



THE HIGH ROAD

"Preserving public confidence in public servants."

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Over 235 Register to Lobby in 2009

Over 235 lobbyists have registered with the Hawaii State Ethics Commission to lobby in 2009. A list of the registered lobbyists and the organizations that they represent is posted on the Hawaii State Ethics Commission's Web site at www.hawaii.gov/ethics.

The State Lobbyists Law, Chapter 97, Hawaii Revised Statutes, requires lobbyists to register with the Commission if they meet the following requirements:

- The lobbyist is paid to lobby by an employer, client, or other person or organization that employs the lobbyist, and
- The lobbyist spends more than five hours in a month lobbying or more than \$750 in any reporting period lobbying.

All registered lobbyists and the organizations that employ lobbyists are required to file a statement of lobbying expenditures and contributions with the Commission. Lobbying expenditures and contributions reports covering the period from January 1, 2009 through February 28, 2009, are due on March 31, 2009.

Lobbying Quiz

Question: A government employee testifies on bills before the Legislature on behalf of the employee's agency. Is the employee required to register as a lobbyist with the Hawaii State Ethics Commission?



Answer: No. Federal, state, and county employees acting in their official capacities are not subject to the registration or reporting requirements of the Lobbyists Law, Chapter 97, Hawaii Revised Statutes. If, however, a federal, state, or county agency contracts for the services of a lobbyist, then the lobbyist must register with the Commission and lobbying expenditures must be reported by both the lobbyist and the agency.

Ethics Code Prohibits Even the Appearance of Influence Peddling



Can a state legislator be hired by a business organization to lobby the Hawaii State Legislature?

Can a state employee, who also works as a sales representative for a company, negotiate contracts with her own state department on behalf of the company?

Can a state board member represent private clients before the board?

The answer to each of these questions is, "No." If you are a state government official or employee, the State Ethics Code prohibits you from assisting or representing a person or business for pay before your own department or agency (*Section 84-14(d), Hawaii Revised Statutes*).

The purpose of this prohibition is to prevent the appearance or actuality of influence peddling by state officials and employees. "Influence peddling" refers to the use of one's influence or connections in government to obtain special favors or preferential treatment. This is prohibited by the State Ethics Code because influence peddling, or even the appearance of influence peddling, diminishes public confidence

in government. Decisions by government of course should not be based on insider influence or connections.

The State Ethics Code prohibits the paid assistance or representation of others before your own state agency, whether your agency is the legislature, a state department, or a state board or commission. If you have questions about this prohibition and how it applies to you, contact the State Ethics Commission for advice.

Now see if you can solve the puzzle below using only three letters of the alphabet:

Y _ U M A Y N _ T A _ _ I _ T _ R
R _ P R _ _ _ N T _ T H _ R _ F _ R
P A Y B _ F _ R _ Y _ U R _ W N
_ T A T _ A G _ N C Y .

Answer: E, O, and S.



Hawaii State Ethics Commission Targets Conflicts of Interests and Nepotism in 2009 Legislative Package

The Hawaii State Ethics Commission has introduced the following bills this session:

HB 852/SB 1026. Relating to Conflicts of Interests. This bill amends the conflicts of interests section of the State Ethics Code to require a state employee to disqualify himself or herself from taking state action affecting substantial financial interests of an emancipated child. The current law does not require disqualification in this situation.

HB 853/SB 1027. Relating to Public Disclosure of Financial Interests. This bill requires legislators to file an annual disclosure of financial interests between January 1 and January 31 each year. Currently, legislators are required to file an annual disclosure of financial interests by May 31 of each year.

HB 854/SB 1028. Relating to Nepotism. This bill prohibits state employees and legislators from appointing or hiring close relatives to public office or employment. Currently, there is no law specifically addressing nepotism.

HB 855/SB 1029. Relating to the Disposition of Financial Interests Disclosures. This bill allows the Commission a one-year period to dispose of financial interests disclosure statements after the period of retention has expired.

HB 856/SB 1030. Relating to Lobbying Statement of Expenditures. This bill requires the filing of a fourth statement of lobbying expenditures and contributions. This fourth statement would cover the period from May 1 through August 31. Currently, these reports are filed only three times per year.

The Commission's 2009 legislative package is available for viewing at the Commission's Web site.

The High Road goes "e"!

TV has gone digital and *The High Road* is going "e"! Look forward to receiving future issues of our newsletter, *The High Road*, electronically! To help conserve state resources, future issues of *The High Road* will be e-mailed to our readers. If you are currently on our circulation list, we will be contacting you to request an e-mail address. We will also continue to post *The High Road* on our Web site.



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

Commissioners: Maria J. Sullivan, Esq., Chair
Jerrold A. Fuller, Vice Chair
Mark E. Brasher, Ph.D.
David J. Randell, M.D.

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

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