STAND. COM. REP. NO.

Honolulu, Hawaii MAR 12 , 2023

RE: H.B. No. 717 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 717 entitled:

"A BILL FOR AN ACT RELATING TO NEPOTISM,"

begs leave to report as follows:

The purpose of this measure is to prohibit legislators and public employees from taking or participating in certain actions related to the public employment of, or award of contracts to, relatives or household members.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Commission to Improve Standards of Conduct, League of Women Voters of Hawaii, Democratic Party of Hawai'i, Legislative Committee of the Democratic Party of Hawai'i, Pono Hawaii Initiative, and eight individuals.

Your Committee finds that although legislators and state employees are already prohibited from providing unwarranted benefits or preferential treatment to their relatives under the State Code of Ethics, this can be difficult to prove. This measure would establish a bright-line prohibition on nepotism in state government, thereby bolstering the public's confidence in state government.

Your Committee further finds that the restrictions on legislators are better addressed through the rules of each chamber of the Legislature.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the preamble;
- (2) Limiting the measure's application to only state employees;
- (3) Expanding the measure's application to include persons of hanai relationships within the definition of "relative"; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 717, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 717, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

DAVID A. TARNAS, Chair

State of Hawaii House of Representatives The Thirty-second Legislature



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.:	Committee Referral: JHA		Date: 2/22/2023	
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)				
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2. TAKAYAMA, Gregg (VC)				
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3. GANADEN, Sonny			ning abilitation (Spanish of Spanish	o and ana
4. HOLT, Daniel		in National III	A STATE OF THE STA	
5. HASHIMOTO, Troy N.		(MHZGD/MDD)		
6. ICHIYAMA, Linda			ia i u i u i i i i i i i i i i i i i i i	
U. Telli i Allia, Emda		FEED SALL SAL		
7. ILAGAN, Greggor				
		工程规范比 数		
8. KONG, Sam Satoru	Market State Control of the Control			
9. MIZUNO, John M.				
10. SOUZA, Kanani				
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TOTAL (10)	8		_	2_
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				