

Hawaii

# Measure To Stop Mayors From Moonlighting Shelved

But at least one former Honolulu mayor thinks holding a second job raises “substantive concerns about conflicts of interest.”

12

By Chad Blair    / February 13, 2017

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The fact that Honolulu Mayor Kirk Caldwell is paid at least \$200,000 annually to advise Territorial Savings Bank was a big issue in his 2016 re-election campaign.

His opponents charged that the side gig represented a potential conflict of interest, though the mayor’s campaign defended the work and said it was approved by the [Honolulu Ethics Commission](#).

A bill that would have prohibited county mayors and the governor [from holding additional work](#) was deferred last week at the Hawaii State Capitol, meaning that it’s almost certainly dead for the 2017 session.



Former Honolulu Mayor Mufi Hannemann thinks mayors should not hold second jobs.

It also means Caldwell, an attorney, may continue to advise the bank.

HB 71 was killed at the request of House leadership, which already gave it a near-impossible procedural hurdle of four separate committee referrals.

But at least one former Honolulu mayor, Mufi Hannemann, thought [House Bill 71](#) was a good idea.

“There is no good reason that a governor or mayor should hold an outside paying position as it raises substantive concerns about conflicts of interest as well as takes away from their many public responsibilities and obligations to the people they serve,” Hannemann wrote in testimony.

House Majority Leader Scott Saiki introduced HB 71 because he was inspired by the example of President Donald Trump receiving income while in office. He said it was important that state law be clear on any potential conflict that arises from dual employment for the governor and mayors.

Hannemann acknowledged the national situation, but said HB 71 “serves to remind us that we must ensure that this code of ethics is also maintained in our states and local municipalities.”

He continued:

*In our state we have been fortunate to see that many of our office seekers run because of their desire to participate in our democracy, contribute to our society, and to serve the community; not for self-gain or advantage in their personal endeavors.*

*Aside from legislators who are permitted outside employment in keeping with their status as part-time citizen-legislators, we have not witnessed, in the modern era, Hawaii’s governors or mayors, with the exception of one, who has not withdrawn from their private profession or accepted outside compensation while serving as the Chief Executive Officer of our state and counties.*

The former mayor did not mention Caldwell by name, but the implication was evident.

Also testifying on HB 71 was Dan Gluck, executive director and legal counsel for the [Hawaii State Ethics Commission](#).

Gluck wrote that the agency supported the intent of the bill, but he also made some observations.

Hawaii’s fair treatment law, he said, “already prohibits a governor from receiving a stipend or honorarium for doing work (for example, giving speeches) in his/her capacity as governor.”

Governors are also prohibited from holding “any other office or employment of profit under the State or the United States” while in office.

Gluck also advised that the bill be clarified so that it made clear a governor would not be prohibited from owning mutual funds or stocks, renting real

estate.

As a state agency, the ethics commission took no position regarding county offices.

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