

STAND. COM. REP. NO. 3501

Honolulu, Hawaii

MAY 15 2020

RE: H.B. No. 2124
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred H.B. No. 2124, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit certain state officials and employees from representing certain private interests before the State for twelve months after termination from their respective state positions; and
- (2) Specify that the prohibition against disclosing any information not available to the public or using the information for personal gain or benefit applies even to those who were employed by the State for less than one hundred eighty-one days.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission, Common Cause Hawaii, and seven individuals.

Your Committee finds that under current law, former legislators and high ranking public officials are prohibited from representing others for compensation on matters the legislator or



former official participated in as a legislator or officer, or took official action on as a legislator or public official within twelve months of leaving their public office. The current law, however, does not prevent these former public officials from representing a client for compensation by representing the private client before all divisions of the state executive or legislative branches at any level.

Your Committee has amended this measure by:

- (1) Clarifying that section 84-18(a), Hawaii Revised Statutes, regarding maintaining confidentiality of information, applies to former State employees of any length of time;
- (2) Clarifying that sections 84-18(b) through (e), Hawaii Revised Statutes, regarding prohibiting the revolving door policy on lobbying, applies to former State employees who have worked a minimum of 181 days and every Executive Director, Director or Administrator of a board, authority, or commission enumerated in section 84-17(d), Hawaii Revised Statutes; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2124, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2124, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Government
Operations,

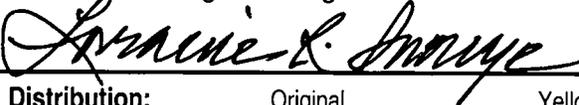


LAURA H. THIELEN, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* HB2124 HD1	Committee Referral: GVO, JDC	Date: 3/10/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
THIELEN, Laura H. (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
BAKER, Rosalyn H.				✓
KANUHA, Dru Mamo	✓			
FEVELLA, Kurt				✓
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes