



# THE HIGH ROAD

"Preserving public confidence in public servants."

No. 2007-1

Hawaii State Ethics Commission

March 2007

## 2007 Legislature Considers Ethics Bills

The 2007 Legislature is considering changes to the State's ethics laws. Here are some of the bills that have received public hearings by the Legislature this session:

**Conflicts of interests.** *H.B. No. 909, H.D. 1*, would expand the conflicts-of-interests law by prohibiting a state employee from taking official action affecting a business in which a brother or sister, parent, or emancipated child has a financial interest.



**Public disclosures of financial interests.** *H.B. No. 910, H.D. 1*, and *S.B. No. 1957, S.D. 1*, would require the members of certain state boards to file public financial disclosure statements. Boards affected by one or both of these bills include the Board of

Agriculture, the Board of Land and Natural Resources, the Hawaiian Homes Commission, the University Board of Regents, the Hawaii Community Development Authority, the Board of Trustees of the Employees' Retirement System, the Land Use Commission, the Public Utilities Commission, the Board of Directors of the Research Corporation of the University of Hawaii, and the Hawaii Tourism Authority. *S.B. No. 945* would require state judges to file public financial disclosure statements with the State Ethics Commission. Judges currently file public disclosures with the Judiciary.

**Legislative ethics.** *H.B. No. 1909, H.D. 1*, would establish a bipartisan legislative standards of conduct committee in each house of the legislature. Each committee would recommend ethics rules for the members and employees of the committee's house; review ethics issues; and determine whether disciplinary action is



warranted for complaints that are brought against legislators.

**Gifts reporting.** *H.B. No. 975, H.D. 1*, would lower from \$200 to \$100 the threshold dollar value of gifts that state officials and employees must report on gifts disclosure statements that are filed with the State Ethics Commission.

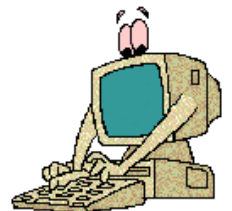
The Commission's written testimonies on all of these bills are now posted on our Web site at [www.hawaii.gov/ethics](http://www.hawaii.gov/ethics).

## New State Officials Receive Ethics Training

New members of the Hawaii State Legislature and other new state officials began 2007 by attending a mandatory ethics training course that was held by the Hawaii State Ethics Commission in January. State ethics laws require that the ethics course be taken by legislators, members of the Board of Education, trustees of the Office of Hawaiian Affairs, the governor and lieutenant governor, and executive department heads and their deputies. The course was first held in 2005 and is repeated every year for new officials who have not attended the course previously. The two-hour course covers the State Ethics Code (Chapter 84, Hawaii Revised Statutes) and the Lobbyists Law (Chapter 97, Hawaii Revised Statutes).

## When is the Use of Your State Computer a Violation of the Ethics Code?

Every morning, thousands of state employees log on to their computers at work. Across the State, from the smallest neighbor island office to the State Capitol on Oahu, computers are an integral part of government business. But sometimes, employees use their state computers for more than



official government business. When this happens, ethics issues may arise.

The "Fair Treatment" section of the State Ethics Code (Hawaii Revised Statutes §84-13) prohibits the use of state time, equipment, and facilities for private business purposes. Under this law, state computers may not be used for private business purposes. A "private business" includes any person or organization engaged in a business, whether or not operated for profit. A "private business" also includes political campaigns.

State officials and employees are prohibited by the ethics code from using state computers or state e-mail for private business purposes. Here are some examples of prohibited activities:

- Using state computers to do work for a private business, such as creating mailing lists, spreadsheets, or reports for a private business, or using state e-mail to communicate with clients or employers for private business purposes.



- Using state computers for campaign activities, such as creating campaign newsletters, or using state e-mail to plan or coordinate campaign fund raisers, sign waving or other campaign events.
- Using state e-mail to sell private goods or services, or to advertise for a private business.
- Using state e-mail for private fund raising, such as selling fund raiser tickets to other employees to benefit private clubs, charities, churches, etc.
- Using state computers to access the internet for private business purposes, such as visiting internet auction sites in order to sell goods or to access Web sites in order to conduct private business activities.



In addition to the ethics laws, there may be other laws or agency rules in place governing the use of your state computer. Employees are advised to check with their agencies about any other restrictions that may apply.

## What is *The High Road* ?



Article XIV of the Hawaii State Constitution states that public employees must exhibit the "highest standards of ethical conduct." *The High Road* is the path taken by employees who adhere to these standards. The purpose of the State Ethics Code is to promote high standards of ethical conduct in government, to preserve public confidence in government, and to keep all of us walking *The High Road*!

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

Commissioners: Robert R. Bean, Chair  
Carl Morton, M.D., Vice Chair  
Maria J. Sullivan  
Jerrold A. Fuller

Executive Director: Daniel J. Mollway, Esq.

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

Telephone: (808) 587-0460

Fax: (808) 587-0470

E-mail: [ethics@hawaiiethics.org](mailto:ethics@hawaiiethics.org)

Internet URL: <http://www.hawaii.gov/ethics>