STAND. COM. REP. NO. 1015 -20

Honolulu, Hawaii

FEB 28 , 2020

RE: H.B. No. 2120

H.D. 2

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. 2120, H.D. 1, 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:

- (1) Amend certain parts of the conflicts of interests law of the State Ethics Code to include members of the Legislature and justices and judges of all state courts; and
- (2) Clarify that the conflicts of interests law does not prohibit a legislator from introducing legislation, serving on a committee, making statements, or taking action in the exercise of their legislative functions.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission, Common Cause Hawaii, Pono Hawaii Initiative, and five individuals. Your Committee received testimony in opposition to this measure from the Judiciary.

Your Committee finds that the conflicts of interests law applies differently to legislators. This measure specifically includes those state employees in the conflicts of interests law

while maintaining the constitutional protections specifically afforded to legislators when engaged in their legislative functions.

Your Committee has amended this measure by:

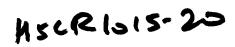
- (1) Deleting the inclusion of justices and judges in certain parts of the conflicts of interests law of the State Ethics Code; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2120, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2120, H.D. 2.

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

CHRIS LEE, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature



Record of Votes of the Committee on Judiciary

	Committee Referral:	Date:	11	
HB 2120 HDI	LAB, JUD		128/20	
☐ 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 Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)				
2. SAN BUENAVENTURA, Joy A. (VC)			
3. BROWER, Tom				
CREACAN P. L. I.P.				
4. CREAGAN, Richard P.				
5. LOWEN, Nicole E.				
6. McKELVEY, Angus L.K.				
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		Service and the service and th	The state of the s	
TOTAL (12)	9			5
The recommendation is: Adopted				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				