

Honolulu, Hawaii

February 6, 2018

RE: H.B. No. 2420
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2420 entitled:

"A BILL FOR AN ACT RELATING TO ETHICS,"

begs leave to report as follows:

The purpose of this measure is to establish restrictions on the participation in partisan political activities of certain state employees and officers who regularly engage in adjudicatory, regulatory, law enforcement, or investigatory duties.

An individual testified in support of this measure. The Hawaii State Ethics Commission testified in support of the intent of this measure. Common Cause Hawaii testified in support of this measure with amendments.

Upon careful consideration, your Committee has amended this measure by:

- (1) Providing that the provisions of this measure shall not limit, modify, or supersede sections 11-8 (elections commission; political activities), 11-316 (political activities prohibited), 11-354 (fundraising on state or county property prohibited), 11-355 (contributions by state and county contractors prohibited), 84-13 (fair



treatment), and 84-35.5 (prohibition from political activity), Hawaii Revised Statutes;

- (2) Defining "covered employee";
- (3) Clarifying that a covered employee is prohibited from knowingly soliciting, accepting, or receiving a political contribution from any person, unless the solicitation or contribution is for a multicandidate political committee of a labor organization or a state employee organization, subject to certain conditions;
- (4) Deleting the requirement prohibiting employees from running for nomination or as a candidate for election to a partisan political office;
- (5) Providing that covered employees may make campaign donations, attend campaign fundraisers, and join partisan groups;
- (6) Deleting provisions relating to the prohibition of officers and employees engaged in political activities while on duty;
- (7) Deleting penalty provisions relating to the imposition of administrative fines for violations of the requirements under this measure;
- (8) Removing the effective date relating to the applicability of this measure;
- (9) Changing its effective date to January 1, 2050, to facilitate further discussion; and
- (10) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2420, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2420, H.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



AARON LING JOHANSON, Chair



