

Honolulu, Hawaii
FEB 18, 2022

RE: H.B. No. 2069
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Government Reform, to which was referred
H.B. No. 2069 entitled:

"A BILL FOR AN ACT RELATING TO GIFTS,"

begs leave to report as follows:

The purpose of this measure is to establish procedures for
the custody, inventory, and care of protocol gifts received by
members of either house of the Legislature or other state
employees.

Your Committee received testimony in support of this measure
from the Hawaii State Ethics Commission, Department of Accounting
and General Services, and Hawaii State Archives. Your Committee
received testimony in opposition to this measure from one
individual.

Your Committee finds that legislators and other state
employees accept protocol gifts on behalf of the State or either
house of the Legislature from other dignitaries as a gesture of
goodwill or to strengthen international or national friendships.
Your Committee further finds that the treatment of protocol gifts
is not currently established under state law. This measure will
statutorily establish the procedures for the custody, inventory,
and care of the protocol gifts.



Your Committee further finds that allowing a recipient of a foreign protocol gift to maintain such a gift, despite its eventual deposit into the Hawaii State Archives, could create murky ethical issues. Therefore, in order to ensure transparency, your Committee believes it is appropriate to amend this measure to require transfer of the foreign protocol gift to the Hawaii State Archives within thirty days of receipt. Furthermore, your Committee also believes it is appropriate to amend the protocol gift written record disclosure provision to require that the recipient of the protocol gift keep a written record of the gift but note in the written record the date of transfer as a way to verify the chain of custody of the protocol gift.

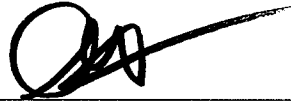
Accordingly, your Committee has amended this measure by:

- (1) Requiring members of either house of the Legislature or other state employees who receive a protocol gift to:
 - (A) Transfer the protocol gift, within thirty days of receipt, to the Hawaii State Archives, rather than retain, display, or dispose of the gift; and
 - (B) Submit an original written record of the protocol gift to the Hawaii State Archives at the end of the recipient's term of office or employment;
- (2) Amending the information to be included in the written record of a protocol gift;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2069, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2069, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



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



ANGUS L.K. MCKELVEY, Chair



