



# THE HIGH ROAD

*"Preserving public confidence in public servants."*

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Hawaii State Ethics Commission

August 2002

## **Governor Appoints Nadine Ando and Dawn Suyenaga to the Hawaii State Ethics Commission**

Governor Cayetano has appointed Nadine Ando to a four-year term on the Hawaii State Ethics Commission. Ms. Ando is an attorney with the law firm of McCorriston Miller Mukai MacKinnon, LLP. She received her law degree from the William S. Richardson School of Law, University of Hawaii, and is a member of the Hawaii State Bar Association and the American Bar Association. Ms. Ando has also served as an arbitrator for the State of Hawaii Court Annexed Arbitration Program. Ms. Ando's term on the Commission runs until June 30, 2006.

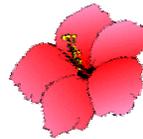
Governor Cayetano also has reappointed Dawn Suyenaga to a four-year term on the Hawaii State Ethics Commission. This is Ms. Suyenaga's second term on the Commission. Ms. Suyenaga is Senior Vice President and Chief Operating Officer of Gentry-Pacific, Ltd. She is an attorney and a member of the Hawaii and California State Bar Associations, as well as the American Bar Association. Ms. Suyenaga received her law degree from the University of Pennsylvania Law School. Ms. Suyenaga's term on the Commission runs until June 30, 2006.

## **Commission Elects New Officers for 2002**

The Hawaii State Ethics Commission has elected new officers for 2002. The Commission elected Ronald R. Yoshida as Chairperson and Dawn Suyenaga as Vice Chairperson.

The current members of the Hawaii State Ethics Commission are as follows:

Ronald R. Yoshida, Chairperson  
Dawn Suyenaga, Vice Chairperson  
Nadine Y. Ando  
Eloise Lee  
Carl Morton, M.D.



## **Aloha Commissioner Abdul**

The Hawaii State Ethics Commission and its staff send their Aloha to former Commissioner Leolani Abdul. Ms. Abdul completed her second term on the Commission on June 30, 2002. First appointed to the Commission by Governor Waihee in 1994, and then reappointed by Governor Cayetano in 1998, Ms. Abdul served two four-year terms on the Hawaii State Ethics Commission. She has been the Commission's chairperson for the last six years.

Ms. Abdul has been an extraordinary commissioner. Her leadership and communication skills were tremendous assets to the Commission. During her two terms on the Commission, she dedicated literally hundreds of hours to the cause of promoting ethics in government. We feel extremely fortunate to have worked with Ms. Abdul during the past eight years, and we send her our heartfelt best wishes and Aloha.

## **Is Something For Sale In Your State Office?**

*A state employee owns her own candy business. Every Friday, the employee brings home-made fudge to work to sell to the other employees in her state office.*

*A state employee sells apple bananas at work for a friend who owns a banana farm. The employee takes orders for bananas and collects payment from other employees in the office. The employee also delivers orders for bananas to her state office.*



*A state employee sells coupon books to other employees at work as part of a fundraiser to benefit his child's soccer team. The employee uses his state office e-mail to inform employees in his department about the coupon books.*

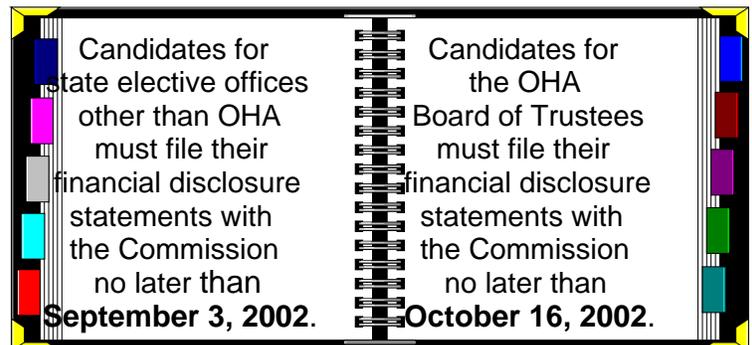
Are any of these scenes familiar? Recently, a number of cases have been reported to the Hawaii State Ethics Commission of state employees engaging in private business activities at work. Such activities are prohibited by the State Ethics Code.

## State Candidates File Financial Disclosure Statements

The State Ethics Code requires all candidates for state elective office to file financial disclosure statements with the Hawaii State Ethics Commission. This year, candidates for the following state offices must file disclosure statements with the Commission:

- Governor
- Lieutenant Governor
- Hawaii State Senate
- Hawaii State House of Representatives
- Board of Trustees of the Office of Hawaiian Affairs (“OHA”)
- State Board of Education

Candidates must report the following financial interests on their disclosure statements: (1) Sources and amounts of income received for services rendered; (2) ownership or beneficial interests held in businesses; (3) officerships, directorships, trusteeships, or other fiduciary relationships held in businesses; (4) creditors to whom \$3,000 or more is owed; (5) interests held in real property in the State; (6) clients personally represented before state agencies; and (7) creditor interests in any insolvent business having a value of \$5,000 or more.



All candidates' financial disclosure statements are public records and may be reviewed at the Commission's office during state business hours.

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

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Nadine Y. Ando  
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To some employees, these activities may seem harmless. Is it really such a bad thing to sell Tupperware to a co-worker? To other employees, however, these activities are intrusive and unwelcomed. State employees have reported feeling “pressured” when solicited by co-workers or even by supervisors who conduct sales activities in the office. And from the public's point of view, these activities are a misuse of the tax dollars that fund state government. Private business activities that are conducted in state offices disrupt state business and consume state resources.

The State Ethics Code prohibits the use of state resources for private business purposes. These prohibitions are based on the “Fair Treatment” section of the ethics code, Hawaii Revised Statutes section 84-13. This section prohibits the use of one's official position to obtain an unwarranted privilege or advantage. This section of the ethics code also specifically prohibits the use of state time, equipment, and facilities for private business purposes. A “private business” includes for-profit and not-for-profit businesses.

All state employees should be aware of the following prohibitions:

- The State Ethics Code prohibits the use of **state time** for private business purposes.
- The State Ethics Code prohibits the use of **state equipment** for private business purposes. State equipment includes state telephones, fax machines, copiers, computers, and state vehicles.
- The State Ethics Code prohibits the use of **state facilities** for private business purposes. State facilities include state offices and work areas, conference rooms, and employee lunch rooms.
- The State Ethics Code prohibits the use of **state e-mail** and the **state messenger service** for private business purposes.
- The State Ethics Code prohibits the use of **state personnel** for private business purposes. For example, the ethics code prohibits a supervisor from using subordinate employees to perform private business activities at work.

In limited situations, state resources may be used for private business activities if the activities further a state purpose. These situations should be cleared in advance with the Commission to ensure that no ethics problems arise.

If you have a question or concern about private business activities in your state office, do not hesitate to contact the Commission for advice.