



## 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: April 19, 2023

Time: 9:00 a.m.

Location: Zoom Videoconference or Phone:

Videoconference: [Join Zoom Meeting](https://us06web.zoom.us/j/86709019878?pwd=dUIJbUgyRDNSZ2IDbW5uOTUreTE5dz09)  
<https://us06web.zoom.us/j/86709019878?pwd=dUIJbUgyRDNSZ2IDbW5uOTUreTE5dz09>

Phone: +1 (346) 248-7799 or +1 (408) 638-0968

Meeting ID: 867 0901 9878

Passcode: 523432

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 March 15, 2023 Meeting

*Attachment 1: Sunshine Law Meeting Minutes of the March 15, 2023  
Hawai'i State Ethics Commission Meeting*

II. Executive Director's Report

1. Education / Training Report

*Attachment 1: 2023 Training Schedule*

*Attachment 2: Online Training Completions by Department*

2. Guidance and Assignment Statistics – March 2023

*Attachment 3: 2023 Guidance and Assignment Statistics / Website Traffic*

3. Miscellaneous Office Projects / Updates

*Attachment 4: Q3 Financial Report*

III. 2023 Legislative Session

Bills of interest introduced in 2023 are described briefly below. The blue house or senate bill number is a clickable hyperlink that goes directly to the bill language online. If the hyperlink does not work, bills can be looked up at "capitol.hawaii.gov" by entering the bill number in the search box in the website's upper right corner.

i. **Budget**

- i. [HB 1514](#). Appropriates funds to provide for the expenses of the Legislature, Auditor, Legislative Reference Bureau, Ombudsman, and Ethics Commission. **Status:** Enrolled into law as Act 003, 3/28/2023.

ii. **Financial Disclosures**

- i. [SB 182](#) (Ethics Commission package). Amends the fines imposed and the procedures relating to enforcement of a late or missing

financial disclosure statement. **Status:** Headed to conference committee.

- ii. [HB 136](#) (Ethics Commission package). Requires each chamber of the Legislature to post on the Legislature's website a report of the legislative allowance expenditures for each member of the respective chamber. **Status:** Likely deferred for 2023, although the Senate posted its [legislative allowance expenditures report](#) online and the House has committed to do so.
- iii. [HB 141](#) (Ethics Commission package). Requires each state legislator to include within the legislator's disclosures of financial interest the names of lobbyists or lobbying organizations with whom the legislator has a financial relationship. **Status:** Headed to conference committee.

iii. **Gifts**

- i. [HB 142](#) (Ethics Commission package). Prohibits lobbyists from making gifts that are prohibited under state ethics law. **Status** Signed into law as Act 010, 3/31/23.

iv. **Lobbyist Law**

- i. [HB 137](#) (Ethics Commission package). Requires the statement of expenditures filed with the State Ethics Commission to include information on the identity, by bill number, resolution number, budget cost or program identification number, or other identifier, of the legislative or administrative action that was commented on, supported by, or opposed by the person filing the statement during the statement period. **Status:** Signed into law as Act 008, 3/31/23.
- ii. [HB 138](#) (Ethics Commission package). Requires the State Ethics Commission to establish and administer a lobbyists training course and make the lobbyist training course mandatory for all lobbyists. **Status:** Transmitted to the Governor.
- iii. [SB 805](#). Amends the definitions of "administrative action" and "lobbying" in Chapter 97, HRS. **Status:** Deferred.

v. **Nepotism**

- i. [HB 717](#) (Standards Commission package). Prohibits a legislator or public employee from naming, appointing, or hiring a relative for public employment. Prohibits a legislator or public employee from supervising a relative in public employment. Prohibits a legislator or employee from awarding a contract to a relative. **Status:** Headed to conference committee.

**vi. Post-Employment**

- i. [SB 1187](#). Increases the post-employment restriction for former legislators from twelve months to twenty-four months. **Status:** Likely deferred.

**vii. Record Disposition**

- i. [HB 140](#) (Ethics Commission package). Provides the State Ethics Commission with the discretion to maintain or destroy records of financial disclosure statements beyond the current 6-year statutory requirement. Applies retroactively to applicable disclosures that are in the Commission's possession and control. **Status:** Signed into law as Act 009, 3/31/23.

IV. Proposed Media Policy:

*The Hawai'i State Ethics Commission welcomes transparency, recognizing its responsibility to improve and maintain public confidence in government officials and employees. It shall be the policy of the Commission to issue a media alert with respect to any ethics opinions or decisions, such as an issuance of a settlement agreement or an advisory opinion, with a brief, objective description of the action taken.*

V. Proposed Increase to the Commission's Administrative Fine Authority (Haw. Rev. Stat. § 84-39 and Haw. Rev. Stat. § 97-7)

No update on research looking into comparable fine structures in other states.

VI. Discussion of an Informational Meeting with the State and County Ethics Commissions or Boards.

VII. 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.

VIII. Evaluation of Executive Director Robert D. Harris

The Hawai'i State Executive 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 92-4(a)(4), to consult with the Commission's attorneys on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.

IX. Recognition of an Outstanding Commission Employee

X. 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 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](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.