

HAWAII

Lawmakers May Replace

State Auditor With Ethics

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Director

UPDATED: The Hawaii Legislature is expected to vote this month on replacing acting auditor Jan Yamane with Ethics Commission executive director Les Kondo.

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In a move that may have implications for good governance in the state, the Hawaii Legislature is expected to replace the person who audits public agencies with the person tasked with enforcing ethics laws.

Under a concurrent resolution that could be proposed in a House floor session as early as Friday, representatives will move to replace Jan Yamane, the acting auditor, with Les Kondo, executive director of the state [Ethics Commission](#). The term is for eight years.

Under the [state Constitution](#), the move requires a vote by both the House and the state Senate. A joint session is tentatively scheduled for April 22, which comes in the middle of conference committee.

Yamane had no comment Friday, while Kondo referred media inquiries to House spokesperson Carolyn Tanaka.



State Auditor Jan Yamane at the Legislature in 2015.

Tanaka confirmed the prospective job change Friday morning to Civil Beat.

UPDATE: In a statement, Senate President Ron Kouchi said, “When we began discussing the position of the auditor, we wanted someone who could refocus the auditor’s office beyond financial audits to help the departments become more efficient and performance driven in all facets of their operation.”

“We strongly believe that Les brings that kind of discipline, integrity and independence to the office,” added House Speaker Joe Souki. “His background in industrial engineering will also be an advantage in his new position in helping the departments operate more efficiently — a goal we’ve focused on over the last several years through the budgeting process at the Legislature.”

High Standards Of Ethical Conduct

Kondo has been executive director since January 2011 and has been aggressive in

making sure that lawmakers and other officials follow the [state Ethics Code](#).

As [explained in the Constitution](#), “The people of Hawaii believe that public officers and employees must exhibit the highest standards of ethical conduct and that these standards come from the personal integrity of each individual in government.”

Kondo’s work has often raised the ire of lawmakers who disagree with his interpretations of the law and of his duties. Most recently, the Ethics Commission has clashed with the [Hawaii State Teachers Association](#) over the funding of school trips.

Yamane became acting auditor in December 2012, following the retirement of longtime auditor Marion Higa.

The primary mission of the auditor is “to conduct post audits of the transactions, accounts, programs and performance of public agencies,” according to the office’s website.



Les Kondo, state Ethics Commission executive director.

Among the audits conducted under Yamane [was one in March](#) that was critical of the Legislature's use of special and revolving funds.

It is not clear why lawmakers want to replace Yamane with Kondo. Nor is it clear who would replace Kondo as executive director of the Ethics Commission.

Kondo previously was commissioner of the [Public Utilities Commission](#) and headed the [Office of Information Practices](#).

LRB Head, Ombudsman To Stay

In addition to the auditor position, lawmakers are also expected to vote on two other positions: Charlotte Carter-Yamauchi, acting director of the [Legislative Reference Bureau](#), and Robin Matsunaga, the [Hawaii state ombudsman](#).

The LRB, says its webpage, is a “nonpartisan legislative service agency, that provides a wide variety of services to legislators, legislative committees, and in some cases, members of the public.”

The ombudsmen “independently and impartially investigates complaints against state and county agencies and employees.”

Matsunaga has been director of the Office of Ombudsman since 1998 and is up for reappointment to a six-year term. Carter-Yamauchi has been acting director for the LRB since 2010.



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