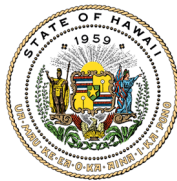


# SUNSHINE LAW MEETING



## 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: November 16, 2022

Time: 9:00 a.m.

Location: Zoom Videoconference or Phone:

Videoconference: [Join Zoom Meeting](https://us06web.zoom.us/j/82777190869?pwd=VDhmWFMwN1RuL1ZTL3hMV0RWOEdvUT09)  
<https://us06web.zoom.us/j/82777190869?pwd=VDhmWFMwN1RuL1ZTL3hMV0RWOEdvUT09>

Phone: +1 (719) 359-4580 or +1 (253) 215-8782

Meeting ID: 827 7719 0869

Passcode: 175433

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 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](http://www.ethics.hawaii.gov)) for more information, including reconnection information.

Masks are encouraged for everyone attending the meeting in person.

Public meeting materials for this meeting are available on the Commission's website at: [www.ethics.hawaii.gov](http://www.ethics.hawaii.gov).

## A G E N D A

### CALL TO ORDER

I. Consideration and Approval of the Minutes of the October 19, 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 – October 2022

*Attachment 3: 2022 Guidance and Assignment Statistics / Website Traffic*

3. Update regarding 2022 Financial Disclosure Filings

4. Miscellaneous Office Projects / Updates

III. Extension of Financial Disclosure Deadline for Newly Elected Legislators

Recommendation to Extend the Filing Deadline for Newly Elected Legislators to File Their Initial Financial Disclosures from December 8, 2022 to January 31, 2023.

IV. Meeting Calendar

Discussion of proposed meeting schedule for 2023.

*Attachment 1: Proposed Meeting Calendar, 2023.*

V. Update on Commission to Improve Standards of Conduct

- 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

### 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](mailto: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), oral testimony is limited to three minutes per testifier per agenda item, subject to the reasonable discretion of the Chair.

### Auxiliary Aid or Accommodation 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](mailto: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  
OCTOBER 19, 2022 MEETING

Attachment 1:       Sunshine Law Meeting Minutes of the October 19, 2022  
                             Hawai'i State Ethics Commission Meeting

SUNSHINE LAW MEETING  
MINUTES OF THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

Date: October 19, 2022

Time: 9:00 a.m.

Location: Held via Zoom video and audio conference

Public Meeting Location

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

Present: State Ethics Commission Members

Wesley F. Fong, Chair (present in conference room)  
Harry J. McCarthy, Commissioner (via video conference)  
Beverley Tobias, Commissioner (via video conference)

Excused: Reynard D. Gaulty, Vice Chair  
Robert Hong, Commissioner

State Ethics Commission Staff

Robert D. Harris, Executive Director (present in conference room)  
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)

**CALL TO ORDER**

Chair Fong called the meeting to order at 9:01 a.m. In addition to Chair Fong, Commissioner McCarthy, Commissioner Tobias, and Commission staff were present. All Commissioners and all staff participating via video or audio conference confirmed no one was in the room with them at their respective remote locations.

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

7  
8 Public participant Kai Lorinc introduced herself.  
9

10 Executive Director Harris introduced Cristina Voroneanu, a professional fellow for  
11 the U.S. State Department. Ms. Voroneanu is from Maldova and is participating in a  
12 program to learn about the American system of government. Chair Fong welcomed Ms.  
13 Voroneanu.  
14

15 Due to time constraints, Chair Fong proposed that the Commission first take up  
16 Agenda Item No. III. The Commissioners had no objections.  
17

18  
19 **Agenda Item No. III: Update on Commission to Improve Standards of Conduct**  
20

21 Executive Director summarized proposed bills and rule amendments to be  
22 submitted to the Commission to Improve Standards of Conduct ("Standards  
23 Commission") on October 26, 2022.  
24

25 Bill Making Appropriations for County Ethics Boards. This bill is based on  
26 concerns about limited resources for county ethics boards, particularly on the neighbor  
27 islands. The bill provides state funding to increase the capacity of these boards to  
28 administer their programs.  
29

30 Chair Fong said this is an important bill because the neighbor island boards lack  
31 manpower and funds to enforce their ethics codes.  
32

33 Bill Relating to Legislative Allowance. This bill requires legislative allowance  
34 expenditures to be posted online. This bill would make it easier for the public to see how  
35 legislators are spending their allowance funds.  
36

37 Bill Relating to Financial Disclosures. Legislators are part-time employees, so  
38 many of them have other employment. The current financial disclosure requirements  
39 may not capture information about all sources of income. This bill requires legislators to  
40 disclose information on their financial disclosures about connections to lobbyists or  
41 lobbying organizations to help highlight where conflicts of interests might exist.  
42

43 Commissioner McCarthy commented that the enforcement of this law may be  
44 difficult.  
45

1 Executive Director Harris said a more aggressive approach would be to make  
2 service as a legislator a full-time job and prohibit any outside employment. The  
3 proposed bill is a more moderate approach.  
4

5 Bill Relating to Lobbyists. This bill requires lobbyists to identify by bill number,  
6 resolution number, or other identifier, the matters on which they lobby. Currently,  
7 lobbyists are required to disclose the areas in which they are lobbying but not specific  
8 measures.  
9

10 Bill Relating to Mandatory Lobbyist Training. This bill requires lobbyists to take a  
11 training course once every two years. This is similar to the mandatory training  
12 requirement for state employees. The intent is to provide self-directed online training  
13 and Zoom training for lobbyists right before the start of the legislative session.  
14

15 Chair Fong said the Commission's online ethics training program is very clear  
16 and succinct. Commissioner Tobias said training for lobbyists is essential and she  
17 agreed the training should be simple to follow.  
18

19 Bill Relating to Nepotism. This bill prohibits legislators and employees from hiring  
20 or supervising relatives or household members.  
21

22 Commissioner McCarthy said this may be the most important issue to be  
23 addressed. He said there is a long and difficult history of nepotism in the islands and in  
24 many cases, this leads to public corruption. He said he completely supports this bill.  
25 Commissioner Tobias said she also supported the bill.  
26

27 Draft Proposed House and Senate Rules (2023). These proposed amendments  
28 to House and Senate Rules address conflicts of interests by legislators. The  
29 amendments address concerns that when legislator conflicts of interests are raised,  
30 legislators are usually allowed to continue forward despite the potential conflict. The  
31 amendments would make recusal from voting or discussions a default option. If there is  
32 a dispute about whether a conflict exists, the matter must be addressed by a committee  
33 or floor vote.  
34

35 Executive Director Harris summarized two additional measures. The first  
36 measure is a resolution directing the counties to consider whether any improvements  
37 are necessary for current ethics programs. The purpose of the resolution is to  
38 encourage the counties to see what changes are necessary, similar to what the State is  
39 currently doing.  
40

41 The second measure prohibits lobbyists from giving prohibited gifts to state  
42 employees. Chair Fong asked whether there is a \$25 monetary threshold for prohibited  
43 gifts. Executive Director Harris said there is not a specific dollar threshold, but there are  
44 some exceptions for permissible gifts such as a lei or celebratory plaque.  
45

46 Commissioner McCarthy said he absolutely approved the bill but believed it  
47 would receive stern resistance.



1  
2 Commissioner Tobias asked whether the bill will also prohibit in-kind services.  
3 Executive Director Harris said the definition of a gift is broad and includes services,  
4 housing, lodging, etc.  
5

6 Executive Director Harris stressed that a “gift of aloha” generally means  
7 reciprocal gift giving, such as gifts exchanged between neighbors. The bill is not  
8 concerned with those kinds of gifts. Rather, the intent of the bill is to go after gifts from  
9 lobbyists and others seeking official action from state officials.  
10

11 Executive Director Harris also summarized proposed measures that are still  
12 being worked on. One proposal creates a citizens bill of rights. The proposed rule is  
13 intended to express what should be the code of conduct when legislators interact with  
14 the public.  
15

16 Commissioner Tobias made and Commissioner McCarthy seconded a motion to  
17 approve the proposed bills for the Standards Commission. The motion carried  
18 unanimously (Fong, McCarthy, and Tobias voting).  
19  
20

21 **Agenda Item No. I: Consideration and Approval of the Minutes of the September**  
22 **21, 2022 Meeting**  
23

24 Commissioner McCarthy made and Commissioner Tobias seconded a motion to  
25 approve the minutes of the September 21, 2022, meeting. The motion carried  
26 unanimously (Fong, McCarthy, and Tobias voting).  
27  
28

29 **Agenda Item No. II: Executive Director’s Report**  
30

31 Executive Director Harris reviewed the training, guidance, and assignment  
32 statistics for August and upcoming trainings for September. He said there was a large  
33 increase in the number of employees taking ethics training in September and October.  
34 Chair Fong again commented that he found the online training to be very  
35 comprehensive.  
36

37 Ms. Lorinc asked whether the public can view the online training course.  
38 Executive Director Harris directed her to the Commission’s website to access the  
39 course. Ms. Lorinc thanked the Commissioners and staff for their work.  
40

41 Executive Director Harris also briefly updated the Commission about an effort to  
42 streamline the registration process for lobbyists for both the State and counties.  
43

44 Chair Fong also informed the Commission that there will be future discussions  
45 about holding another ethics conference for the State and all of the counties.  
46 Commissioners Tobias and McCarthy said this was an excellent idea.  
47

1  
2 **Agenda Item No. IV: Akana v. Hawaii State Ethics Commission and Daniel Gluck,**  
3 **Civil No. 18-1-1019-06 (JHA); Akana v. Hawaii State Ethics Commission, Civil No.**  
4 **19-1-0379-03 (JHA); State of Hawaii, Ethics Commission v. Rowena Akana,**  
5 **Civil No. 20-1-0453 (BIA)**  
6

7       There was no update on the Akana case.  
8  
9

10 **ADJOURNMENT OF SUNSHINE LAW MEETING**  
11

12       At approximately 9:49 a.m., Commissioner McCarthy made and Commissioner  
13 Tobias seconded a motion to adjourn the meeting. The motion carried unanimously  
14 (Fong, McCarthy, and Tobias voting).  
15

16       The meeting was adjourned at 9:49 a.m.  
17

18  
19 Minutes approved on \_\_\_\_\_.

SUNSHINE MEETING  
AGENDA ITEM II

EXECUTIVE DIRECTOR'S REPORT  
November 16, 2022

**1. Education / Training Report**

*Attachment 1: 2022 Training Attendance / Schedule*

*Attachment 2: Online Training Completions by Department*

**2. Guidance and Assignment Statistics – October 2022**

*Attachment 3: 2022 Guidance and Assignment Statistics / Website Traffic*

**3. Update regarding 2022 Financial Disclosure Filings**

**4. Miscellaneous Office Projects / Updates**

<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	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
7/14/2022	General Ethics Training, Zoom, GOV	14
7/15/2022	General Ethics Training, Zoom, GOV	10
7/18/2022	General Ethics Training, Zoom, GOV	20
7/19/2022	General Ethics Training, Zoom, GOV	20
8/4/2022	Ethics for State Board and Commission members, Zoom	59

**HAWAII STATE ETHICS COMMISSION****2022 EDUCATION PROGRAM****(Ethics Workshops and Presentations)**

<b>DATE</b>	<b>PRESENTATIONS</b>	<b>NUMBER OF PARTICIPANTS</b>
8/18/2022	General Ethics Training, Zoom	188
9/22/2022	Ethics for State Board and Commission members, Zoom	95
9/29/2022	General Ethics Training, Zoom	275
10/5/2022	Ethics for State Board and Commission members, Zoom	103
10/20/2022	General Ethics Training, Zoom	562
11/3/2022	General Ethics Training, Zoom	409
12/7/2022	Ethics for State Government Attorneys, Zoom	
12/8/2022	Ethics for State Government Attorneys, Zoom	
12/16/2022	General Ethics Training, Zoom	
<b>TOTAL</b>	<b>28 Presentations</b>	<b>2754 participants</b>

## Online Training Completions by Department

Department/Agency	2022 Total	Overall Total
Department of Accounting and General Services (DAGS)	24	91
Department of Agriculture (DOA)	14	68
Department of Budget and Finance (B&F)	82	83
Department of Business, Economic Development and Tourism (DBEDT)	41	107
Department of Commerce and Consumer Affairs (DCCA)	48	95
Department of Corrections and Rehabilitation (DCR)	57	57
Department of Defense (DOD)	37	110
Department of Education (DOE)	146	373
Department of Hawaiian Home Lands (DHHL)	16	16
Department of Health (DOH)	280	509
Department of Human Resources Development (DHRD)	7	11
Department of Human Services (DHS)	4	208
Department of Labor and Industrial Relations (DLIR)	175	216
Department of Land and Natural Resources (DLNR)	44	119
Department of Law Enforcement (DLE)	47	47
Department of Public Safety (DPS)	376	420
Department of Taxation (TAX)	291	292
Department of the Attorney General (ATG)	145	262
Department of Transportation (DOT)	100	381
Executive Office on Early Learning	1	1
Hawai'i Health Systems Corporation (HHSC)	2	43
Hawai'i State Ethics Commission (HSEC)	4	4
Hawai'i State Public Library System (HSPLS)	1	2
House of Representatives (REP)	1	1
Judiciary (JUD)	82	139
Office of Hawaiian Affairs (OHA)	43	105
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")	47	104
Public Charter School (SPCSC)	25	44
Research Corporation of the University of Hawai'i (RCUH)	439	448
Senate (SEN)	2	6
University of Hawai'i-Community Colleges (UOHC)	487	564
University of Hawai'i-Hilo (UOHH)	77	80
University of Hawai'i-Manoa (UOHM)	1186	1302
University of Hawai'i-System (UOH)	232	276
University of Hawai'i-West Oahu (UOHW)	110	177
<b>Total Employee Certificates of Completion Issued</b>	<b>4687</b>	<b>6793</b>
Board and Commission	2022 Total	Overall Total
Agribusiness Development Corporation	3	3
Board of Acupuncture	1	1
Board of Agriculture	0	1
Board of Barbering and Cosmetology	2	2
Board of Certification of Operating Personnel in Wastewater Treatment Plants	2	2
Board of Chiropractic Examiners	1	1
Board of Dentistry	9	9
Board of Education	2	9
Board of Electricians and Plumbers	2	3
Board of Land and Natural Resources	2	4
Board of Nursing	1	1
Board of Pharmacy	1	1
Board of Physical Therapy	3	3
Board of Professional Engineers, etal	2	2
Board of Public Accountancy	1	1
Board of Registration	2	2
Board of Speech Pathology and Audiology	1	1
Board of Taxation Review	1	2
Board on Geographic Names	1	1

## Online Training Completions by Department

Board and Commission	2022 Total	Overall Total
Boxing Commission	0	1
Campaign Spending Commission	2	2
Commission on Water Resource Management	2	3
Contractors License Board	3	3
Disability and Communication Access Board	1	1
Elections Commission	2	2
Elevator Mechanics Licensing Board	1	1
Employees' Retirement System	1	1
Environmental Advisory Council	2	2
Festival of the Pacific Arts & Culture	6	6
Hawai'i Board of Optometry	3	3
Hawai'i Climate Change Mitigation and Adaptation Commission	1	1
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	4	4
Hawai'i Housing Finance and Development Corporation	0	1
Hawai'i Law Enforcement Standards Board	1	1
Hawai'i Medical Board	2	2
Hawai'i Paroling Authority	1	1
Hawai'i Public Housing Authority	6	6
Hawai'i State Emergency Response Commission	1	1
Hawai'i State Ethics Commission	2	4
Hawai'i Teacher Standards Board	7	7
Hawai'i Technology Development Corporation	3	3
Hawai'i Tourism Authority	1	1
Hawaii State Center for Nursing	1	1
Hawaiian Homes Commission	2	2
Hoisting Machine Operators Advisory Board	1	1
Island Burial Council - Kauai/Niihau	0	3
Island Burial Council - Molokai	1	1
Island Burial Council - Oahu	1	2
King Kamehameha Celebration Commission	3	3
Land Use Commission	2	2
Legacy Land Conservation Commission	0	1
Medical Education Council	0	1
Motor Vehicle Industry Licensing Board	3	3
Motor Vehicle Repair Industry Board	1	1
National and Community Service, Hawai'i Commission for	1	1
Natural Energy Laboratory of Hawai'i	1	1
Office of Hawaiian Affairs	1	1
Other (Please fill-in "Other Board/Commission")	59	76
Pest Control Board	3	3
RCUH-Board of Directors	1	1
Real Estate Commission	3	3
Soil and Water Conservation District Boards	9	11
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	2	2
Statewide Health Coordinating Council	2	2
University of Hawai'i Board of Regents	4	6
<b>Total Board and Commission Certificates of Completion Issued</b>	<b>199</b>	<b>245</b>

**Total Certificates of Completion Issued**

**4886**

**7038**

As of November 10, 2022, 8:30 AM

2022	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	0	0	0	0	0		0
# of People Trained In Person	0	0	0	0	0	0	0	0	0	0	0		0
# of On-Line Trainings (Self-Directed)	35	44	142	73	442	106	139	227	781	2428	469		4886
# of Training Webinars	6	2	2	3	1	0	4	2	2	1	1		24
# of Participants in Training Webinars	439	126	67	97	270	0	64	247	370	665	409		2754
<b>Attorney of the Day</b>													
	76	87	116	66	79	104	100	112	102	106			948
<b>New assignments</b>													
Advisory Opinion	0	0	0	0	0	0	0	0	1	2			3
Complaint	5	18	23	21	25	9	17	39	23	21			201
Gifts/Invitations/Travel	5	5	17	14	15	12	17	24	26	28			163
Guidance	6	3	3	0	0	0	3	2	6	1			24
Judicial Selection Comm'n	0	3	3	0	2	5	6	1	3	6			29
Training Request	0	0	0	0	0	0	0	0	0	0			0
Record Request	1	0	1	3	0	0	2	0	2	0			9
Project/Other	5	3	2	2	2	1	1	1	2	2			21
Total	22	32	49	40	44	27	46	67	63	60	0	0	450
<b>Closed Assignments</b>													
Advisory Opinion	0	0	1	1	0	0	0	0	0	0			2
Complaint	4	6	19	21	11	4	12	19	21	26			143
Gifts/Invitations/Travel	5	7	14	18	13	12	15	22	24	30			160
Guidance	3	5	1	4	0	0	1	1	3	4			22
Judicial Selection Comm'n	0	3	3	0	2	5	4	0	4	5			26
Training Request	0	0	0	0	0	0	0	0	0	0			0
Record Request	1	0	1	3	0	0	0	0	2	1			8
Project/Other	6	4	1	1	1	1	0	2	2	3			21
Total	19	25	40	48	27	22	32	44	56	69	0	0	382
<b>Anti-Fraud</b>													
	2	5	2	6	9	4	3	8	4	7			50



SUNSHINE LAW MEETING  
AGENDA ITEM III

EXTENSION OF FINANCIAL DISCLOSURE DEADLINE  
FOR NEWLY ELECTED LEGISLATORS

Recommendation to Extend the Filing Deadline for  
Newly Elected Legislators to File Their Initial Financial Disclosures  
From December 8, 2022 to January 31, 2023.

Attachment 1: Staff Overview

Attachment 2: Draft Order Extending New Legislators Filing Deadline

EXTENSION OF FINANCIAL DISCLOSURE DEADLINE  
FOR NEWLY ELECTED LEGISLATORS

Recommendation to Extend the Filing Deadline for  
Newly Elected Legislators to File Their Initial Financial Disclosures  
From December 8, 2022 to January 31, 2023.

**STAFF OVERVIEW**

I. Summary

Pursuant to Hawai'i Revised Statutes ("HRS") § 84-17(b)(2), state legislators are required to file an annual financial disclosure between January 1 and January 31 of each year.

In an election year, however, newly elected legislators are required to file their initial disclosures within thirty days of being elected to office. HRS § 84-17(b)(3). Thus, for new legislators this year who are first-time filers, the statute requires them to file their initial disclosures by December 8, 2022, and then file an "annual" financial disclosure one month later, by January 31, 2023.

To minimize the need for consecutive filings and avoid potential confusion, staff recommends that the Commission extend the filing deadline for newly elected legislators to file their initial financial disclosures, from December 8, 2022 to January 31, 2023.

II. Recommendation

Staff recommends that the Commission approve the proposed order and extend the deadline for newly elected legislators to file their initial financial disclosures, from December 8, 2022 to January 31, 2023. The proposed order is attached for the Commission's review and approval.

Recommended Motion: Motion to approve the draft Order Regarding Extension of Financial Disclosure Deadline for Newly Elected Legislators. (Attachment 2).

BYC/ls

BEFORE THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

In the Matter of

HAWAII STATE ETHICS COMMISSION

Extension of Financial Disclosure  
Deadline for Newly Elected Legislators

ORDER REGARDING EXTENSION OF FINANCIAL DISCLOSURE  
DEADLINE FOR NEWLY ELECTED LEGISLATORS

Legislators who were newly elected to office on November 8, 2022 are required to file their initial financial disclosures by December 8, 2022. All legislators are thereafter required to file an annual financial disclosure between January 1 and January 31 of each year.

To minimize the need for consecutive filings following a general election and to avoid confusion, the Commission finds good cause to extend the deadline for newly elected legislators to file their initial financial disclosures. Accordingly,

IT IS HEREBY ORDERED that:

The deadline for newly elected legislators to file their initial financial disclosures shall be extended from December 8, 2022 to January 31, 2023.

***Signatures on next page***

ORDER REGARDING EXTENSION OF  
FINANCIAL DISCLOSURE DEADLINE  
FOR NEWLY ELECTED LEGISLATORS  
Page 2

DATED: Honolulu, Hawai'i, November 16, 2022.

HAWAI'I STATE ETHICS COMMISSION

\_\_\_\_\_  
Wesley F. Fong, Chair

\_\_\_\_\_  
Reynard D. Gaulty, Vice Chair

\_\_\_\_\_  
Harry McCarthy, Commissioner

\_\_\_\_\_  
Beverley Tobias, Commissioner

\_\_\_\_\_  
Robert Hong, Commissioner

SUNSHINE LAW MEETING  
AGENDA ITEM IV

MEETING CALENDAR

Discussion of proposed meeting schedule for 2023.

Attachment 1: Proposed Meeting Calendar, 2023

# 2023 Calendar

January						
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				

February						
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				

March						
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	31	

April						
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						

May						
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			

June						
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	

July						
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					

August						
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		

September						
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

October						
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				

November						
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		

December						
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						

## State Holidays 2023

Jan 1	New Year's Day	Apr 7	Good Friday	Sept 4	Labor Day
Jan 2	New Year's Day (observed)	May 29	Memorial Day	Nov 10	Veterans' Day (observed)
Jan 16	Martin Luther King Day	Jun 12	King Kamehameha Day	Nov 11	Veterans' Day
Feb 20	Presidents' Day	Jul 4	Independence Day	Nov 23	Thanksgiving
Mar 27	Prince Kuhio Day	Aug 18	Statehood Day	Dec 25	Christmas Day

SUNSHINE LAW MEETING  
AGENDA ITEM V

UPDATE ON COMMISSION TO IMPROVE STANDARDS OF CONDUCT

No attachments.

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.