

JAN 23 2009

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# A BILL FOR AN ACT

RELATING TO STANDARDS OF CONDUCT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Current law provides for mandatory ethics  
2 training for legislators, elected members of the board of  
3 education, trustees of the office of Hawaiian affairs, the  
4 governor, the lieutenant governor, and executive department  
5 heads and deputies. However, there is no provision for  
6 follow-up mandatory ethics training.

7           The legislature finds that continuous ethics training on an  
8 annual basis is necessary to ensure the integrity of conduct of  
9 elected officials and high-ranking appointed officers.

10 According to the National Conference of State Legislatures, the  
11 following states offer online interactive ethics training:

12 California, Connecticut, Florida, Illinois, Indiana,  
13 Massachusetts, New Jersey, New York, Rhode Island, and Texas.

14           The purpose of this Act is to require mandatory follow-up  
15 ethics training for elected officials and high-ranking appointed  
16 officers of the State.



1 SECTION 2. Chapter 84, Hawaii Revised Statutes, is amended  
2 by adding a new section to part V to be appropriately designated  
3 and to read as follows:

4 **"§84- Mandatory follow-up ethics training course. (a)**

5 All state officers and employees enumerated in section 84-41 who  
6 have completed the mandatory ethics training course under  
7 section 84-42, shall complete a follow-up ethics training course  
8 every two years after the initial election or initial  
9 appointment, as applicable, if the person remains with the State  
10 as an officer or employee.

11 (b) The follow-up ethics training course shall be  
12 administered by the state ethics commission and shall be offered  
13 online and on demand, beginning June 1, 2010.

14 (c) The follow-up ethics training course shall include an  
15 updated review of the information covered in the ethics training  
16 course under section 84-43, and information concerning:

17 (1) Advisory opinions issued within the two-year period  
18 immediately preceding the course; and

19 (2) Any other information that addresses current ethics  
20 issues as determined by the executive director of the  
21 state ethics commission.



1 The follow-up ethics training course shall allow for the  
2 inclusion of typed-in email questions from each attendee,  
3 addressed to the executive director of the state ethics  
4 commission; provided that the questions shall not be deemed to  
5 constitute a request for an advisory opinion. The executive  
6 director shall reply appropriately.

7 (d) The executive director of the state ethics commission  
8 shall make a record of each person that completes the mandatory  
9 follow-up ethics training course, which record shall constitute  
10 a public record.

11 (e) Completion of mandatory follow-up ethics training  
12 under this section:

13 (1) Shall not be deemed to diminish personal  
14 responsibility for adherence to this chapter; and

15 (2) Shall not be used or admitted into evidence in any  
16 proceeding against the person completing the follow-up  
17 ethics training.

18 (f) As used in this section:

19 "Email" means electronic mail that is a store-and-forward  
20 method of writing, sending, receiving, and sending messages over  
21 a computer network.



1        "On demand" means the capability of being instantly  
2 accessed over the Internet.

3        "Online" means the delivery of a learning, training, or  
4 education program over the Internet by the use of a computer."

5        SECTION 3. New statutory material is underscored.

6        SECTION 4. This Act shall take effect upon its approval.

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**Report Title:**

Ethics Training

**Description:**

Requires follow-up online ethics training for elected officials, elected members of the board of education, trustees of the office of Hawaiian affairs, the governor, lieutenant governor, and executive department heads and deputies.

