

# SUNSHINE LAW MEETING



## 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: January 19, 2022

Time: 9:00 a.m.

Location: Via Videoconference or Phone:

Videoconference: [Join Zoom Meeting](#)

Phone: +1 (669) 900-6833 or +1 (253) 215-8782

Meeting ID: 843 4841 1345

Passcode: 168648

*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 meeting or may submit written testimony in advance of the meeting via e-mail, fax, or mail. To avoid excessive noise/feedback, please mute your phone/device except to testify. If the Commission's videoconference connection is lost during the meeting, members of the public should check the Commission's website ([www.ethics.hawaii.gov](http://www.ethics.hawaii.gov)) for reconnection information.*

In person:

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

*\*\*Note: 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. Consideration and Approval of the Minutes of the December 15, 2021 Meeting

*Attachment 1: Sunshine Law Meeting Minutes of the December 15, 2021 Hawai'i State Ethics Commission Meeting*

II. Election of Officers for 2022

*Attachment 1: Election of Officers for 2022*

III. Executive Director's Report

1. Education / Training Report

*Attachment 1: 2022 Training Attendance / Schedule*

*Attachment 2: Online Training Completions by Department*

2. Guidance and Assignment Statistics – December 2021

*Attachment 3: 2021 Guidance and Assignment Statistics / Website Traffic*

3. Financial Report for FY 2021-2022 (Quarter Ending December 31, 2021)

*Attachment 4: Q2 Financial Report FY 2021-2022*

4. Miscellaneous Office Projects / Updates

*Attachment 5: The High Road (January 2022)*

IV. FY 2022-2023 Budget

V. 2022 Legislative Session

Discussion regarding 2022 Legislative Session and possible Commission meeting in early February to discuss Commission's position on proposed bills.

*Attachment 1: 2022 Session Calendar*

*Attachment 2: 2022 Commission Meeting Calendar*

VI. 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)

Discussion of case status.

The Hawai'i State Ethics Commission may convene an executive session pursuant to Hawai'i Revised Statutes section 92-5(a)(4) to consult with the Commission's attorneys and/or the Department of the Attorney General on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.

VII. Adjournment

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](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.

SUNSHINE LAW MEETING  
AGENDA ITEM I

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE  
DECEMBER 15, 2021 MEETING

Attachment 1:       Sunshine Law Meeting Minutes of the December 15, 2021  
Hawai'i State Ethics Commission Meeting

SUNSHINE LAW MEETING  
MINUTES OF THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

Date: December 15, 2021

Time: 9:00 a.m.

Location: Held via Zoom video and audio conference

Present: State Ethics Commission Members

Melinda S. Wood, Chair (via video conference)  
Wesley F. Fong, Vice Chair (via video conference)  
Reynard D. Grauly, Commissioner (via video conference)  
Harry J. McCarthy, Commissioner (via video conference)  
Beverley Tobias, 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)  
Bonita Y.M. Chang, Staff Attorney (via video conference)  
Kee M. Campbell, Staff Attorney (via video conference)  
Patrick W.C. Lui, Computer Specialist (via audio conference)

No members of the public were present.

**CALL TO ORDER**

Chair Wood called the meeting to order at 9:19 a.m. and confirmed that all Commissioners and staff were present.

**Agenda Item No. I: Consideration and Approval of the Minutes of the November 17, 2021 Meeting**

Vice Chair Fong made and Commissioner Grauly seconded a motion to approve the minutes of the November 17, 2021 meeting. The motion carried unanimously (Wood, Fong, Grauly, McCarthy, and Tobias voting).

1 **Agenda Item No. II: Executive Director's Report**

2  
3 Executive Director Gluck referred to the attachments regarding the  
4 Education/Training Report and the Guidance and Assignment Statistics for the year to  
5 date. He stated that the number of trainings was lower than in past years, but the  
6 number of people trained – well over 1,700 – was still reasonably good. He stated that  
7 the numbers of attorney-of-the day inquiries and other matters were also lower than in  
8 previous years, but the number of complaints may exceed last year's total. Executive  
9 Director Gluck also stated that the office had posted the notice regarding the open Staff  
10 Attorney position.

11  
12 Executive Director Gluck referred to the Campaign Legal Center ("CLC") report,  
13 which recognized the Commission's homepage as a model for being user friendly and  
14 easily navigable. Executive Director Gluck explained that CLC had reached out to the  
15 Commission regarding its website redesign.

16  
17 Staff Attorney Chang reported that staff had updated several guides and other  
18 resources for the new year; among other things, staff updated various materials to  
19 account for the new post-employment law passed by the Legislature in 2021.

20  
21 Commissioner McCarthy commended staff for being featured in the CLC report  
22 and asked whether staff had considered any of the other innovations featured in that  
23 report. Executive Director Gluck stated that staff had and that some of those items may  
24 be good initiatives for the new Executive Director. Chair Wood agreed.

25  
26  
27 **Agenda Item No. III: Proposed Meeting Schedule for 2022**

28  
29 The Commissioners briefly discussed whether meetings would continue via video  
30 conference or whether meetings would be in person. There was consensus that  
31 meetings were efficient and effective via video conference. Commissioner Tobias made  
32 and Commissioner Gaulty seconded a motion to approve the proposed meeting  
33 calendar for 2022, with meetings scheduled for 9:00 a.m. on the third Wednesday of  
34 each month. The motion carried unanimously (Wood, Fong, Gaulty, McCarthy, and  
35 Tobias voting).

36  
37  
38 **Agenda Item No. IV: *Akana v. Hawaii State Ethics Commission and Daniel Gluck*,  
39 *Civil No. 18-1-1019-06 (JHA)*; *Akana v. Hawaii State Ethics Commission*, *Civil No.*  
40 *19-1-0379-03 (JHA)*; *State of Hawaii, Ethics Commission v. Rowena Akana*, *Civil*  
41 *No. 20-1-0453 (BIA)***

42  
43 Executive Director Gluck stated that the Commission is still awaiting a decision  
44 from the Intermediate Court of Appeals; there are no other updates.  
45

1 **Agenda Item No. V: Recognition of Executive Director Daniel M. Gluck**

2  
3 Executive Director Gluck was excused from the meeting.

4  
5 Chair Wood proposed issuing a Resolution to recognize Executive Director Gluck  
6 and asked for a motion to that effect. Vice Chair Fong made and Commissioner Gaulty  
7 seconded a motion to approve the issuance of a Resolution in recognition of Executive  
8 Director Gluck's service. The motion carried unanimously (Wood, Fong, Gaulty,  
9 McCarthy, and Tobias voting).

10  
11 Executive Director Gluck re-joined the meeting.

12  
13 Chair Wood read and presented Executive Director Gluck with a Resolution  
14 thanking and commending him for his service to the Commission. (A copy of the  
15 Resolution is attached to these minutes.)

16  
17 Executive Director Gluck thanked the Commissioners for the opportunity to  
18 serve; he stated that it has been a privilege to serve alongside such talented and  
19 dedicated colleagues. Each of the Commissioners offered thanks and praise to  
20 Executive Director Gluck for his work and wished him well.

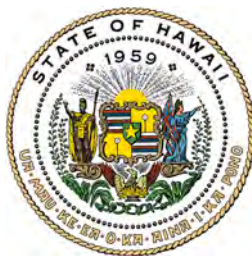
21  
22  
23 **ADJOURNMENT OF SUNSHINE LAW MEETING**

24  
25 At approximately 9:43 a.m., Commissioner McCarthy made and Commissioner  
26 Tobias seconded a motion to adjourn the Sunshine Law Meeting. The motion carried  
27 unanimously (Wood, Fong, Gaulty, McCarthy, and Tobias voting).

28  
29 The meeting was adjourned at 9:43 a.m.

30  
31 Minutes approved on \_\_\_\_\_.





# Hawai'i State Ethics Commission

## State of Hawai'i

### Resolution

**Whereas**, the Hawai'i State Ethics Commission recognizes individuals who make significant contributions to promote ethics in government; and

**Whereas**, Daniel M. Gluck has demonstrated his personal commitment to promoting the highest standards of ethical conduct in government while serving as the Executive Director and General Counsel of the Hawai'i State Ethics Commission from August 1, 2016, through December 31, 2021; and

**Whereas**, Daniel M. Gluck has further demonstrated his exemplary abilities as an attorney and advocate for the Hawai'i State Ethics Commission, and as a leader and mentor for his work colleagues; and

**Whereas**, the Hawai'i State Ethics Commission proudly recognizes the superior accomplishments of Daniel M. Gluck, who has performed his duties with exceptional professionalism, effectiveness, and civility; now, therefore,

**Be It Resolved** that the Hawai'i State Ethics Commission hereby commends Daniel M. Gluck for his outstanding contributions to the State of Hawai'i; and

**Be It Further Resolved** that the Hawai'i State Ethics Commission hereby extends to Daniel M. Gluck its warmest Aloha, appreciation, and best wishes.

Dated: Honolulu, Hawai'i, December 15, 2021.

#### HAWAI'I STATE ETHICS COMMISSION

Melinda S. Wood, Chair

Wesley F. Fong, Vice Chair

Reynard D. Gaulty, Commissioner

Harry McCarthy, Commissioner

Beverley D. Tobias, Commissioner

SUNSHINE LAW MEETING  
AGENDA ITEM II

ELECTION OF OFFICERS FOR 2022

Attachment 1: Election of Officers for 2022

SUNSHINE LAW MEETING  
AGENDA ITEM II

ELECTION OF OFFICERS FOR 2022

At the Commission's meeting on January 19, 2022, the Commissioners should discuss the election of a Chair and Vice Chair for 2022. The Commission's Administrative Rules provide for the annual election of a Chair and Vice Chair whose terms will commence on January 1 of each year. Hawai'i Administrative Rules § 21-1-10 provides as follows:

§ 21-1-10 Chairperson and vice-chairperson. (a) A chairperson shall be elected by a majority of all the members to which the commission is entitled, who shall serve for a term of one year or until a successor is elected, with such term to commence on January 1 of each year.

(b) A vice-chairperson, who shall call and chair meetings in the incapacity or absence of the chairperson, shall be elected by a majority of all the members to which the commission is entitled, and shall serve for a term of one year or until a successor is elected, with such term to commence on January 1 of each year.

In the past, the Commission has elected officers for the upcoming year in January. The Commission also has sometimes voted to defer the election of officers to June or July, and to keep the current officers in place until that time. The Commission did this last year, when then-Chair Tschumy's term of office was scheduled to end on June 30. This year, Chair Wood's and Vice Chair Fong's respective terms of office are scheduled to end on June 30.

The following table is provided for your information.

<b>Commissioner</b>	<b>Date Appointed</b>	<b>Term End</b>	<b>Date of Reappointment</b>	<b>Term End</b>
Melinda S. Wood*	7/07/2014	6/30/2018	7/01/2018	6/30/2022
Reynard D. Gaulty**	7/01/2015	6/30/2019	7/01/2019	6/30/2023
Wesley Fong***	7/01/2018	6/30/2022		
Harry J. McCarthy	3/12/2021	6/30/2024		
Beverley Tobias	7/22/2021	6/30/2025		

\* Commissioner Wood served as Vice Chair from July 2020 to July 2021, and as Chair from July 2021 to present.

\*\* Commissioner Gaulty served as Chair from February 2017 to June 2020.

\*\*\* Commissioner Fong served as Vice Chair from July 2021 to present.

(Note: Commissioners may be appointed to two consecutive four-year terms.)

SUNSHINE MEETING  
AGENDA ITEM II

EXECUTIVE DIRECTOR'S REPORT  
January 19, 2022

**1. Education / Training Report**

*Attachment 1: 2022 Training Attendance / Schedule*

*Attachment 2: Online Training Completions by Department*

**2. Guidance and Assignment Statistics – December 2021**

*Attachment 3: 2021 Guidance and Assignment Statistics / Website Traffic*

**3. Financial Report for FY 2021-2022 (Quarter Ending December 31, 2021)**

*Attachment 4: Q2 Financial Report FY 2021-2022*

**4. Miscellaneous Office Projects / Updates**

*Attachment 5: The High Road (January 2022)*

<b>HAWAII STATE ETHICS COMMISSION</b> <b>2022 EDUCATION PROGRAM</b> <b>(Ethics Workshops and Presentations)</b>		
<b>DATE</b>	<b>PRESENTATIONS</b>	<b>NUMBER OF PARTICIPANTS</b>
1/5/2022	General Ethics Training, Lobbyists Law Training, Zoom	88
1/10/2022	General Ethics Training, ERS, Teams	24
1/11/2022	General Ethics Training, Lobbyists Law Training, Zoom	54
1/11/2022	General Ethics Training, Senate Staff, Zoom	54
1/13/2022	General Ethics Training, Senate Staff, Zoom	
1/25/2022	General Ethics Training, Zoom	
TBD	General Ethics Training, Judiciary, Zoom	
TBD	General Ethics Training, Judiciary, Zoom	
<b>TOTAL</b>	<b>8 Presentations</b>	<b>220 participants</b>

## Online Training Completions by Department

Department/Agency	2021 Total	Overall Total
Department of Accounting and General Services (DAGS)	4	67
Department of Agriculture (DOA)	18	54
Department of Budget and Finance (B&F)	0	1
Department of Business, Economic Development and Tourism (DBEDT)	9	67
Department of Commerce and Consumer Affairs (DCCA)	0	48
Department of Defense (DOD)	1	73
Department of Education (DOE)	61	227
Department of Health (DOH)	37	229
Department of Human Resources Development (DHRD)	0	4
Department of Human Services (DHS)	4	204
Department of Labor and Industrial Relations (DLIR)	0	41
Department of Land and Natural Resources (DLNR)	10	75
Department of Public Safety (DPS)	5	44
Department of Taxation (TAX)	0	1
Department of the Attorney General (ATG)	20	119
Department of Transportation (DOT)	71	281
Hawaii Health Systems Corporation (HHSC)	2	41
Hawaii State Public Library System (HSPLS)	0	1
Judiciary (JUD)	19	58
Office of Hawaiian Affairs (OHA)	57	65
Office of the Auditor (AUD)	0	3
Office of the Governor (GOV)	1	9
Office of the Lieutenant Governor (LTG)	0	4
Office of the Ombudsman (OMB)	0	2
Other (Please fill-in "Other Department/Agency")	13	57
Public Charter School (SPCSC)	12	19
Research Corporation of the University of Hawaii (RCUH)	3	9
Senate (SEN)	1	4
University of Hawaii-Community Colleges (UOHC)	15	78
University of Hawaii-Hilo (UOHH)	3	3
University of Hawaii-Manoa (UOHM)	22	116
University of Hawaii-System (UOH)	8	44
University of Hawaii-West Oahu (UOHW)	18	70
<b>Total Employee Certificates of Completion Issued</b>	<b>414</b>	<b>2118</b>
Board and Commission	2021 Total	Overall Total
Board of Agriculture	1	1
Board of Education	7	7
Board of Electricians and Plumbers	1	1
Board of Land and Natural Resources	2	2
Board of Taxation Review	1	1
Boxing Commission	1	1
Commission on Water Resource Management	1	1
Hawai'i Employer-Union Health Benefits Trust Fund	1	1
Hawai'i Health Systems Corporation-Corporation	1	1
Hawai'i Housing Finance and Development Corporation	1	1
Hawai'i State Ethics Commission	2	2
Island Burial Council - Kauai/Niihau	3	3
Island Burial Council - Oahu	1	1
Legacy Land Conservation Commission	1	1
Medical Education Council	1	1
Other (Please fill-in "Other Board/Commission")	17	17
Soil and Water Conservation District Boards	2	2
University of Hawai'i Board of Regents	2	2
<b>Total Board and Commission Certificates of Completion Issued</b>	<b>46</b>	<b>46</b>
<b>Total Certificates of Completion Issued</b>	<b>460</b>	<b>2164</b>
As of January 11, 2022		

2021	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Year to date
<b>Training statistics</b>													
# of In-Person Trainings	0	0	0	0	0	0	1	0	0	0	1	0	2
# of People Trained In Person	0	0	0	0	0	0	46	0	0	0	20	0	66
# of On-Line Trainings (Self-Directed)	85	41	51	20	34	19	41	51	53	8	13	44	460
# of Training Webinars	8	0	0	2	2	1	4	1	0	2	0	2	22
# of Participants in Training Webinars	867	0	0	90	289	7	144	42	0	123	0	138	1700
<b>Attorney of the Day</b>	116	80	85	79	87	66	57	50	46	60	71	54	851
<b>New assignments</b>													
Advisory Opinion	0	0	1	1	0	0	0	1	1	1	0	3	8
Complaint	9	6	8	18	12	20	9	13	6	6	10	6	123
Gifts/Invitations/Travel	0	0	1	2	1	7	8	2	9	11	4	7	52
Guidance	0	0	1	3	2	2	1	3	0	3	1	1	17
Judicial Selection Comm'n	3	2	2	4	2	4	1	1	3	4	4	0	30
Training Request	0	0	0	0	0	0	0	0	0	0	0	0	0
Record Request	1	0	0	1	0	0	2	0	1	1	2	0	8
Project/Other	3	1	1	1	2	1	1	2	3	4	1	5	25
Total	16	9	14	30	19	34	22	22	23	30	22	22	263
<b>Closed Assignments</b>													
Advisory Opinion	1	0	0	0	0	2	0	0	0	0	1	1	5
Complaint	8	6	18	14	17	16	10	14	12	5	20	12	152
Gifts/Invitations/Travel	0	0	0	2	2	7	5	5	9	11	4	6	51
Guidance	0	0	0	2	2	0	0	5	2	2	2	2	17
Judicial Selection Comm'n	0	6	2	2	4	4	1	1	3	2	6	0	31
Training Request	0	0	0	0	0	0	0	0	0	0	0	0	0
Record Request	1	1	0	1	0	0	2	0	1	1	2	0	9
Project/Other	4	3	1	3	1	1	1	2	3	2	2	1	24
Total	14	16	21	24	26	30	19	27	30	23	37	22	289
<b>Anti-Fraud</b>	4	1	1	4	2	4	5	3	3	7	2	4	40

HAWAII STATE ETHICS COMMISSION FINANCIAL REPORT  
 FY 2022 (MONTH ENDING: December 31, 2021)  
 Appropriation Symbol: G-22-393-Y6

	Amount Appropriated FY 2021-2022	Expenditures for Qtr. End 9/30/2021	Expenditures for Qtr. End 12/31/2021	Expenditures for Qtr. End 3/31/2022	Expenditures for Qtr. End 6/30/2022	Year-To-Date Expenditures Totals	% of Budget Expended
<b>A. PERSONNEL SERVICES</b>							
Staff Salaries	\$ 977,445.00	\$ 274,764.00	\$ 235,512.00	\$ 0.00	\$ 0.00	510,276.00	52.2%
Total Personnel Services	<b>\$ 977,445.00</b>	<b>\$ 274,764.00</b>	<b>\$ 235,512.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 510,276.00</b>	<b>52.2%</b>
<b>B. OTHER CURRENT EXPENSES</b>							
Office Expenses	10,913.00	3,588.70	3,476.03	0.00	0.00	7,064.73	64.7%
Intrastate Transportation and Travel	1,400.00	0.00	33.50	0.00	0.00	33.50	2.4%
Out-of-State Travel	0.00	-585.60	0.00	0.00	0.00	-585.60	0.0%
Equipment Rental and Maintenance	30,050.00	3,568.25	649.50	0.00	0.00	4,217.75	14.0%
Dues, Subscriptions, Training	9,510.00	1,067.23	1,903.03	0.00	0.00	2,970.26	31.2%
Newspaper Advertisements	500.00	35.00	35.00	0.00	0.00	70.00	14.0%
Comm'n Mtgs, Investigations, Hrgs	5,300.00	200.25	0.00	0.00	0.00	200.25	3.8%
Consulting Services	400.00	0.00	187.12	0.00	0.00	187.12	46.8%
Office Rent	116,936.00	10,611.70	28,241.04	0.00	0.00	38,852.74	33.2%
Total Other Current Expenses	<b>\$ 175,009.00</b>	<b>\$ 18,485.53</b>	<b>\$ 34,525.22</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 53,010.75</b>	<b>30.3%</b>
<b>C. CAPITAL OUTLAY</b>							
Office Furniture and Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Total Capital Outlay	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>0.0%</b>
<b>GRAND TOTAL (A+B+C)</b>	<b>\$ 1,152,454.00 <sup>1</sup></b>	<b>\$ 293,249.53</b>	<b>\$ 270,037.22</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 563,286.75</b>	<b>48.9%</b>

General Fund Allocation . . . . . **\$ 1,152,454.00**  
 Total Expenditures as of December 31, 2021 . . . . . \$ 563,286.75  
 Balance as of December 31, 2021 . . . . . \$589,167.25

<sup>1</sup> \$1,152,454 awarded by Act 2, SLH 2021 - Appropriation 393.



ISSUE 2022-1 | JANUARY 2022

# THE HIGH ROAD



*The High Road* is a publication of the Hawai'i State Ethics Commission

## State Ethics Commission Welcomes Executive Director Robert Harris



On January 3, 2022, the State Ethics Commission and its staff welcomed Robert D. Harris as the Commission's new Executive Director and General Counsel. Mr. Harris is a graduate of the University of Hawai'i at Manoa, where he earned a B.A. degree in Chemistry/Environmental Science and a law degree, with honors, from the William S. Richardson School of Law.

After obtaining his law degree, Mr. Harris served as a law clerk to Associate Justice Simeon R. Acoba, Jr. (ret.) of the Hawai'i Supreme Court.

Mr. Harris then worked in private practice with Damon Key Leong Kupchak Hastert. He also taught appellate writing and advocacy as an adjunct professor at the William S. Richardson School of Law. He later served as the Director of the Sierra Club of Hawai'i. For the past eight years, he has been the Director of Public Policy at Sunrun, where he oversaw legal proceedings and public policy advocacy for the solar provider.

Mr. Harris looks forward to his new role as the Commission's Executive Director, in which he will serve as the Commission's administrator and chief legal counsel. "I am proud and humbled to have been given this opportunity," he said. "I fully realize the responsibilities and importance of this position, and embrace the opportunity to serve."

"The people of Hawaii believe that public officers and employees must exhibit the highest standards of ethical conduct and that these standards come from the personal integrity of each individual in government."

— Hawai'i State Constitution Article XIV

Commissioners  
Melinda Wood, Chair  
Wesley Fong, Vice Chair  
Reynard Gaulty  
Harry McCarthy  
Beverley Tobias

Executive Director  
Robert Harris

1001 Bishop Street, Suite 970  
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[@HawaiiEthics](https://twitter.com/HawaiiEthics)

## State Ethics Commission Recognizes Daniel Gluck for Outstanding Public Service



On December 15, 2021, the State Ethics Commission presented Daniel M. Gluck with a Resolution in recognition of his outstanding service to the State of Hawai'i as the Commission's Executive Director and General Counsel. Mr. Gluck left his position at the end of December, after having served as the

Commission's Executive Director since 2016. The Commission commended Mr. Gluck for his exemplary abilities as an attorney and advocate, and for performing his duties to administer and enforce the ethics laws with exceptional professionalism.

Aloha and best wishes, Dan!

## Proposed Legislation Would Require Ethics Training For All State Employees

The State Ethics Commission offers training sessions – led by a Commission attorney – to state employees throughout the year. The Commission also has on-demand training modules for employees and board/commission members (available at <https://ethics.hawaii.gov/ethicsonline/training/>). However, only a small handful of state officials are required by law to attend ethics training; furthermore, these individuals are only required to attend

ethics training once, regardless of how long they stay in office. No other state employees are required by law to take ethics training. Unfortunately, some employees claim to learn about their obligations under the Ethics Code only after they have violated the law and are facing an investigation by the Commission.

In the 2022 legislative session, the Commission will ask the Legislature to pass a law that would require ethics training

for all state employees. The measure would require certain high-level officials to take training with a live instructor once every four years. For all other employees, the measure would require completion of a 30-minute on-demand class once every four years. The Commission believes that requiring ethics training will help state employees avoid ethics violations and will promote public trust throughout state government.

## Filing Deadlines Reminder!

January 31, 2022

- 2022 Financial Disclosure Statements for State Legislators  
File your financial disclosure at [https://ethics.hawaii.gov/financialdisclosure\\_efiling/](https://ethics.hawaii.gov/financialdisclosure_efiling/)
- Lobbying Expenditures and Contributions Report for May 1 – December 31, 2021  
File your forms at <https://hawaiiethics.force.com/disclosures/s/>



*"The purpose of this chapter is to ... establish an ethics commission which will ... render advisory opinions and enforce the provisions of this law so that public confidence in public servants will be preserved."*

Preamble, Hawai'i Revised Statutes Chapter 84 (State Ethics Code)

## New Post-Employment Prohibition on Lobbying for State Officials

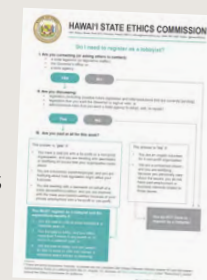
The post-employment law provides that, for one year after leaving state service, state employees may not represent their new private employers before their former agencies. Act 189, which took effect on January 1, 2022, adds another restriction for certain high-level state employees: for one year after leaving state

service, those employees may not be paid to lobby the Legislature or executive branch agencies. The prohibition on post-employment lobbying applies to the Governor and Lieutenant Governor, legislators, department directors and other heads of executive and legislative agencies, all permanent

legislative employees other than administrative staff, and other designated state officials. "Lobbying" has the same definition as in the Lobbyists Law, Hawaii Revised Statutes chapter 97, and includes attempting to influence matters before the Legislature, as well as executive branch action on administrative rulemaking.

## New "Quick Guide" on Lobbying

The 2022 Legislature opens on January 19. Not sure whether you need to register as a lobbyist? As a first stop, check out our new Quick Guide on Lobbying, available at <https://bit.ly/hawaiiethics-lobbying>, which provides a general overview of the requirements for registering as a lobbyist. Need more information? Call the Commission's office if you would like guidance regarding your lobbying activities.



## Still Time to Register for Lobbyists Law Training

There is still time to register for the Commission's Zoom training class on the Lobbyists Law, to be held on January 11, 2022, at 10:00 a.m. The class will cover the registration and reporting requirements for lobbyists and organizations that hire lobbyists, and will also demonstrate how to use the Commission's e-filing system for lobbying forms. Register for the class here: [https://ethics.hawaii.gov/ethicstraining\\_schedule/](https://ethics.hawaii.gov/ethicstraining_schedule/)



### QUESTION: I registered as a lobbyist in 2021. Do I need to renew my registration for 2022?

Answer: You are not required to renew your lobbyist registration if you will be representing the same client/organization as last year; your 2021 registration will be valid through December 31, 2022. However, if you are lobbying on behalf of a new or different client/organization in 2022, then you must file a new registration as a lobbyist for that client/organization this year.

### QUESTION: I registered as a lobbyist for an organization in 2021, but am no longer lobbying on behalf of that organization. What should I do?

Answer: You should terminate your lobbyist registration for that organization. You can do this online through your lobbyist e-filing account here: <https://hawaiiethics.force.com/lobbying/s/>

SUNSHINE LAW MEETING  
AGENDA ITEM IV

BUDGET: 2022-2023

No attachments.



SUNSHINE LAW MEETING  
AGENDA ITEM V

2022 LEGISLATIVE SESSION

Discussion regarding 2022 Legislative Session and possible Commission meeting in early February to discuss Commission's position on proposed bills.

Attachment 1: 2022 Session Calendar

Attachment 2: 2022 Commission Meeting Calendar

2022 SESSION CALENDAR

NOTE: ON THE 60 SESSION DAYS (DAYS WHEN MEMBERS CONVENE IN THEIR RESPECTIVE CHAMBERS), THE SESSION DAY COUNT APPEARS IN A BOX ON THE LOWER-RIGHT, LIKE THIS. #▶

Color code: ■ = bills ■ = resolutions ■ = budget or fiscal bills See reverse side for more deadline information.

SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY			19 Opening Day 1	20 2	21 Non-Admin Bill Package Cutoff 3	22
23	24 State-of-the- State Address & Administration Bill Package Cutoff 4	25 Recess #1	26 Bill Introduction Cutoff 5	27 Recess #2	28 6	29
30	31 7					
FEBRUARY		1 8	2 9	3 10	4 11	5
6	7 12	8 13	9 Triple Referral Filing (House Bills) 14	10 Triple Referral Filing (Senate Bills) 15	11 16	12
13	14 17	15 18	16 19	17 First Lateral Filing (Bills) 20	18 First Lateral (Bills) 21	19
20	21 HOLIDAY Presidents' Day	22 22	23 23	24 Mandatory 5- Day Recess Begins	25	26
27	28					
MARCH		1	2 Last Day of 5-Day Mandatory Recess	3 24	4 First Decking (Bills) 25	5
6	7 Recess #3	8 26	9 Recess #4	10 First Crossover (Bills) 27	11 Substantive Resolution Cutoff 28	12
13	14 Budget Decking 29	15 30	16 Budget Crossover 31	17 Triple Referral Filing (Bills) 32	18 33	19
20	21 34	22 35	23 Second Lateral Filing (Bills) 36	24 Second Lateral (Bills) 37	25 HOLIDAY Kuhio Day	26
27	28 38	29 First Lateral (Senate Concurrent Resos) 39	30 First Lateral Filing (House Concurrent Resos) 40	31 First Lateral (House Concurrent Resos) 41		
APRIL					1 42	2
3	4 43	5 44	6 First Crossover Filing (Concurrent Resos) 45	7 First Crossover (Concurrent Resos) 46	8 Second Decking (Bills) 47	9
10	11 Recess #5	12 48	13 Recess #6	14 Second Crossover (Bills) & Disagree 49	15 HOLIDAY Good Friday	16
17	18 Second Lateral Filing (Senate Concurrent Resos) 50	19 Second Lateral (Senate Concurrent Resos) 51	20 52	21 53	22 Constitutional Amendments & Second Crossover Filing (Concurrent Resos) 54	23
24	25 Second Crossover (Concurrent Resos) 55	26 56	27 Recess #7	28 Final Decking (Non-Fiscal Bills) 57	29 Final Decking (Fiscal Bills) 58	30
1 M A Y	2 Recess #8	3 59	4 Recess #9	5 Adjournment Sine Die 60	(Session pau!)	

SEE REVERSE SIDE FOR MORE DEADLINE INFORMATION

# 2022 Calendar

January						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	MTG FLDR	14	15
16	17	18	MTG	20	21	22
23	24	25	26	27	28	29
30	31					

February						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	MTG FLDR	11	12
13	14	15	MTG	17	18	19
20	21	22	23	24	25	26
27	28					

March						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	MTG FLDR	11	12
13	14	15	MTG	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	MTG FLDR	15	16
17	18	19	MTG	21	22	23
24	25	26	27	28	29	30

May						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	MTG FLDR	13	14
15	16	17	MTG	19	20	21
22	23	24	25	26	27	28
29	30	31				

June						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	MTG FLDR	10	11
12	13	14	MTG	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	MTG FLDR	15	16
17	18	19	MTG	21	22	23
24	25	26	27	28	29	30
31						

August						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	MTG FLDR	12	13
14	15	16	MTG	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	MTG FLDR	16	17
18	19	20	MTG	22	23	24
25	26	27	28	29	30	

October						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	MTG FLDR	14	15
16	17	18	MTG	20	21	22
23	24	25	26	27	28	29
30	31					

November						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	MTG FLDR	11	12
13	14	15	MTG	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	MTG FLDR	16	17
18	19	20	MTG	22	23	24
25	26	27	28	29	30	31

## State Holidays 2022

Jan 1	New Year's Day	May 30	Memorial Day	Nov 8	General Election Day
Jan 17	Martin Luther King Day	Jun 10	King Kamehameha I Day	Nov 11	Veterans Day
Feb 21	Presidents' Day	Jul 4	Independence Day	Nov 24	Thanksgiving Day
Mar 25	Prince Kuhio Day	Aug 19	Statehood Day	Dec 25	Christmas Day
Apr 15	Good Friday	Sep 5	Labor Day	Dec 26	Christmas Day (obs.)

SUNSHINE LAW MEETING  
AGENDA ITEM VI

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)

Discussion of case status.

The Hawai'i State Ethics Commission may convene an executive session pursuant to Hawai'i 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.

No attachments.