



# HAWAII STATE ETHICS COMMISSION

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

## ETHICS ADVISORY 2013-02<sup>1</sup>

### COMPLIMENTARY GOLF

July 3, 2013

The Hawaii State Ethics Commission is investigating a number of state employees for accepting complimentary golf from vendors, contractors and other entities which may have a business interest with the employees' respective state departments. The investigation is ongoing; however, based on the information uncovered to date, it appears that there are many state employees and legislators who may have accepted and may continue to accept complimentary golf, both in the form of greens fees and entry fees to charity golf tournaments. It also appears that some of the employees and legislators have received significant gifts and prizes as a result of their participation in the golf tournaments.

Because of the substantial number of state employees who appear to have accepted and may continue to be accepting complimentary golf from entities which appear to do business with the State, the Commission is issuing this reminder to all state employees and legislators: **absent extraordinary and rare circumstances, the Commission construes the State Ethics Code to prohibit state employees and legislators from accepting complimentary golf.**<sup>2</sup> For purposes of the State Ethics Code, it is immaterial that the employee expects to discuss state business during the round of golf; it is immaterial that the golf tournament benefits a charity or other worthy cause; it is immaterial that the round of golf or golf tournament is on the weekend or the

<sup>1</sup> The Ethics Advisory was distributed to all state employees through the Office of the Governor, the Office of the Lieutenant Governor, the directors of the State Departments, University of Hawaii President M.R.C. Greenwood, University of Hawaii at Manoa Chancellor Tom Apple, University of Hawaii at Hilo Chancellor David Straney, University of Hawaii-West Oahu Chancellor Rockne Freitas, Office of Hawaiian Affairs Board of Trustees Chairperson Colette Y. Machado, Office of Hawaiian Affairs Chief Executive Officer Kamanaopono Crabbe, Hawaii Tourism Authority Board of Directors Chairman Ronald Williams, Hawaii Tourism Authority President and Chief Executive Officer Michael J. McCartney, Board of Education Chairman Donald Horner, Superintendent Kathryn Matayoshi, State Senators, State Representatives, Chief Clerk of the Senate Carol T. Taniguchi, Chief Clerk of the House of Representatives Brian L. Takeshita, Acting State Auditor Jan Yamane, Office of the Legislative Reference Bureau Acting Director Charlotte A. Carter-Yamauchi, Ombudsman Robin Matsunaga, and Administrative Director of the Courts Rodney Maile.

<sup>2</sup> The Commission strongly recommends that the employee or legislator contact Commission staff for advice before accepting any offer of complimentary golf that the employee or legislator believes the State Ethics Code may not prohibit. For more information about the application of the Gifts Law to other types of gifts, see the Gifts Guidelines at [http://hawaii.gov/ethics/pubs\\_guides/gifts/GiftsGuidelines.pdf](http://hawaii.gov/ethics/pubs_guides/gifts/GiftsGuidelines.pdf).

employee has taken a vacation day to play; it is immaterial that the employee or legislator is invited by somebody whom he or she knows if the greens fee or tournament fee is paid by the entity. The State Ethics Code simply prohibits state employees and legislators from accepting complimentary golf from entities having a business interest with the State.

If you have questions or would like to discuss this matter further, please contact Commission staff at 587-0460.