



HAWAII STATE ETHICS COMMISSION

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

HAWAII STATE ETHICS COMMISSION BUDGET REQUEST FOR FY 2008-09

TO: The Honorable Marcus R. Oshiro, Chair
The Honorable Marilyn B. Lee, Vice Chair
House Committee on Finance

FROM: Hawaii State Ethics Commission

TESTIFYING: Daniel J. Mollway
Executive Director and General Counsel
Hawaii State Ethics Commission

EXHIBITS: Nos. 1 - 5

VIA: Ms. Marion Higa, Legislative Auditor

DATE: January 7, 2008

TIME: 9:00 a.m.

ROOM: Conference Room 308

The Honorable Marcus R. Oshiro, Chair, the Honorable Marilyn B. Lee, Vice-Chair, and Honorable Members of the House Committee on Finance:

Thank you for this opportunity to present the Hawaii State Ethics Commission's Budget Request for Fiscal Year 2008-09. The Hawaii State Ethics Commission is comprised of five commission members. The current members of the Hawaii State Ethics Commission are: Robert R. Bean (Chairperson), Maria J. Sullivan (Vice-Chairperson), Jerrold A. Fuller, Mark E. Brasher, and David J. Randell, M.D. The State Ethics Commission's staff consists of 10 full-time employees: Five attorneys (including the executive and associate directors), and five support staff comprised of a computer specialist, three secretaries, and a clerk-typist.

DUTIES OF THE HAWAII STATE ETHICS COMMISSION

January 1, 2008, was the 40th anniversary of the Hawaii State Ethics Commission. The Hawaii State Ethics Commission was the first "state" ethics commission created in the United States. The people of the State of Hawaii can rightfully be proud of Hawaii's role in being part of the initial efforts in our country to establish and enforce high ethical standards for state officials and state employees.

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The Legislature created the Hawaii State Ethics Commission in 1967 (H.B. 6; Act 263), to begin its operations on January 1, 1968. Later in 1968, the Code of Ethics was established by Article XIV, Section 5, of the Constitution of the State of Hawaii. The Hawaii State Ethics Commission itself was established as a constitutional entity in 1978 by **Article XIV of the Constitution of the State of Hawaii**. Article XIV of the Constitution of the State of Hawaii mandates the establishment of a state ethics commission for state officials and employees, as well as a separate ethics commission for each of the four counties in Hawaii, for county officials and employees. Article XIV also mandates that the state Legislature and county councils adopt laws covering governmental ethics and lobbying for their respective jurisdictions, to be administered by the various ethics commissions.

The Hawaii State Ethics Commission is by law responsible for the **administration and enforcement** of Chapters 84 and 97 of the Hawaii Revised Statutes. Chapter 84, HRS, contains (1) the "State Ethics Code" -- a code of governmental ethics laws for state officials and employees; (2) a financial interests disclosure law for state officials, state employees, and candidates for state elective office; and (3) a gifts disclosure law for state officials and employees. Chapter 97 is the State's "Lobbyists law," which requires lobbyists to register with the Hawaii State Ethics Commission, and requires lobbyists and their clients to file three reports each year disclosing their lobbying expenditures. Chapter 97 pertains to those who lobby at the State level.

The number of individuals subject to the jurisdiction of the Hawaii State Ethics Commission is approximately **70,000**, which includes state officials and state employees, state board and commission members, and lobbyists and their clients.

The State Ethics Code, which the Hawaii State Ethics Commission administers and enforces, is a code of conduct for state officials, state employees, and state board and commission members. The State Ethics Code contains restrictions pertaining to gifts, confidential information, conflicts of interests, misuse of official position, supplemental compensation, misuse of state resources, representation of clients before state and county agencies, restrictions regarding state contracts, and post-employment restrictions.

With respect to both Chapters 84 and 97, the Hawaii State Ethics Commission is responsible for issuing advisory opinions and informal advice in order to assist individuals in understanding and abiding by these laws. The Commission received approximately **1,200** requests for advice during the prior fiscal year. Many of these requests can be handled in a short amount of time, while others may take months of researching factual and legal issues.

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The Hawaii State Ethics Commission is also responsible for enforcing Chapters 84 and 97. In enforcing Chapters 84 and 97, the Hawaii State Ethics Commission initiates investigations, issues charges, receives charges from the public, issues subpoenas, and holds formal, contested-case hearings in accordance with Chapter 91, HRS, Hawaii's Administrative Procedure Act. The Commission received approximately **200** complaints during the prior fiscal year.

The Hawaii State Ethics Commission also received approximately **2,100** financial interests disclosure statements during the prior fiscal year. Approximately **280** lobbyists, representing approximately **340** clients, were registered with the Hawaii State Ethics Commission during the prior fiscal year. Lobbyists must file a lobbyist's registration statement with the Hawaii State Ethics Commission. On odd-numbered years, lobbyists are required to renew their lobbyist's registration statements. The Hawaii State Ethics Commission received approximately **1,800** lobbying expenditures reports from lobbyists and their clients in the prior fiscal year. The Hawaii State Ethics Commission also received in the prior fiscal year approximately **124** gifts disclosure statements and **216** candidates financial interests disclosure statements. Thus, the Hawaii State Ethics Commission in the prior fiscal year received approximately **4,520** filings for review, in addition to its other duties of rendering legal advice, issuing advisory opinions, initiating enforcement actions, and conducting numerous educational presentations on ethics and lobbying. The last exhibit attached to this testimony gives more specific statistical data relating to the Commission's workload during the prior fiscal year. During the current fiscal year, which is half over, the workload of the Commission continues to increase.

BUDGET PROPOSAL FOR FY 2008-09

Our budget approved by the Legislature for the current fiscal year is \$825,214.

For the upcoming fiscal year, our budget request is \$885,292, an increase of \$60,078 over our current budget, which represents an increase of approximately 7%. Of this \$60,078, \$37,147 is needed to cover salary increases already approved by the Legislature. This sum also covers pay adjustments made during the current fiscal year for certain Commission employees. The rest of the \$60,078 sum includes \$22,931 for certain increases in office expenses. The most significant increases in this category relate to an increase in office rent, and a \$10,000 increase for investigative services we contract for. Our workload of late in the enforcement area of our work indicates that we need additional funding for investigative services.

We would like to sincerely thank the Senate Committee on Ways and Means for your support in the past, and for this opportunity to present our budget requirements for the upcoming fiscal year. We would be happy at this time to respond to any questions Committee Members may have.

HAWAII STATE ETHICS COMMISSION BUDGET FOR FY 2007-08
Statement Showing Budget and Estimated Expenditures
By Object of Expenditure for FY 2007-08

	<u>Budget</u>	<u>Estimated Expenditures</u>	<u>Variance</u>
PERSONAL SERVICES:			
Staff salaries	\$660,153.00	\$660,153.00	\$0.00
Contractual services	6,800.00	6,800.00	0.00
Total personal services	666,953.00	666,953.00	0.00
OTHER EXPENSES:			
Office expenses	16,314.00	16,314.00	0.00
Out-of-state travel	14,123.00	14,123.00	0.00
Intrastate travel	5,000.00	5,000.00	0.00
Printing	9,700.00	9,700.00	0.00
Rental & maintenance of equipment	11,443.00	11,443.00	0.00
Books, subscriptions, and dues	12,981.00	12,981.00	0.00
Training	400.00	400.00	0.00
Newspaper ads	1,600.00	1,600.00	0.00
Commission hearings and meetings	15,600.00	15,600.00	0.00
Office furniture and equipment	5,000.00	5,000.00	0.00
Space rental	66,100.00	66,100.00	0.00
	<hr/>	<hr/>	<hr/>
Total other expenses	158,261.00	158,261.00	0.00
TOTAL	<u>\$825,214.00</u>	<u>\$825,214.00</u>	<u>\$0.00</u>

HAWAII STATE ETHICS COMMISSION BUDGET REQUEST FOR FY 2008-09
Statement Showing Budget and Estimated Expenditures
By Object of Expenditure for FY 2008-09

Personal Services:

Staff salary	\$697,300.00
Contractual services	<u>6,800.00</u>

Total personal services	704,100.00
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Other Expenses:

Office expenses	18,914.00
Out-of-state travel	15,654.00
Intrastate transportation and travel	5,000.00
Printing	9,700.00
Rental and maintenance of equipment	11,443.00
Dues, subscriptions, training	15,381.00
Newspaper advertisements	1,600.00
Commission meetings and hearings	28,500.00
Office furniture and equipment	5,000.00
Office rent	<u>70,000.00</u>

Total other expenses	181,192.00
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TOTAL	\$885,292.00
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Hawaii State Ethics Commission Major Functions

I STATE'S ETHICS LAW	II STATE'S LOBBYISTS LAW	III FINANCIAL DISCLOSURE LAW	IV GIFTS DISCLOSURE LAW	V CANDIDATES FINANCIAL DISCLOSURE LAW	VI EDUCATION RE: LAWS	VII LEGISLATION	VIII WEBSITE
Duties: • Administration • Legal Opinions • Enforcement • Rules	Duties: • Administration • Legal Opinions • Enforcement • Filings Per Year • Auditing • Rules	Duties: • Administration • Legal Opinions • Enforcement • Filings Per Year • Auditing • Rules	Duties: • Administration • Legal Opinions • Enforcement • Filings Per Year • Auditing • Rules	Duties: • Administration • Legal Opinions • Enforcement • Filings Per Election • Auditing • Rules	Duties: • Mandatory Sessions • Sessions Developed by Office • Publications	Duties: • State Ethics Code • State Lobbying Law • Financial Disclosure Law • Gifts Disclosure Law • Candidates Financial Disclosure Law	Duties: • Development • Updating • Maintenance • Technology

IX DISCLOSURE FILINGS	Disclosure Filing Date	Approximate Number of Disclosures
Annual Financial Interests Disclosures Statements	May 31	1,800
Candidates Financial Interests Disclosures Statements	20 days before primary*	200
Gifts Disclosure Statements	June 30	100
Lobbyist Registration Statements	January**	250
Lobbying Organizations Expenditure Reports	March 31	250
Lobbying Organizations Expenditure Reports	May 31	250
Lobbying Organizations Expenditure Reports	January 31	250
Lobbyists Expenditure Reports	March 31	250
Lobbyists Expenditure Reports	May 31	250
Lobbyists Expenditure Reports	January 31	250
Other Filings	January 1 - December 31	50

X ADMINISTRATION
Duties: • Management • Supervision • Fiscal • Personnel • Procurement • Technology • Planning

Note: State's Ethics Laws: Chapter 84, Hawaii Revised Statutes
State's Lobbyists Law: Chapter 97, Hawaii Revised Statutes

ANNUAL TOTAL (even-numbered years) 4,000
ANNUAL TOTAL (odd-numbered years) 3,700***

* Filed every even-numbered year only. OHA candidates file 20 days before the general election.

** Renewed every odd-numbered year for registered lobbyists.

*** Candidate's Financial Interests Disclosure Statements not filed in odd-numbered years.

FULL-TIME STAFF: 10 Individuals

HAWAII STATE ETHICS COMMISSION DUTIES

A. PRINCIPAL DUTIES

1. Administration and Enforcement of State Ethics Laws (Chapter 84, Hawaii Revised Statutes)
2. Administration and Enforcement of Financial Interests Disclosure Law (Chapter 84, Hawaii Revised Statutes)
3. Administration and Enforcement of Gifts Disclosure Law (Chapter 84, Hawaii Revised Statutes)
4. Administration and Enforcement of the Lobbyists Law (Chapter 97, Hawaii Revised Statutes)
5. Issuance of Advisory Opinions Pursuant to HRS §11-192.5
6. Mandatory Ethics Training (Act 198, SLH 2004)
7. Other Educational Programs With Respect to Laws Administered and Enforced
8. Office Administration

B. SPECIFIC DUTIES REGARDING PERFORMANCE OF PRINCIPAL DUTIES

1. Legal Advisory Duties

- (1.1) Attorney oral legal advice (no written office memorandum)
- (1.2) Attorney oral legal advice (written office memorandum)
- (1.3) Attorney legal opinion letters
- (1.4) Confidential Commission advisory opinions
- (1.5) Public format Commission advisory opinions
- (1.6) Declaratory orders
- (1.7) Legal research

2. Legal Enforcement

- (2.1) Drafting resolutions
- (2.2) Drafting subpoenas
- (2.3) Interviews
- (2.4) Investigation
- (2.5) Writing letters requesting information
- (2.6) Involvement in informal hearings
- (2.7) Prosecutorial role in formal hearings
- (2.8) Counsel to the HSEC in formal hearings
- (2.9) Drafting charges
- (2.10) Reviewing charges filed with the HSEC
- (2.11) Review of requests to investigate
- (2.12) Handling court appeals
- (2.13) Review of information to determine if investigation is warranted
- (2.14) Writing decisions
- (2.15) Writing Findings of Fact and Conclusions of Law
- (2.16) Writing Commission Informal Advisory Opinions

- (2.17) Writing public formatted Commission Informal Advisory Opinions
- (2.18) Legal research

3. Education Program

- (3.1) Mandatory Ethics Training
- (3.2) New employee orientations
- (3.3) Post-employment law orientations
- (3.4) Ethics laws workshops
- (3.5) Ethics laws presentations
- (3.6) Presentations on the lobbying law
- (3.7) Presentations on the financial interests disclosure law
- (3.8) Writing educational brochures and flyers
- (3.9) Television and radio presentations
- (3.10) Advisory memoranda
- (3.11) Preparation of speeches
- (3.12) Preparation of educational materials
- (3.13) Board member orientation speech
- (3.14) Workshop flyers & registration
- (3.15) Parking permit requisition

4. Legislation

- (4.1) Proposing new legislation
- (4.2) Drafting proposed legislation
- (4.3) Amending current laws
- (4.4) Drafting testimony
- (4.5) Testifying at legislative hearings
- (4.6) Monitoring all bills for those affecting our laws
- (4.7) Legal research involving legislation
- (4.8) Bill tracking
- (4.9) Reviewing hearing agendas, standing committee reports, Senate and House journals, order of the day.

5. Commission Meeting Preparation

- (5.1) Preparation and organization of meeting folder
- (5.2) Drafting of "for actions"
- (5.3) Preparation of oral presentations at Commission Meetings

6. Contact With Commissioners

7. Audit/Review of Filings; Lobbyist List

- (7.1) Annual legislator and state employee disclosure of financial interests statements (1,800/yr.)
- (7.2) Lobbying expenditures reports (800/yr.)
- (7.3) Lobbyist registration (234 currently registered)
- (7.4) Preparation and dissemination of list of lobbyists and organizations they represent.

- (7.5) Candidates' disclosure of financial interests statements (300 every other year)
 - (7.6) Signing lobbyists' registration cards
 - (7.7) Acknowledgment letters for financial disclosure filers (state employees/candidates)
 - (7.8) Reminder letters for financial disclosure filers (state employees/candidates)
 - (7.9) Reminder letters to filers for lobbying expenditure reports
8. Forms Drafting and Revision
- (8.1) Financial interests disclosure form and instructions for state officials and candidates
 - (8.2) Amendatory financial interests disclosure form for state officials and employees
 - (8.3) Lobbyist registration form
 - (8.4) Lobbying expenditures report form
 - (8.5) Telcon form
9. Rules
- (9.1) Proposing new rules
 - (9.2) Modifying existing rules
 - (9.3) Repealing existing rules
 - (9.4) Handling petitions for rule changes
 - (9.5) Drafting rules
 - (9.6) Legal research
10. Media
- (10.1) Media inquiries and interviews
 - (10.2) Drafting press releases
11. Conferences
- (11.1) Conference attendance
 - (11.2) Conference participation as speakers, panelists
12. Assisting Other Jurisdictions
- (12.1) Assistance by written correspondence
 - (12.2) Assistance by oral consultations
 - (12.3) Responding to requests for information
13. Purchasing
- (13.1) Summary Warrant Voucher form review and signature
 - (13.2) Journal vouchers
 - (13.3) Purchasing forms
 - (13.4) Petty cash vouchers
 - (13.5) Requisition and Purchase Order form review

14. Travel

- (14.1) Purchasing tickets
- (14.2) Setting itinerary
- (14.3) Statement of Completed Travel form review

15. Other Administrative Functions

- (15.1) Daily office management
- (15.2) Budget preparation
- (15.3) Budget testimony
- (15.4) Daily budget management
- (15.5) Payroll management
- (15.6) Personnel hiring (advertising, resume review, writing sample review, interviews, reference checks)
- (15.7) Personnel matters
- (15.8) Personnel evaluations
- (15.9) Short-term planning
- (15.10) Long-range planning
- (15.11) Vacation leave, sick leave, other leave approval
- (15.12) Office space and leasing matters
- (15.13) Compliance with directives from other state agencies
- (15.14) Compilation of statistics
- (15.15) Office Security
- (15.16) Office equipment acquisition
- (15.17) Office equipment integration into office work
- (15.18) Development of appropriate job descriptions
- (15.19) Dealing with lessor re office matters
- (15.20) Incoming mail review
- (15.21) Transfer of Property forms
- (15.22) Inventory forms
- (15.23) Writing letters of reference or recommendation
- (15.24) Payroll Change Schedule form review
- (15.25) Compliance with Procurement Laws
- (15.26) Disaster Recovery Plan
- (15.27) Building Floor Fire Marshall Duties

16. Supervising Functions

- (16.1) Supervision of work performed by staff
- (16.2) Delegation of work
- (16.3) Development of staff's knowledge of our laws and office procedures (staff training)

17. Elections

- (17.1) Campaign guidelines distribution

18. Publications
 - (18.1) Preparing annual advisory opinion and decisions packet
19. Gifts Disclosure Law
 - (19.1) Drafting of forms and instructions
 - (19.2) Drafting of commonly asked questions
 - (19.3) Mailing out gifts packets each year
 - (19.4) Logging in filed gifts disclosure forms
 - (19.5) Auditing gifts disclosure statements
20. Audits of Financial Interests Disclosure Forms
 - (20.1) Selection of forms to audit
 - (20.2) Audit of Financial Interests Disclosure Forms
 - (20.3) Contact and Resolution with audited filer
21. Fines
 - (21.1) Assessment of fines for late filers of candidates' financial disclosure statements
 - (21.2) Assessment of fines for late filers of financial interests disclosure statements
 - (21.3) Review of requests to waive fines
 - (21.4) Development of procedures to collect fines
 - (21.5) Development of form letters for collecting fines
 - (21.6) Collecting fines
 - (21.7) Deposit of fines into General Fund
 - (21.8) Assessment of fines for violations of the Lobbyists Law
 - (21.9) Collection of Lobbying fines
22. State contracts subject to HRS §84-15(a)
 - (22.1) Receipt of notices of intent to award contract
 - (22.2) Placing notices in public files
 - (22.3) Acknowledging receipt of notices
23. Implementation of New Legislation
 - (23.1) Re-typing handouts each year of amended chapters 84 and 97
 - (23.2) Printing of handouts of amended chapters 84 and 97
24. Computers
 - (24.1) Computer technology
 - (24.2) Working with computer consultant
 - (24.3) Enhancing office computers and technology
 - (24.4) Internet
 - (24.5) Website

- (24.6) E-mail
- (24.7) Determining work to be done by computer
- (24.8) Staff training with computers
- (24.9) Keeping abreast of computer trends and issues

- 25. Coordination with State Procurement Officer
- 26. Consideration of Claims of the Filing of False Charges
- 27. Consideration of Claims of the Filing of Frivolous Charges
- 28. Implementation of Court Decisions
- 29. Reviewing and Signing Form Letters
- 30. COGEL Projects
- 31. Submission to Office of Elections Campaign Manual
- 32. Clipping Relevant Newspaper, Magazine, TV Stories
- 33. Editing and Proofing All Materials
- 34. Newsletter
- 35. Judicial Selection Commission Inquiries
- 36. Preparation of Management's Discussion and Analysis (MD&A) For Yearly Audit
- 37. Responding to Surveys
- 38. New Commissioners Search
- 39. Training Sessions Attendance
- 40. Keeping Abreast of Trends in Ethics, Financial Disclosure, Lobbying Laws
- 41. Records Disposal (Disclosures, Expenditures Reports)
- 42. Honorary Resolutions
- 43. Aloha United Way Campaign
- 44. US Savings Bond Campaign
- 45. COGEL Updates Questionnaire

46. Purchasing relevant books
47. Review of Publications
48. Mailings requesting and acknowledging filings
49. Annual Calendar
50. List of HSEC Duties

(185 items)
Rev: 12/05

Hawaii State Ethics Commission

Statistics for Fiscal Year 2006-2007

TABLE 1

HAWAII STATE ETHICS COMMISSION NUMBER OF REQUESTS FOR ADVICE AND COMPLAINTS RECEIVED BY ATTORNEYS IN FY 2006-2007		
MONTH	REQUESTS FOR ADVICE	COMPLAINTS
July 2006	97	13
August 2006	110	23
September 2006	95	13
October 2006	82	9
November 2006	68	31
December 2006	85	15
January 2007	111	10
February 2007	114	15
March 2007	93	17
April 2007	125	22
May 2007	125	18
June 2007	93	13
TOTAL	1,198	199
Total Number of Requests for Advice and Complaints Received in FY 2006-2007		1,397

TABLE 2

HAWAII STATE ETHICS COMMISSION NUMBER OF REQUESTS FOR ADVICE RECEIVED BY ATTORNEYS IN FY 2006-2007 CATEGORIZED BY METHOD USED TO SUBMIT REQUESTS FOR ADVICE					
Month	Telephone	Mail	Fax	E-mail	Visit/Meeting
July 2006	82	6	3	6	
August 2006	93	6		11	
September 2006	82	4		7	2
October 2006	71	6	1	3	
November 2006	55	6	1	6	1
December 2006	68	5	2	9	1
January 2007	83	7	1	15	5
February 2007	88	2		19	5
March 2007	80	5	1	5	2
April 2007	99	6	3	12	5
May 2007	95	6		15	9
June 2007	77		1	13	2
Total:	973	59	13	121	32
Total Number of Requests for Advice Received in FY 2006-2007					1,198

TABLE 3

HAWAII STATE ETHICS COMMISSION NUMBER OF COMPLAINTS RECEIVED BY ATTORNEYS IN FY 2006-2007 CATEGORIZED BY METHOD USED TO SUBMIT COMPLAINTS					
Month	Telephone	Mail	Fax	E-mail	Visit/Meeting
July 2006	10	1	1	1	
August 2006	20	1	1	1	
September 2006	11			1	1
October 2006	17	2			
November 2006	19	1		1	
December 2006	15				
January 2007	9	1			
February 2007	14	1			
March 2007	14	1		2	
April 2007	16	1		4	1
May 2007	15	1		1	1
June 2007	9			3	1
Total:	169	10	2	14	4
Total Number of Complaints Received in FY 2006-2007					199

TABLE 4

HAWAII STATE ETHICS COMMISSION ATTORNEY OPINION LETTERS ISSUED IN FY 2006-2007	
MONTH	NUMBER OF LETTERS
July 2006	8
August 2006	7
September 2006	7
October 2006	11
November 2006	5
December 2006	5
January 2007	17
February 2007	2
March 2007	7
April 2007	13
May 2007	11
June 2007	11
TOTAL	104

TABLE 5

HAWAII STATE ETHICS COMMISSION FORMAL ETHICS CHARGES FILED IN FY 2006-2007		
FILE NO.	SWORN CHARGES FILED BY INDIVIDUAL OR ORGANIZATION	CHARGES FILED BY HAWAII STATE ETHICS COMMISSION*
06-Cg-4	X	
06-Cg-5		X
07-Cg-1		X
07-Cg-2	X	
TOTAL: 4		

* Charges filed by the Commission must be signed by a majority of the members of the Commission.

TABLE 6

HAWAII STATE ETHICS COMMISSION INCOMING TELEPHONE CALLS HANDLED BY ATTORNEYS AND CLERICAL STAFF IN FY 2006-2007	
MONTH	NUMBER OF TELEPHONE CALLS
July 2006	276
August 2006	276
September 2006	239
October 2006	182
November 2006	142
December 2006	218
January 2007	251
February 2007	192
March 2007	246
April 2007	334
May 2007	393
June 2007	298
TOTAL	3,047

TABLE 7

HAWAII STATE ETHICS COMMISSION FINANCIAL INTERESTS DISCLOSURE STATEMENTS FILED BY LEGISLATORS, EMPLOYEES, AND BOARD AND COMMISSION MEMBERS IN FY 2006-2007	
Month	NUMBER FILED
July 2006	72
August 2006	20
September 2006	33
October 2006	128
November 2006	25
December 2006	42
January 2007	540
February 2007	220
March 2007	122
April 2007	134
May 2007	625
June 2007	123
TOTAL	2,084

TABLE 8

HAWAII STATE ETHICS COMMISSION FINANCIAL INTERESTS DISCLOSURE STATEMENTS FILED BY CANDIDATES FOR STATE ELECTIVE OFFICE IN FY 2006-2007	
FILING DEADLINE	NUMBER FILED
09/05/2006	194
10/17/2006 (OHA)	22
TOTAL	216

TABLE 9

HAWAII STATE ETHICS COMMISSION GIFTS DISCLOSURE STATEMENTS FILED IN 2007	
STATE POSITION	NUMBER FILED
Governor / Lt. Governor	2
Legislators	45
Employees	57
Board / Commission Members	20
TOTAL	124

TABLE 10

HAWAII STATE ETHICS COMMISSION TOTAL NUMBER OF REGISTERED LOBBYISTS IN 2007 AND NUMBER OF CLIENTS REPRESENTED*		
YEAR	NUMBER OF LOBBYISTS	NUMBER OF CLIENTS REPRESENTED
2007	279	334

* Some lobbyists may represent more than one client, but must file a separate registration form for each client.

TABLE 11

HAWAII STATE ETHICS COMMISSION LOBBYING EXPENDITURES AND CONTRIBUTIONS REPORTS FILED IN FY 2006-2007			
FILERS	REPORTING PERIODS		
	05/01/06-12/31/06 (Jan. 31, 2007 Report)	01/01/07-02/28/07 (Mar. 31, 2007 Report)	03/01/07-04/30/07 (May 31, 2007 Report)
LOBBYISTS	312	252	279
LOBBYISTS' CLIENTS *	336	298	334
TOTAL REPORTS FILED	648	550	613
GRAND TOTAL	1,811		

* The number of lobbying reports filed by clients may be greater than the number of reports filed by lobbyists because lobbyists may report expenditures and contributions for multiple clients on a single report form.

TABLE 12

HAWAII STATE ETHICS COMMISSION TOTAL NUMBER OF DISCLOSURE FILINGS	
Financial Interests Disclosure Statements filed by Legislators, Employees, and Board and Commission Members (FY 2006-2007)	2,084
Financial Interests Disclosure Statements filed by Candidates for State Elective Office (2006-2007)	216
Gifts Disclosure Statements (2007)	124
Lobbying Expenditures and Contributions Reports (FY 2006-2007)	1,811
Lobbyist Registrations (2006-2007)	279
Notice of Intent to Award Contract Pursuant to HRS §84-15(a) (FY 2006-2007)	5
TOTAL	4,519

TABLE 13

HAWAII STATE ETHICS COMMISSION MAILINGS OF FORMS, INSTRUCTIONS, AND REMINDERS TO FILERS FY 2006-2007	
DESCRIPTION	AMOUNT
All Mailings For Financial Disclosure Filings	5,370
All Mailings for Candidates' Financial Disclosure Filings	515
All Mailings For Gifts Disclosure Filings	2,203
All Mailings For Lobbying Expenditure Filings	1,811
TOTAL NUMBER OF MAILINGS	9,899

TABLE 14

HAWAII STATE ETHICS COMMISSION FY 2006 - 2007 EDUCATION PROGRAM (Ethics Workshops and Presentations)		
DATE	PRESENTATIONS	NO. OF PARTICIPANTS
07/20/06	Hawaii Public Housing Authority	9
08/02/06	New Employee Orientation	28
08/21/06	Kona Mental Health Center	20
08/24/06	University of Hawaii Law School Alumni	10
09/01/06	High Technology Development Corp.	8
09/12/06	University of Hawaii Personnel	50
09/13/06	Oahu Island Burial Council	10
09/14/06	Hawaii Housing & Finance Development Corp.	10
09/27/06	UH Law School State and Local Gov. Class	12
10/19/06	Hawaii Pacific University	15
11/08/06	New Employee Orientation	30
12/05/06	Bureau of Conveyances	18
12/05/06	COGEL Breakfast Table Topic	10
12/07/06	Bureau of Conveyances	18
01/04/07	Mandatory Ethics Workshop for Elected and Appointed State Officials	7
01/24/07	New Employee Orientation	38
01/25/07	Mandatory Ethics Workshop for Elected and Appointed State Officials	1
02/02/07	Dept. Of Health, Hazardous Waste Branch	40
02/21/07	Mandatory Ethics Workshop for Elected and Appointed State Officials	5

DATE	PRESENTATIONS	NO. OF PARTICIPANTS
02/27/07	University of Hawaii New Employee Orientation	75
03/09/07	High Technology Development Corporation	8
03/13/07	Mandatory Ethics Workshop for Elected and Appointed State Officials	1
03/29/07	Judiciary 2 nd Circuit Court	11
04/03/07	Judiciary 2 nd Circuit Court	18
04/03/07	Judiciary 2 nd Circuit Court	16
04/18/07	New Employee Orientation	30
04/25/07	Judiciary 2 nd Circuit Court	24
05/31/07	Public Utilities Commission	25
06/21/07	Hilo Medical Center	20
TOTAL	29 Presentations	539 Participants

TABLE 15

HAWAII STATE ETHICS COMMISSION DISTRIBUTION OF EDUCATIONAL PUBLICATIONS* FOR FY 2006-2007	
PUBLICATION	COPIES DISTRIBUTED
Ethics Workshop Packets, including the following: Ethics Guide for Elected Officials, Employees, Members of Boards and Commissions Chapter 84, Hawaii Revised Statutes (State Ethics Code) Article XIV, Hawaii State Constitution Ethics Checklist	539
"The High Road" (Newsletter)	
July, 2006 Issue No. 2006-2 5,350 October, 2006 Issue No. 2006-3 5,350 December, 2006 Issue No. 2006-4 5,350 March, 2007 Issue No. 2007-1 5,350 June, 2007 Issue No. 2007-2 5,350	
Total:	26,750
TOTAL:	27,289

*All publications are also available on the Hawaii State Ethics Commission's website at www.hawaii.gov/ethics.

TABLE 16

HAWAII STATE ETHICS COMMISSION WEB SITE INFORMATION	
WEB SITE INTERNET URL:	http://www.hawaii.gov/ethics
YEAR ESTABLISHED:	1998
INFORMATION POSTED ON HSEC WEB SITE	
<ul style="list-style-type: none"> • General Information about the Hawaii State Ethics Commission • Major Functions of the Hawaii State Ethics Commission • Statutes and Rules administered by the Hawaii State Ethics Commission: <ul style="list-style-type: none"> ○ State Ethics Code, Chapter 84, HRS ○ State Lobbyist Law, Chapter 97, HRS ○ Title 21, Administrative Rules of the State Ethics Commission • Advisory Opinions, Informal Advisory Opinions, and Decisions of the Hawaii State Ethics Commission • Publications of the Hawaii State Ethics Commission • Hawaii State Ethics Commission Newsletter: <i>The High Road</i> • News Releases from Hawaii State Ethics Commission • New Legislation • Administrative Decisions and Court Decisions • Forms and Instructions: <ul style="list-style-type: none"> ○ Financial Disclosure Forms and Instructions ○ Gifts Disclosure Forms and Instructions ○ Lobbyist Registration Forms and Instructions ○ Lobbying Expenditures Report Forms and Instructions • Public Records: <ul style="list-style-type: none"> ○ Public Financial Disclosure Statements ○ Gift Disclosure Statements ○ Notices of Intent to Award Contract Pursuant to HRS § 84-15 (a) ○ Lobbyist Registration Statements ○ Lists of Registered Lobbyists ○ Lists of Organizations Represented by Registered Lobbyists ○ Lobbying Expenditure Reports of Organizations ○ Total Lobbying Expenditure Amounts Reported by Organizations 	

TABLE 17

HAWAII STATE ETHICS COMMISSION 2007 LEGISLATIVE SESSION	
Number of Legislative Measures Reviewed	
Bills	3,962
Resolutions	<u>1,022</u>
Total	4,984
Number of Legislative Measures Tracked	
Bills	58
Resolutions	<u>3</u>
Total	61
Number of Bills Introduced by the Hawaii State Ethics Commission*	2
Number of Letters Sent to Legislators Regarding Legislation	
Letters Sent to Individual Legislators	7
Written Testimony Submitted to the Legislature Regarding Legislation	
Testimony Submitted to the House	14
Testimony Submitted to the Senate	<u>11</u>
Total	25
Testimony Presented in Person at Legislative Hearing by Chair, Executive Director, Associate Director, or Staff Attorney	22

* Includes companion bills in the Senate and House of Representatives. These bills were introduced by the Commission in 2007 and carried over to the 2008 legislative session.

TABLE 18

HAWAII STATE ETHICS COMMISSION TESTIMONY PRESENTED TO LEGISLATORS FOR 2007 LEGISLATIVE SESSION			
Hearing Date	Bill No.	Testified in Person	Written Testimony
01/03/07	Budget FY 2007-08 (House Finance)	X	X
01/05/07	Budget FY 2007-08 (Senate Ways & Means)	X	X
01/23/07	Budget FY 2006-07, SB 638, Making Appropriations to Provide for the Expenses of the Legislature, the Auditor, the Legislative Reference Bureau, and the Ombudsman (Senate Ways & Means)	X	X
01/29/07	Budget FY 2006-07, SB 638, SD 1, Making Appropriations to Provide for the Expenses of the Legislature, the Auditor, the Legislative Reference Bureau, and the Ombudsman (House Finance)	X	X
02/06/07	SB 945, Relating to Ethics (Senate Committee on Judiciary and Labor)	X	X
02/06/07	SB 1957, Relating to Code of Ethics (Senate Committee on Judiciary and Labor)	X	X
02/09/07	SB 25, SD 1, Relating to the Legislature (Incorporates SB 638, SD 1, Making Appropriations to Provide for the Expenses of the Legislature, the Auditor, the Legislative Reference Bureau, and the Ombudsman) (Senate Ways & Means)	X	X
02/12/07	SB 1281, Relating to State Officers and Employees Excluded From Collective Bargaining and Making Appropriations and Other Adjustments (Senate Committee on Judiciary and Labor)	X	X

Hearing Date	Bill No.	Testified in Person	Written Testimony
02/13/07	SB 25, SD 1, Relating to the Legislature (Incorporates SB 638, SD 1, Making Appropriations to Provide for the Expenses of the Legislature, the Auditor, the Legislative Reference Bureau, and the Ombudsman) (House Finance)	X	X
02/14/07	SB 1084, Relating to the Legislature (House Committee on Legislative Management)	X	X
02/20/07	HB 1909, Relating to Standards of Conduct (Joint House Committees on Judiciary, and Committee on Legislative Management)	X	X
02/20/07	HB 910, Relating to Public Financial Disclosure Statements (House Committee on Judiciary)	X	X
02/20/07	HB 975, Relating to Standards of Conduct (House Committee on Judiciary)	X	X
02/20/07	HB 909, Relating to Conflicts of Interest (House Committee on Judiciary)	X	X
02/20/07	HB 976, Relating to Lobbyists (House Committee on Judiciary)	X	X
02/22/07	HB 1567, Relating to State Officers and Employees Excluded from Collective Bargaining and Making Appropriations and Other Adjustments (House Finance)	X	X
02/22/07	SB 1281, Relating to State Officers and Employees Excluded from Collective Bargaining and Making Appropriations and Other Adjustments (Senate Ways & Means)		X
03/12/07	HB 1567, Relating to State Officers and Employees Excluded from Collective Bargaining and Making Appropriations and Other Adjustments (Senate Committee on Judiciary and Labor)	X	X

Hearing Date	Bill No.	Testified in Person	Written Testimony
03/13/07	SB 1281, Relating to State Officers and Employees Excluded from Collective Bargaining and Making Appropriations and Other Adjustments (House Committee on Labor and Public Employment)		X
03/15/07	SB 945, Relating to Ethics (House Committee on Judiciary)	X	X
03/22/07	SB 1957, SD 1, Relating to Code of Ethics (House Committee on Judiciary)	X	X
03/28/07	HB 1567, Relating to State Officers and Employees Excluded from Collective Bargaining and Making Appropriations and Other Adjustments (Senate Committee on Judiciary and Labor)		X
03/28/07	HB 910, HD 1, Relating to Public Financial Disclosure Statements (Senate Committee on Judiciary and Labor)	X	X
03/28/07	HB 1909, HD 1, Relating to Standards of Conduct (Senate Committee on Judiciary and Labor)	X	X
04/26/07	HR 176, Requesting the State Ethics Commission to Conduct a Study to Ascertain What Measures May Be Enacted to Address Possible Conflicts of Interests of the Members of the House of Representatives (Joint House Committees on Legislative Management; and Judiciary)	X	X

TABLE 19

HAWAII STATE ETHICS COMMISSION RECORDS CHECK OF APPLICANTS FOR JUDICIAL OFFICE PERFORMED AT THE REQUEST OF THE JUDICIAL SELECTION COMMISSION IN FY 2006-2007	
MONTH	NUMBER OF APPLICANTS
July 2006	0
August 2006	10
September 2006	0
October 2006	17
November 2006	9
December 2006	19
January 2007	7
February 2007	8
March 2007	0
April 2007	0
May 2007	0
June 2007	1
TOTAL	71

TABLE 20

HAWAII STATE ETHICS COMMISSION DISCLOSURE RECORDS AVAILABLE FOR PUBLIC INSPECTION*	
1	Public Financial Disclosure Statements (Legislators, Other Elected State Officials, Appointed State Officials and Candidates for State Elective Office)
2	Gifts Disclosure Statements
3	Lists of Registered Lobbyists
4	Lobbyist Registration Statements
5	Lobbying Expenditure Statements of Registered Lobbyists
6	Lists of Organizations Represented by Registered Lobbyists
7	Lobbying Expenditure Statements of Organizations
8	Total Amounts of Lobbying Expenditures Reported by Organizations
9	Notices of Intent to Award Contracts to a Legislator or Employee, or Business in Which a Legislator or Employee Has a Controlling Interest (filed pursuant to HRS Section 84-15(a))

* Most records also available on the Hawaii State Ethics Commission web site:
<http://www.hawaii.gov/ethics>.

TABLE 21

HAWAII STATE ETHICS COMMISSION FORMS AND INSTRUCTIONS ON FILE*	
1	Financial Disclosure Long Form
2	Instructions for Financial Disclosure Long Form
3	Financial Disclosure Short Form
4	Instructions for Financial Disclosure Short Form
5	Candidates Financial Disclosure Form
6	Instructions for Candidates Financial Disclosure Form
7	Gifts Disclosure Form
8	Gifts Disclosure Form Additional Sheet
9	Instructions for Gifts Disclosure Form
10	Lobbyist Registration Form
11	Instructions for Lobbyist Registration Form
12	Lobbyist Expenditures Statement
13	Instructions for Lobbyist Expenditures Statement
14	Organization Lobbying Expenditures Statement
15	Instructions for Organization Lobbying Expenditures Statement

* Also available on the Hawaii State Ethics Commission web site:
<http://www.hawaii.gov/ethics>

TABLE 22

HAWAII STATE ETHICS COMMISSION FY 2006-2007 BROCHURES, MANUALS, REPORTS, FLYERS, PUBLICATIONS ON FILE*	
1	Chapter 84, Hawaii Revised Statutes, Standards of Conduct
2	Hawaii State Ethics Commission Administrative Rules
3	Ethics Guide for State Elected Officials, State Employees, State Board and Commission Members
4	Ethics Checklist
5	Outline of Substantive Areas of the State Ethics Code
6	Article XIV, Hawaii State Constitution
7	Gifts and the State Ethics Code
8	Informational or Educational Trips Solicited or Accepted by Legislators
9	Questions and Answers on the Gifts Disclosure Law
10	Campaign Restrictions for State Officials and State Employees
11	Prohibition on Candidate Campaign Walk-Throughs in State Agencies
12	Use of State E-Mail for Campaign Purposes
13	Fundraising in State Offices
14	Ethics Guidelines for AUW Fund Raiser Activities Conducted by State Agencies
15	Post Employment Restrictions
16	The High Road Newsletter
17	Chapter 97, Hawaii Revised Statutes, Lobbyists
18	Lobbying Registration and Reporting Manual
19	Informational or Educational Trips as Lobbying Expenditures

* Also available on the Hawaii State Ethics Commission web site:
<http://www.hawaii.gov/ethics>