



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: February 4, 2021

Time: 9:00 a.m.

Location: Via Videoconference or Phone:

Videoconference: [Join Zoom Meeting](#)

Phone: +1 (408) 638-0968 or +1 (669) 900-6833

Meeting ID: 997 2385 1598

Password: 768076

Due to COVID-19, 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.

In person:

Hawai'i State Ethics Commission Conference Room
American Savings Bank Tower
1001 Bishop Street, Suite 960
Honolulu, Hawai'i 96813

***Note: Commission Chair Tschumy intends to be present in the Commission conference room; other Commissioners and staff will appear remotely, via videoconference, and members of the public are encouraged to attend via videoconference or telephone. Staff will make every effort to accommodate members of the public who wish to testify in person at the Commission's Conference Room, but staff will limit the number of people allowed in the Conference Room at any given time. If you wish to attend in person, you must wear a mask and must remain more than six feet away from every other person in attendance.*

A G E N D A

CALL TO ORDER

- I. 2021 Legislative Session – Commission's position on proposed bills
 - a. Gifts and gifts reporting
 - i. [H.B. 1108](#) Authorizes legislators and legislative employees to accept gifts of aloha from lobbyists or their clients. Defines "gifts of aloha" as anything of value, including a meal, whose fair market value is \$25 or less.
 - ii. [H.B. 1163](#) Prohibits legislators from soliciting, accepting, or receiving, directly or indirectly, any individual gift in the form of hospitality exceeding a value of twenty-five dollars. Reduces the aggregate value of a gift that must be reported by a legislator or government employee, or spouse or dependent child of a legislator or government employee.
 - iii. [H.B. 645](#) Exempts expenditures for meals or beverages with a total value of under \$25 from reporting requirements when provided to a public official at an informational meeting or presentation or goodwill event with non-lobbyists.
 - iv. [S.B. 991](#) Exempts expenditures for meals or beverages with a total value of under \$25 from reporting requirements when provided to a public official at an informational meeting or presentation or goodwill event with non-lobbyists.
 - v. [S.B. 1326](#) Exempts "gifts of aloha", the value of which does not exceed twenty-five dollars, from the prohibition against accepting gifts in the state code of ethics.
 - b. Public accountability agency
 - i. [H.B. 1341](#) Establishes the office of public accountability to assume oversight and administrative responsibility for the office of the auditor, office of the ombudsman, office of information practices, Hawaii state ethics commission, and campaign spending commission. Requires the salaries of the auditor, director of LRB, executive director of the Hawaii state ethics commission, and ombudsman to be set by the legislature. Appropriates funds.

- ii. [S.B. 1350](#) Establishes the office of public accountability to assume oversight and administrative responsibility for the office of the auditor, office of the ombudsman, office of information practices, Hawaii state ethics commission, and campaign spending commission. Appropriates funds.
- iii. [S.B. 1351](#) Establishes the office of public accountability to assume oversight and administrative responsibility for the office of the auditor, office of the ombudsman, office of information practices, Hawaii state ethics commission, and campaign spending commission. Appropriates funds.

c. Post-employment

- i. [H.B. 671](#) Prohibits certain state officials and employees from representing certain interests before the State for 12 months after termination from their respective positions. Effective 1/1/2022.
- ii. [S.B. 158](#) Prohibits certain state officials and employees from representing certain interests regarding any state administrative or legislative action for 12 months after termination from their respective positions.

d. Conflicts of interests

- i. [H.B. 672](#) Amends certain parts of the conflicts of interests law in the state ethics code to include members of the legislature. Clarifies that the conflicts of interests law does not prohibit legislators from introducing legislation, serving on a committee, making statements, or taking action in the exercise of their legislative functions.
- ii. [H.B. 798](#) Specifies that nonprofits with a legislator on its governing board shall not be eligible to receive a grant pursuant to chapter 42F, Hawaii Revised Statutes.
- iii. [S.B. 556](#) Specifies that nonprofits with a legislator on its governing board shall not be eligible to receive a grant pursuant to chapter 42F, Hawaii Revised Statutes. Effective 01/01/2022.

e. Financial Disclosures

- i. [S.B. 554](#) Removes the need for government officials and board members to disclose specific financial interest amounts that exceed \$100,000.

f. Fair Treatment

- i. [H.B. 1244](#) Exempts from the fair treatment provisions of the Ethics Code, the mere reuse of an image documenting a historical, governmental event.

g. Lobbyist Law

- i. [S.B. 557](#) Expands the definition of "administrative action" in lobbyist law to include granting or denying applications for business or development-related permits, licenses, or approvals. Clarifies that lobbying laws apply to lobbying by the executive branch. Effective 9/1/2021.
- ii. [H.B. 741](#) Increases the retention period for certain Hawaii state ethics commission records from 4 years to 5 years.

h. Budget

- i. [H.B. 1](#) Appropriates funds to provide for the expenses of the Legislature, Auditor, Legislative Reference Bureau, Ombudsman, and Ethics Commission.

i. Short form bills

- i. Examples: [H.B. 584](#), [H.B. 646](#), [S.B. 82](#)

j. Other

- i. [H.B. 10](#) Requires the board of education to invite the exclusive representative for bargaining unit (5) (teachers and other personnel of the department of education) to appoint a nonvoting public school teacher representative to the board.
- ii. [H.B. 356](#) Requires meetings of the judicial council to be open to the public.
- iii. [H.B. 1064](#) / [S.B. 1218](#) Removes the sunset provision in Act 38, Session Laws of Hawaii 2017 (technology transfer).
- iv. [H.B. 1075](#) Beginning 11/1/2022, prohibits the lieutenant governor, while holding the office of the lieutenant governor, from maintaining any other employment, maintaining a controlling interest in a business, or receiving any emolument, beginning on the sixty-first calendar day after election or appointment to office.

II. Personnel/Staffing

The Hawai'i State Ethics Commission may convene an executive session pursuant to Hawai'i Revised Statutes section 92-5(a)(2) to discuss matters relating to the evaluation of an employee, and/or pursuant to 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. Adjournment

****Please note that there are no attachments to this agenda nor are there other materials for this meeting. The bills may be accessed by clicking on the hyperlinks above.****

If you need an auxiliary aid/service or other accommodation due to a disability, please contact the Hawai'i State Ethics Commission by telephone at (808) 587-0460, by facsimile at (808) 587-0470 (fax), or via email at 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.