

SUNSHINE LAW MEETING  
MINUTES OF THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

Date: June 17, 2021

Time: 9:00 a.m.

Location: Held via Zoom video and audio conference

Present: State Ethics Commission Members

Ruth D. Tschumy, Chair (present in conference room)  
Melinda S. Wood, Vice Chair (via video conference)  
Reynard D. Gaulty, Commissioner (via video conference)  
Wesley F. Fong, Commissioner (via video conference)  
Harry J. McCarthy, Commissioner (via video conference)

State Ethics Commission Staff

Daniel M. Gluck, Executive Director (via video conference)  
Susan D. Yoza, Associate Director (via video conference)  
Nancy C. Neuffer, Staff Attorney (via video conference)  
Virginia M. Chock, Staff Attorney (via video conference)  
Bonita Y.M. Chang, Staff Attorney (via video conference)  
Kee M. Campbell, Staff Attorney (via video conference)  
Patrick Lui, Computer Specialist (via audio conference)

Guests

Sandy Ma, Executive Director, Common Cause Hawaii (via video conference)

**CALL TO ORDER**

Chair Tschumy called the meeting to order at 9:03 a.m. and confirmed that all Commissioners and staff were present.

**Agenda Item No. I: Consideration and Approval of the Minutes of the May 20, 2021 Meeting**

Commissioner Fong made and Commissioner McCarthy seconded a motion to approve the minutes of the May 20, 2021 Sunshine Meeting. The motion carried unanimously (Tschumy, Wood, Gaulty, Fong, and McCarthy voting).

**Agenda Item No. II: Consideration and Approval of the Minutes of the May 20, 2021 Executive Session Meeting**

Commissioner Fong asked whether the minutes of the Executive Session meeting would remain confidential. Executive Director Gluck stated that the minutes themselves would remain confidential, but that the approval of the minutes appears as an item on the public agenda; if the Commission wished to discuss changes to the minutes, however, Executive Director Gluck would recommend another executive session to do so.

Commissioner Fong made and Vice Chair Wood seconded a motion to approve the minutes of the May 20, 2021 Executive Session Meeting. The motion carried unanimously (Tschumy, Wood, Gaulty, Fong, and McCarthy voting).

**Agenda Item No. III: Executive Director's Report**

1. Recognition of Chair Tschumy; update regarding appointment of new Commissioner

The Commissioners and Executive Director Gluck thanked Chair Tschumy for her eight years of dedicated service to the Commission. Chair Tschumy stated that it has been her privilege to work with the Commissioners and staff.

Executive Director Gluck stated that the Judicial Council sent two names to the Governor's office the previous Thursday, and he hoped that the Governor would make his selection soon.

2. Education / Training Report

Executive Director Gluck referred to the attachments and indicated that staff were still conducting trainings via Zoom.

3. Guidance and Assignment Statistics – May 2021

Executive Director Gluck stated that there continues to be a high volume of complaints to the Commission and that staff are working through them as best as they can.

4. Update regarding 2021 Financial Disclosure filings and Lobbying Expenditure Reports for the period March 1 – April 30, 2021

Staff Attorney Chang stated that the May 31 deadline just passed and that staff is focused on sending notices to new appointees to boards and commissions. She presented a few charts to the Commissioners showing the numbers of filers by date, as well as compliance percentages compared with previous years. As of that morning, there were still 53 individuals who had not filed their financial disclosure statements, and

Staff Attorney Chang stated that staff would present possible enforcement cases to the Commission as necessary. Staff Attorney Chang stated that the new enhancements to the e-filing system – particularly, the automatic reminder system – has significantly improved compliance.

#### 5. Miscellaneous Office Projects / Updates

Executive Director Gluck stated that staff would be hosting – virtually – a government auditor from Armenia through the Professional Fellows Program, a State Department program. Executive Director Gluck also stated that he was finalizing an article for the Hawaii Bar Journal about the Commission and its work, and he hoped that this article would be a good orientation document for new Commissioners and staff in the future.

Finally, Executive Director Gluck stated that staff are working pursuant to a hybrid model at the moment, with some staff in the office full time and some working remotely full time; he stated that he intends to continue to allow some remote work but that he intended to have staff start increasing their in-person time in the office.

Vice Chair Wood expressed concern about the low numbers of on-line training from some agencies. Executive Director Gluck said that many officials from those agencies may have attended live training sessions but he offered to reach out to those departments to inform them that the on-line ethics training is still available.

Sandy Ma from Common Cause asked for clarification on the training and complaint statistics, and Staff Attorney Chang and Executive Director Gluck provided additional details.

#### **Agenda Item No. IV: 2021 Legislative Session**

Executive Director Gluck stated that the Governor's intent-to-veto deadline was the following Monday, June 21, and that he did not have any additional information on the bills listed on the agenda.

#### **Agenda Item No. V: *Akana v. Hawaii State Ethics Commission and Daniel Gluck*, Civil No. 18-1-1019-06 (JHA); *Akana v. Hawaii State Ethics Commission*, Civil No. 19-1-0379-03 (JHA); *State of Hawaii, Ethics Commission v. Rowena Akana*, Civil No. 20-1-0453 (BIA)**

Executive Director Gluck stated that he did not have any updates on this matter.

## **ADJOURNMENT OF SUNSHINE LAW MEETING**

At approximately 9:25 a.m., Vice Chair Wood made and Commissioner McCarthy seconded a motion to adjourn the Sunshine Law Meeting. The motion carried unanimously (Tschumy, Wood, Gaulty, Fong, and McCarthy voting).

The meeting was adjourned at 9:25 a.m.

Minutes approved on July 15, 2021.