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# HAWAI'I STATE ETHICS COMMISSION

State of Hawai'i · Bishop Square, 1001 Bishop Street, ASB Tower 970 · Honolulu, Hawai'i 96813

## NOTICE OF MEETING OF THE HAWAI'I STATE ETHICS COMMISSION

Date: April 16, 2020

Time: 9:00 a.m.

Via Videoconference or Phone:

Videoconference: [Join Microsoft Teams Meeting](#)

Phone: 808-829-4853, Conference ID: 155 364 389#

*This meeting will be held via videoconference and phone conference. All members of the public are invited to join this meeting using the above information; anyone wishing to testify may do so during the conference call, or may submit written testimony in advance of the meeting via e-mail, fax, or mail. To avoid excessive noise/feedback, please mute your telephone except to testify.*

## AGENDA

### CALL TO ORDER

I. Consideration and Approval of the Minutes of the March 27, 2020 Meeting

II. Executive Director's Report

1. Education / Training Report

*Attachment 2: 2020 Training Attendance / Schedule*

*Attachment 3: Online Training Completions by Department*

2. Guidance and Assignment Statistics – February-March 2020

*Attachment 4: 2020 Guidance and Assignment Statistics / Website Traffic*

3. Financial Report for FY 2019-2020 (Quarter Ending March 31, 2020)

*Attachment 5: Third Quarter Financial Report FY2019-2020*

4. Miscellaneous Office Projects / Updates

III. Proposed Administrative Rules

Discussion of status of May 7, 2020 rulemaking hearing.

*Attachment 1: Notice of Public Hearing on Proposed Administrative Rules*

IV. 2020 Legislative Session – measures still alive

1. [HB2124](#): Prohibits certain state officials and employees from representing certain interests before the State for 12 months after termination from their respective positions. (Ethics Commission bill)
2. [HB2125](#): Makes various amendments to the State Ethics Code. Repeals exemption from certain financial disclosure requirements granted to members of the Hawaii Correctional System Oversight Commission. (Ethics Commission bill)
3. [HB1673](#): Restores statutory protection for legislators when carrying out a legislative function. Clarifies that each house of the legislature shall adopt rules regarding disclosure of the nature and extent of any interest or transaction that the legislator believes may be affected by the legislator's official action. (Ethics Commission bill)
4. [HB2120](#): Amends the certain parts of the conflicts of interests provision of the State Ethics Code to include members of the legislature, delegates to the constitutional convention, and justices and judges of all state courts.
5. [HB361](#): Prohibits the governor and each county mayor, while holding those offices, to maintain any other employment or receive any emolument, beginning on the sixty-first calendar day after their election or appointment to office. Specifies that the county boards and commissions have enforcement authority over each respective county mayor. Specifies that the Hawaii state ethics commission has enforcement authority over the governor.

6. [HB2256](#) / [SB3058](#): Repeals the sunset provision in Act 38, Session Laws of Hawaii 2017 (Technology Transfer at the University of Hawaii)
  7. [HB1998](#) / [HB2678](#): Authorizing forfeiture of pension benefits (and/or other benefits) under certain conditions.
  8. Ethics Commission Budget measures: [HB2661](#), [SB3079](#).
  9. Various provisions purporting to exempt task forces and/or new commissions/employees from Ethics Code requirements (e.g., [SB3103](#), [HB2047](#), [SB2350](#)).
  10. [SB1056](#): Requires lobbyists and specified individuals to file two additional reports in general election years to the Hawaii State Ethics Commission, including one report on the second Friday in August and one report on the first Monday in November.
- V. *Akana v. Hawaii State Ethics Commission and Daniel Gluck, 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.

- VI. *Akana v. Hawaii State Ethics Commission, Civil No. 19-1-0379-03 (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.

VII. State of Hawaii, Ethics Commission, by and through its Attorney General, v. Rowena Akana, Civil No. 1DRC-20-0000134

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.

VIII. Office of Information Practices: Opinion Upholding Commission's Denial of Request to Access Government Records

Briefing by Executive Director Gluck regarding the Office of Information Practices' Memorandum Opinion No. 20-07 (U Appeal 20-37), upholding the Commission's 2019 denial of a request to access government records.

*Attachment 1: OIP Memorandum Opinion No. 20-07*

IX. Adjournment

If you need an auxiliary aid/service or other accommodation due to 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](mailto:ethics@hawaiiethics.org). Requests made as early as possible will allow adequate time to fulfill your request.

Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

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.