

STAND. COM. REP. NO.

785

Honolulu, Hawaii

February 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 JOHANSON, Chair



