

STAND. COM. REP. NO.

1242

Honolulu, Hawaii

MAR 19 2019

RE: H.B. No. 169
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred H.B. No. 169, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE STATE ETHICS CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify provisions of the State Ethics Code regarding gift disclosure statements, retention of financial disclosure statements, transcripts from contested case hearings, and ethics training.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission.

Your Committee finds that under existing law, the gift disclosure statement reporting period is from June 1 of the preceding calendar year through June 1 of the year of the report, which means that a gift received on June 1 must be reported twice.

Your Committee further finds that the State Ethics Commission is currently required to keep financial disclosure statements for the duration of the term of office of the legislator, employee, or delegate, plus an additional six years after filers leave office, which causes an unnecessary amount of administrative recordkeeping, especially in the case of Legislators who stay in office for many years.



Your Committee additionally finds that under the Uniform Information Practices Act (UIPA), contested case hearings are public. However, language under the State Ethics Code restricts access to transcripts, which conflicts with the policies underlying UIPA.


Your Committee also finds that existing law states that an ethics training session must be held in January and last a minimum of two hours, which is outdated and does not reflect the actual training being provided. Currently, training is offered multiple times a year and often lasts between an hour to an hour and a half.

Accordingly, this measure addresses these issues and improves administration of the State Ethics Code by eliminating the double filing requirement of gift disclosure statements, reducing the unnecessary administrative burden on commission staff by only requiring records to be kept six years after the filing date of each financial disclosure statement, eliminating language that restricted access to transcripts, and providing flexibility for participants in mandatory ethics training sessions.

Your Committee has amended this measure by changing its effective date to July 1, 2019.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 169, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 169, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Government
Operations,

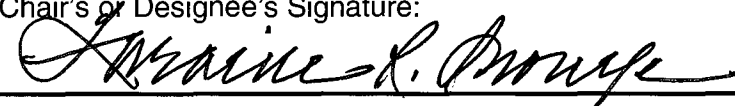


LAURA H. THIELEN, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:*	Committee Referral:	Date:		
HB169, HD1	GVO, JDC	3/12/2019		
<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
THIELEN, Laura H. (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
BAKER, Rosalyn H.	✓			
KANUHA, Dru Mamo	✓			
FEVELLA, Kurt				✓
TOTAL	4	0	0	1
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