STAND. COM. REP. NO. 785

Honolulu, Hawaii Februay 15 , 2017

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

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 290 entitled:

"A BILL FOR AN ACT RELATING TO ETHICS,"

begs leave to report as follows:

The purpose of this measure, among other things, is to:

- (1) Clarify the powers and duties of the State Ethics Commission (Commission) by, among other things, allowing the Commission to hire attorneys, who would be considered deputy attorney general;
- (2) Clarify the fair treatment and conflict of interest law with respect to task force members;
- (3) Restore protection for legislators when carrying out a legislative function, and require the Commission to establish rules on public disclosure;
- (4) Increase the fines for ethics violations and failure to file financial disclosures;
- (5) Amend the definitions of "expenditure", "lobbyist", and
   "lobbying";
- (6) Remove the mens rea requirement to prove a violation;

- (7) Allow an employer of a lobbyist to terminate a registered lobbyist; and
- (8) Amend the requirements for filing statements of expenditures.

The Commission, Hawaii Alliance of Nonprofit Organizations, League of Women Voters of Hawaii, and Common Cause Hawaii supported this measure. Catholic Charities Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing the number of days the Commission has to render an advisory opinion from ninety days to an unspecified number of days;
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion; and
- (3) 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. 290, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 290, 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 LINE TOHANSON, Chair

## State of Hawaii House of Representatives The Twenty-ninth Legislature

H5CR 385

## Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.:  HB 290	Committee Referral:  LAB, JUD		Date: 07/EB17	
θ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: θ Pass, unamended (as is) Pass, with amendments (HD) θ Hold θ Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)			·	
2. HOLT, Daniel (VC)				with a second se
3. KEOHOKALOLE, Jarrett				
4. NAKASHIMA, Mark M.				
5. TAKUMI, Roy M.				
*				
6. YAMASHITA, Kyle T.		/		
7. MATSUMOTO, Lauren Kealohi	ilani 🗸			
FOMA (A)		-		
TOTAL (7)	b			
The recommendation is:  Adopted  If joint referral,  committee acronym(s)  Adopted  did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				