

September 23, 2016

MEMO TO: David Raatz, Director
Office of Council Services

F R O M: Clarita Balala, Committee Secretary ^{CB}
Sharon Brooks, Legislative Attorney ^{SB}
Greg Garneau, Legislative Attorney ^{GG}
Chancy Hopper, Supervising Legislative Analyst ^{CH}
Pauline Martins, Committee Secretary ^{PM}

SUBJECT: **NINTH ANNUAL STATEWIDE MUNICIPAL ATTORNEYS
TRAINING CONFERENCE** (PAF 16-095)

We attended the Ninth Annual Statewide Municipal Attorneys Training Conference at the Hapuna Prince Hotel on the Island of Hawaii, August 23-26, 2016.

The conference program, agenda, and presentation materials are attached.

The sessions included:

“How to Preserve the Good to Perpetuate the Great,” presented by Dr. Kimo Alameda, Executive Director, Office of Aging, County of Hawaii. Dr. Alameda spoke about his experiences with the State Department of Health, as a counselor and therapist in private practice, and, most recently, as the Executive Director at the Office of Aging.

“Conducting Effective Workplace Investigations,” presented by Sarah Wang, Esq. Ms. Wang is an attorney in private practice. She offered practical information for supervisors and employees who need to conduct or participate in investigations.

“Small Unmanned Aerial Vehicle Uses for Municipalities and the Current Regulatory Landscape,” presented by Aaron Woods. Mr. Woods is an instructor with the Hawaii Drone Academy. He discussed current and proposed laws and regulations and related case law regarding unmanned aerial vehicles, also known as drones. He addressed privacy concerns and other risks associated with drone use. Mr. Woods noted both private- and public-sector uses of drones and said drones can assist municipalities in mapping, responding to emergencies, and conducting inspections and investigations.

“B.I.L.L. Basic Instructions for Legitimate Legislation,” presented by Jon Henricks, Deputy County Clerk, County of Hawaii. Mr. Henricks discussed the process for creating legislation. He emphasized the need to research legislation from other jurisdictions. Mr. Henricks suggested not following the Hawaii Legislative Drafting Manual’s advice to set forth an entire section of a county code when only a subsection is amended. He said setting out the subsection alone more clearly shows changes and avoids the possibility of inadvertently amending other portions of the section.

“Blue Zones Project,” presented by Nick Buettner. Mr. Buettner and his brothers have studied “blue zones” – places in the world where people have the lowest mortality rates. They have identified factors that help people maximize longevity, reduce stress, have a purpose, improve their outlook, and feel better. The Blue Zones Project is a wellness initiative of the Hawaii Medical Service Association.

“Avoiding Ethical Dilemmas – Why Happiness is Not Enough: How I Found Meaning in Life,” presented by Professor Kenneth Lawson, University of Hawaii at Manoa. Professor Lawson teaches criminal law at the Richardson Law School. His presentation addressed his personal and professional background, including his transition from a high-profile lawyer to a drug addict and prison inmate. After getting sober and moving to Hawaii while still on parole, he learned to be open and honest about his history and addiction, and he secured employment at the university. He argued for openness in the legal profession about stress, mental illness, and addiction.

“Constitutional Claims Against County Government and Its Employees,” presented by Steven Strauss, Deputy Corporation Counsel, County of Hawaii. Mr. Strauss discussed recent cases alleging unconstitutional conduct by government agencies or officials. The cases included claims based on the First Amendment (freedom of expression) and the Fourth Amendment (unlawful arrest and excessive force).

“Getting What You Want: A Review of Negotiation Skills,” presented by Mac McCarley, Esq. The presentation focused on the steps in the negotiation process, including preparation, strategies, and reaching consensus.

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“HRS, Chapter 343: Who Makes Determinations and How?” presented by Scott Glenn, Director, Office of Environmental Quality Control, State of Hawaii. Mr. Glenn discussed the environmental assessment and environmental impact statement process in Hawaii, including the role of his office. He expressed a desire to work closely with government agencies and developers to improve the process for assessing and addressing environmental impacts of projects covered by the Hawaii Environmental Protection Act. His discussion included an overview of important court cases.

“Update on Kauai Police Department Body-Worn Camera Program,” presented by Police Captain Paul Applegate and Deputy County Attorneys Nick Courson and Adam Roversi, County of Kauai. Captain Applegate explained how the Kauai Police Department uses body cameras, while the attorneys addressed relevant legal issues.

“Impressions, Observations & Take-Aways from the Recent Hawaiian Electric/NextEra Public Utilities Commission Hearings,” presented by Professor Kristin Mayes, University of Arizona. Professor Mayes was hired by the County of Hawaii as a consultant in the Public Utilities Commission’s hearings addressing the proposed merger between Hawaiian Electric Industries and NextEra. Professor Mayes spoke about the failed NextEra merger and predicted another company will seek to merge with HEI.

Thanks very much for the opportunity to attend this valuable conference.

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