



The HIGH ROAD

"Preserving public confidence in public servants."

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Hawaii State Ethics Commission

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ETHICS AND LOBBYISTS LAW PUBLICATIONS AVAILABLE

The State Ethics Commission produces a number of publications about the ethics and lobbyists laws. These publications are available to state officials and employees, board and commission members, lobbyists, and the general public. The following is a list of some of the Commission's publications.

State Ethics Code Publications

- ✓ *Chapter 84, Hawaii Revised Statutes (Standards of Conduct).* Contains all statutory provisions of the State Ethics Code.
- ✓ *Major Provisions of the State Ethics Code.* General description and summary of the major provisions of the ethics code.
- ✓ *Ethics Guide for Elected Officials, Employees, Members of Boards and Commissions.* General information brochure about the ethics code and the State Ethics Commission. Includes discussion of the Commission's advisory opinion and investigation procedures.
- ✓ *Campaign Ethics Guidelines for Public Officials and Employees.* Explanation of ethics code restrictions on campaign activities by state officials and employees.
- ✓ *Questions and Answers on the Gifts Disclosure Law.* Sample questions and answers to assist legislators and employees in understanding the requirements of the gifts disclosure law.

Lobbyists Law Publications

- ✓ *Chapter 97, Hawaii Revised Statutes (Lobbyists).* Contains all statutory provisions of the State Lobbyists Law.
- ✓ *Important Features of the State's Lobbyists Law.* Explanation of major requirements of the lobbyists law.

- ✓ *Lobbying Registration and Reporting Manual for the Lobbyists Law.* Explanation of when persons must register as lobbyists with the Commission and how to report lobbying contributions and expenditures.
- ✓ *Questions and Answers on Lobbyist Registration and Reporting Requirements.* Sample questions and answers to assist persons in understanding lobbyist registration and reporting requirements.

Persons interested in any of these publications are invited to contact the Commission's office at 587-0460.

REMINDER: FINANCIAL INTERESTS DISCLOSURES DUE APRIL 30, 1994

Each year, approximately 1,600 state officials file financial interests disclosures with the State Ethics Commission. The State Constitution requires the filing of these financial disclosures. Persons required to file financial disclosures must provide information about sources and amounts of income; business ownership; officer and director positions; ownership of real property; debts; creditor interests in insolvent businesses; and the names of persons represented before state agencies.

The financial disclosures of certain state officers and employees and candidates for elective state office are available for public inspection. Those filing public disclosures include the governor and lieutenant governor, the members of the state legislature, the members of the Board of Education and the trustees of the Office of Hawaiian Affairs, the directors and deputies of all state departments, and the president, vice presidents, chancellors, and provosts of the University of Hawaii. The financial disclosures of other state employees are confidential records and are not available for public inspection but are reviewed by the Commission for possible conflicts of interest.

Financial disclosures must be filed within thirty days of one's election or appointment to state office. Thereafter, disclosures must be updated between January 1 and April 30 of each

year. Failure to file a financial disclosure as required by law constitutes a violation of the State Ethics Code.

In January, the Commission mailed financial disclosure forms to all persons required to update their financial interests filings by April 30 of this year. Persons with questions about the filing requirements or the completion of the forms should contact the Commission for assistance **before** the April 30th deadline.

ETHICS QUIZ

Question: A state employee works part-time selling real estate. Is it permissible for the employee to hold meetings with private clients during lunch time at the employee's state office?

Answer: No. The State Ethics Code prohibits the use of state time, equipment, and facilities for private business purposes. HRS §84-13(3).

ETHICS AND LOBBYING LEGISLATION '94

This year, the State Ethics Commission is seeking the enactment of legislation that would: (1) make public the Commission's hearings and the decisions made after the hearings, and (2) make public disciplinary action taken against state officials or employees who violate the State Ethics Code.

Currently, the Commission investigates and prosecutes charges of ethics violations on a strictly confidential basis. Cases involving possible ethics violations can only be made public **after** the Commission has conducted a formal administrative hearing **and** has determined that the ethics laws have in fact been violated. The Commission believes that a more public

enforcement process will enhance public confidence in the ethics laws and in government.

Other legislative measures supported by the Commission this year include the following:

1. Legislation to extend the statute of limitations for ethics violations from three to six years;
2. Legislation to amend the post-employment restrictions of the ethics code. The proposed legislation would prohibit a former state employee, for one year following the termination of government service, from being paid to **personally represent** others before the employee's former state agency.
3. Legislation to require the filing of a third expenditures statement by lobbyists and their principals. The law currently requires only two expenditures reports. The proposed legislation would require the filing of a third report due after the end of the legislative session.

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