



THE HIGH ROAD

"Preserving public confidence in public servants."

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Hawaii State Ethics Commission

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Mandatory Ethics Training Bill Becomes Law

It's now the law. Governor Lingle has signed a bill that mandates ethics training for high-ranking Hawaii state officials. The new law, Act 198, takes effect on January 1, 2005. Here are some highlights of the new law.



What does the new law require?

The new law requires certain high-ranking state officials to complete a two-hour ethics training course conducted by the Hawaii State Ethics Commission.

Which state officials are subject to the new law?



The following state officials are subject to the new law and must complete an ethics training course:

- ▶ The Governor and Lieutenant Governor
- ▶ Executive Department Heads and Their Deputies
- ▶ Legislators
- ▶ Elected Members of the Board of Education
- ▶ Trustees of the Office of Hawaiian Affairs

What kind of ethics training will be conducted?

The course will include education and training on the State Ethics Code, Chapter 84, Hawaii Revised Statutes, and the Lobbyists Law, Chapter 97, Hawaii Revised Statutes.

When will ethics training begin?

Ethics training courses will begin in January of 2005, when the new law takes effect. All persons who are required to attend will be notified of training dates by the Commission.



Where can I find a copy of the new mandatory ethics training law?

The new law, Act 198, is posted on the Commission's web site at www.hawaii.gov/ethics.

Is ethics training available for other state employees who are not covered by the new law?

Yes! The Hawaii State Ethics Commission regularly offers ethics training workshops for state employees. If your agency is interested in hosting an ethics workshop, contact the Commission's office at 587-0460.

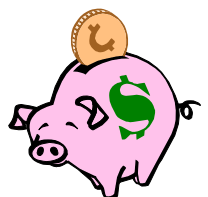
Governor Appoints Robert Bean to State Ethics Commission



Governor Lingle has appointed Robert R. Bean to the Hawaii State Ethics Commission, effective July 1, 2004. Mr. Bean is the President and Chief Executive Officer of Alert Holdings Group, Inc., dba Alert Alarm of Hawaii. He also is executive director of the Hawaii Burglar and Fire Alarm Association, and a charter member of the Council of Police and Private Security. Mr. Bean's term on the State Ethics Commission runs until June 30, 2008.

Planning Your State AUW Campaign?

Are you planning the Aloha United Way Campaign for your state agency this year? The State Ethics Commission has published ethics guidelines for AUW fund raising by state agencies. To obtain a copy of the ethics guidelines, contact the Commission's office or visit our web site.





Filed Gifts Disclosure Statements on the Web

Over 100 state officials and employees recently filed gifts disclosure statements with the Hawaii State Ethics Commission.

The gifts disclosure statements cover gifts received during the period from June 1, 2003, to the end of May, 2004. The disclosure statements are public records and have been posted on the Commission's web site.

The State Ethics Code requires state officials and employees to file gifts disclosure statements with the Commission if (1), the individual, or the individual's spouse or dependent child, received from one source (a), any gift greater than \$200, or (b), gifts whose combined value is greater than \$200; and (2), the source of the gift or gifts has interests that may be affected by official action by the individual; and (3), the gift is not exempted by the ethics code from the reporting requirements.

Informal Advisory Opinion No. 2004-2

The Commission reached a resolution with Governor Linda Lingle in June of this year on two charges that were filed against the Governor for using state resources to support the activities of a private entity known as the Citizens Achieving Reform in Education ("CARE").

CARE was originally formed by the Governor as an advisory group to develop a plan for public education reform. CARE later became a nonprofit corporation, and filed with the Internal Revenue Service for status as a 501(C)(4) organization, which allowed CARE to lobby. State employees and other state resources were used by the Governor's office in support of CARE. The charges alleged that this violated the State Ethics Code.

After the filing of the ethics charges, Governor Lingle stopped the use of state resources for CARE. The Governor also obtained restitution of nearly \$30,000 from CARE for CARE's use of state resources. The Governor acknowledged that the ethics code had been violated and apologized to the Commission and to the people of Hawaii.

The Commission issued a written opinion to the Governor about the use of state resources for CARE. In light of the Governor's quick actions to resolve ethics concerns in the case, the Commission decided that further proceedings were not warranted. With the Governor's consent, the Commission's opinion was made public. Normally, the Commission's informal advisory opinions must have information that identifies the person charged redacted before being released publically. In its opinion, the Commission commended the Governor for her full cooperation in addressing and resolving the case. The opinion, Informal Advisory Opinion No. 2004-2, which includes the Governor's written response to the charges filed against her, is posted on the Commission's web site at www.hawaii.gov/ethics. The Commission posts all informal advisory opinions on its web site.



State Ethics Commission Issues Reminder About Prohibited Campaign Activities in State Offices

To prevent violations of the State's ethics laws during this election year, the State Ethics Commission sent reminders to all state offices about the prohibited use of state resources for campaign activities. The reminders included copies of the Commission's flyer entitled, "Campaign Restrictions for State Officials and State Employees." These restrictions are based on the State Ethics Code and they apply to all state employees.

The Commission encourages every state employee to read the campaign restrictions flyer. Employees with any questions about the campaign restrictions should contact the Commission's office.

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

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