

Honolulu, Hawaii

FEB 19 2015

RE: S.B. No. 290
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 290 entitled:

"A BILL FOR AN ACT RELATING TO ETHICS TRAINING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Add a definition of "ethics training";
- (2) Require the State Ethics Commission to offer a more comprehensive ethics training course that is to be completed by persons subject to section 84-41, Hawaii Revised Statutes (HRS), within thirty days of taking office or starting employment and once every four years thereafter;
- (3) Require all persons who are required to file a financial disclosure statement pursuant to section 84-17(d), HRS, to attend an in-person ethics course;
- (4) Require all members of a board, as defined under section 92-2, HRS, and not included in section 84-17(d), HRS, and state employees who are responsible for procurement, administer state contracts, or regulate or inspect private organizations to complete an online ethics training course;



- (5) Require that the ethics training course include additional information and clarification regarding specified areas;
- (6) Clarify the timing for the State Ethics Commission to administer ethics training courses; and
- (7) Require each state agency to provide each person enumerated in section 84-41, HRS, with sufficient time to complete ethics training.

Your Committee received testimony in support of this measure from the State Procurement Office, Hawaii State Ethics Commission, and League of Women Voters of Hawaii.

Your Committee finds that existing law requires legislators, members of the Board of Education, trustees of the Office of Hawaiian Affairs, the Governor, the Lieutenant Governor, and executive department heads and deputies to complete a course in ethics training that includes training in ethics and lobbying laws. All other officers or employees of the State are not required to attend ethics training despite the fact that many of these officers and employees, including board or commission members, could greatly benefit from taking ethics courses to ensure compliance with the State Code of Ethics. This measure establishes a more comprehensive ethics training program for a broader spectrum of state employees and officers.

Your Committee has amended this measure by:

- (1) Requiring persons subject to section 84-41, HRS, to complete an ethics training course administered by the State Ethics Commission at the next available ethics training course rather than within thirty days of taking office or starting employment;
- (2) Requiring the State Ethics Commission to develop and implement an online ethics training course;
- (3) Adding an appropriation for an unspecified sum for fiscal year 2015-2016 to enable the State Ethics Commission to develop and implement an online ethics training program;



- (4) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 290, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 290, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,




GILBERT S.C. KEITH-AGARAN,
Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 290	JDL, WAM	2/9/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
ESPERO, Will	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
THIELEN, Laura H.	✓			
SLOM, Sam	✓			
TOTAL	7			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes