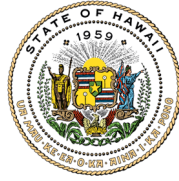


SUNSHINE LAW MEETING



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: June 16, 2022

Time: 9:00 a.m.

Location: Zoom Videoconference or Phone:

Videoconference: [Join Zoom Meeting](https://us06web.zoom.us/j/87124488853?pwd=WEZqUDIWOWFDQjN0UmdBb1k1cU9ydz09)
<https://us06web.zoom.us/j/87124488853?pwd=WEZqUDIWOWFDQjN0UmdBb1k1cU9ydz09>

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

Meeting ID: 871 2448 8853

Passcode: 824154

Public Meeting Location:

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

Pursuant to Hawai'i Revised Statutes section 92-3.7, the State Ethics Commission will meet in person and remotely using interactive conference technology. The public may either attend the meeting in person, at the public meeting location above, or participate remotely by using the above Zoom meeting information. If participating remotely, please mute your phone/device except while testifying. If the Commission's videoconference connection is lost during the meeting, please go to the Commission's website (www.ethics.hawaii.gov) for more information, including reconnection information.

If attending the meeting in person, it is encouraged, but not required, that you wear a mask.

Public meeting materials for this meeting are available on the Commission's website at: www.ethics.hawaii.gov.

A G E N D A

CALL TO ORDER

I. Consideration and Approval of the Minutes of the May 18, 2022 Meeting

II. 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 – May 2022

Attachment 3: 2022 Guidance and Assignment Statistics / Website Traffic

3. Update on 2022 Financial Disclosure Filings and Lobbying Expenditure Reports for March 1 – April 30, 2022

4. Miscellaneous Office Projects / Updates

III. 2022 Legislative Session

1. Status of Current Bills:

- a. Budget ([HB 2500 HD1 \(Act 001\)](#) & [SB 2794 SD1 HD1 CD1](#))
- b. Mandatory ethics training ([HB 1475 HD1 SD1 CD1](#))

2. Status of the Commission to Improve Standards of Conduct ([HR 9](#))

IV. 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.

V. Recognition of Chair Melinda Wood

VI. Adjournment

Public Testimony

Anyone wishing to testify may do so during the meeting or may submit written testimony in advance of the meeting by email (ethics@hawaiiethics.org), facsimile (fax) (808-587-0470), or U.S. postal mail (State Ethics Commission, 1001 Bishop Street, American Savngs Bank Tower, Suite 970, Honolulu, Hawai'i 96813). Public testimony must be related to an item that is on the agenda and the testifier must identify the agenda item to be addressed by the testimony. Pursuant to Hawai'i Revised Statutes section 92-3 and Hawai'i Administrative Rules section 21-1-6(c), the Commission may place reasonable time limits for oral testimony to ensure the reasonable and orderly administration of oral testimony during the meeting.

Auxiliary Aid or Accomodation Due to a Disability

If you require an auxiliary aid or accommodation due to a disability, please contact the State Ethics Commission at (808) 587-0460 or email the Commission at ethics@hawaiiethics.org as soon as possible, preferably at least 48 hours prior to the meeting. 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.

SUNSHINE LAW MEETING
AGENDA ITEM I

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE
MAY 18, 2022 MEETING

Attachment 1: Sunshine Law Meeting Minutes of the May 18, 2022
 Hawai'i State Ethics Commission Meeting

SUNSHINE LAW MEETING
MINUTES OF THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

Date: May 18, 2022

Time: 9:01 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. Gaulty, Commissioner (via video conference)
Harry J. McCarthy, Commissioner (via video conference)
Beverley Tobias, Commissioner (via video conference)

State Ethics Commission Staff

Robert D. Harris, 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)
Jennifer M. Yamanuha, Staff Attorney (via video conference)
Patrick W.C. Lui, Computer Specialist (via audio conference)
William Aana, Intern (via video conference)

CALL TO ORDER

Chair Wood called the meeting to order at 9:01 a.m. and noted that, in addition to herself, Vice Chair Fong, Commissioners Gaulty, McCarthy and Tobias, and all staff were present. Each Commissioner individually confirmed they were participating remotely and no one was in the room with them.

Chair Wood announced that if the Commission's video conference connection was lost during the meeting, the meeting would be recessed and reconvened after the connection was restored; members of the public were asked to check the Commission's website (www.ethics.hawaii.gov) for information about reconnecting to the meeting. Chair Wood also announced that if the meeting was continued to a later date or terminated, information about this would be posted on the Commission's website.

1 Sandy Ma, from Common Cause Hawai'i, introduced herself as a public
2 participant.
3
4

5 **Agenda Item No. I: Consideration and Approval of the Minutes of the April 20,**
6 **2022 Meeting**
7

8 Commissioner Fong made and Commissioner Gaulty seconded a motion to
9 approve the minutes of the April 20, 2022 meeting. The motion carried (Wood, Fong,
10 Gaulty, and McCarthy voting aye; Tobias abstaining).
11

12
13 **Agenda Item No. II: Consideration and Approval of the Minutes of the April 20,**
14 **2022 Executive Session Meeting**
15

16 Commissioner McCarthy made and Commissioner Fong seconded a motion to
17 approve the minutes of the April 20, 2022 executive session meeting. The motion
18 carried (Wood, Fong, Gaulty, and McCarthy voting aye; Tobias abstaining).
19

20
21 **Agenda Item No. III: Executive Director's Report**
22

23 Executive Director Harris reviewed the training, guidance, and assignment
24 statistics. He noted trainings have been scheduled for the rest of the year and posted
25 online to make it easier for participants to schedule/participate. With the upcoming
26 mandatory ethics training bill being considered by the Governor, it is likely the
27 Commission will see a significant increase in training requests. Trying to encourage
28 participants to sign up for an existing session will reduce pressure on staff capacity.
29

30 Executive Director Harris asked the Commission if the next meeting could be
31 moved to June 16, 2022. No objections were raised.
32

33 Executive Director Harris asked the Commission to recognize the Commission's
34 intern, William Aana, for the work he had put in over the summer. He noted Mr. Aana
35 helped create a database of all persons who had taken the ethics training courses and
36 had been an extremely positive presence in the office.
37

38 Commissioner Tobias made and Commissioner Fong seconded a motion to
39 support a Resolution recognizing William Aana for his service and support of the Hawai'i
40 State Ethics Commission. The motion carried unanimously (Wood, Fong, Gaulty,
41 McCarthy, and Tobias voting).
42

43 Commissioner Gaulty proposed to make the June 16, 2022 meeting "in-person,"
44 with a goal of signing the Resolution in-person. Executive Director Harris agreed to look
45 into it.
46

1 **Agenda Item No. IV: 2022 Legislative Session**

2
3 Executive Director Harris updated the Commission about the status of legislation
4 that staff have been tracking. The Commission's budget had been signed by the
5 Governor as Act 001, and a supplemental funding bill (SB 2794 SD1 HD1 CD1) was
6 currently before the Governor. In addition, the Commission's mandatory ethics training
7 bill (HB 1475 HD1 SD1 CD1) was currently before the Governor.
8

9 Executive Director Harris also presented Attachment 1: Draft Presentation Titled
10 Commission on Improving Standards of Conduct – Ethics Discussion. This draft
11 presentation summarized recommendations and discussions to be presented to the
12 Commission on Improving Standards of Conduct at its June 1, 2022 meeting.
13
14

15 **Agenda Item No. V: *Akana v. Hawaii State Ethics Commission and Daniel Gluck*,
16 *Civil No. 18-1-1019-06 (JHA)*; *Akana v. Hawaii State Ethics Commission*, *Civil No.*
17 *19-1-0379-03 (JHA)*; *State of Hawaii, Ethics Commission v. Rowena Akana*, *Civil*
18 *No. 20-1-0453 (BIA)***

19
20 Executive Director Harris said there were no significant updates to report.
21
22

23 **ADJOURNMENT OF SUNSHINE LAW MEETING**

24
25 At approximately 10:03 a.m., Commissioner Fong made and Commissioner
26 Grauly seconded a motion to adjourn the Sunshine Law Meeting. The motion carried
27 unanimously (Wood, Fong, Grauly, McCarthy, and Tobias voting).
28

29 The meeting was adjourned at 10:04 a.m.
30

31
32 Minutes approved on _____.

SUNSHINE MEETING
AGENDA ITEM II

EXECUTIVE DIRECTOR'S REPORT
June 16, 2022

1. Education / Training Report

Attachment 1: 2022 Training Attendance / Schedule

Attachment 2: Online Training Completions by Department

2. Guidance and Assignment Statistics – May 2022

Attachment 3: 2022 Guidance and Assignment Statistics / Website Traffic

3. Update on 2022 Financial Disclosure Filings and Lobbying Expenditure Reports for March 1 – April 30, 2022

4. Miscellaneous Office Projects / Updates

HAWAII STATE ETHICS COMMISSION 2022 EDUCATION PROGRAM (Ethics Workshops and Presentations)		
DATE	PRESENTATIONS	NUMBER OF PARTICIPANTS
1/5/2022	Lobbyists Law Training, Zoom	88
1/10/2022	General Ethics Training, ERS, Teams	24
1/11/2022	Lobbyists Law Training, Zoom	54
1/11/2022	General Ethics Training, Senate Staff, Zoom	54
1/13/2022	General Ethics Training, Senate Staff, Zoom	31
1/25/2022	General Ethics Training, Zoom	188
2/23/2022	General Ethics Training, Judiciary, Zoom	61
2/24/2022	General Ethics Training, Judiciary, Zoom	65
3/9/2022	General Ethics Training, House Members, Zoom	47
3/31/2022	General Ethics Training, DOD, Zoom	20
4/1/2022	General Ethics Training, UH School of Law, Zoom	45
4/4/2022	General Ethics Training, DCCA, Zoom	22
4/21/2022	General Ethics Training, State Public Charter School Commission, Zoom	30
5/19/2022	General Ethics Training, Zoom	270
8/4/2022	Ethics for State Board and Commission members, Zoom	
8/18/2022	General Ethics Training, Zoom	
10/5/2022	Ethics for State Board and Commission members, Zoom	
10/20/2022	General Ethics Training, Zoom	
12/7/2022	Ethics for State Government Attorneys, Zoom	

HAWAII STATE ETHICS COMMISSION 2022 EDUCATION PROGRAM (Ethics Workshops and Presentations)		
DATE	PRESENTATIONS	NUMBER OF PARTICIPANTS
12/8/2022	Ethics for State Government Attorneys, Zoom	
12/16/2022	General Ethics Training, Zoom	
TOTAL	21 Presentations	999 participants

Online Training Completions by Department

Department/Agency	2022 Total	Overall Total
Department of Accounting and General Services (DAGS)	18	85
Department of Agriculture (DOA)	6	60
Department of Budget and Finance (B&F)	3	4
Department of Business, Economic Development and Tourism (DBEDT)	14	80
Department of Commerce and Consumer Affairs (DCCA)	2	49
Department of Defense (DOD)	32	105
Department of Education (DOE)	26	253
Department of Health (DOH)	107	336
Department of Human Resources Development (DHRD)	5	9
Department of Human Services (DHS)	1	205
Department of Labor and Industrial Relations (DLIR)	2	43
Department of Land and Natural Resources (DLNR)	0	75
Department of Public Safety (DPS)	21	65
Department of Taxation (TAX)	0	1
Department of the Attorney General (ATG)	98	215
Department of Transportation (DOT)	74	355
Hawaii Health Systems Corporation (HHSC)	0	41
Hawaii State Ethics Commission (HSEC)	2	2
Hawaii State Public Library System (HSPLS)	0	1
Judiciary (JUD)	75	132
Office of Hawaiian Affairs (OHA)	37	99
Office of the Auditor (AUD)	0	3
Office of the Governor (GOV)	10	19
Office of the Lieutenant Governor (LTG)	1	5
Office of the Ombudsman (OMB)	3	5
Other (Please fill-in "Other Department/Agency")	11	68
Public Charter School (SPCSC)	1	20
Research Corporation of the University of Hawaii (RCUH)	0	9
Senate (SEN)	1	5
University of Hawaii-Community Colleges (UOHC)	25	102
University of Hawaii-Hilo (UOHH)	1	4
University of Hawaii-Manoa (UOHM)	58	174
University of Hawaii-System (UOH)	21	65
University of Hawaii-West Oahu (UOHW)	42	109
Total Employee Certificates of Completion Issued	697	2803
Board and Commission	2022 Total	Overall Total
Agribusiness Development Corporation	1	1
Board of Agriculture	0	1
Board of Barbering and Cosmetology	1	1
Board of Certification of Operating Personnel in Wastewater Treatment Plants	2	2
Board of Dentistry	2	2
Board of Education	0	7
Board of Electricians and Plumbers	0	1
Board of Land and Natural Resources	2	4
Board of Physical Therapy	1	1
Board of Professional Engineers, etal	2	2
Board of Taxation Review	1	2
Board on Geographic Names	1	1
Boxing Commission	0	1
Campaign Spending Commission	1	1
Commission on Water Resource Management	2	3
Contractors License Board	1	1
Disability and Communication Access Board	1	1
Elections Commission	1	1
Elevator Mechanics Licensing Board	1	1
Employees' Retirement System	1	1
Hawai'i Board of Optometry	2	2
Hawai'i Employer-Union Health Benefits Trust Fund	0	1
Hawai'i Health Systems Corporation-Corporation	0	1
Hawai'i Health Systems Corporation-East Hawai'i	2	2
Hawai'i Health Systems Corporation-Oahu	1	1
Hawai'i Health Systems Corporation-West Hawai'i	3	3
Hawai'i Housing Finance and Development Corporation	0	1
Hawai'i Public Housing Authority	3	3
Hawai'i State Ethics Commission	0	2
Hawai'i Teacher Standards Board	2	2
Hawaiian Homes Commission	1	1
Hoisting Machine Operators Advisory Board	1	1
Island Burial Council - Kauai/Niihau	0	3
Island Burial Council - Molokai	1	1
Island Burial Council - Oahu	0	1
King Kamehameha Celebration Commission	2	2
Land Use Commission	2	2
Legacy Land Conservation Commission	0	1
Medical Education Council	0	1
Motor Vehicle Industry Licensing Board	2	2
Motor Vehicle Repair Industry Board	1	1
Natural Energy Laboratory of Hawai'i	1	1
Office of Hawaiian Affairs	1	1
Other (Please fill-in "Other Board/Commission")	22	39
Pest Control Board	1	1
Real Estate Commission	1	1
Soil and Water Conservation District Boards	0	2
Stadium Authority Commission	3	3
State Council on Developmental Disabilities	1	1
State Foundation on Culture and the Arts	2	2
State Public Charter School Commission	1	1
Statewide Health Coordinating Council	1	1
University of Hawai'i Board of Regents	1	3
Total Board and Commission Certificates of Completion Issued	79	125
Total Certificates of Completion Issued	776	2928
As of June 7, 2022		

2022	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Year to date
Training statistics													
# of In-Person Trainings	0	0	0	0	0								0
# of People Trained In Person	0	0	0	0	0								0
# of On-Line Trainings (Self-Directed)	35	44	142	73	442	40							776
# of Training Webinars	6	2	2	3	1								14
# of Participants in Training Webinars	439	126	67	97	270								999
Attorney of the Day	76	87	116	66	79								424
New assignments													
Advisory Opinion	0	0	0	0	0								0
Complaint	5	18	23	21	25								92
Gifts/Invitations/Travel	5	5	17	14	15								56
Guidance	6	3	3	0	0								12
Judicial Selection Comm'n	0	3	3	0	2								8
Training Request	0	0	0	0	0								0
Record Request	1	0	1	3	0								5
Project/Other	5	3	2	2	2								14
Total	22	32	49	40	44	0	0	0	0	0	0	0	187
Closed Assignments													
Advisory Opinion	0	0	1	1	0								2
Complaint	4	6	19	21	11								61
Gifts/Invitations/Travel	5	7	14	18	13								57
Guidance	3	5	1	4	0								13
Judicial Selection Comm'n	0	3	3	0	2								8
Training Request	0	0	0	0	0								0
Record Request	1	0	1	3	0								5
Project/Other	6	4	1	1	1								13
Total	19	25	40	48	27	0	0	0	0	0	0	0	159
Anti-Fraud	2	5	2	6	9								24

SUNSHINE LAW MEETING
AGENDA ITEM III
2022 LEGISLATIVE SESSION

No attachments.

SUNSHINE LAW MEETING
AGENDA ITEM IV

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.

SUNSHINE LAW MEETING
AGENDA ITEM V

RECOGNITION OF CHAIR MELINDA WOOD

No Attachments.