



HAWAII STATE ETHICS COMMISSION

State of Hawaii • Bishop Square, 1001 Bishop Street, ASB Tower 970 • Honolulu, Hawaii 96813

February 18, 2014

The Honorable Sylvia Luke, Chair
The Honorable Scott Y. Nishimoto, Vice Chair
The Honorable Aaron Ling Johanson, Vice Chair
Honorable Members
House Committee on Finance
Hawaii State Capitol, Room 308
415 South Beretania Street
Honolulu, Hawaii 96813

Re: **Testimony on HB No. 2378, H.D. 1, Relating to Training**

Hearing: February 19, 2014, 10:00 a.m.
State Capitol, Conference Room 308

Testimony From: Hawaii State Ethics Commission

The Honorable Sylvia Luke, Chair; The Honorable Scott Y. Nishimoto, Vice Chair;
The Honorable Aaron Ling Johanson, Vice Chair; and The Honorable Members of the
House Committee on Finance:

Thank you for this opportunity to testify on H.B. No. 2378, H.D. 1, Relating to Training. The Hawaii State Ethics Commission (“Commission”) supports the intent of this bill but is concerned that it may lack the resources to carry out the training mandated by the bill.

H.B. No. 2378, H.D. 1, requires the Office of Information Practices and the Commission to hold mandatory training sessions for all members of boards, commissions, or committees subject to Senate confirmation under Hawaii Revised Statutes (HRS) section 26-34. The Commission takes no position on those portions of H.B. No. 2378, H.D. 1, that apply to the Office of Information Practices, but is generally supportive of those portions of the bill that mandate training in the State Ethics Code.

The Commission offers ethics training sessions to all state officials and employees, including members of boards and commissions. These sessions are held throughout the year. In addition, the Commission has created a training video for board and commission members that is housed on the Governor’s website. The Commission agrees that it is important that board and commission members receive training in the State Ethics Code.

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The Commission is, however, seriously concerned that its limited resources will not be able to accommodate the extensive training mandated in this bill. The Commission estimates that this bill would require the initial training of approximately 1,000 individuals and the annual training of newly confirmed individuals. It would require a considerable amount of Commission staff time and resources to conduct such extensive training, to schedule the training, and to track and communicate with those individuals who must attend the training. Failure to attend the training would be a violation of the State Ethics Code. The Commission would have to devote further resources to address any violations of the mandatory training law. Violations of the State Ethics Code may be punished by fines of up to \$500 per violation.

In addition, there are considerable logistical problems that would be difficult to address. The bill is aimed at members of boards, commissions, and committees. The Commission believes that many or most of these individuals are volunteers who have full-time jobs in the private sector. Scheduling all of these individuals for mandatory training could be extremely difficult. Numerous make up sessions would further strain the resources of the Commission. Further, a number of these individuals live on neighbor islands. This adds to the logistical difficulties. The Commission has very limited funds available for neighbor island travel. While video conferencing may be a possibility, this too creates logistical difficulties.

We appreciate the opportunity to testify on H.B. 2378, H.D. 1, Relating to Training. We would like to thank the Committee for its consideration of our testimony.