

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

STATE OF HAWAI'I

Date: February 18, 2026

Time: 9:00 a.m.

Location: Hybrid meeting held via Zoom video and audio conference

Recorded video available at

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

Attendance: State Ethics Commission Members

Wesley F. Fong, Chair (in person)
Robert Hong, Commissioner (in person)
Cynthia Thielen, Commissioner (in person)
Roderick Becker, Commissioner (in person)
Moya Gray, Commissioner (in person)

State Ethics Commission Staff

Robert D. Harris, Executive Director (in person)
Bonita Y.M. Chang, Compliance Director (via Zoom)
Nancy C. Neuffer, Staff Attorney (via Zoom)
Jennifer M. Yamanuha, Staff Attorney (via Zoom)
Jodi L. K. Yi, Staff Attorney (via Zoom)
Jared Elster, Investigator (via Zoom)
Barbara Gash, Investigatory Analyst (via Zoom)
Patrick Lui, Computer Specialist (via Zoom)
Melissa Vomvoris, Administrative Assistant (in person)

Guests and Members of the Public

Judith Mills Wong, League of Women Voters (via Zoom)
Candace Park, Deputy Attorney General joined at 9:15a.m. (via Zoom)

CALL TO ORDER (0:05)

Chair Fong called the meeting to order at 9:01 a.m. Chair Fong, Vice Chair Hong, Commissioners Becker, Gray, and Thielen were all present and attended in person. Executive Director Harris noted the presence of staff on Zoom and reminded participants that the meeting was being recorded for the official record and would be posted online.

Executive Director Harris asked if any members of the public attending the meeting would like to identify themselves. Judith Mills-Wong, representing the League of Women Voters, identified herself as present on Zoom.

Deputy Attorney General Candace Park joined the meeting via Zoom at 9:15 a.m. No other members of the public were present in person, or on Zoom.

Agenda Item No. I: Consideration and Approval of the Minutes of the January 21, 2026, Meeting (2:37)

Commissioner Becker requested clarification of his statement on page 5 and asked that it read: “Commissioner Becker agreed, stating it highlighted Hawai‘i’s strong ethics code and rules and cited a session on procurement ethics as particularly valuable”.

Upon a motion by Vice Chair Hong to approve the minutes as corrected, seconded by Commissioner Thielen, the Commission approved the minutes of the January 21, 2026 meeting. All Commissioners present (Fong, Hong, Thielen, Becker, and Gray) voted in the affirmative.

Agenda Item No. II: Proposed Meeting Date Change (4:06)

Commissioners discussed and approved moving the next meeting to Wednesday, March 25, 2026, at 10:00 a.m.

Agenda Item No. III: Directors’ Report (5:10)

1. Education & Disclosures – Report/Updates (5:22)

Compliance Director Bonita Chang provided the following update:

- **Financial Disclosure Season Preparation**
Staff are preparing for the annual financial disclosure season for continuing employees and board members. Because May 31 falls on a Sunday, the filing deadline

is Monday, June 1. Staff will request annual updates from agency contacts and assist filers throughout the process.

- **New Board Filers**

New board filers will be notified once updates are received from board administrators following the end of the legislative session. New board terms generally begin July 1, with an associated filing deadline in August. The month of June is expected to be particularly busy due to the election year.

- **Candidate Disclosures**

Candidates for state elective office must file their ethics disclosures by June 12. These disclosures are distinct from campaign spending reports and are filed with the Commission.

- **Lobbying Disclosures**

With the start of the legislative session, staff have been actively assisting filers and managing lobbying disclosures.

- The January–February lobbying report is due March 31.
- The March–April lobbying report is due June 1.

- **E-Filing System Enhancements**

The Commission has implemented new enhancements to the lobbying e-filing platform. Improvements include streamlined dashboard views, additional filters, and new pop-up alerts to ensure proper form submission and reduce duplicate or erroneous entries. Appreciation was expressed to Patrick and the development team for these improvements, which are expected to enhance the users' experience and overall system efficiency.

2. Guidance and Assignment Statistics – January 2026 (7:27)

Executive Director Robert Harris reported that for the month of January, a total of 150 assignments were opened and 150 were closed. He provided the following partial breakdown:

New Assignments:

- 26 Complaints received
- 26 Gift/Travel requests for guidance
- 79 Attorney of the Day inquiries

Closed Assignments:

- 30 Complaints closed
- 23 Gift/Travel guidance letters sent
- 71 Attorney of the Day inquiries

Director Harris noted that staff will provide more detailed quarterly reports, including information on the sources and subject areas of Attorney of the Day requests and complaints.

3. Miscellaneous Office Projects/Updates (9:06)

Executive Director Harris reported that the Commission's annual report has been issued. The report focuses on simplifying language, adding more graphics, and expanding the statistical information provided compared to prior years. It includes summaries of trends in Attorney of the Day inquiries, ethics training activities, and ethics complaints. These metrics are presented in a more accessible format to enhance public understanding.

Agenda Item No. IV: Discussion of Media Reports Concerning Ethics or the Ethics Commission Since the Last Meeting (11:50)

Executive Director Harris reported on several media articles:

- January 20, 2026, Civil Beat Op-Ed by Michael Lilly titled: [The Maui County Board of Ethics Has Been Transformed](#).
- Hawai'i Free Press article noting the Judicial Council is looking for applicants for Ethics Commission vacancies.
- February 1, 2026, Civil Beat article titled: [Hot Political Topics Are Stoking Sunshine Bills This Year](#).
- Several mentions of the Ethics Commission's vacancies include Maui News (Feb 1), Civil Beat (Feb 4), HI Now (Feb 5), and Big Island Now (Feb 6).
- February 9, 2026, Star Advertiser article titled: [Tighter laws, tougher penalties sought by lawmakers](#).
- February 9, 2026, Star Advertiser editorial: [Anti-nepotism bills lift up government](#).
- February 13, 2026, KPUA mentioned Ethics Commission vacancies
- February 15, 2026, Civil Beat Op-Ed by Robert Harris titled: [Don't Weaken Financial Disclosure For The Board of Regents](#).
- February 18, 2026, Civil Beat's Sunshine Blog mentions vacancies for the Ethics Commission, Campaign Spending Commission as well as the Honolulu Ethics Commission, Director position.

Agenda Item No. V: 2026 Legislative Matters (15:44)

Executive Director Harris provided an overview of the ethics-related bills currently being heard or scheduled for hearings at the legislature. He also offered commissioners the opportunity to review and consider the submitted testimony.

Commissioners reviewed each bill, and discussion was held on the following bills:

State Ethics Commission Package:

HB2106/SB2246 Expands the scope of persons who are subject to public financial disclosure requirements to include executive directors and executive officers and board and commission members for: The Employees' Retirement System, the Hawai'i Employer-Union Health Benefits Trust Fund, the Hawai'i Green Infrastructure Authority, the Hawai'i Technology Development Corporation, and the School Facilities Authority.

Executive Director Harris explained that the legislation proposes a broader standard for determining who must file a public financial disclosure. Rather than relying solely on job titles, a functional test can be applied based on an individual's responsibilities, fiscal authority, and administrative oversight.

Executive Director Harris explained that the bill creates a broad catch-all provision to ensure that individuals are subject to the public financial disclosure requirement based on their actual responsibilities, rather than their job titles.

Commissioner Becker moved to support an amendment removing express reference to the special assistant to the state librarian of the public library system and adding broad language indicating that public filers, regardless of the titles by which they are designated, must file. Seconded by Commissioner Thielen. All Commissioners present (Fong, Hong, Thielen, Becker, and Gray) voted in the affirmative.

HB2110/SB2244 Subjects legislative and judicial employees to the same ethical standards prohibiting nepotism as those applicable to other state employees.

Executive Director Harris provided an update on the legislation's status. He explained that the Senate heard a version of the bill introduced by several senators, which differs from the Commission's original proposal. He recommended that the Senate committee adopt the Commission's preferred language, and the bill is expected to move to decision-making next week without anticipated issues.

Procurement:

HB1885/SB2970 prohibits a state agency from entering any contract to procure or dispose of goods or services, or for construction, with any business that is owned or operated, or in which a controlling interest is held, by a relative or household member of a director or deputy director of a principal state department.

Executive Director Harris reported that, under the Commission's legislative delegation policy, staff submitted testimony on the measure, even though it was not originally a Commission bill. Staff also proposed amendments, which are included in the agenda materials. The Senate Government Operations Committee adopted these recommended amendments.

Director Harris explained that the amendments specify that the director, deputy director, or acting director would be responsible for ensuring compliance with the

proposed requirements. Any enforcement actions would therefore be directed at these individuals. The intent is to hold accountable those in leadership positions whose actions or decisions could create conflicts, consistent with the general structure of the ethics code, which primarily applies to individuals rather than agencies.

Director Harris noted that enforcement would fall under the Commission's authority. If a complaint were filed, the Commission would be responsible for investigating and determining whether the director or deputy director violated the standards of conduct.

Commissioners discussed the concern that titles such as "director" or "deputy director" do not capture all departmental leadership roles.

Vice Chair Hong moved to support HB1885/SB 2970, including the proposed amendments discussed, and to authorize staff to incorporate the Commission's additional recommendations regarding agency leadership titles in future testimony and correspondence. Seconded by Commissioner Gray. All Commissioners present (Fong, Hong, Thielen, Becker, and Gray) voted in the affirmative.

Anti- Nepotism:

SB2778 Executive Director Harris summarized the bill requiring the Governor, Lieutenant Governor, department heads, deputy department heads, and legislators to place any significant assets—other than standard checking or banking accounts into blind trust. Staff submitted testimony recognizing the bill's intent to reduce actual or perceived financial conflicts of interest, while identifying substantial concerns with the blind trust requirement.

Director Harris explained that a blind trust can be useful in limited circumstances but may not be appropriate or practical as a universal requirement for all covered officials. Commissioners discussed examples illustrating that blind trusts may not eliminate conflicts and could create unrealistic expectations for officeholders.

Director Harris emphasized that the proposal would require major changes to the State Ethics Code and impose substantial implementation and enforcement obligations on the Commission, potentially requiring increased resources.

The Commission reached consensus on recognizing the bill's underlying intent to minimize financial conflicts of interest, while formally expressing strong concerns about the requirement for blind trusts.

Commissioner Thielen moved to recognize the intent of minimizing financial conflicts of interest, but to express strong concerns regarding the requirement for blind trust. Seconded by Vice Chair Hong. All Commissioners present (Fong, Hong, Thielen, Becker, and Gray) voted in the affirmative.

Agenda Item No. VI: Adjournment (59:16)

At approximately 10:02 a.m., Vice Chair Hong moved to adjourn the meeting, seconded by Commissioner Thielen. All Commissioners present (Fong, Hong, Thielen, Becker, and Gray) voted in the affirmative.

The meeting was adjourned at 10:02 a.m.

Minutes approved on March 25, 2026.