration and Approval of the Minutes of the February 20, 2020 Meeting**

Commissioner Fong made and Commissioner DeGuzman seconded a motion to approve the minutes of the February 20, 2020 Sunshine Law Meeting. The motion carried unanimously (Grauly, Tschumy, DeGuzman, Wood and Fong voting).

## **Agenda Item No. II: Extension of Deadline for Jan-Feb 2020 Lobbyist Expenditure Reports**

Commissioner DeGuzman suggested that Paragraph 2 of the Order Regarding Lobbying Expenditure Reporting be amended to read as follows: “The Commission authorizes the Executive Director to extend this deadline until May 31, 2020, if appropriate, without further Order of the Commission.” Commissioner DeGuzman explained that this amendment helps clarify the Order.

Chair Grauly asked whether anyone wished to provide public testimony on this agenda item. Sandy Ma, Executive Director of Common Cause Hawai‘i, asked whether the extension of the March 31 deadline will affect any of the other filing deadlines for lobbying reports. Executive Director Gluck explained that the Commission’s Order pertains only to lobbying reports for the January 1 through February 29 period. If the deadline for these reports is extended to May 31, two lobbying reports will be due on that date: One report for the period covering January 1 through February 29, and one report for the period covering March 1 through April 30.

Commissioner DeGuzman made and Vice Chair Tschumy seconded a motion to approve the Order Regarding Lobbying Expenditure Reporting, as amended. The motion carried unanimously (Grauly, Tschumy, DeGuzman, Wood and Fong voting).

The Commissioners authorized the use of their electronic signatures on the Order.

## **Agenda Item No. III: Proposed Administrative Rules**

Executive Director Gluck said that there have been reports of people accessing and attempting to disrupt online videoconferences by posting inappropriate content. These appear to be isolated incidents and Executive Director Gluck said he did not believe the likelihood of this happening to the Commission was high enough to warrant changing the format for the public hearing on the proposed administrative rules.

Computer Specialist Lui explained that he can disconnect someone who tries to disrupt the hearing via videoconference. However, he cannot stop the person from accessing the hearing again or from posting any inappropriate content.

After further discussion by the Commission, Executive Director Gluck recommended that the Commission go ahead with plans to videoconference the hearing. This format will allow greater participation by the public because anyone from any location can access the hearing via videoconference. He said that Computer Specialist Lui can take action if someone tries to disrupt the hearing.

Commissioner Fong agreed with the Executive Director’s recommendation. He said that if something happens during the hearing, it would be up to the Chair to handle

it with staff's assistance. Chair Gaulty discussed calling a recess if someone were to become completely disruptive.

Commissioner DeGuzman clarified that participation in the hearing via video-conference means that someone can use a home or office computer to access the hearing via videoconference link.

Commissioner Wood said that the Notice of Public Hearing (page 3) states that written testimony must be submitted by 12 noon on May 8, 2020. The correct date should be May 6, 2020. Staff Attorney Chock also noted that the Commission's fax number (page 3) is missing a hyphen.

Chair Gaulty asked whether anyone wished to provide public testimony on this agenda item. Ms. Ma of Common Cause Hawai'i asked whether the May 7 hearing will be held regardless of whether the statewide stay-at-home / work-from-home order is lifted by then. Executive Director Gluck explained that if the stay-at-home order is lifted and everyone can return to the office, the Commission can meet in person on May 7 and still allow the public to participate via videoconference.

Vice Chair Tschumy made and Commissioner DeGuzman seconded a motion to reschedule the public hearing for the Commission's administrative rules to Thursday, May 7, 2020, via videoconference and telephone conference. The motion passed unanimously (Gaulty, Tschumy, DeGuzman, Wood and Fong voting).

Commissioner DeGuzman made and Vice Chair Tschumy seconded a motion to approve the Notice of Public Hearing, as amended, for the May 7, 2020 hearing. The motion carried unanimously (Gaulty, Tschumy, DeGuzman, Wood and Fong voting).

## **ADJOURNMENT OF SUNSHINE LAW MEETING**

At 10:02 a.m., Commissioner DeGuzman made and Vice Chair Tschumy seconded a motion to adjourn the Sunshine Law Meeting. The motion carried unanimously (Gaulty, Tschumy, DeGuzman, Wood and Fong voting).

The meeting was adjourned at 10:02 a.m.

Minutes approved on: April 16, 2020