

SB994

Testimony



HAWAII
STATE
ETHICS
COMMISSION

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

February 24, 2011

The Honorable Clayton Hee, Chair
The Honorable Maile S.L. Shimabukuro, Vice Chair
Senate Committee on Judiciary and Labor
c/o Committee Clerk
Hawaii State Capitol, Room 002
415 South Beretania Street
Honolulu, Hawaii 96813

Re: **Testimony on S.B. No. 994, Relating to Nepotism**

Hearing: Thursday, February 24, 2011, 9:00 a.m.
State Capitol, Conference Room 016

Written Testimony From: Hawaii State Ethics Commission

The Honorable Clayton Hee, Chair; The Honorable Maile S.L. Shimabukuro, Vice Chair;
and Honorable Members of the Senate Committee on Judiciary and Labor:

Thank you for this opportunity to testify on S.B. No. 994, Relating to Nepotism.
The Hawaii State Ethics Commission supports this bill.

The purpose of this bill is to amend Hawaii Revised Statutes (HRS) chapter 84,
the Hawaii State Ethics Code, to prohibit legislators and state employees from
appointing close relatives to state office or employment, or from hiring close relatives
for state office or employment. This bill lists those relatives that would be affected by
this restriction.

The Hawaii State Ethics Commission has received complaints about nepotism
in hiring practices. Currently, there is no law that specifically addresses nepotism.
The Hawaii State Ethics Commission believes that, absent extraordinary circumstances,
state officials and employees should not be involved in appointing or hiring their relatives
for government office. This practice engenders charges of favoritism and preferential
treatment, and erodes public confidence in government hiring practices. For this
reason, the Commission supports this bill.

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Approximately half of the states have laws that specifically prohibit nepotism. These laws prohibit state legislators and employees from hiring or appointing close relatives to state office or employment. There is some variation among the states as to the breadth of the prohibition. Senate Bill 994 is based upon the Federal nepotism law, which is found in Title 5, Section 3110, of the United States Code, and incorporates the list of relatives included in the Federal law with the addition of grandparents and grandchildren. The Commission recognizes that the Legislature and others may have additional insight and knowledge about the scope of any nepotism legislation and intends the proposed bill to primarily be a vehicle to help facilitate that discussion.

We appreciate the opportunity to testify on S.B. No. 994, Relating to Nepotism. We would like to thank this Committee for its consideration of our testimony.