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STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
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Statement of
BRENN A H. HASHIMOTO
Director, Department of Human Resources Development

Before the
COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
Thursday, February 2, 2023
2:00PM
State Capitol, Conference Room 325

In consideration of
House Bill 139, Relating to Nepotism

Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

The Department of Human Resources Development (DHRD) supports the intent of HB 139 which is to prohibit a legislator or public employee from naming, appointing, or hiring a relative for public employment. This bill prohibits a legislator or public employee from supervising a relative in public employment and prohibits a legislator or employee from awarding a contract to a relative.

However, the Department respectfully recommends "hanai" relationships be addressed.

Thank you for the opportunity to provide testimony on this measure.



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: H.B. 139
Hearing Date/Time: February 2, 2023, 2:00 p.m.
Re: Testimony of the Hawai‘i State Ethics Commission in **STRONG SUPPORT** of H.B. 139, Prohibiting Nepotism

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

The Hawai‘i State Ethics Commission (“Commission”) **strongly supports** H.B. 139, which prohibits legislators and employees from: (1) hiring, promoting, or supervising their relatives; and (2) awarding contracts to their relatives or business partners.

The Commission oversees nearly 60,000 state employees. Numerous nepotism complaints are received each year. Investigations into these complaints can be especially challenging and time-consuming. While legislators and employees are prohibited from providing unwarranted benefits or preferential treatment to their relatives, it can be difficult to prove that a promotion or specific action occurred solely to benefit a relative. Further, even if the hiring or promotion of a relative was aboveboard, there is an appearance of impropriety that can diminish faith and confidence in government overall.

The Commission supports establishing a bright-line prohibition on nepotism, like what many other states have adopted. A bright-line rule prohibiting nepotism makes it clear that taking employment action affecting a relative is prohibited. It also promotes faith in state government because the public and other state employees will no longer suspect that specific promotions or employment actions were taken to benefit a relative rather than on merit.

The Commission acknowledges there may be special and unique circumstances where nepotism is unavoidable. To this end, this measure smartly creates an exception process where good cause is demonstrated.

Mahalo for your continuing support of the Commission’s work and for considering its testimony on H.B. 139.

Very truly yours,

/S/ Kee M. Campbell
Staff Attorney

HB-139

Submitted on: 1/31/2023 11:24:49 AM

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

Submitted By	Organization	Testifier Position	Testify
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 HB139 relating to nepotism for reasons stated in the Commission's December 1, 2022 Final Report to the House of Representatives, specifically found at page 29 of the Report.

Mahalo, Judge Daniel Foley (ret.)



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
HB139 — Relating to Nepotism

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 HB139

This bill prohibits a legislator or public employee from nepotistic behavior in all categories including appointing, hiring, awarding of contracts, supervising, etc. The bill clearly defines household members and relatives who would be considered potential for violating this rule. It also defines circumstances when this rule would not be considered to have been violated and process to be followed in such a case.

Nepotism leads to public distrust and should be avoided. Therefore, we support this bill.

Thank you for the opportunity to submit testimony.

HB-139

Submitted on: 2/1/2023 10:20:42 AM

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

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

The legislator should not act like a family owned and run business. Its job is to work for the people. Legislators offices should not be family affairs, in some instances with all or almost all staff related to the legislator. This proposal also came from the Commission to Improve Standards of Conduct. I attended the meeting(s) where the subject matter was discussed. This is a very important bill. If it becomes law it will greatly improve how the public views the legislator, especially after the English and Cullen convictions. Please pass.