



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: July 19, 2023

Time: 9:00 a.m.

Location: Zoom Videoconference or Phone:

Videoconference: [Join Zoom Meeting](https://us06web.zoom.us/j/88511742007?pwd=QW1aRGxjU2VOUmw5cWVPcVQxTmJZZz09)
<https://us06web.zoom.us/j/88511742007?pwd=QW1aRGxjU2VOUmw5cWVPcVQxTmJZZz09>

Phone: +1 (669) 444-9171 or +1 (669) 900-6833

Meeting ID: 885 1174 2007

Passcode: 998421

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) for more information, including reconnection information.

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

AGENDA

CALL TO ORDER

I. Status of New Commissioner Appointment

II. Election of Officers for 2023

Attachment 1: Election of Officers for 2023

III. Consideration and Approval of the Minutes of the June 21, 2023 Meeting

*Attachment 1: Sunshine Law Meeting Minutes of the June 21, 2023
Hawai'i State Ethics Commission Meeting*

IV. Directors' Report

1. Introduction of the Enforcement Director and Compliance Director Positions

2. Education / Training Report

Attachment 1: 2023 Training Schedule

Attachment 2: Online Training Completions by Department

Attachment 3: 2023 Information Sessions

3. Guidance and Assignment Statistics – June 2023

Attachment 4: 2023 Guidance and Assignment Statistics / Website Traffic

4. Update on 2023 Financial Disclosure Filings and Lobbying Expenditure Reports for March 1 – April 30, 2023

5. Miscellaneous Office Projects / Updates

Attachment 5: Q4 Financial Report

V. 2023 Legislative Session Wrap-Up

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. **Bills Signed into Law:**

- i. **Budget** [HB 1514 HD1 SD1](#). 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. **Lobbyist Gift Restriction** [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.
- iii. **Lobbying Subject Matter Identification** [HB 137 HD1](#) (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.
- iv. **Lobbyist Training Course** [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:** Signed into law as Act 20, 4/19/2023.
- v. **Record Disposition** [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.

- vi. **Enforcement of Financial Disclosure Statement Filings** [SB 182 SD1 HD1 CD1](#) (Ethics Commission package). Amends the fines imposed and the procedures relating to enforcement of a late or missing financial disclosure statement. **Status:** Signed into law as Act 129, 6/23/23.
 - vii. **Legislator Disclosure** [HB 141 HD1 SD1](#) (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:** Signed into law as Act 123, 6/23/23.
 - viii. **Lobbyist Political Donations** [SB 1493 SD1 HD1 CD1](#). Prohibits, during legislative sessions and shortly before and after, lobbyist contributions and expenditures, and promises of contributions or expenditures, to any elected official, candidate, candidate committee, or individual who is required to file an organizational report with the Campaign Spending Commission. **Status:** Signed into law as Act 128, 6/23/23.
 - ix. **Nepotism** [HB 717 HD1 SD2 CD1](#) (Standards Commission package). Prohibits under certain state employees from appointing, hiring, promoting, or retaining relatives and household members and from making or participating in certain other employment-related decisions and from awarding a contract to or otherwise taking official action on a contract with a business if the employee's relative or household member is an executive officer of or holds a substantial ownership interest in that business. Imposes administrative fines for violations. **Status:** Enacted into law without the Governor's signature, 7/11/23. Act number still pending.
- ii. **Bills Deferred:**
- i. **Grants-in-Aid to County Commissions.** [HB 134](#); [SB 181](#) (Ethics Commission package) & [HB 728](#) (Standards Commission package). Provides one-time grants-in-aid to the respective ethics boards of the counties of Kauai, Maui, and Hawai'i, and the Ethics Commission of the City and County of Honolulu.
 - ii. **Public Advocate.** [HB 725](#) (Standards Commission package). Establishes the office of the public advocate. Establishes rights for members of the public with respect to the conduct and operation of the legislature and its members. Specifies procedures for the investigation and reporting of alleged violations of the rights.

- iii. **County Commissioner Appointments.** [SB 1190](#). Provides standards for the selection of county Ethics Commission members to ensure their impartiality and independence.
 - iv. **Public Notice of Charge Status.** [SB 1565](#). Requires that the person or organization that filed an ethics charge to the Ethics Commission be informed of the status of the charge upon request, including the final disposition.
 - v. **Lobbying.** [SB 805](#). Amends the definitions of “administrative action” and “lobbying” in Haw. Rev. Stat. Chapter 97.
 - vi. **Post Employment.** [SB 1187](#). Increases the post-employment restriction for former legislators from twelve months to twenty-four months.
- VI. Consideration of Recommendation to Stay Enforcement of Nepotism law for Two Months
- VII. Discussion of the Ethics Commission Office Renovations and Temporary Closure of the Physical Office (September through November 2023)
- VIII. Status of the State Ethics Conference (September 1, 2023)
- IX. Discussion of the Commission’s Jurisdiction over Hawai’i Judges and Justices in Light of Recent U.S. Supreme Court Ethics Concerns
- X. *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.

XI. 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), 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 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.