



## HAWAII STATE ETHICS COMMISSION

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

Committee: Committee on Judiciary  
Bill Number: H.B. 361  
Hearing Date/Time: January 31, 2019, 2:00 p.m.  
Re: Testimony of the Hawaii State Ethics Commission **SUPPORTING**  
**THE INTENT** of H.B. 361, Relating to Emoluments

Dear Chair Lee and Committee Members:

The Hawaii 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.

Very truly yours,

Daniel Gluck  
Executive Director and General Counsel

TESTIMONY  
ON BEHALF OF THE LIBERTARIAN PARTY OF HAWAII  
c/o 1658 Liholiho St #205  
Honolulu, HI 96822

January 29, 2019

RE: HB361 to be heard Thursday January 31, in Room 325, at 2:00 PM  
**SUPPORT**

To the members of the House Committee on Judiciary

While we may be able to accept legislators who work a few months of the year and don't have the sort of power that those noted in this bill take on, do other work, for executives who are expected to work full time, are well compensated, and have lots of power, this simply opens the door for all the wrong things. Stopping it as a matter of law is needed.



Tracy Ryan  
For The Libertarian Party of Hawaii

**HB-361**

Submitted on: 1/29/2019 9:51:04 PM

Testimony for JUD on 1/31/2019 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brett Kulbis	Honolulu County Republican Party	Support	No

Comments:

**HB 361 Late**

**LATE**

**HB-361**

Submitted on: 1/30/2019 9:51:15 PM

Testimony for JUD on 1/31/2019 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Brown III	Individual	Support	No

Comments: