

BILL026(22)
Testimony

MISC. COMM. 177

COUNCIL

COUNCIL Meeting

Meeting Date: May 4, 2022 @ 10:00 AM

Support: 0

Oppose: 0

I wish to comment: 1

Name: Natalie Iwasa	Email: iwasajunk@mail.com	Zip: 96825
Representing: Self	Position: I wish to comment	Submitted: May 2, 2022 @ 11:02 PM

TO: Members of the Honolulu City Council

FROM: Natalie Iwasa
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DATE: Wednesday, May 4, 2022

SUBJECT: Bill 26, Gifts to City Officers or Employees – **DEFER ACTION**

Aloha Chair Waters and Councilmembers,

Thank you for allowing testimony on Bill 26, which clarifies the law regarding gifts to city officers and employees.

I appreciate the Honolulu Ethics Commission's work on this and support the reduction of the value to \$25. That limit allows for token gifts such as leis and malasadas, which are a tradition in Hawaii.

Among others, this bill applies to officers and employees of the Honolulu Authority for Rapid Transportation (HART). Currently two legal interpretations apply to the state appointees to the HART board:

- The Honolulu corporation counsel has opined that the legislature did not have the authority to appoint members to the HART board; therefore, appointees are not chartered board members or city officers; and
- The Hawaii attorney general has stated she knows of "no legal authority to support treating a board member differently based on the board members' appointing authority."

Given these opposing opinions, it is not clear whether state appointees to the HART board would be impacted by this bill. Therefore, **please defer action on this bill until such time as it is clear whether state appointees fall under the definition of "officers"** as defined in Section 13-101.4(b) of the Revised Charter of the City & County of Honolulu and Section 3-8.1 of the Revised Ordinances of Honolulu.

Testifying in my individual capacity.