



The HIGH ROAD

"Preserving public confidence in public servants."

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Hawaii State Ethics Commission

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NEW APPOINTMENTS TO THE STATE ETHICS COMMISSION

Commissioner Arlene Kim Ellis completed her term on the State Ethics Commission on June 30, 1996. We are very grateful to Ms. Ellis for her service on the Commission and will miss her spirited talks at our meetings!

Governor Cayetano has appointed two new members to the Commission: Bernice Pantell and Kirk Cashmere. Ms. Pantell is a community volunteer who serves as a mediator for the Neighborhood Justice Center. Mr. Cashmere is an attorney in private practice.

The current members of the State Ethics Commission are:

Leolani Abdul, Chair
Bernard LaPorte, Vice Chair
Kirk Cashmere
Bernice Pantell
Carl Sakata

CAMPAIGN ETHICS GUIDELINES SENT TO ALL STATE OFFICES

The State Ethics Commission recently distributed 25,000 copies of its campaign ethics guidelines to state government offices. The guidelines remind public officials and employees about the prohibited use of state resources for campaign activities or campaign purposes.

The campaign ethics guidelines explain that the following activities by state officials and state employees violate the State Ethics Code:

1. Using state time, equipment, supplies, or state premises for campaign activities or campaign purposes.

2. Using state personnel during state time for the purpose of performing campaign tasks or activities.
3. Using the state mail or messenger service for campaign purposes.
4. Soliciting campaign contributions or campaign assistance by sending letters addressed to state officials or employees at their state offices.
5. Using one's state position to give unwarranted advantages or preferential treatment to campaigns.
6. Selling fundraiser tickets to, or soliciting the purchase of fundraiser tickets from, subordinates or businesses or persons supervised or inspected.

Persons with questions about the campaign ethics guidelines may contact the State Ethics Commission at 587-0460.

EMPLOYEES RESPONDING TO BUDGET CUTS RECEIVE ETHICS ADVICE

State employees responding to budget cuts in their agencies have contacted the State Ethics Commission for advice on a number of issues, including the following:

My state position has been terminated. I am now looking for a job in the private sector. Are there any restrictions on what jobs I may accept?

I still have my state job, but my work hours have been reduced. I am looking for a part-time job to supplement my state salary. Are there any restrictions on what jobs I may accept?

My state agency stopped providing certain services because of budget cuts. I used to perform the services as part of my state job. Can I continue to perform the same services for private pay?

My state office has no funds for out-of-state travel. A private business has offered to pay for my airfare and hotel expenses for a state trip. May I accept?

Because of budget cuts, my agency may be forced to discontinue a state program. We are thinking of asking for private contributions to maintain the program. Is this permissible?

All of these questions raise issues under the State Ethics Code. Employees with these types of questions should contact the Commission for an explanation of the applicable ethics laws. The Commission's staff will provide confidential ethics advice to callers.

ETHICS QUIZ

QUESTION: *Does the ethics code prohibit state officials from allowing political candidates to walk through state agencies to meet state employees?*

ANSWER: *No, the State Ethics Commission has determined that candidate walk-throughs are permissible so long as all candidates who are competing with each other are treated equally and accorded the same opportunities. Section 84-13 of the State Ethics Code prohibits state officials and employees from according themselves or others preferential treatment. So long as there is no preferential treatment, the decision whether or not to allow candidate walk-throughs is an administrative decision. The State Ethics Commission has issued guidelines to assist state officials who may be considering whether to allow candidates to walk through their agencies. The guidelines will be distributed to all state agency heads.*

1996 GIFTS DISCLOSURE STATEMENTS

June 30 was the deadline for state officials and employees to file gifts disclosure statements with the State Ethics Commission. The ethics code requires the filing of a gifts disclosure statement if all of the following conditions are met:

- (1) The official or employee, or spouse or dependent child of the official or employee, received from one source any gift or gifts valued in excess of \$200;
- (2) The source of the gift has interests that may be affected by official action or lack of action by the official or employee; and
- (3) The gift is not exempted by the ethics code.

The Commission received over 90 gifts disclosure statements this year for the report period covering June 1, 1995 to June 1, 1996. All gifts disclosure statements filed with the Commission are available for public review.

LOBBYING EXPENDITURES SUMMARIES FOR 1996 LEGISLATIVE SESSION

The Commission has released summaries of the lobbying expenditures reports filed by organizations and lobbyists for the 1996 legislative session. Two report filings were due during the session: The first filing covered the period from January 1 through February 29, 1996; the second filing covered the period from March 1 through April 30, 1996. The summaries and all lobbying expenditures reports filed with the Commission are available for public review.

The High Road is a publication of the Hawaii State Ethics Commission.

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