



THE HIGH ROAD

"Preserving public confidence in public servants."

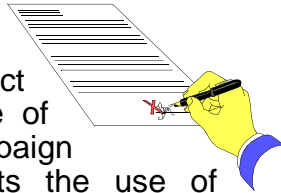
No. 2002-2

Hawaii State Ethics Commission

May 2002

GOVERNOR SIGNS NEW LAW PROHIBITING USE OF WASHINGTON PLACE FOR CAMPAIGN ACTIVITIES

On April 25, 2002, Governor Cayetano signed into law Act 46, which prohibits the use of Washington Place for campaign activities. Act 46 prohibits the use of Washington Place for any events intended to solicit funds, support, or votes for any candidate for elective public office.



The Hawaii State Ethics Commission strongly supported passage of the new law. Previous elections raised questions about the extent to which campaigning and fund raising could occur at Washington Place. The State Ethics Code prohibits the use of state facilities for campaign purposes. But the ethics code has not addressed the use of Washington Place in the past and the Commission has allowed campaign functions – including fund raisers – to be held at Washington Place because it was the Governor's personal residence. At the same time, the Commission recognized that there were valid reasons to prohibit the use of Washington Place for campaign events. The Commission therefore asked the Legislature to amend the State Ethics Code to prohibit events at Washington Place that solicit campaign support. In testimony before the State Legislature, the Commission explained the need for this measure:

Washington Place is a state facility, which is supported by state tax dollars. It is meant to represent the official dwelling of the Governor of the State. Its history and character suggest that its official status should transcend partisan political campaigning. The Commission believes that if Washington Place is used for partisan political purposes, public confidence in government will be seriously undermined.

Also joining the Commission in supporting passage of the new law were Common Cause Hawaii and the League of Women Voters of Hawaii. Act 46 is available for review on the Commission's web site at www.state.hi.us/ethics (click on "New Legislation").

OTHER ETHICS BILLS FAIL TO PASS 2002 LEGISLATURE

The Hawaii State Ethics Commission supported a number of other ethics bills that came before the 2002 Legislature. Disappointingly, none of the other bills passed this session. The following were among the ethics bills considered:

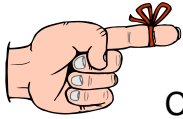
Conflicts of Interests Involving Family and Household Members. A bill to expand the conflicts-of-interests section of the State Ethics Code to prohibit state officials and employees from taking official action affecting a business in which their parents, siblings, emancipated children, and household members have financial interests.

Salary of the Executive Director of the State Ethics Commission. A bill to return to the State Ethics Commission the authority to set the salary of the Commission's executive director. Currently, the Legislature, in state statute, sets the executive director's salary.

Mandatory Ethics Training for State Officials. A bill providing for mandatory ethics training for legislators, department heads and their deputies, and other state officials.

Public Financial Disclosure Statements for State Boards that Head Executive Branch Departments. A bill to require members of the Board of Agriculture, the Board of Land and Natural Resources, the UH Board of Regents, and the Hawaiian Homes Commission to file public financial disclosure statements.

Fund Raising Activities in Government Offices. A bill to prohibit any person from soliciting political contributions in state or county rooms and buildings where official government business is conducted.



CAMPAIGN ETHICS REMINDER

Campaigning has already begun for the 2002 elections: Candidates are hosting fund raisers. Campaign ads are running on television. Sign wavers are lining up along roadsides. As candidates and their supporters gear up for the coming elections, the Hawaii State Ethics Commission would like to remind all state officials and employees about the campaign restrictions of the State Ethics Code.

The Commission has published a flyer entitled, **“Campaign Restrictions For State Officials And State Employees.”** The flyer discusses the restrictions on campaign activities that apply to all state legislators, state employees, and state board and commission members. These restrictions are based on the State Ethics Code, Chapter 84, Hawaii Revised Statutes.

The Commission’s flyer discusses the following activities by state officials and employees that 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 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 fund raiser tickets to, or soliciting the purchase of fund raiser tickets from, subordinates or businesses or persons supervised or inspected.
7. Allowing candidate walk-throughs in state agencies for campaign purposes.

Copies of the campaign restrictions flyer have been sent to all state legislators, state departments, and candidates for elective office. The campaign restrictions can also be found on the Commission’s web site at www.state.hi.us/ethics. Persons with questions about the campaign restrictions are encouraged to contact the Commission’s office at 587-0460.

ETHICS QUIZ	
<input type="radio"/>	Question: Can a state employee distribute
	complimentary tickets to a candidate's campaign
	fund raiser at work?
	Answer: No! The State Ethics Code prohibits
	the use of state offices for campaign activities or
	campaign purposes. The distribution of campaign
<input type="radio"/>	fund raiser tickets, even complimentary tickets,
	is considered a campaign activity and is prohibited
	in state offices. Other campaign activities that are
	prohibited in state offices include the following:
	(a) selling or purchasing campaign fund raiser
	tickets; (b) distributing campaign literature or
	other campaign materials; (c) soliciting campaign
<input type="radio"/>	assistance (such as assistance with sign waving);
	and (d) conducting campaign meetings.

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

Commissioners: Leolani Abdul, Chair
 Ronald R. Yoshida, Vice Chair
 Eloise Lee
 Carl Morton, M.D.
 Dawn Suyenaga

Executive Director: Daniel J. Mollway, Esq.

Address: P.O. Box 616
 Honolulu, HI 96809

Telephone: 587-0460 **Fax:** 587-0470

E-mail: ethics@hawaiiethics.org

Internet URL: <http://www.state.hi.us/ethics>