

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: March 20, 2024

Time: 9:00 a.m.

Location: Zoom Videoconference or Phone:

Videoconference: [Join Zoom Meeting](https://us06web.zoom.us/j/85054560092?pwd=3uATbJbJUqM4ORlhSIX1O9gv41njE.1)
<https://us06web.zoom.us/j/85054560092?pwd=3uATbJbJUqM4ORlhSIX1O9gv41njE.1>

Phone: +1 (346) 248-7799 or +1 (408) 638-0968
Phone passcode: 850443
Meeting ID: 850 5456 0092
Passcode: 6VfyTR

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) for more information, including reconnection information.

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 January 17, 2024 Meeting

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

II. Consideration and Approval of the Minutes of the February 21, 2024 Meeting

*Attachment 1: Sunshine Law Meeting Minutes of the February 21, 2024
Hawai'i State Ethics Commission Meeting*

III. 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 – February 2024

Attachment 3: 2024 Guidance and Assignment Statistics / Website Traffic

3. Miscellaneous Office Projects / Updates

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

V. 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.

Bills that have not yet “crossed over” are generally considered dead for this legislative session.

- **Budget**

- [HB 2520](#) (Ethics Commission budget). Transmitted to the Governor
- [HB 2655](#) (Funds legislative agency Hawai'i employer-union health benefits trust fund costs). Crossed over to the Senate and referred to the Senate Committee on Labor and Technology and the Senate Committee on Ways and Means (“WAM”).

- **Commission Procedures**

- [HB 1881](#) (Maximum administrative fine). Crossed over to the Senate. Referred to the Senate Committee on Judiciary (“JDC”) and WAM. Passed JDC, waiting for a hearing by WAM.
- [SB 2215](#) (Maximum administrative fine). Failed to crossover.
- [HB 1882](#) (Advice & investigation procedures). Failed to crossover.
- [SB 2216 SD1](#) (Advice & investigation procedures). Crossed over to the House. Referred to House Committee on Judiciary & Hawaiian Affairs (“JHA”) and House Committee on Finance (“FIN”).

- **Disclosure Reporting**

- [HB 1883](#) (Fiscal reporting periods). Pending before JHA. Also referred to FIN. Failed to cross over.
- [SB 2217](#) (Fiscal reporting periods). Passed the Senate. Referred to JHA and FIN.
- [HB 1884](#) (Legislator disclosures). Crossed over to the Senate. Referred to JDC.
- [SB 2218](#) (Legislator disclosures). Referred to JDC. Failed to cross over.
- [SB 3221](#) (Decreases the gift value amount required to be disclosed). Referred to JDC. Failed to cross over.
- [SB 3350](#) (Requires judges, justices, and nominees for judicial vacancies to file financial disclosures with the Commission). Crossed over to the House. Referred to the

Committee on Labor & Government Operations, JHA, and FIN.

- **Lobbyist Law**

- [HB 1885](#) (Expanding definition of lobbying and creating new presumptions of lobbying activity). Referred to JHA. Failed to cross over.
- [SB 2219](#) (Expanding definition of lobbying and creating new presumptions of lobbying activity). Crossed over. Referred to JHA.

- **Campaign Finance**

- [HB 2184](#) (Campaign Spending Commission bill that prohibits campaign contributions from persons convicted of campaign finance, lobbying, or ethical offenses). Crossed over to the Senate. Referred to JDC.

- **University of Hawaii Technology Transfer**

- [HB 2502](#) (Eliminates sunset provision of the technology transfer exemption). Crossed over to the Senate. Referred to the Senate Committee on Higher Education and JDC.
- [SB 3191](#) (Eliminates sunset provision of the technology transfer exemption). Crossed over to the House. Referred to the House Committee on Higher Education & Technology, JHA, and FIN.

- **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. Failed to cross over.

- **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. Failed to cross over.

VI. Proposed 2024 Goals

Attachment 1: Commission Staff Proposed 2024 Goals

VII. Discussion of Ethics Oversight over the Judicial Branch

VIII. 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.

IX. Evaluation of Executive Director Robert Harris

The Hawai'i State Ethics 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 where consideration of matters affecting privacy will be involved, and/or under 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.

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 (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 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 HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

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/

Public Meeting Location

Hawaii State Ethics Commission Conference Room
1001 Bishop Street
American Savings Bank Tower, Suite 970
Honolulu, Hawaii 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.
46

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.

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 **Agenda Item No. XII: Adjournment of Sunshine Law Meeting (45:05)**
4

5 A member of the public, Doug, asked what the Commission is empowered to do.
6 Executive Director Robert Harris replied that the Commission administers and enforces
7 the State Ethics Code and Lobbyist Law. The Commission provides training, advice,
8 and enforcement of those laws.
9

10 Doug asked if this includes conflicts of interest. Director Harris replied that the
11 ethics code has a specific definition of conflict of interest. He suggested that Doug
12 submit a complaint to the Commission Staff regarding this. He noted that complaints
13 can be made anonymously.
14

15 At approximately 9:52 a.m., Commissioner Hong made, and Vice Chair Tobias
16 seconded, a motion to adjourn the meeting. The motion carried (Fong, Tobias, Hong in
17 favor, Thielen excused).
18

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

20
21 Minutes approved on _____.

SUNSHINE LAW MEETING
AGENDA ITEM II

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE
FEBRUARY 21, 2024 MEETING

Attachment 1: Sunshine Law Meeting Minutes of the February 21, 2024
Hawai'i State Ethics Commission Meeting

SUNSHINE LAW MEETING
MINUTES OF THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

Date: February 21, 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/

Public Meeting Location

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

Present: State Ethics Commission Members

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

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 (excused)
Jennifer M. Yamanuha, Staff Attorney (via video conference)
Jodi L. K. Yi, Staff Attorney (excused)
Patrick W.C. Lui, Computer Specialist (via video conference)
Jared Elster, Investigator (via video conference)
Myles A. Yamamoto, Administrative Assistant (present in conference room)

Members of the Public

Laurie Tomchak- League of Women Voters
Clyde
Chad

Laurie Wong Nowinski – Honolulu Ethics Commission
Robin Henski

CALL TO ORDER (0:00)

Chair Fong called the meeting to order at 9:05 a.m. Chair Fong, Vice Chair Tobias, Commissioner Thielen, and Commission staff were present. All commissioners and staff participating via video or audio conference confirmed no one was in the room with them at their respective remote locations.

Agenda Item No. I: Consideration and Approval of the Minutes of the January 17, 2024 Meeting (3:23)

Deferred until next meeting.

Agenda Item No. II: Directors' Report (4:11)

Compliance Director Bonita Chang reported 158 individuals completed the online self-directed ethics training and 186 individuals completed the online lobbyists' training. As part of continued outreach efforts, a flyer was sent to board and commission administrators regarding mandatory training requirements and upcoming live training sessions. Staff has also reached out to the House and Senate clerks to recommend having all new hires complete their training requirements as part of the onboarding process for new employees.

In terms of financial disclosures, Director Chang reported that in March, staff will begin contacting agencies as part of the annual updates process for state agencies, and then in May following the close of the legislative session, staff will begin updating the lists of current and new members of state boards and commissions. Director Chang noted that because 2024 is an election year, staff will also be processing candidate financial disclosures as well as regular financial disclosures.

Enforcement Director Kee Campbell reported that 67 new matters were opened and that 67 matters were closed in the past month. He noted that a large number of matters related to an issue that had been satisfactorily resolved.

Chair Fong asked if there has been an increase in the number of complaints as a result of increased training participation. Director Campbell replied he has noticed an increase in the number of Attorney of the Day inquiries and complaints. Chair Fong explained that, once a person is educated by training, he/she would know something may be improper and potentially report matters. Director Campbell agreed.

1 Executive Director Robert Harris reported that an Analyst has been hired and will
2 be starting in March. Additionally, he reported that staff will be working on goals and
3 priorities for the coming year to present to the Commission.
4

5 Chair Fong expressed his thanks to Office Manager Caroline Choi and
6 Investigator Jared Elster for their assistance in selecting new artwork for the
7 Commission's offices.
8
9

10 **Agenda Item No. III: Discussion of Media Reports Concerning Ethics or the Ethics**
11 **Commission Since the Last Meeting (13:12)**
12

13 Executive Director Robert Harris reported that media recently published articles
14 about the upcoming Honolulu Ethics Commission meeting. Additional articles address
15 ethics bills moving through the legislature, the charter school commission executive
16 director, and nepotism.
17

18 Chair Fong asked if the Nepotism Law covers the legislature. Executive Director
19 Harris replied that the law establishes a "bright line" prohibition with a transparent "good
20 cause" exception process. The law does not currently cover the Legislature or the
21 Judiciary. Director Harris noted that both the house and senate established internal
22 rules prohibiting nepotism. The house rules contain a grandfather clause for existing
23 employees. Additionally, the Judiciary has rules against nepotism. Director Harris
24 expressed the hope that concerns about nepotism will diminish over time.
25
26

27 **Agenda Item No. IV: 2024 Legislative Matters (17:11)**
28

29 Executive Director Robert Harris reported that the Commission's budget is
30 moving through the legislature and is scheduled for a hearing before the Senate Ways
31 and Means Committee. The budget that was submitted is flat, and did not include a
32 request for any new positions. Director Harris reported that the reason is that the
33 legislature is trying to hold budgets to a 0% increase, particularly in light of fiscal
34 priorities concerning Maui recovery.
35

36 Director Harris highlighted SB 2219. This measure is a revision to the lobbyist
37 law. The measure would add provisions to include procurement and executive
38 interactions under the umbrella of lobbying. The bill has been amended to remove
39 language related to quasi-judicial agency actions and a presumption related to paid
40 lobbyists who submit 10 or more pieces of testimony. He noted that the 10 testimony
41 proposal seemed to have been misconstrued to mean that anyone – whether paid or not
42 – who submitted 10 pieces of testimony, would be required to register. The result of this
43 misunderstanding has been that SB 2219 garnered substantial negative testimony. The
44 provision regarding the 10 pieces of testimony was removed to avoid any future
45 continued misunderstanding.
46

1 Vice Chair Tobias asked for clarification about the 10 pieces of testimony
2 provision. Director Harris replied that the provision was intended to apply to professional
3 paid lobbyists and not individual members of the public.
4

5 Director Harris highlighted SB 3350. This measure would require justices, judges,
6 and judicial nominees to file a financial disclosure with the Commission. He noted that
7 this bill was not a part of the Commission's legislative package. He asked if the
8 Commission has a position. He noted that currently, justices and judges are required to
9 file a disclosure with the Judiciary, but not with the Commission. He further noted that
10 the Judiciary opposes SB 3350 on the grounds that it is redundant and potentially
11 unconstitutional. Director Harris disagreed with that legal analysis and noted that the
12 Commission is actively meeting with the Judiciary about broader ethics issues.
13 However, with respect to judicial nominees, those individuals could be required to file
14 disclosures with the Commission, similar to how the agency administers other types of
15 financial disclosures. Director Harris recommended that the Commission provide
16 comments on the bill without taking a position for or against the measure. The
17 comments would state that the Commission has the capacity to execute the
18 requirements of the bill.
19

20 Chair Fong stated that it appears the bill seeks to expand transparency within the
21 Judiciary. He suggested that the bill may be in response to media articles regarding a
22 recent judicial nominee. He noted the bill is not part of the Commission's package.
23

24 Vice Chair Tobias supported the idea of providing comments without taking a
25 position. She asked what the Judiciary's position was. Director Harris replied that the
26 Judiciary opposes the bill as repetitive. He also noted that the Judiciary has concerns
27 regarding enforcement due to the fact only the Judiciary has authority over judges and
28 justices. He noted that if the Judiciary makes improvements to their disclosure process,
29 it may satisfy the concerns of the Commission.
30

31 Chair Fong noted that the Commission has been meeting with the Judiciary,
32 including a recent meeting with a representative of the Chief Justice. He noted the
33 Judiciary was receptive to improving their transparency and using the Commission as a
34 venue to help explain their efforts regarding ethics.
35

36 Commissioner Thielen asked who sponsored the bill and felt uncomfortable
37 about providing substantive testimony. Director Harris replied that the bill was
38 introduced by Senator Lee. He further explained that any testimony would only be to
39 comment on the Commission's capacity to administer the law, if passed.
40

41 Chair Fong noted that the Commission will continue its dialogue with Judiciary.
42

43 Chair Fong acknowledged the presence of Laurie Wong-Nowinski of the
44 Honolulu Ethics Commission. He asked if Ms. Wong-Nowinski had any comment
45 regarding SB 2989. Chair Fong explained that the bill would allow the Judicial Council to
46 nominate individuals to county ethics commission and boards if allowed by city
47 ordinance or charter. Ms. Wong-Nowinski replied that based on her understanding, the

1 commissioners are appointed by the mayor and approved by the city council. She did
2 not have any further comments but said she would take this information back to the
3 Honolulu Ethics Commission.
4

5
6 **Agenda Item No. V: Discussion of Ethics Oversight over the Judicial Branch**
7 **(36:40)**
8

9 Executive Director Harris reported that as mentioned earlier, the Commission
10 continues to meet with the Judiciary. He noted that they are receptive to raising public
11 awareness. He further reported that meetings will continue. He noted that the
12 Commission has jurisdiction over employees of the Judiciary, but not judges and
13 justices.
14

15
16 **Agenda Item No. VI: Akana v. Hawaii State Ethics Commission and Daniel Gluck,**
17 **Civil No. 18-1-1019-06 (JHA); Akana v. Hawaii State Ethics Commission, Civil No.**
18 **19-1-0379-03 (JHA); State of Hawaii, Ethics Commission v. Rowena Akana,**
19 **Civil No. 20-1-0453 (BIA) (38:40)**
20

21 Executive Director Harris reported on January 23, 2024, the Commission issued
22 a press release regarding the Intermediate Court of Appeals decision to uphold the
23 Commission's decision and issuing of fines in the Akana matter. He noted that the
24 Respondent can still appeal to the Supreme Court. The first deadline to appeal is 30
25 days after the decision, which has passed. Director Harris noted that the court will grant
26 an automatic extension upon request. He thanked the Commission for their work on this
27 case.
28

29 Vice Chair Tobias asked if the respondent will request certiorari based on her
30 comments in the media. Director Harris replied that it is unknown.
31

32
33 **Agenda Item No. VII: Adjournment of Sunshine Law Meeting (43:25)**
34

35 At approximately 9:49 a.m., Vice Chair Tobias made, and Commissioner Thielen
36 seconded, a motion to adjourn the meeting. The motion carried (Fong, Tobias, and
37 Thielen voting in the affirmative with Hong excused).
38

39 The meeting was adjourned at 9:49 a.m.
40

41 Minutes approved on _____.

SUNSHINE MEETING
AGENDA ITEM III

EXECUTIVE DIRECTOR'S REPORT
March 20, 2024

1. Education / Training Report

Attachment 1: 2024 Training Schedule

Attachment 2: Online Training Completions by Department and Board

2. Guidance and Assignment Statistics – February 2024

Attachment 3: 2024 Guidance and Assignment Statistics / Website Traffic

3. Miscellaneous Office Projects / Updates

HAWAII STATE ETHICS COMMISSION 2024 EDUCATION PROGRAM (Ethics Workshops and Presentations)			
DATE	PRESENTATIONS	IN PERSON PARTICIPANTS	WEBINAR PARTICIPANTS
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	WEBINAR: Ethics for Board and Commission Members (CANCELLED)	0	0
3/6/2024	WEBINAR: General Ethics Training	0	7
4/16/2024	WEBINAR: General Ethics Training, Charter Schools		
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		
TOTAL	14 Presentations	51 participants	126 participants

State Employees

	Total	# of Current	%	
Department/Agency	Completions	Employees*	Completed	
Department of Accounting and General Services (DAGS)	394	644	61%	
Department of Agriculture (DOA)	374	299	125%	
Department of Budget and Finance (B&F)	595	385	155%	
Department of Business, Economic Development and Tourism (DBEDT)	571	305	187%	
Department of Commerce and Consumer Affairs (DCCA)	1,025	541	189%	
Department of Defense (DOD)	566	497	114%	
Department of Education (DOE)	17,478	22,159	79%	
Department of Hawaiian Home Lands (DHHL)	198	111	178%	
Department of Health (DOH)	3,372	2,447	138%	
Department of Human Resources Development (DHRD)	100	65	154%	
Department of Human Services (DHS)	1,863	1,686	110%	
Department of Labor and Industrial Relations (DLIR)	696	847	82%	
Department of Land and Natural Resources (DLNR)	949	792	120%	
Former Dept: Department of Public Safety (DPS)	1,250	3,002	42%	**Reorg eff. 1/1/24 - DPS split into DCR & DLE, # of training completions to be redistributed
Department of Corrections and Rehabilitation (DCR)	222	1,717	13%	**Reorg eff. 1/1/24
Department of Law Enforcement (DLE)	143	332	43%	**Reorg eff. 1/1/24 (332 budgeted positions starting in 2024)
Department of Taxation (TAX)	607	309	196%	
Department of the Attorney General (ATG)	1,467	646	227%	
Department of Transportation (DOT)	1,787	2,255	79%	
Hawai'i Health Systems Corporation (HHSC)	3,066	3,071	100%	
Hawai'i State Ethics Commission (HSEC)	12	12	100%	
Hawai'i State Public Library System (HSPLS)	710	429	166%	
House of Representatives (REP)	460	166	277%	
Judiciary (JUD)	1,845	1,727	107%	
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)	95	48	198%	
Office of the Lieutenant Governor (LTG)	16	10	160%	
Office of the Ombudsman (OMB)	21	12	175%	
Public Charter School (SPCSC)	345	TBD		includes indiv. charter school staff
Research Corporation of the University of Hawai'i (RCUH)	1,951	2,631	74%	
Senate (SEN)	425	109	390%	
University of Hawai'i (aggregate)	7,864	12,844	61%	
University of Hawai'i-Community Colleges (UOHC)	1,706	2,568		
University of Hawai'i-Hilo (UOHH)	402	864		
University of Hawai'i-Manoa (UOHM)	4,071	8,511		
University of Hawai'i-System (UOH)	1,269	502		
University of Hawai'i-West Oahu (UOHW)	416	399		
Total Employees Training Completed	50,738	60,310		

*Based on annual financial disclosure updates from departments collected in March/April 2023
Total training completions from January 1, 2020 to March 10, 2024

State Boards and Commissions

	Total	No. of	%
Board/Commission	Completions	Members*	Completed
Agribusiness Development Corporation	12	8	150%
Board of Acupuncture	5	5	100%
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	75%
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	67%
Deferred Compensation Plan Board of Trustees	7	7	100%
Disability and Communication Access Board	19	17	112%
Early Learning Board	8	12	67%
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	100%
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	100%
Hawai'i Health Systems Corporation-Corporation	10	15	67%
Hawai'i Health Systems Corporation-East Hawai'i	11	11	100%
Hawai'i Health Systems Corporation-Kauai	5	8	63%

State Boards and Commissions

	Total	No. of	%
Board/Commission	Completions	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 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	18	10	180%
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	138		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	67	84	80%
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%
Total Board/Commission Members Training Completed	902	768	

*Membership number is based on full membership and may include vacant positions
Total training completions from January 1, 2020 to March 10, 2024

Targeted Outreach in February (flyers sent regarding training on 3/8/24):

- Board Administrators

Outreach to Targeted State Boards:

	# active members serving on board (excl. vacancies)	# who completed training	% Completed (as of 3/10/24)
Board of Naturopathic Medicine	4	4	100%
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 Re ement Savings Board	8	8	100%
Hawai i State Emergency Response Commission	11	9	82%
Hawai i Technology Development Corpora on	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%
TOTAL	143	134	94%

** 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
- Hawai i Hurricane Relief Fund Board -- currently no active members

2024	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Year to date
Training statistics													
# of In-Person Trainings	1	0											1
# of People Trained In Person	51	0											51
# of On-Line Trainings (Self-Directed)	958	707											1,665
# of Lobbyists Law Trainings	186	52											238
# of Training Webinars	3	1											4
# of Participants in Training Webinars	106	7											113
Attorney of the Day													
	118	89											207
New assignments													
Advisory Opinion	0	0											0
Complaint	67	25											92
Gifts/Invitations/Travel	21	24											45
Guidance	2	0											2
Judicial Selection Comm'n	6	0											6
Training Request	0	0											0
Record Request	1	1											2
Project/Other	6	1											7
Total	103	51	0	0	0	0	0	0	0	0	0	0	154
Closed Assignments													
Advisory Opinion	0	0											0
Complaint	67	26											93
Gifts/Invitations/Travel	21	22											43
Guidance	1	3											4
Judicial Selection Comm'n	7	0											7
Training Request	0	0											0
Record Request	1	1											2
Project/Other	2	2											4
Total	99	54	0	0	0	0	0	0	0	0	0	0	153
Anti-Fraud													
	2	5											7

SUNSHINE LAW MEETING
AGENDA ITEM IV

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

No attachments.

SUNSHINE LAW MEETING
AGENDA ITEM V

LEGISLATIVE MATTERS

No attachments

SUNSHINE LAW MEETING
AGENDA ITEM VI

PROPOSED 2024 GOALS

Attachment 1: Commission Staff Proposed 2024 Goals

Hawaii State Ethics Commission - 2024 Staff Proposed Goals

Introduction:

As the Hawaii State Ethics Commission charts its course for 2024, Commission Staff propose the following goals to advance existing training initiatives and enhance the overall efficiency of our office operations. These goals are in addition to the normal day-to-day operations and mandatory statutory requirements such as handling financial disclosures, trainings, and enforcement.

1. 85% Training Target for All State Employees.

Proactive Training Initiatives:

- **Seek Collaborative Training Opportunities:** Actively establish partnerships with agencies such as the Department of Education (DOE), Department of Human Resources Development (DHRD), and the University of Hawaii (UH) to integrate ethics training into their respective programs and existing meetings.
- **Neighbor Island Outreach:** Organize and host training sessions on neighbor islands to ensure accessibility for all state employees.
- **Online Training Module Updates:** Revise and update online training modules to reflect recent legal changes, ensuring that the content remains current, relevant, and engaging. Incorporate video components and interactive elements to enhance the learning experience.
- **Email Updates and High Road Campaign:** Implement regular email updates to keep employees informed about upcoming training sessions, changes in ethical regulations, and noteworthy accomplishments.

2. Update Electronic Filing System to Comply with Statutory Changes

- **Statutory Compliance Updates:** Conduct a thorough analysis of statutory changes affecting electronic filing requirements. Implement needed updates to ensure compliance with the latest legal standards, simplifying the filing process for both filers and Commission staff.
- **Access and Ease-of-Use Improvements:** Enhance the user interface and accessibility of the electronic filing system. Implement user-friendly features and clear instructions to facilitate seamless filing while reducing potential errors.

3. Enforcement/Compliance Modernization

- **Proactive Disclosure:** Develop a system for proactively disclosing potential conflicts of interest to relevant boards and agencies using financial disclosure data.
- **Lobbyist Testimony Review:** Strengthen the Commission's review process for lobbyist testimony, ensuring that all submissions align with legal requirements.
- **Utilize state agency vendor lists** to identify potential conflicts of interests in financial disclosure statements.
- **Review legislator gift disclosure statements** to determine whether there are violations of the new lobbyist gift law.

4. **Office Modernization**

Streamlining Operations and Enhancing Efficiency:

- **Complete SharePoint Cloud Migration:** Finalize the migration to SharePoint Cloud, optimizing document management, collaboration, and workflow processes within the Commission.
- **New Assignment Form and Data Tracking Metrics:** Introduce a new assignment form to streamline task delegation and implement new metrics for tracking data, enhancing accountability and productivity.
- **Complete Scanning Project:** Ensure the completion of the ongoing scanning project, digitizing essential documents for improved accessibility, searchability, and archival purposes.
- **Telephone System Switch:** Finalize the transition to a new, online telephone system, improving remote work efficiency and lowering costs.

5. **Enhancing Public Trust and Awareness:**

- Forge strategic partnerships with community organizations, advocacy groups, and other stakeholders to amplify the Commission's impact in promoting ethical governance.
- Collaborate on initiatives that encourage civic participation and ethical behavior in both public and private sectors.
- Organize outreach columns, workshops, and webinars to engage with the public, fostering a better understanding of ethical standards in government.

In pursuing these goals, the Hawaii State Ethics Commission aims to strengthen its role as a guardian of ethical conduct and promote public trust. By embracing innovation, collaboration, and a commitment to excellence, we will strive for a government that upholds the highest ethical standards, setting an example for others to follow.

SUNSHINE LAW MEETING
AGENDA ITEM VII

DISCUSSION OF ETHICS OVERSIGHT OVER THE JUDICIAL BRANCH

No attachments.

SUNSHINE LAW MEETING
AGENDA ITEM VIII

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.

SUNSHINE LAW MEETING
AGENDA ITEM IX

EVALUATION OF EXECUTIVE DIRECTOR ROBERT HARRIS

The Hawai'i State Ethics 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 92-5(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: Final Summary of Evaluation

**HAWAI'I STATE ETHICS COMMISSION
2023 FINAL EVALUATION OF EXECUTIVE DIRECTOR ROBERT HARRIS**

The Hawai'i State Ethics Commission conducted its annual evaluation of Executive Director Robert Harris for 2023. The overall score was 4.74. Table A lists the average scores for each of the nine categories, including the top three rated categories: Administration & Enforcement of Ethics & Lobbying Laws; Media; and Legislation. Table B lists the nine areas evaluated by the Commission and the specific feedback and comments concerning the subject area.

TABLE A: AVERAGE SCORE BY CATEGORY

CATEGORY	AVERAGE SCORE
A. Legal Counsel to the Commission	4.75
B. Meetings & Training	4.63
C. Administration & Enforcement of Ethics & Lobbying Laws	5.00
D. Education Program	4.63
E. Media	5.00
F. Relationships	4.75
G. Legislation	4.88
H. Budget & Fiscal Operations	4.50
I. Administration & Management	4.50
GRAND TOTAL	4.74

TABLE B: SURVEY QUESTIONS & FEEDBACK BY COMMISSION

- A. Legal Counsel to the Commission.** Advises Commissioners on legal issues; ensures Commissioners are aware of both sides of the issue; and applies ethics and lobbying laws in a fair and consistent manner.
- *“Mr. Harris provided excellent background and support.”*
 - *“Does clarify questions asked or researched the right answers.”*
- B. Meetings and training.** Develops positive, cooperative, and collaborative relationships; assists in conducting meetings in a timely manner; and receives input.
- No comments.
- C. Administration and Enforcement of Ethics and Lobbying Laws.** Oversees, plans, and implements effective complaint investigations; oversees the timely administration and compliance with disclosure requirements; and oversees enforcement proceedings.
- No comments.
- D. Education Program.** Develops, conducts, and manages an educational program for state employees and government officials; develops educational materials to help ensure compliance; and helps with the development, design, and maintenance of the Commission's website.
- *“There was a marked improvement in educational efforts over the past year related to on-line training but continued attention to education will need to be maintained.”*
 - *“Staff with his leadership works diligently to improve educational programs.”*
- E. Media.** Responds to the media in a clear, concise, and professional manner; and issues appropriate news releases, commentaries, and letters to the editor as necessary.
- *“Enhanced public knowledge of Ethics commission through positive media relations.”*

- F. Relationships.** Maintains professional relations with other state, local, and federal agencies; maintains relations with local and national organizations, such as Common Cause Hawaii, the League of Women Voters, and the Council on Governmental Ethics Laws; and promotes ethics and "good government" initiatives.
- *"This was a strong point for Mr. Harris."*
- G. Legislation.** Drafts, edits, and/or reviews legislative testimony; understands and actively engages in the legislative process; participates in legislative hearings in a professional manner; engages with key government decision-makers; and works collaboratively with community groups and members of the public on matters of common interest.
- *"Very well done on committee represented Ethics commission. Met with legislators and has a great relationship with them."*
- H. Budget and Fiscal Operations.** Plans, prepares, and manages the Commission's budget; ensures fiscal operations of the office are in accordance with applicable laws; and negotiates and executes office lease agreements and other agreements and contracts on behalf of the Commission.
- *"The Commission' is limited in its ability to assess the efficacy of management in this metric and it is difficult to evaluate Mr. Harris in a comprehensive fashion. It should be noted there was varied options regarding Mr. Harris' effectiveness in his efforts reported by the staff. Mr. Harris might benefit by educating the staff on his efforts."*
- I. Administration and Management.** Handles conflicts and disagreements with sensitivity and tact; communication is clear, effective, and respectful, demonstrates high standards of integrity and fairness; treats everyone with dignity and respect; works to develop and foster high morale and positive relationships with staff; and fosters effective teamwork.
- *"Sometimes maybe hasty in trying to understand a question or statement but does correct the misunderstanding immediately."*