



# THE HIGH ROAD

"Preserving public confidence in public servants."

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Hawaii State Ethics Commission

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## Hawaii State Ethics Commission Turns Forty!

40

On January 1, 2008, the Hawaii State Ethics Commission commemorated its 40<sup>th</sup> Anniversary. The Commission was established by the State Legislature forty years ago on January 1, 1968, during a time of great public discussion and debate about governmental ethics.

In the 1960's, Hawaii was a young state with a desire to establish a government with strong ethical standards. Two citizens groups began to organize public support for a state code of ethics and a state ethics commission. These two groups were the Honolulu League of Women Voters and the Citizen's Committee for Ethics in Government. In 1967, they joined forces to sponsor a conference on ethics in government. That conference led to the introduction of House Bill No. 6 during the 1967 legislative session. The bill established standards of ethical conduct for state legislators and employees. Included were provisions relating to the acceptance of gifts; the disclosure of confidential information; the misuse of official position; conflicts of interests; and the award of state contracts to state officials. House Bill No. 6 also established a State Ethics Commission to administer and enforce the standards of conduct.

Opponents of the bill questioned the need for ethics legislation. Supporters of the bill countered that the bill would promote higher standards of government and that it would promote public confidence in government.

The legislature passed House Bill No. 6, which was signed into law by Governor John A. Burns as Act 263. The law became effective on January 1, 1968. With the enactment of this law, Hawaii established one of the first comprehensive ethics codes in the nation. It also established the first ethics commission at the state level of government in the United

States. Hawaii — the youngest state in the nation — had become the first state to commit itself to achieving the highest standards of ethical conduct by establishing the first State Ethics Commission.

## Make A New Year's Resolution for 2008

Do you have a New Year's resolution to lose weight? Train for the marathon? Get more organized? How about also making an ethics resolution for 2008? Here are a few suggestions to help all state employees improve their ethics awareness in the coming year.



### Attend an ethics workshop.

The Hawaii State Ethics Commission offers a variety of ethics workshops for state employees. The workshops provide employees with a basic understanding of the state ethics laws. Watch for the Commission's schedule of ethics workshops for 2008, coming soon.

**Visit our Web site.** Visit the Commission's Web site at [www.hawaii.gov/ethics](http://www.hawaii.gov/ethics).

There you can browse through the Commission's many publications, research and review advisory opinions, and examine some of the public records that are filed with the Commission, such as financial disclosure statements and gifts disclosure statements.



**Read *The High Road*.** Read our newsletter, *The High Road*, and learn more about ethics. Find articles that highlight important standards of conduct for state employees. Test your knowledge by taking an ethics quiz. Discover links to educational resources for ethics.

Take a look at the **Campaign Ethics Guidelines in 2008**. In this important election year, campaign activities will be in full swing. Every state employee should be aware of the *Campaign Restrictions for State Officials and State Employees*, published by the Hawaii State Ethics Commission and posted on our Web site (click on the link for *Commission Publications*).

**Ask for ethics advice.** Do you have a question about ethics? Help is just a phone call away. The Hawaii State Ethics Commission provides confidential ethics advice to state employees. Call the Commission's office at (808) 587-0460 to speak to one of our attorneys for advice.



### State Ethics Commission Warns Employees About Accepting Special Discounts



On November 30, 2007, the Hawaii State Ethics Commission issued a news release warning state employees that they were prohibited from participating in a special sales event to be held by a private retail business. Invitations to the event were sent by an account manager for

the business to state employees who purchased goods from the business on behalf of their state agencies. State employees attending the event would be allowed to purchase goods for their personal use at special discounted prices. The Commission advised employees that the State Ethics Code prohibited them from attending the event to buy discounted goods for their personal use.

**Why couldn't state employees buy discounted goods for themselves at this event?** The discount was a prohibited gift. The gifts section of the State Ethics Code, HRS section 84-11, prohibits employees from accepting any gift under circumstances in which it can reasonably be inferred that the gift is intended to influence the performance of official duties or reward official action. The event in this case was a "customer employee appreciation day" sale. Special sale discounts were offered to state employees who had purchased goods for their state offices from the business. HRS section 84-11 prohibited these employees from accepting the special discounts since it would be reasonable to infer that the discounts were offered to influence or reward official action by the employees.

**Why couldn't other state employees attend this event?** State employees who received invitations to this event forwarded the invitations to other employees. The State Ethics Commission advised that these other employees were also prohibited from accepting the special discounts. Since the offer for special discounts was directed at state employees who purchased goods for the State, the offer was a prohibited gift that could not be accepted by these employees and could not be passed along to other employees for their acceptance.

**Does the State Ethics Code prohibit state employees from accepting all business discounts for their personal purchases?** No. For example, discounts that are offered to all members of the general public may also be accepted by state employees. Also, certain discounts that are available to a broad class of individuals, such as all government employees, and are not given as a reward for state business, may also be accepted. If you have questions about whether or not particular discounts may be accepted, contact the State Ethics Commission for advice.



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