

Honolulu, Hawaii

FEB 06 , 2020

RE: H.B. No. 2748  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2748 entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT,"

begs leave to report as follows:

The purpose of this measure is to provide strong penalties and competitive benefits to deter the corruption of government officials and employees. Specifically, this measure:

- (1) Authorizes the forfeiture of certain employees' retirement system benefits, pursuant to court order, for members convicted of an employee-related felony; and
- (2) Proposes other efforts to increase penalties when the perpetrator is a government official, to consider raising wages, and to create a task force to consider efforts to deter corruption (collectively "Other Proposals").

Your Committee received testimony in support of this measure from Common Cause Hawaii, Americans for Democratic Action Hawaii, and four individuals. Your Committee received comments on this measure from the Hawaii State Ethics Commission.



Your Committee finds that public officers and employees are responsible for upholding the public's trust in government and democracy. Your Committee further finds that the public's belief in government and democracy become strained when public officers and employees participate in misconduct in their employment, while maintaining the benefits from their employment.

Your Committee recognizes the need to address bribery of public officers and employees; however, your Committee believes that such an important issue warrants a more thorough review. In addition, making any violation of the Ethics Code, regardless of the severity of the violation a class A felony may result in a harsh penalty for a minor or otherwise inadvertent violation. As such, your Committee believes it is appropriate to narrow the focus of this measure to the forfeiture of retirement benefits.

Your Committee has amended this measure by:

- (1) Deleting the Other Proposals and only retaining the provisions related to forfeiting employees' retirement system benefits;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of 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. 2748, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2748, 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,



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AARON LING JOHANSON, Chair



