



The HIGH ROAD

"Preserving public confidence in public servants."

No. 98-4

Hawaii State Ethics Commission

August 1998

COMMISSION FINES LATE FINANCIAL DISCLOSURE FILERS

The State Ethics Commission has fined 17 state officials and employees for not filing their annual financial disclosure statements on time. The disclosure statements were due on June 1, 1998. Under the ethics code, state officials and employees who fail to file a disclosure statement when due must pay a \$50 penalty. Officials and employees who fail to file within 10 days of being notified of their delinquency must pay an additional penalty of \$10 for each day that a disclosure statement remains unfiled.

FINANCIAL DISCLOSURE FILING DEADLINE FOR STATE CANDIDATES

Candidates for state elective office must file public financial disclosure statements with the State Ethics Commission. Disclosure statements for candidates for state elective office, excluding OHA candidates, were due on August 28, 1998. A total of 239 candidates filed financial disclosure statements by the deadline. **Disclosure statements for OHA candidates are due on October 14, 1998.**



The law requires the Commission to release to the public a list of the names of candidates who fail to file financial disclosure statements. In addition, the Commission must immediately assess a \$25 late filing penalty fee against those candidates. The Commission also may investigate whether a candidate's financial disclosure statement discloses the interests required to be reported.

Candidate financial disclosure statements provide information about sources of income, business ownership interests, creditors, real property interests, and other financial interests. The disclosure statements are available for public review at the State Ethics Commission's office.

CAMPAIGN ETHICS REMINDER



State officials and employees are again reminded that they must comply with the campaign restrictions of the State Ethics Code. These restrictions are based on section 84-13, HRS, of the ethics code. The campaign restrictions prohibit state officials and employees from the following activities:

- Using state time, equipment, supplies, or state premises for campaign activities or campaign purposes. Examples of prohibited activities include performing campaign activities on state time;

producing campaign literature or materials with state equipment or state supplies; and distributing or selling fundraiser tickets or soliciting campaign assistance at state offices.

State premises or facilities that are available to the public for use (e.g., for holding meetings or conducting business) may be used for political activities on the same basis as the facilities are available to the public.

In addition, candidates may be escorted through state agencies to meet state employees so long as all candidates are treated equally and given the same opportunities.

Other prohibited activities:

- Using state personnel during state time for the purpose of performing campaign tasks or activities.
- Using state telephones, state fax machines, state office electronic mail, or the state messenger service for campaign purposes.
- Soliciting campaign contributions or campaign assistance by sending letters addressed to state officials or employees at their state offices.
- Using one's state position to give unwarranted advantages or preferential treatment to campaigns. For example, state officials and employees are prohibited from using their official positions to coerce anyone into contributing money to a campaign or into assisting a campaign.
- Selling fundraiser tickets to, or soliciting the purchase of fundraiser tickets from, subordinates or businesses or persons supervised or inspected.

If you have questions or want further information about campaign ethics guidelines, contact the State Ethics Commission at 587-0460.



The State Ethics Commission is developing its own website. The website will provide access to information about the Commission and the laws that it administers; the Commission's advisory opinions, decisions, and publications; and the Commission's forms and filings. More information about our website will be featured in future issues of The High Road.

Next Issue: Ethics Charges and Investigations.

- What happens when the State Ethics Commission investigates a charge of unethical conduct by a state official?
- What investigative powers does the Commission have?
- How are ethics charges prosecuted and resolved?

Read the next issue of The High Road!

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

Commissioners: Leolani Abdul, Chair
Carl Sakata, Vice Chair
Kirk Cashmere
Bernice Pantell

Executive Director: Daniel J. Mollway
Address: P.O. Box 616, Honolulu, Hawaii 96813
Telephone: 587-0460 Fax: 587-0470