



HAWAII STATE ETHICS COMMISSION

State of Hawaii · Bishop Square, 1001 Bishop Street, ASB Tower 970 · Honolulu, Hawaii 96813

Committee: Committee on Government Operations
Bill Number: H.B. 361, H.D.1
Hearing Date/Time: March 12, 2019, 2:45 p.m.
Re: Testimony of the Hawaii State Ethics Commission **SUPPORTING THE INTENT** of H.B. 361, H.D.1, Relating to Emoluments

Dear Chair Thielen, Vice Chair Inouye, and Committee Members:

The Hawai'i State Ethics Commission ("Commission") supports the intent of H.B. 361, which seeks to promote integrity in government by addressing potential conflicts of interests.

The Commission does not have jurisdiction over county officials, such that the Commission takes no position as to whether the county mayors ought to be included in this type of provision.

With respect to the governor, the Commission notes that Hawaii's fair treatment law, Hawai'i Revised Statutes ("HRS") § 84-13, already prohibits a governor from receiving a stipend or honorarium for doing work (for example, giving speeches) in his/her capacity as governor. Furthermore, Hawaii's financial disclosure law, HRS § 84-17, already requires the governor to file a public disclosure of financial interests every year. Similarly, the governor is already prohibited from holding "any other office or employment of profit under the State or the United States" while in office. Hawai'i Const. Art. V, section 1.

Additionally, this Committee may wish to clarify how this provision would be enforced. In a similar proposal in the 2017-2018 Legislature, for example ([H.B. 71](#)), the prohibition on the governor's receipt of emoluments would have been placed in the State Ethics Code, HRS chapter 84, and enforced by the Commission. Insofar as the Commission has jurisdiction only over state officials, the Commission believes that the prohibition on receipt of emoluments by county mayors would have been more appropriately enforced by the county ethics commissions, rather than by the State Ethics Commission.

Thank you for your continuing support of the Commission's work and for considering the Commission's testimony on H.B. 361, H.D.1.

Very truly yours,

Daniel Gluck
Executive Director and General Counsel

HB-361-HD-1

Submitted on: 3/8/2019 4:45:50 PM

Testimony for GVO on 3/12/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Allix Hessick	Individual	Support	No

Comments:

HB-361-HD-1

Submitted on: 3/11/2019 8:18:55 AM

Testimony for GVO on 3/12/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tracey Clay-Whitehurst	Individual	Support	No

Comments:

HB-361-HD-1

Submitted on: 3/11/2019 8:31:46 AM

Testimony for GVO on 3/12/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Marion Ceruti	Individual	Support	No

Comments:

HB-361-HD-1

Submitted on: 3/11/2019 8:24:20 PM

Testimony for GVO on 3/12/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Testifying for Honolulu County Republican Party	Support	No

Comments:



Hawaii

Holding Power Accountable

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To: The Senate Committee on Government Operations
From: Brodie Lockard for the Common Cause Hawaii Board
Date: Tuesday, March 12, 2019, 2:45 pm

In strong support of HB 361 HD1

Dear GVO Chair Thielen, Vice Chair Inouye and Committee Members—

Common Cause Hawaii strongly supports HB 361 HD1.

State officials in the highest positions should be fully attentive to the demanding responsibilities of their offices. They should not be distracted by other professional duties or be choosing which job's priorities come first.

Any significant gift or monetary compensation from interests outside of their state position is entirely inappropriate and could cloud their judgment or lead them to consider their personal interests above those of their electorate.

Please pass HB 361 HD1 and maintain the fiscal integrity of the Governor's and Mayors' offices.

Thank you for the opportunity to testify.

Brodie Lockard
Board Member, Common Cause Hawaii