

JAN 23 2009

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# A BILL FOR AN ACT

RELATING TO LIQUOR COMMISSION EMPLOYEES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 11-228, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) In the performance of its required duties, the  
4 commission may render a decision or issue an order affecting any  
5 person violating any provision of this subpart [~~or section 281-~~  
6 22] that shall provide for the assessment of an administrative  
7 fine in the manner prescribed as follows:

8           (1) If a natural person, an amount not to exceed \$1,000  
9           for each occurrence or an amount equivalent to three  
10           times the amount of an unlawful contribution or  
11           expenditure, whichever is greater; or

12           (2) If a corporation, organization, association, or labor  
13           union, it shall be punished by a fine not exceeding  
14           \$1,000 for each occurrence; and

15           (3) Whenever a corporation, organization, association, or  
16           labor union violates this subpart, the violation shall  
17           be deemed to be also that of the individual directors,



1           officers, or agents of the corporation, organization,  
2           association, or labor union, who have knowingly  
3           authorized, ordered, or done any of the acts  
4           constituting the violation."

5           SECTION 2. Section 281-22, Hawaii Revised Statutes, is  
6           repealed.

7           ~~["§281-22] Political activities of commission employees.~~

8           ~~(a) A commission employee may support, advocate, or aid in the~~  
9           ~~election or defeat of any candidate for public office, or run~~  
10           ~~for public office, provided the employee:~~

11           ~~(1) Notifies the commission in writing of the employee's~~  
12           ~~intent to support, advocate, or aid in the election or~~  
13           ~~defeat of a candidate for public office; and~~

14           ~~(2) If a candidate for public office, takes a leave of~~  
15           ~~absence in accordance with chapter 79 for a period~~  
16           ~~beginning prior to the initiation of political~~  
17           ~~activities related to the candidacy and ending the day~~  
18           ~~following the general election for the office.~~

19           ~~(b) Notwithstanding chapter 11 or any other law to the~~  
20           ~~contrary, no commission employee shall solicit or receive~~  
21           ~~contributions, or receive or transfer money or anything of value~~  
22           ~~from a licensee for the purpose of supporting, advocating, or~~



1 ~~aiding in the election or defeat of a candidate for public~~  
2 ~~office. Violation of this subsection shall be:~~

3 ~~(1) Punishable by summary dismissal of the employee; and~~

4 ~~(2) Subject to penalties in accordance with section 11-~~  
5 ~~228."]~~

6 SECTION 3. Statutory material to be repealed is bracketed  
7 and stricken.

8 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

  
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**Report Title:**

Liquor Commission Employees; Political Activities

**Description:**

Repeals section 281-22, HRS, which allows liquor commission employees to support, advocate, or aid in the election or defeat of any candidate for public office.

