

# 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

Commissioners:

Wesley Fong, Chair  
Beverley Tobias, Vice-Chair • Robert Hong • Cynthia Thielen

Date: February 21, 2024

Time: 9:00 a.m.

Location: Zoom Videoconference or Phone:

Videoconference: [Join Zoom Meeting](https://us06web.zoom.us/j/86127187837?pwd=KdUrijW3cqJ2yf0heoYyZTRbuPWI8ZN.1)  
<https://us06web.zoom.us/j/86127187837?pwd=KdUrijW3cqJ2yf0heoYyZTRbuPWI8ZN.1>

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

Meeting ID: 861 2718 7837

Passcode: YmnMh8

Public Meeting Location:

Hawai'i State Ethics Commission Conference Room  
1001 Bishop Street  
American Savings Bank Tower, Suite 970  
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.

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

## AGENDA

### CALL TO ORDER

I. Consideration and Approval of the Minutes of the January 17, 2024 Meeting

*Attachment 1: Sunshine Law Meeting Minutes of the January 17, 2024  
Hawai'i State Ethics Commission Meeting*

II. Directors' Report

1. Education / Training Report

*Attachment 1: 2024 Training Schedule*

*Attachment 2: Online Training Completions by Department and Board*

2. Guidance and Assignment Statistics – January 2024

*Attachment 3: 2024 Guidance and Assignment Statistics / Website Traffic*

3. Miscellaneous Office Projects / Updates

III. Discussion of Media Reports Concerning Ethics or the Ethics Commission  
Since the Last Meeting

IV. 2024 Legislative Matters

New bills of interest, introduced in 2024, 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" and the bill number can be looked up in a box in the upper right-hand corner.

- **Budget**

- [HB 2520](#) (Ethics Commission budget). Passed the State House of Representatives. Pending before the Senate Committee on Ways and Means ("WAM").

- [HB 2655](#) (Funds legislative agency Hawai'i employer-union health benefits trust fund costs). Pending before the House Committee on Finance ("FIN"), no other referrals.
- **Commission Procedures**
  - [HB 1881](#) (Maximum administrative fine). Passed House Committee on Judiciary & Hawaiian Affairs ("JHA") pending before FIN.
  - [SB 2215](#) (Maximum administrative fine). Passed Senate Committee on Judiciary ("JDC"). Pending before WAM.
  - [HB 1882](#) (Advice & investigation procedures). Pending before JHA, no other referrals.
  - [SB 2216 SD1](#) (Advice & investigation procedures). Passed the Senate. Pending referral in the House.
- **Disclosure Reporting**
  - [HB 1883](#) (Fiscal reporting periods). Pending before JHA. Also referred to FIN.
  - [SB 2217](#) (Fiscal reporting periods). Passed the Senate. Pending referral in the House.
  - [HB 1884](#) (Legislator disclosures). Pending before JHA, no other referrals.
  - [SB 2218](#) (Legislator disclosures). Pending before JDC, no other referrals.
  - [SB 3221](#) (Decreases the gift value amount required to be disclosed). Referred to JDC.
  - [SB 3350](#) (Requires judges, justices, and nominees for judicial vacancies to file financial disclosures with the Commission). Hearing set on February 15, 2024 before JDC. No other referrals.
- **Lobbyist Law**
  - [HB 1885](#) (Expanding definition of lobbying and creating new presumptions of lobbying activity). Pending before JHA, no other referrals.
  - [SB 2219](#) (Expanding definition of lobbying and creating new presumptions of lobbying activity). JDC scheduled a public hearing on February 12, 2024, for a proposed SD1. No other referrals.

- **Campaign Finance**
  - [HB 2184](#) (Campaign Spending Commission bill that prohibits campaign contributions from persons convicted of campaign finance, lobbying, or ethical offenses). Pending before JHA, no other referrals.
  
- **University of Hawaii Technology Transfer**
  - [HB 2502](#) (Eliminates sunset provision of the technology transfer exemption). Passed the House Committee on Higher Education & Technology and pending before FIN.
  - [SB 3191](#) (Eliminates sunset provision of the technology transfer exemption). Hearing scheduled before Senate Committee on Higher Education. Also referred to JDC.
  
- **Fair Treatment**
  - [SB 2623](#) (Allows legislators to use state equipment for bona fide community initiatives within their respective districts). Referred to Senate Committee on Government Operations, JDC/WAM.
  
- **County Ethics Commissions**
  - [SB 2989](#) (Allows Judicial Council to nominate persons for appointment to a county ethics commission, provided that the charter or ordinance allows it). Referred to Senate Committee on Public Safety and Intergovernmental and Military Affairs and JDC.

V. Discussion of Ethics Oversight over the Judicial Branch

- 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.

*Attachment 1: News Release 2024-1*

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 ([info.ethics@hawaii.gov](mailto:info.ethics@hawaii.gov)), 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 [info.ethics@hawaii.gov](mailto:info.ethics@hawaii.gov) as soon as possible, preferably at least 48 hours prior to the meeting. Last-minute requests will be accepted but may be impossible to fill.

Upon request, this notice is available in alternate/accessible formats.

SUNSHINE LAW MEETING  
AGENDA ITEM I

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE  
JANUARY 17, 2024 MEETING

Attachment 1:       Sunshine Law Meeting Minutes of the January 17, 2024  
                          Hawai'i State Ethics Commission Meeting

SUNSHINE LAW MEETING  
MINUTES OF THE HAWAI'I STATE ETHICS COMMISSION

STATE OF HAWAI'I

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43

Date: January 17, 2024

Time: 9:00 a.m.

Location: Held via Zoom video and audio conference

Link: Recorded video available at  
[https://ethics.hawaii.gov/category/commissionmeetings/comm\\_videos/](https://ethics.hawaii.gov/category/commissionmeetings/comm_videos/)

Public Meeting Location

Hawai'i State Ethics Commission Conference Room  
1001 Bishop Street  
American Savings Bank Tower, Suite 970  
Honolulu, Hawai'i 96813

Present: State Ethics Commission Members

Wesley F. Fong, Chair (present in conference room)  
Beverley Tobias, Vice Chair (via video conference)  
Robert Hong, Commissioner (via video conference)

Excused: Cynthia Thielen, Commissioner

State Ethics Commission Staff

Robert D. Harris, Executive Director (present in conference room)  
Kee M. Campbell, Enforcement Director (via video conference)  
Bonita Y.M. Chang, Compliance Director (via video conference)  
Nancy C. Neuffer, Staff Attorney (via video conference)  
Jennifer M. Yamanuha, Staff Attorney (via video conference)  
Jodi L. K. Yi, Staff Attorney (via video conference)  
Patrick W.C. Lui, Computer Specialist (via video conference)  
Jared Elster, Investigator (via video conference)  
Myles A. Yamamoto, Administrative Assistant (present in conference room)



1 Members of the Public

2  
3 Lilly (via video conference)  
4 Doug (via video conference)  
5 Chris Neff (via video conference)  
6  
7

8 **CALL TO ORDER (0:08)**  
9

10 Chair Fong called the meeting to order at 9:02 a.m. Chair Fong, Commissioner  
11 Tobias, Commissioner Hong, and Commission staff were present. All commissioners  
12 and staff participating via video or audio conference confirmed no one was in the room  
13 with them at their respective remote locations.  
14

15  
16 **Agenda Item No. I: Consideration and Approval of the Minutes of the December**  
17 **20, 2023 Meeting (1:55)**  
18

19 Commissioner Hong noted he was present in the conference room on December  
20 20, 2023.  
21

22 Commissioner Tobias made, and Commissioner Hong seconded, a motion to  
23 approve the minutes of the December 20, 2023 meeting. The motion carried (Fong,  
24 Tobias, and Hong voting in the affirmative, Thielen excused).  
25

26  
27 **Agenda Item No. II: Consideration and Approval of the Minutes of the December**  
28 **20, 2023 Executive Session Meeting (3:47)**  
29

30 Commissioner Hong made, and Commissioner Tobias seconded, a motion to  
31 approve the minutes of the December 20, 2023 meeting. The motion carried (Fong,  
32 Tobias, and Hong voting in the affirmative, Thielen excused).  
33

34  
35 **Agenda Item No. III: Recognition of Vice Chair Harry McCarthy (4:44)**  
36

37 Chair Fong announced that Vice Chair Harry McCarthy recently passed away  
38 and read a resolution in honor of Vice Chair McCarthy. He asked for a motion to adopt it  
39 and present a signed copy to Vice Chair McCarthy's family. He noted that Vice Chair  
40 McCarthy's passing is a tremendous loss to the Commission.  
41

42 Commissioner Tobias made, and Commissioner Hong seconded, a motion to  
43 adopt the resolution honoring Vice Chair Harry McCarthy and sending a signed copy to  
44 his family. The motion carried (Fong, Tobias, and Hong voting in the affirmative, Thielen  
45 excused).  
46  
47

1 **Agenda Item No. IV: Election of Officers (9:40)**

2  
3 Chair Fong opened the floor for nominations for Commission Chair.

4  
5 Commissioner Tobias nominated Wesley Fong. Seeing no additional  
6 nominations, nominations were closed.

7  
8 By unanimous vote, Wesley Fong was re-elected (Fong, Tobias, and Hong in  
9 favor, Thielen excused).

10  
11 Chair Fong thanked all for the vote of confidence.

12  
13 Chair Fong opened the floor for nominations for Vice Chair. Chair Fong  
14 nominated Beverly Tobias. Seeing no additional nominations, nominations were closed.

15  
16 By unanimous vote, Beverly Tobias was elected (Fong, Tobias, and Hong in  
17 favor, Thielen excused).

18  
19 Vice Chair Tobias thanked everyone for their vote.

20  
21  
22 **Agenda Item No. V: Directors' Report (13:55)**

23  
24 Compliance Director Bonita Chang reported that December was a very  
25 productive month for training. She attributed this to the December 31 deadline for state  
26 employees to meet the mandatory ethics training requirement. Director Chang further  
27 reported that approximately 72% of all employees had completed the required training.  
28 She stated that the Commission Staff continues to work with all departments' human  
29 resources sections and board administrators to increase training completions. With  
30 regards to public disclosure filers, who are required to take a live session, Director  
31 Chang reported that nearly 100% had met the training requirement.

32  
33 Director Chang reported that the online lobbyist training module is now live on  
34 the Commission's website. Additionally, two live lobbyist training sessions were held.

35  
36 Chair Fong commended the staff for their efforts to increase training participation.  
37 He asked what the training goals for 2024 are. Director Chang replied that the staff will  
38 continue their efforts to increase training completions as well as to brainstorm new  
39 strategies. Chair Fong suggested a goal of 85% completion. Director Chang replied that  
40 the staff would strive to reach the 85% goal.

41  
42 Vice Chair Tobias stated that 85% is an admirable goal to reach.

43  
44 Chair Fong stated that the Commission's mantra is to be proactive in training and  
45 enforcement.

1 Commissioner Hong suggested that a congratulatory message be sent to those  
2 agencies and boards with high completion rates.

3  
4 Director Chang briefly highlighted the proposed 2024 training schedule. She  
5 noted that there is at least one live training session each month; except January where  
6 two sessions are scheduled. She noted the Commission will try to accommodate  
7 additional training requests. In responding to Commissioner Hong's suggestion, Director  
8 Chang explained that the staff is looking at ways to recognize agencies and boards with  
9 high completion rates and incentivize completion of training.

10  
11 Chair Fong asked if the training requirement is yearly. Director Chang replied that  
12 once you complete your initial training, you would need to take a refresher course once  
13 every four years. The lobbyist training requirement is once every two years upon filing a  
14 lobbyist registration.

15  
16 Enforcement Director Kee Campbell reported that in December, 34 new matters  
17 were opened and 19 were closed. Chair Fong noted that it appears that there are no  
18 open matters older than two years.

19  
20 Executive Director Robert Harris provided the second quarter expense report. He  
21 noted significant expenses related to the 2023 Ethics in Hawai'i Conference and the  
22 Commission's office renovation. He highlighted that even with these expenses, the  
23 Commission is still under budget.

24  
25  
26 **Agenda Item No. VI: Discussion of Media Reports Concerning Ethics or the Ethics**  
27 **Commission Since the Last Meeting (25:40)**

28  
29 Executive Director Robert Harris reported on three recent articles related to  
30 ethics in the media. The first was an editorial written by the Honolulu Ethics Commission  
31 regarding gifts of cash or alcohol. The editorial was in response to inquiries from  
32 residents regarding giving gifts of gift cards and alcohol to city workers during the  
33 holidays. The second article concerned ethics at the legislature and was more  
34 specifically related to an ethics complaint concerning a particular legislator. The third  
35 article was a discussion in the Star-Advertiser of proposed legislation, while not  
36 specifically focused on ethics, the article mentions legislative proposals related to  
37 ethics.

38  
39 Chair Fong noted that he is glad for the increased coverage of ethics in the  
40 media. He expressed his appreciation to the Commission and staff for their dedication.  
41 He also noted that most of the coverage has been positive.

42  
43  
44 **Agenda Item No. VII: Consideration of Draft 2023 Annual Report (27:52)**

45  
46 Executive Director Robert Harris introduced the draft 2023 Commission Annual  
47 Report. He reported that it highlights a spectacular 2023 for the Commission. He noted

1 the report allows the public to see what the Commission does. Additionally, from a  
2 historical perspective, it shows what has changed, why, and when. The report highlights  
3 the following areas:

- 4
- 5 • Increases in training participation
- 6 • Enforcement cases and statistics
- 7 • The new nepotism law and nepotism cases
- 8 • Staff office modernization
- 9 • 2023 Ethics in Hawai'i Conference

10 Chair Fong asked if the report needs to be approved by the Commission and  
11 when this report is due. Director Harris replied that historically, the Commission has not  
12 approved the report, but he would like the Commission to do so moving forward. The  
13 report is normally sent to the Hawai'i State Legislature along with the Commission's  
14 budget request.

15

16 Vice Chair Tobias asked where the report is housed. Director Harris replied that  
17 the reports are located on the Commission website and sent to the State Archives.

18

19 Commissioner Hong suggested that the report should highlight the return of  
20 \$70,000 to the General Fund.

21

22 Chair Fong requested that any comments regarding the Annual Report be sent  
23 via email to Director Harris in the next two weeks.

24

25

26 **Agenda Item No. VIII: 2024 Legislative Matters (32:55)**

27

28 Executive Director Robert Harris reported that the Commission previously  
29 supported HB 725, which establishes an Office of the Public Advocate. He suggested  
30 that the Commission should continue to support the measure should it come up for  
31 hearing.

32

33 Commissioner Hong asked if the Commission would take on a larger role with  
34 respect to public access should this legislation not pass. Director Harris replied that one  
35 of the motivations for the legislation was harassment of lobbyists by legislators. Director  
36 Harris noted he requested that the House provide their harassment policy. The Public  
37 Advocate would provide a mechanism to address allegations of harassment. Another  
38 motivation was the possibility that the legislature could target state employees in  
39 response to unfavorable testimony. The Commission has some authority over these  
40 matters, but they may not fall squarely within the Commission's jurisdiction.

41

1 Chair Fong asked if there had been any pushback from agencies or entities.  
2 Director Harris replied that some contended that the measure conflicted with the  
3 constitutional principle that the Legislature (solely) disciplines itself. He noted this was  
4 incorrect. The proposed Public Advocate had no disciplinary powers. The intent is to  
5 establish a confidential entity to investigate concerns and, when unable to satisfactorily  
6 address the situation, publish any findings. Director Harris noted that his intent is for the  
7 Commission to support the legislation should it come up again for hearing.

8  
9  
10 **Agenda Item No. IX: Discussion of Ethics Oversight over the Judicial Branch**  
11 **(38:57)**

12  
13 Executive Director Harris reported that there is no update regarding this since the  
14 last Commission meeting.

15  
16 Chair Fong noted that the Judiciary is receptive to working with the Commission  
17 to come up with more transparency and openness.

18  
19  
20 **Agenda Item No. X: Akana v. Hawaii State Ethics Commission and Daniel Gluck,**  
21 **Civil No. 18-1-1019-06 (JHA); Akana v. Hawaii State Ethics Commission, Civil No.**  
22 **19-1-0379-03 (JHA); State of Hawaii, Ethics Commission v. Rowena Akana,**  
23 **Civil No. 20-1-0453 (BIA) (40:43)**

24  
25 No update.

26  
27  
28 **Agenda Item No. XI: Evaluation of Executive Director Robert Harris (41:41)**

29  
30 Chair Fong suggested that due to absences and vacancies on the Commission,  
31 this item be tabled until the Commission has a full slate, perhaps until March. Executive  
32 Director Harris noted that there is no deadline for the evaluation to be completed.

33  
34 Commissioner Hong recommended deferral until March.

35  
36 Vice Chair Tobias asked if the evaluation affects Director Harris' pay. Director  
37 Harris replied that the evaluation does not affect his pay. Vice Chair Tobias concurred  
38 with deferring this matter until March.

39  
40 Chair Fong encouraged the public to apply for the Commission's vacancy.  
41 Director Harris noted that with respect to the vacancy on the Commission, the Judicial  
42 Selection Commission would have to advertise and submit a list of names for the  
43 Governor to consider for appointment.

44  
45 Compliance Director Bonita Chang noted that the Executive Director's salary is  
46 set by statute. Commissioner Hong commended Compliance Director Chang for her  
47 work on the Executive Director's evaluation.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

**Agenda Item No. XII: Adjournment of Sunshine Law Meeting (45:05)**

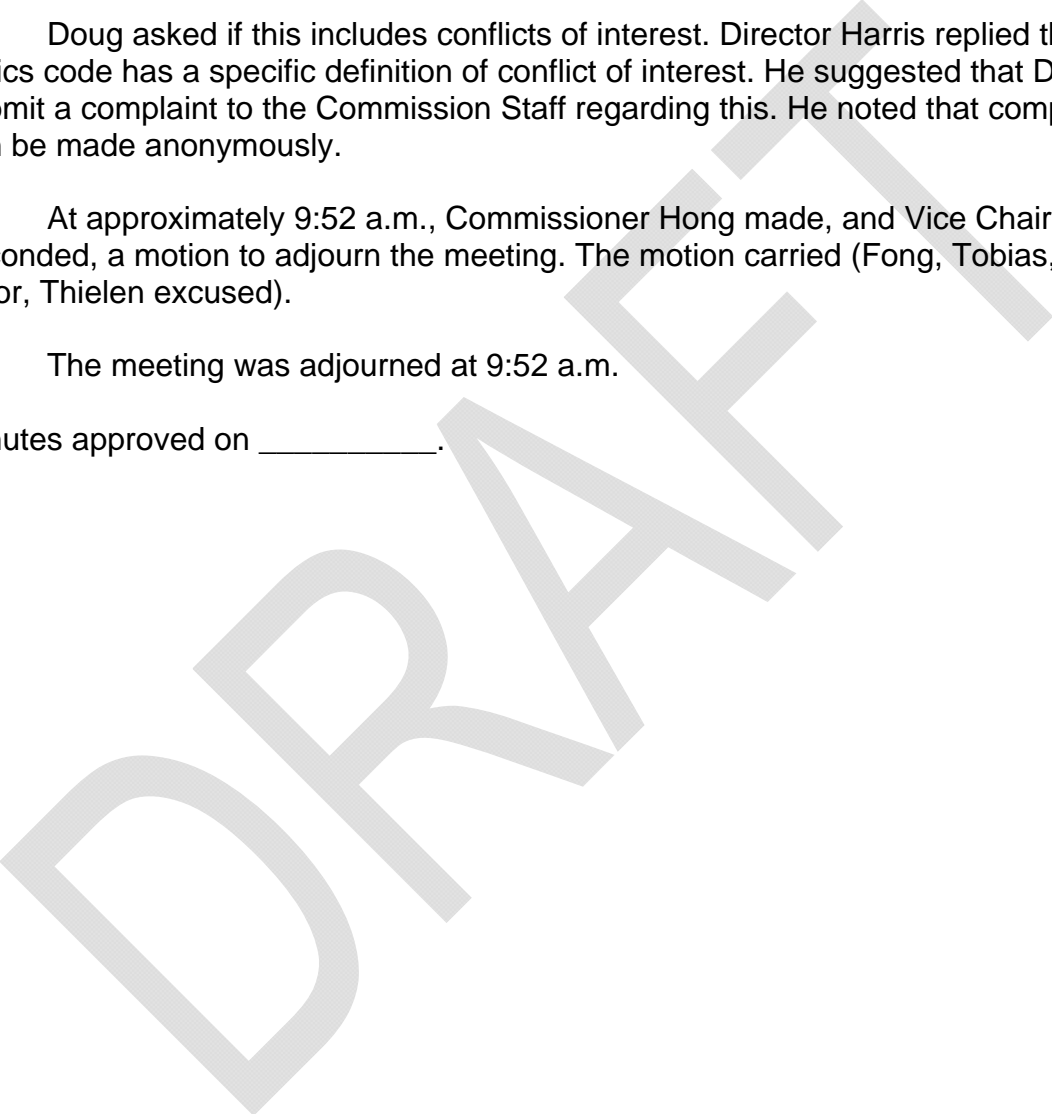
A member of the public, Doug, asked what the Commission is empowered to do. Executive Director Robert Harris replied that the Commission administers and enforces the State Ethics Code and Lobbyist Law. The Commission provides training, advice, and enforcement of those laws.

Doug asked if this includes conflicts of interest. Director Harris replied that the ethics code has a specific definition of conflict of interest. He suggested that Doug submit a complaint to the Commission Staff regarding this. He noted that complaints can be made anonymously.

At approximately 9:52 a.m., Commissioner Hong made, and Vice Chair Tobias seconded, a motion to adjourn the meeting. The motion carried (Fong, Tobias, Hong in favor, Thielen excused).

The meeting was adjourned at 9:52 a.m.

Minutes approved on \_\_\_\_\_.



SUNSHINE MEETING  
AGENDA ITEM II

EXECUTIVE DIRECTOR'S REPORT  
February 21, 2024

**1. Education / Training Report**

*Attachment 1: 2024 Training Schedule*

*Attachment 2: Online Training Completions by Department and Board*

**2. Guidance and Assignment Statistics – January 2024**

*Attachment 3: 2024 Guidance and Assignment Statistics / Website Traffic*

**3. Miscellaneous Office Projects / Updates**



<b>HAWAII STATE ETHICS COMMISSION</b>			
<b>2024 EDUCATION PROGRAM</b>			
<b>(Ethics Workshops and Presentations)</b>			
<b>DATE</b>	<b>PRESENTATIONS</b>	<b>IN PERSON PARTICIPANTS</b>	<b>WEBINAR PARTICIPANTS</b>
1/4/2024	WEBINAR: Lobbyists Law Training	0	50
1/10/2024	WEBINAR: Lobbyists Law Training	0	48
1/18/2024	WEBINAR: General Ethics Training	0	8
1/19/2024	IN PERSON: Training Refresher, Capitol, House Members	51	0
2/6/2024	WEBINAR: Training Refresher, DOH, Kauai	0	13
2/8/2024	<del>WEBINAR: Ethics for Board and Commission Members</del> (CANCELLED)	0	0
3/6/2024	WEBINAR: General Ethics Training		
5/2/2024	WEBINAR: General Ethics Training		
7/24/2024	WEBINAR: General Ethics Training		
8/8/2024	WEBINAR: Ethics for Board and Commission Members		
9/26/2024	WEBINAR: General Ethics Training		
10/23/2024	WEBINAR: Ethics for Board and Commission Members		
11/7/2024	WEBINAR: General Ethics Training		
<b>TOTAL</b>	<b>13 Presentations</b>	<b>51 participants</b>	<b>119 participants</b>



## State Employees

Department/Agency	Cumulative Total	# of Current Employees*	% Completed	
Department of Accounting and General Services (DAGS)	389	644	60%	
Department of Agriculture (DOA)	363	299	121%	
Department of Budget and Finance (B&F)	584	385	152%	
Department of Business, Economic Development and Tourism (DBEDT)	560	305	184%	
Department of Commerce and Consumer Affairs (DCCA)	1,009	541	187%	
Department of Defense (DOD)	559	497	112%	
Department of Education (DOE)	17,367	22,159	78%	
Department of Hawaiian Home Lands (DHHL)	194	111	175%	
Department of Health (DOH)	3,354	2,447	137%	
Department of Human Resources Development (DHRD)	98	65	151%	
Department of Human Services (DHS)	1,858	1,686	110%	
Department of Labor and Industrial Relations (DLIR)	691	847	82%	
Department of Land and Natural Resources (DLNR)	941	792	119%	
Former Dept: Department of Public Safety (DPS)	1,249	3,002		**Reorg eff. 1/1/24 - DPS split into DCR & DLE, # of training completions to be redistributed
Department of Corrections and Rehabilitation (DCR)	216	1,717	13%	**Reorg eff. 1/1/24
Department of Law Enforcement (DLE)	141	332	42%	**Reorg eff. 1/1/24 (332 budgeted positions starting in 2024)
Department of Taxation (TAX)	603	309	195%	
Department of the Attorney General (ATG)	1,465	646	227%	
Department of Transportation (DOT)	1,784	2,255	79%	
Hawai'i Health Systems Corporation (HHSC)	3,059	3,071	100%	
Hawai'i State Ethics Commission (HSEC)	11	12	92%	
Hawai'i State Public Library System (HSPLS)	670	429	156%	
House of Representatives (REP)	392	166	236%	
Judiciary (JUD)	1,827	1,727	106%	
Legislative Reference Bureau (LRB)	33	44	75%	
Office of Hawaiian Affairs (OHA)	196	145	135%	
Office of the Auditor (AUD)	42	23	183%	
Office of the Governor (GOV)	94	48	196%	
Office of the Lieutenant Governor (LTG)	16	10	160%	
Office of the Ombudsman (OMB)	21	12	175%	
Public Charter School (SPCSC)	344	TBD		includes indiv. charter school staff
Research Corporation of the University of Hawai'i (RCUH)	1,928	2,631	73%	
Senate (SEN)	425	109	390%	
University of Hawai'i (aggregate)	7,716	12,844	60%	
University of Hawai'i-Community Colleges (UOHC)	1,688	2,568		
University of Hawai'i-Hilo (UOHH)	397	864		
University of Hawai'i-Manoa (UOHM)	3,974	8,511		
University of Hawai'i-System (UOH)	1,244	502		
University of Hawai'i-West Oahu (UOHW)	413	399		
<b>Total Employees Training Completed</b>	<b>50,199</b>	<b>60,310</b>		

\*Based on annual financial disclosure updates from departments collected in March/April 2023  
As of February 11, 2024

## State Boards and Commissions

	Grand	No. of	%
Board/Commission	Total	Members*	Completed
Agribusiness Development Corporation	12	8	150%
Board of Acupuncture	4	5	80%
Board of Agriculture	10	10	100%
Board of Barbering and Cosmetology	6	7	86%
Board of Certification of Operating Personnel in Wastewater Treatment Plants	9	9	100%
Board of Chiropractic Examiners	4	5	80%
Board of Dentistry	13	12	108%
Board of Education	20	11	182%
Board of Electricians and Plumbers	11	7	157%
Board of Land and Natural Resources	12	7	171%
Board of Massage Therapy	6	5	120%
Board of Nursing	9	9	100%
Board of Physical Therapy	7	7	100%
Board of Private Detectives and Guards	5	7	71%
Board of Professional Engineers, etal	11	13	85%
Board of Public Accountancy	11	9	122%
Board of Registration	6	8	<b>75%</b>
Board of Speech Pathology and Audiology	7	7	100%
Board on Geographic Names	8	7	114%
Civil Rights Commission	5	5	100%
Commission on Status of Women	9	5	180%
Commission on Water Resource Management	9	7	129%
Contractors License Board	12	13	92%
Correctional System Oversight Commission	5	5	100%
Council on Revenues	8	7	114%
Crime Victim Compensation Commission	3	3	100%
Defender Council	2	3	<b>67%</b>
Deferred Compensation Plan Board of Trustees	7	7	100%
Disability and Communication Access Board	19	17	112%
Early Learning Board	8	12	<b>67%</b>
Elections Commission	9	9	100%
Elevator Mechanics Licensing Board	5	7	71%
Employees' Retirement System Board of Trustees	14	8	175%
Enhanced 911 Board	12	13	92%
Environmental Advisory Council	13	15	87%
Festival of the Pacific Arts & Culture	7	9	78%
Hawai'i Board of Optometry	6	7	86%
Hawai'i Board of Veterinary Medicine	5	5	<b>100%</b>
Hawai'i Climate Change Mitigation and Adaptation Commission	11	20	55%
Hawai'i Employer-Union Health Benefits Trust Fund	10	10	100%
Hawai'i Green Infrastructure Authority	5	5	<b>100%</b>
Hawai'i Health Systems Corporation-Corporation	10	15	<b>67%</b>
Hawai'i Health Systems Corporation-East Hawai'i	12	12	<b>100%</b>
Hawai'i Health Systems Corporation-Kauai	5	8	<b>63%</b>

## State Boards and Commissions

	Grand	No. of	%
Board/Commission	Total	Members*	Completed
Hawai'i Health Systems Corporation-Maui	1	2	50%
Hawai'i Health Systems Corporation-Oahu	10	8	125%
Hawai'i Health Systems Corporation-West Hawai'i	5	9	56%
Hawai'i Housing Finance and Development Corporation	7	9	78%
Hawai'i Hurricane Relief Fund Board	1	0	100%
Hawai'i Law Enforcement Standards Board	9	14	64%
Hawai'i Medical Board	20	11	182%
Hawai'i Paroling Authority	5	5	100%
Hawai'i Public Housing Authority	17	10	170%
Hawai'i State Ethics Commission	6	5	120%
Hawai'i State Fire Council	6	4	150%
Hawai'i Teacher Standards Board	14	17	82%
Hawaiian Homes Commission	11	9	122%
Island Burial Council - Hawai'i	3	5	60%
Island Burial Council - Kauai/Niihau	3	6	50%
Island Burial Council - Maui/Lanai	1	6	17%
Island Burial Council - Molokai	1	1	100%
Island Burial Council - Oahu	5	8	63%
King Kamehameha Celebration Commission	15	15	100%
Land Use Commission	16	9	178%
Medical Education Council	11	12	92%
Merit Appeals Board	3	3	100%
Motor Vehicle Industry Licensing Board	7	7	100%
Motor Vehicle Repair Industry Board	1	2	50%
National and Community Service, Hawai'i Commission for	11	15	73%
Oahu Metropolitan Planning Organization	9	14	64%
Other Board/Commission	137		0%
Pacific International Space Center for Exploration Systems	4	4	100%
Pest Control Board	7	9	78%
Radiologic Technology Board	3	5	60%
Real Estate Commission	13	9	144%
Soil and Water Conservation District Boards	66	84	79%
Stadium Authority Commission	11	8	138%
State Council on Developmental Disabilities	18	28	64%
State Foundation on Culture and the Arts	13	7	186%
State Public Charter School Commission	15	9	167%
Statewide Health Coordinating Council	11	9	122%
University of Hawai'i Board of Regents	22	11	200%
<b>Total Board/Commission Members Training Completed</b>	<b>900</b>	<b>769</b>	

As of February 11, 2024

**Targeted Outreach in February (flyers sent regarding training on 2/12/24):**

- Charter Schools
- Board Administrators

**Outreach to Targeted State Boards:**

	# active members serving on board (excl. vacancies)	# who completed training	% Completed (as of 2/11/24)
Board of Naturopathic Medicine	4	3	75%
Board of Pharmacy	7	7	100%
Board of Psychology	5	5	100%
Boxing Commission	4	3	75%
Campaign Spending Commission	5	5	100%
Hawai'i Community Development Authority	13	13	100%
Hawai'i Historic Places Review Board	5	5	100%
Hawai'i Retirement Savings Board	8	8	100%
Hawai'i State Emergency Response Commission	11	9	82%
Hawai'i Technology Development Corporation	8	8	100%
Hawai'i Tourism Authority	12	11	92%
Hoisting Machine Operators Advisory Board	5	4	80%
Kaho'olawe Island Reserve Commission	4	4	100%
Legacy Land Conservation Commission	8	8	100%
Mauna Kea Stewardship & Oversight Authority	12	8	67%
Natural Area Reserves System Commission	9	9	100%
Natural Energy Laboratory of Hawai'i	11	11	100%
Public Water System Operators **	3	3	100%
RCUH Board	6	6	100%
School Facilities Authority Board	3	3	100%
<b>TOTAL</b>	<b>143</b>	<b>133</b>	<b>93%</b>

\*\* The Public Water Systems Operators board did not receive a letter from the Commission since all members are up to date.

**Non-active Boards:**

*(Based on our records to date, the following boards do not have any appointed members at this time, or are no longer active by law)*

- Transit Oriented Development Infrastructure Improvement District Board
- Women's Corrections Implementation Commission
- Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission
- Tax Review Commission – Currently not active; board convenes every 5 years to review Hawai'i tax laws, with the last one occurring in 2020-2022

2024	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Year to date
<b>Training statistics</b>													
# of In-Person Trainings	1												1
# of People Trained In Person	51												51
# of On-Line Trainings (Self-Directed)	958												958
# of Lobbyists Law Trainings	186												186
# of Training Webinars	3												3
# of Participants in Training Webinars	106												106
<b>Attorney of the Day</b>	118												118
<b>New assignments</b>													
Advisory Opinion	0												0
Complaint	67												67
Gifts/Invitations/Travel	21												21
Guidance	2												2
Judicial Selection Comm'n	6												6
Training Request	0												0
Record Request	1												1
Project/Other	6												6
<b>Total</b>	103	0	0	0	0	0	0	0	0	0	0	0	103
<b>Closed Assignments</b>													
Advisory Opinion	0												0
Complaint	67												67
Gifts/Invitations/Travel	21												21
Guidance	1												1
Judicial Selection Comm'n	7												7
Training Request	0												0
Record Request	1												1
Project/Other	2												2
<b>Total</b>	99	0	0	0	0	0	0	0	0	0	0	0	99
<b>Anti-Fraud</b>	2												2

SUNSHINE LAW MEETING  
AGENDA ITEM III

DISCUSSION OF MEDIA REPORTS CONCERNING ETHICS OR THE ETHICS  
COMMISSION SINCE THE LAST MEETING

No attachments.

SUNSHINE LAW MEETING  
AGENDA ITEM IV

LEGISLATIVE MATTERS

No attachments

SUNSHINE LAW MEETING  
AGENDA ITEM V

DISCUSSION OF ETHICS OVERSIGHT OVER THE JUDICIAL BRANCH

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.

Attachment 1: News Release 2024-1



## HAWAI‘I STATE ETHICS COMMISSION

State of Hawai‘i · Bishop Square, 1001 Bishop Street, ASB Tower 970 · Honolulu, Hawai‘i 96813

### NEWS RELEASE

FOR IMMEDIATE RELEASE

January 23, 2024

NO. 2024-1

For Additional Information

Contact: Robert Harris, Executive Director  
and General Counsel  
Hawai‘i State Ethics Commission  
(808) 587-0460 (Office)  
(808) 220-4306 (Mobile)

### AKANA V. HAWAI‘I STATE ETHICS COMMISSION

The Hawai‘i State Ethics Commission is pleased to announce a significant legal victory in Akana v. Hawai‘i State Ethics Commission, No. CAAP-19-0000668 (Intermediate Court of Appeals, January 22, 20224) (available at <https://www.courts.state.hi.us/wp-content/uploads/2024/01/CAAP-19-0000668memop.pdf>). The decision, handed down on January 22, 2024, reinforces the Commission’s commitment to upholding ethical standards and conduct for all state employees.

The Commission previously charged former Office of Hawaiian Affairs Trustee Rowena Akana with violating the state code of ethics and imposed a \$23,106.53 administrative fine.<sup>1</sup> Akana appealed the Commission’s decision contesting, among other things, the applicability of the

---

<sup>1</sup> The Commission’s order can be found at <https://ethics.hawaii.gov/wp-content/uploads/2019/02/2019-02-05Decision.pdf>.

ethics code to an Office of Hawaiian Affairs trustee. The Hawai‘i Intermediate Court of Appeals affirmed the Commission’s decision on all counts.

Commission Chairperson Wesley F. Fong expressed gratitude for the court’s decision, stating “We are happy that the appellate court upheld the Commission’s decision in the Akana case. It shows that no state employee or state board member is above the state ethics law in Hawai‘i.”

The court decision marks a pivotal moment for the Commission, showcasing the resilience and effectiveness of its enforcement efforts. “The public can be confident in the Commission’s ability to address and rectify ethical concerns, contributing to a more accountable and transparent government,” said Fong.

[PAU] ###

**About the Hawai‘i State Ethics Commission:**

The Hawai‘i State Ethics Commission is an independent agency committed to promoting and ensuring ethical conduct in state government. Established to foster public trust, the Commission administers the state’s ethics code and lobbyists law. For more information, visit [ethics.hawaii.gov](http://ethics.hawaii.gov).