



# 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: June 19, 2024

Time: 9:00 a.m.

Location: Zoom Videoconference or Phone:

Videoconference: [Join Zoom Meeting](https://us06web.zoom.us/j/84887550591?pwd=EgdbFcdRxn8Jh9XPYVp6hV5Qba8ub.1)  
<https://us06web.zoom.us/j/84887550591?pwd=EgdbFcdRxn8Jh9XPYVp6hV5Qba8ub.1>

Phone: +1 (408) 638-0968 or +1 (669) 444-9171

Phone passcode: 756958

Meeting ID: 848 8755 0591

Passcode: 7Wugjw

### 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 May 15, 2024 Meeting

*Attachment 1: Sunshine Law Meeting Minutes of the May 15, 2024 Hawai'i State Ethics Commission Meeting*

II. Directors' Report

1. Education / Training Report

*Attachment 1: 2024 Training Schedule*

2. Guidance and Assignment Statistics – May 2024

*Attachment 2: 2024 Guidance and Assignment Statistics / Website Traffic*

3. Ethics Disclosure Update

4. Miscellaneous Office Projects / Updates

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

IV. 2024 Legislative Matters

Bills of interest 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.

- **New Law:**

- [HB 2520](#) (Commission budget). Act 002 (3/14/2024).
- [HB 1881 HD1 SD1](#) (Increasing the Commission's maximum administrative fine). Act 015 (5/3/2024).

- **Before Governor Josh Green:**
  - [HB 1916 HD1 SD1 CD1](#) (Prohibits, upon written request, making certain information public about certain public servants). Transmitted to Governor 5/2/2024.
  - [HB 2374 HD1 SD2 CD2](#) (Makes emergency appropriations for public employment cost adjustments for, among other entities, the Commission). Transmitted to Governor on 5/3/2024.
  - [SB 2216 SD1 HD1 CD1](#) (Advice & investigation procedures). Enrolled to Governor on 5/2/2024.
  - [SB 2217 HD1 CD1](#) (Fiscal reporting periods). Enrolled to Governor on 5/2/2024.
  - [SB 3191 SD1 HD2 CD1](#) (Eliminates sunset provision of the technology transfer exemption). Enrolled to Governor on 5/2/2024.

V. Discussion of Ethics Oversight over the Judicial Branch

No update

VI. Discussion of Proposed Ethics Updates Based on Civil Beat/New York Times Article (available at <https://www.civilbeat.org/2024/04/inside-the-late-night-parties-where-hawaii-politicians-raked-in-money/>)

No update

VII. Discussion of Haw. Rev. Stat. § 97-5 (Lobbying Restricted Activities)

Discussion of legal enforcement issues.

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: Haw. Rev. Stat. § 97-5*

*Attachment 2: Haw. Rev. Stat. § 11-365*

VIII. *Akana v. Hawai'i State Ethics Commission and Daniel Gluck, Civil No. 18-1-1019-06 (JHA); Akana v. Hawai'i State Ethics Commission, Civil No. 19-1-0379-03 (JHA); State of Hawai'i, Ethics Commission v. Rowena Akana, Civil No. 20-1-0453 (BIA)*

Discussion of case status.

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*Attachment 1: Response to Application for Writ of Cert, Filed May 16, 2024*

*Attachment 2: Office of Hawaiian Affairs's Motion for Leave to File Brief of Amicus Curiae, Filed May 16, 2024*

*Attachment 3: Response to OHA's Motion, Filed May 17, 2024*

*Attachment 4: Order Granting Motion for Leave to File Amicus Brief, Filed May 22, 2024*

*Attachment 5: Memo in Reply, Filed May 23, 2024*

*Attachment 6: Brief of Amicus Curiae, Filed May 24, 2024*

*Attachment 7: Memo in Reply to OHA's Brief of Amicus Curiae, Filed June 4, 2024*

*Attachment 8: Disclosure Notice by C.J. Recktenwald, Filed June 5, 2024*

*Attachment 9: Order Granting/Accepting Application for Cert, Filed June 10, 2024*

*Attachment 10: Notice Setting Oral Argument, Filed June 12, 2024*

IX. 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.