



## HAWAI'I STATE ETHICS COMMISSION

State of Hawai'i · Bishop Square, 1001 Bishop Street, ASB Tower 970 · Honolulu, Hawai'i

Committee: House Committee on Judiciary & Hawaiian Affairs  
Bill Number: HB 134  
Hearing Date/Time: February 2, 2023, 2:00 p.m.  
Re: Testimony of the Hawai'i State Ethics Commission in **SUPPORT** of HB 134 --  
Making an Appropriation for County Ethics

Aloha Chair Tarnas, Vice Chair Takayama, and Committee Members:

The Hawai'i State Ethics Commission ("Commission") **supports** HB 134, which requires provides a one-time grant in aid to the respective ethics boards of the counties of Kauai, Maui, Hawaii, and the Ethics Commission of the City and County of Honolulu.

The Hawai'i State Constitution mandates that all public officers and employees must "exhibit the highest standards of ethical conduct. . . ." <sup>1</sup> To this end, state and county ethic commissions are required to administer a code of ethics that expressly must include "provisions on gifts, confidential information, use of position, contracts with government agencies, post-employment, financial disclosure, and lobbyist registration and restriction."

Despite the strong mandate in the Hawai'i State Constitution, the ethics boards on Kauai, Maui, and Hawai'i island operate with little or no funding. Staff support is limited to a secretary and an attorney from the county corporation counsel office, both of whom have responsibilities outside of helping the all-volunteer ethics commission.<sup>2</sup> Additional staff capacity could significantly increase public confidence in government by ensuring the county ethic commissions could actively provide advice and training to county employees as well as increase enforcement efforts.

Considering the numerous public corruption cases at both the state and county-level, there is an evident need for systemic change. The purpose of this measure is intended to create a one-time spark or incentive to ramp up their efforts rapidly. Once additional capacity is added, the burden will be on the counties to continue to support those efforts over time.

Mahalo for the opportunity to submit testimony on HB 134.

Very truly yours,

/S/ Robert D. Harris  
Robert D. Harris  
Executive Director and General Counsel

<sup>1</sup> Article XIV, Constitution of the State of Hawai'i.

<sup>2</sup> See, e.g., <https://www.civilbeat.org/2022/11/county-ethics-watchdogs-need-more-money-to-do-the-job-right-state-panel-says/> (last reviewed on January 27, 2023).

**HB-134**

Submitted on: 1/31/2023 10:49:54 AM

Testimony for JHA on 2/2/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
daniel foley	Commission to Improve Standards of Conduct	Support	Written Testimony Only

Comments:

Dear Chairman Tarnas and members of the Judiciary and Hawaiian Affairs Committee,

As Chair of the Commission to Improve Standards of Conduct (Commission), I support HB134 that would provide funds to county ethics boards and commissions for reasons stated in the Commission's December 1,2022 Report submitted to the House of Representative, specifically found at page 30 of the Report.

Mahalo, Judge Daniel Foley (ret.)

**ETHICS COMMISSION  
CITY AND COUNTY OF HONOLULU**

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February 1, 2023

The Honorable David Tarnas, Chair  
and Members  
House Committee on Judiciary & Hawaiian Affairs  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Tarnas and Committee Members,

SUBJECT: House Bill 134

My name is Jan Yamane, Executive Director and Legal Counsel for the Honolulu Ethics Commission. Thank you for the opportunity to offer written comments on House Bill 134.

The Honolulu Ethics Commission has not yet had a chance to review and discuss this bill. Thus, the Commission has no position on this measure at this time. This bill will be on the agenda for discussion at the next Commission meeting, which is scheduled for February 15, 2023.

Thank you for the opportunity to offer written comments on House Bill 134.

Sincerely,

Jan K. Yamane  
Executive Director and Legal Counsel



Committee on Judiciary & Hawaiian Affairs  
Chair David A. Tarnas, Vice Chair Gregg Takayama

Thursday, February 2, 2023, 2:00 p.m. and Conference Room 325  
HB134 — Making an Appropriation for County Ethics

TESTIMONY

Judith Wong, Legislative Committee, League of Women Voters of Hawaii

Chair Tarnas, Vice Chair Takayama, and Committee Members:

**The League of Women Voters of Hawaii supports BILL NUMBER HB134**

This proposal recognizes that many of the county ethics boards or commissions lack the necessary resources to adequately meet their mandated obligations to investigate complaints, provide advice and offer training. Providing a one-time grant would allow the county ethics boards the capacity to hold public officers and employees to the highest standards of ethical conduct and thereby increase public confidence in government.

Thank you for the opportunity to submit testimony.

**HB-134**

Submitted on: 2/1/2023 9:36:00 AM

Testimony for JHA on 2/2/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
lynne matusow	Individual	Support	Written Testimony Only

Comments:

This is similar, if not identical, to what came out of the Commission to Improve Standards of Conduct. I attended and spoke at some of those meetings. This is a very important bill, something which should increase public trust in government. At the commission meetings I learned that most of the counties do not have an ethics commission. That is disgraceful. If this bill becomes law, ethics will have a larger role in county governments.