



THE HIGH ROAD

"Preserving public confidence in public servants."

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Hawaii State Ethics Commission

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2003 Legislature Considers New Ethics Laws

The Hawaii State Ethics Commission is closely tracking over 50 bills at the Legislature this year. Many of the bills, if passed, will amend the State's ethics laws. Some of the bills that are being considered by the Legislature include the following:

- ▶ *Mandatory ethics training.* S.B. No. 296, SD 1, provides for mandatory ethics training for the governor, lieutenant governor, legislators, members of the Board of Education, executive department heads and their deputies, and trustees of the Office of Hawaiian Affairs.
- ▶ *Gifts reporting.* H.B. No. 286 lowers the value of gifts from a single donor that must be disclosed by a legislator or state employee to the State Ethics Commission from the current \$200 threshold to \$100.
- ▶ *Financial disclosure reporting of ownership interests.* H.B. No. 533, HD 1, expands the financial disclosure reporting requirements for state officials and employees to include the reporting of ownership interests in businesses and real property that are outside the State of Hawaii.
- ▶ *Criminal misconduct by public employees.* H.B. No. 287, HD 3, provides that a public employee who has been convicted of a felony for conduct in violation of the employee's duties shall be terminated upon conviction.
- ▶ *Conflicts of Interests.* H.B. No. 865, HD 2, prohibits a public employee from taking official action directly affecting a brother, sister,

parent, emancipated child, or household member.

- ▶ *Legislative ethics.* S.B. No. 1606, SD 1, establishes conflict-of-interest violations for legislators; establishes a legislative ethics committee in each house; expands the financial disclosure requirements for legislators; and requires disclosures of fund raising activity by legislators 30 days prior to, and during, all legislative sessions.

Three Citizens Recognized For Outstanding Contributions to Ethics In Government

The Hawaii State Ethics Commission recently recognized three citizens for their outstanding contributions to ethics in government. The Commission issued resolutions commending and congratulating **Cassandra Abdul**, **Jean Aoki**, and **Larry Meacham** for their valuable contributions to the State of Hawaii and its citizens.

Cassandra Abdul served as a member of the Commission from 1994 to 2002. She was the Commission's chairperson from 1997 - 2002. The Commission recognized Ms. Abdul for her "outstanding personal commitment to public service" and her "significant contributions as a proponent of the highest ethical standards in government."

Jean Aoki is the legislative chair of The League of Women Voters of Hawaii. Larry Meacham is the former executive director and spokesperson for Common Cause Hawaii. The Commission commended Ms. Aoki's and Mr. Meacham's contributions as advocates for strong ethics

legislation in Hawaii and officially recognized their “efforts to ensure the integrity of government and public confidence in government.”

The Commission’s resolutions honoring Ms. Abdul, Ms. Aoki, and Mr. Meacham are posted on the Hawaii State Ethics Commission website at www.hawaii.gov/ethics.



Ethics Workshops for Procurement and Contracts Personnel

The Hawaii State Ethics Commission will offer ethics workshops for state procurement and contracts personnel, beginning in May, 2003. The workshops will provide an overview of the State Ethics Code, with an emphasis on ethics issues that are especially relevant for employees who procure goods and services for their state agencies, or who award or monitor state contracts. Workshop topics will include the following:

- ▶ How does the State Ethics Code apply to the procurement of goods and services for the State?
- ▶ What conflicts of interests should state employees be aware of when procuring goods and services?
- ▶ What restrictions apply to state employees who wish to acquire outside employment with state vendors or contractors?
- ▶ What procedures must state agencies observe when awarding contracts to state officials, or to businesses in which state officials have controlling interests?
- ▶ What restrictions apply to former state employees who are now employed by vendors or contractors doing business with the State?
- ▶ Can state employees accept meals, trips, or any other gifts from vendors or contractors?
- ▶ What are the penalties for procuring goods or services in violation of the State Ethics Code?

For additional information about these workshops, contact the Hawaii State Ethics Commission at 587-0460.

Question: Rochelle is a state employee. Her job is to meet with members of the public and inform them about the various projects and programs that are offered by her state agency.

One day a citizens' group asks her to speak to its members about a program that is offered by her agency. She does this and her speech is well-received. The head of the citizens' group thanks Rochelle for her speech and presents her with a \$50 honorarium. May she accept this?

Answer: No, Rochelle may not accept the honorarium. The *Fair Treatment* law, HRS section 84-13, prohibits a state employee from using his or her state position to give himself, herself, or anyone else, any unwarranted benefit. In addition, a subsection of this law, HRS section 84-13(2), prohibits a state employee from receiving compensation in excess of the employee’s salary for performing the employee’s state duties. Rochelle’s duties included informing the public about the agency’s programs. She receives a state salary for this and may not accept additional compensation in the form of an honorarium from the citizens' group.

State employees who are offered money, gift certificates, tickets to entertainment or sporting events, or other gifts or items of value in connection with the performance of their state duties should check with the Hawaii State Ethics Commission before accepting them.



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