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Testimony of Linda L. Smith
Senior Policy Advisor to the Governor

Before the

Senate Committee on Tourism and Government Operations and
Committee on Judiciary and Labor

Wednesday, February 20, 2008, 10:00 a.m.
State Capitol, Conference Room 16

SB 2570 Relating to Standards of Conduct

Chairs Nishihara and Taniguchi and Members of the Committees:

The Lingle-Aiona Administration wishes to voice our firm opposition to SB 2570 that would place yet another obstacle in the way of good-hearted and generous citizens who want to serve the public.

Specifically, this bill would inhibit legislators and State employees who are nominated for an appointed public office, board, or commission from using their time and official resources to solicit support for their confirmation to office. The timing and intent of this bill is suspect, particularly since this issue has already been addressed by the State Ethics Commission.

As stated in testimony submitted by Mr. Russ Saito, Director of the Department of Accounting and General Services, the State Ethics Commission ruled early last year that soliciting support does not run afoul of Chapter 84 of the HRS and, in fact, is "consonant with and part and parcel of" actions that meet the "fair treatment" provisions of the State Ethics Code.

Legislators and employees who are willing to take on the additional duties of serving on a board or commission, as an appointee to public office, do so because they have an expertise, skill, or appreciation of the public policy issues facing a particular board or commission. To deny them the opportunity to explain why they wish to serve and what they believe they can contribute to public service is denying them a voice and a right to be their own advocate. This is unfair and hurts the advice and consent process.

We strongly urge you to hold SB 2570, since this bill works against the principles of better government.