STAND. COM. REP. NO. 634-20

Honolulu, Hawaii

, 2020

FEB 19

RE: H.B. No. 1673

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1673 entitled:

"A BILL FOR AN ACT RELATING TO THE STATE ETHICS CODE,"

begs leave to report as follows:

The purpose of this measure is to amend Hawaii's ethics laws regarding fair treatment by:

- (1) Restoring statutory protection for legislators when carrying out a legislative function; and
- (2) Clarifying that each house of the Legislature shall adopt rules regarding the disclosure of the nature and extent of any interest or transaction that a legislator believes may be affected by the legislator's official action.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission, Common Cause Hawaii, and six individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure restores language that existed before the enactment of Act 208, Session Laws of Hawaii 2012, which, pursuant to article III, section 7 of the Hawaii

State Constitution, protects legislators when carrying out legislative functions.

Your Committee further finds that this measure clarifies the rulemaking responsibilities of the Hawaii State Ethics Commission and the Legislature by tasking the Hawaii State Ethics Commission with adopting general rules relating to Hawaii's fair treatment laws and the Legislature with determining its own rules for how members disclose potential conflicts of interest.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1673, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1673, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

CHRIS LEE, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature

HSCR 684-20

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1673	Committee Referral:		Date: 2/5/2020		
☐ 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)					
JUD Mem	bers	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)				ing p. 1111111 1111 1111 1111 1111 1111 11	
2. SAN BUENAVENTUI	RA, Joy A. (VC)				
3. BROWER, Tom		-/			
4. CREAGAN, Richard	Р.				
5. LOWEN, Nicole E.					
6. McKELVEY, Angus I	J.K.				Maria
7. NAKASHIMA, Mark	M.	•			
8. PERRUSO, Amy A.					
9. SAY, Calvin K.Y.					
10 TAKAYAMA Cwaga					
10. TAKAYAMA, Gregg					
11. YAMANE, Ryan I.					
12. THIELEN, Cynthia					
			1		
				<u> </u>	
TOTAL ((12)	10			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 Puplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					