

LATE

DAVID Y. IGE
GOVERNOR



KATHRYN S. MATAYOSHI
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/19/2016
Time: 03:00 PM
Location: 325
Committee: House Judiciary

Department: Education
Person Testifying: Kathryn S. Matayoshi, Superintendent of Education
Title of Bill: HB 1713, HD1 RELATING TO ETHICS.
Purpose of Bill: Exempts extracurricular service of employees from the prohibition on gift receipt in the State Ethics Code if certain conditions are met. Repeals section relating to statutory interpretation of the State Ethics Code. (HB1713 HD1)

Department's Position:

The Department of Education supports HB 1713.

In its Advisory Opinion dated August 4, 2015, the Hawaii Ethics Commission concluded that acceptance by teachers and other DOE employees of free travel and other free benefits from private tour companies violated five sections or subsections of the State Ethics Code.

These sections include:

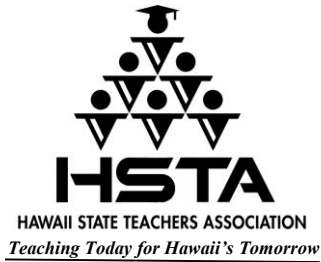
1. The "Gifts Law", HRS 84-11
2. The "Gifts Reporting Law", HRS 84-11.5
3. The "Fair Treatment Law", HRS 84-13
4. Conflicts of Interest, HRS 84-14(a)(2)
5. Conflicts of Interest, HRS 84-14(d)

If teachers and other employees of the Department are prohibited from accepting free travel, an important educational opportunity may be denied Hawaii's public school students. The statutory revisions proposed in HB 1713 would recognize the indispensable role teachers play in making educational travel possible. This measure would permit teachers and other State employees who provide extracurricular services,

such as travel planning and chaperoning, to accept limited remuneration in the form of free travel.

For over thirty years, Hawaii's public school students have been afforded the opportunity to participate in educational trips that enrich their academic experience and allow them to develop a more global perspective. Inspired by the possibility of connecting curriculum to real-world experiences, teachers and other DOE employees voluntarily commit their own time to research, plan, and implement these trips. This does not arise from a desire on the employees' part for personal gain, but from a love of helping students grow and experience new things. Without the dedication of educators who expend their own vacation time to teach and chaperone students for the duration of these trips, many students would not have the opportunity to visit such distant, historical, and enriching places.

The Department respectfully requests your favorable consideration of this measure and thanks you for the opportunity to testify.



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Corey Rosenlee
President
Justin Hughey
Vice President
Amy Perruso
Secretary-Treasurer
Wilbert Holck
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON
JUDICIARY

RE: HB 1713, HD 1 - RELATING TO ETHICS.

FRIDAY, FEBRUARY 19, 2016

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Rhoads and Members of the Committee:

The Hawaii State Teachers Association **strongly supports HB 1713, HD1,** relating to ethics.

If passed, this bill will allow teachers to engage in extracurricular service without having to incur extra costs to pay for their own travel expenses. Each year, educators donate their time to prepare field trips that broaden learning beyond the classroom. Educators give up their own free time to provide students with these trips, which often entail chaperone costs paid by parents. In the past, parents were willing to pay these costs because they saw the educational value of “school-sponsored trips.” These field trips were optional; parents did not *expect* teachers to sacrifice time outside of the workday or work for free.

Yet, last year, the State Ethics Commission ruled that teachers could no longer accept “free travel” to accompany students on school-sponsored trips. This ruling been devastating for teachers who coordinate extracurricular learning excursions, from band trips to visits to our nation’s capital to forays into foreign countries. The Ethics Commission’s ruling led to the cancellation of trips that had been planned for months, if not years. In the wake of this summer’s ruling, teachers immediately put planned trips on hold. For example, Kapolei High School’s band director, Daryl Agena, halted plans to take his students to the mainland to perform, as they had done at Disneyland in 2014. Additional trips may not have been officially cancelled because teachers stopped planning altogether them in the aftermath of the commission’s decision.

It has been suggested that the ethics problem raised by the commission can be solved by asking school administrators to coordinate school-sponsored trips on teachers' behalf. Unfortunately, administrators are already overtasked with managing innumerable tasks, like unnecessarily cumbersome teacher evaluations. More importantly, administrators are not intimately familiar with student needs or the nexus between school-sponsored trips and classroom curricula, and thus would not be well equipped formulate travel plans that bring classroom material to life.

That said, teachers believe in promoting the highest standards of ethical conduct, by which we conduct ourselves each day. We model for our students the values through which a more engaged, animated, and upstanding society is forged. Therefore, we understand that there may be unintended consequences engendered by passing a broad ethics exemption for state employees and support amending this measure by limiting it to public school educators, if necessary to ensure passage.

Hawaii teachers, being the lowest paid in the nation, cannot afford to pay for travel expenses out of their own pockets. If we delay on exempting teachers for travel or conferences, however, thousands of students will be denied worthwhile educational experiences. Accordingly, the Hawaii State Teachers Association asks your committee to **strongly support** this bill.



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lww-hawaii.com | 808.531.7448 | voters@lwwhawaii.com

COMMITTEE ON JUDICIARY
Day of Week, Date, Time, Location
Insert Bill Number and Name of Bill

Piilani Kaopuiki, Legislative Committee, League of Women Voters
TESTIMONY

Chair Rhoads, Vice-Chair San Buenaventura and Committee Members:

The League of Women Voters of Hawaii strongly opposes HB 1713 HD1 which (under certain circumstances) exempts the extracurricular service of state employees from the ban on accepting gifts under the State Ethics Code.

Previous testimony on this bill makes clear that it is the recent controversy over public school teacher travel that drives this measure. The prominent ethics issue is whether teachers can directly accept in-kind travel compensation, whether on school sponsored trips or so-called “extracurricular” trips. But the bill is not limited to teachers – it would apply to **everyone** covered by the Ethics Code.

A person may receive income even if no money changes hands, and we all know this. There are many kinds of income (not just a paycheck) such as bonuses, awards, and gifts. If a travel agency, hotel or airlines gives a State employee an in-kind gift of travel, hotel accommodations or an airline ticket, well, that’s a gift to that individual from such a vendor.

Therein lies the ethics problem.¹ HRS section 84-11 is clear when it prohibits a state employee from soliciting, accepting, or receiving any gift, **including travel**, under circumstances where it can reasonably be inferred that the gift is intended to influence the employee in performing the employee’s official duties, or is intended to reward the employee for official action.

After pushback from some in the public school teacher community the Ethics Commission suggested at least two ways teachers could accompany students on school trips without running into ethics problems. Apparently, some teachers are unable or unwilling to adapt to the way they’ve been doing business with travel vendors. The clarion call of these few now sounds like “dedicated teachers vs. the Ethics Commission,” or even more inaccurately “dedicated teachers vs. the Ethics Commission’s Executive Director.”

Most testimony supporting the bill addresses the selfless efforts of teachers. No one desires to deny students the opportunity to learn. Arranging travel does not have to be done by teachers. In fact, teachers are already assuming tasks and spending their own funds in support of their students over and

¹ Here we are not addressing the tax treatment of such gifts, although there is extensive advice available from the IRS, for example, about whether such income is taxable or nontaxable. See for example, **Publication 525, for use in preparing 2015 tax returns, Department of the Treasury, Internal Revenue Service.**



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lww-hawaii.com | 808.531.7448 | voters@lwwhawaii.com

beyond their job description. They do this for love of the job and their students. Planning for a trip is a task of logistics and can be accomplished by DOE support staff. The "teaching plan", time frame and location can be provided by the teacher. Arrangements can be made through accepted procurement procedures. All such trips should be sponsored by the school/DOE. Information documents should be issued by the school and not by the teacher.

Our State Constitution, Article XIV, outlines clearly that the Ethics Code is established "so that public confidence in public servants will be preserved." We do not believe public confidence can be preserved with the travel gifts to teachers, whether official or "extracurricular."

Over the past couple of years, the State Ethics Commission has consistently advised that if it even **appears** to a reasonable person that the gift is given to influence or reward the employee for official action, the employee is prohibited from accepting the gift. This kind of interpretation is important and necessary, because the Commission's duty is to apply the Code to specific ethical questions and complaints. Suggesting repeal of this interpretative duty as called for in this bill would strip the Commission of its effectiveness. We shouldn't do this because it would leave those governed by the statutes in the dark and it would leave the public in the dark about how the ethics statutes apply.

We applaud all positive efforts to help public employees better understand and avoid actions, whether inadvertent or conscious, that would violate the Ethics Code. Every step forward promoting ethical conduct helps improve public confidence in government.

Let's get back on track to properly support the many dedicated teachers who recognize the value of enrichment trips outside of the classroom. This would mean accepting the advice of the Ethics Commission without trying to create a perverse exemption to the state Ethics Code and improper dilution of the responsibility of the Ethics Commission to interpret state ethics statutes. We urge you to hold this bill. Thank you for the opportunity to submit testimony.



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lww-hawaii.com | 808.531.7448 | voters@lwwhawaii.com

COMMITTEE ON JUDICIARY
Friday, February 16, 2016, 3:00 p.m., Room 325
HB1713, HD1 Relating to Ethics

Piilani Kaopuiki, Legislative Committee, League of Women Voters
REVISED TESTIMONY

Chair Rhoads, Vice-Chair San Buenaventura and Committee Members:

The League of Women Voters of Hawaii opposes HB 1713 HD1 which (under certain circumstances) exempts the “extracurricular” service of state employees from the ban on accepting gifts under the State Ethics Code and repeals a section of our law relating to interpretation of the State Ethics Code. We respectfully request a resolution supporting enrichment educational travel for public school teachers and students.

Previous testimony on this bill makes clear that it is the recent controversy over public school teacher travel that drives this measure. The prominent ethics issue is whether teachers can directly accept in-kind travel compensation, whether on school sponsored trips or so-called “extracurricular” trips. But the bill is not limited to teachers – it would apply to **everyone** covered by the Ethics Code.

A person may receive income even if no money changes hands, and we all know this. There are many kinds of income (not just a paycheck) such as bonuses, awards, and gifts. If a travel agency, hotel or airline gives a state employee an in-kind gift of travel, hotel accommodations or an airline ticket, well, that’s a gift to that individual from such a vendor.

Therein lies the ethics problem.¹ HRS section 84-11 is clear when it prohibits a state employee from soliciting, accepting, or receiving any gift, *including travel*, under circumstances where it can reasonably be inferred that the gift is intended to influence the employee in performing the employee’s official duties, or is intended to reward the employee for official action.

Most testimony supporting the bill addresses the selfless efforts of teachers to arrange school trips while supporting the amendment to Section 84-11 creating the gift law exemption for “extracurricular” trips. But we do not believe an “extracurricular” trip eliminates the basic problem of travel gifts to teachers or other state employees.

The Ethics Commission has suggested at least two ways teachers could continue to accompany students on official school trips without running into ethics problems. Most teachers appear able and willing to adapt to the way they’ve been doing business with travel vendors where necessary. So creation of an

¹ Here we are not addressing the tax treatment of such gifts, although there is extensive advice available from the IRS, for example, about whether such income is taxable or nontaxable. See for example, **Publication 525, for use in preparing 2015 tax returns, Department of the Treasury, Internal Revenue Service.**



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lwv-hawaii.com | 808.531.7448 | voters@lwvhawaii.com

“extracurricular” category for other trips is ill-advised for many reasons, including ethics. Unfortunately, the clarion call of those interested in “extracurricular” trips now sounds like “dedicated teachers vs. the Ethics Commission,” or even more inaccurately “dedicated teachers vs. the Ethics Commission’s Executive Director.”

Besides the “extracurricular” amendment to HRS 84-11, this bill would also repeal Section 2, Chapter S84-1, “Construction.” This section requires that the Ethics Code “be liberally construed to promote high standards of ethical conduct in state government.” The Ethics Code is supposed to be broadly interpreted so that it covers a wide range of conduct, and repealing HRS 84-11 would strip the Ethics Commission of its ability to apply the law reasonably and fairly. Without a “Construction” clause, the Commission’s ability to promote high standards of ethical conduct in state government will be compromised; we cannot support this move.

Every step forward promoting ethical conduct helps improve public confidence in government, and this bill is a giant step backwards. Our State Constitution, Article XIV, says that the Ethics Code is established “so that public confidence in public servants will be preserved.” We applaud all positive efforts to help public employees better understand and avoid actions, whether inadvertent or conscious, that would violate the Ethics Code.

Let’s get back on track to properly support the many dedicated teachers who recognize the value of enrichment trips outside of the classroom. This would mean accepting the advice of the Ethics Commission without trying to create a perverse exemption to the state Ethics Code and improper dilution of state ethics statutes. We urge you to hold this bill but respectfully request that the legislature prepare and pass a resolution acknowledging teacher effort, and requesting that the Department of Education procure official student trips in a timely manner following the advice of the Ethics Commission and at the most economical cost. Thank you for the opportunity to submit testimony.



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director

**TESTIMONY FOR HOUSE BILL 1713, HOUSE DRAFT 1, RELATING TO
ETHICS**

**House Committee on Judiciary
Hon. Karl Rhoads, Chair
Hon. Joy A. San Buenaventura, Vice Chair**

**Friday, February 19, 2016, 3:00 PM
State Capitol, Conference Room 325**

Honorable Chair Rhoads and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 350 members. On behalf of our members, we offer this testimony in strong support of House Bill 1713, HD 1, relating to ethics.

According to three of the Hawai'i State Department of Education's general learner outcomes, public school students are to become community contributors, complex thinkers, and effective communicators. Each of these GLOs requires and advances a cosmopolitan outlook on the world, in which curricular questions are integrated with real-life experiences that promote critical thinking and collaborative problem-solving.

Perhaps nowhere is this better advanced than in field trips involving the application of learned content and skills in extracurricular settings. From the musicianship of mainland band performances to the civic engagement of We The People competitions, group educational travel provides academic enrichment that broadens local students' learning beyond Hawai'i, increasing achievement through global knowledge formation. In some cases, this global perspective is literal, such as when teachers coordinate trips in foreign countries to forge cultural exchanges. No amount of textbook reading, internet research, or art history study can replace the experience of reliving the storming of the Bastille in the French language or gazing upon Michelangelo's *The Last Judgement* on the ceiling of the Sistine Chapel. Teachers spend countless hours instructing students on how to appreciate different

historical, cultural, narrative, and linguistic spaces. School-sponsored trips, as the Board of Education has deemed them, deepen that appreciation into understanding.

Yet, last year, the Hawai'i State Ethics Commission raised conflict-of-interest concerns regarding school-sponsored trips, prohibiting teachers from accepting free travel and accommodations from tour companies while serving as chaperones. According to the Ethics Commission, teachers who coordinate optional trips through tour companies, including their own travel costs, are functioning as agents for private travel enterprises to entice bookings from parents, while simultaneously accepting illicit individual benefits. In essence, the Ethics Commission is suggesting that our state's hardworking teachers are reviewing travel company brochures, thinking, "Oh, I've always wanted to go to Washington D.C. in March," then arranging school-sponsored trips as a cover for personal vacations.

Nothing could be further from the truth. In reality, teachers spend weeks, and sometimes months, planning each school-sponsored trip, ensuring that they are aligned with and extend classroom lessons, communicating with parents, coordinating with students, and, of course, chaperoning the trips themselves. Notably, chaperoning a trip is a 24/7 task, in which teachers are constantly preparing content, supervising conduct, purchasing supplies, and providing safety for their pupils.

Moreover, teachers perform these functions at no cost. Already the worst paid education professionals in the country (ranking fifty-first out of fifty states and the District of Columbia for starting and median teacher salary adjusted for cost of living, according to a 2015 WalletHub study), teachers who coordinate and chaperone student travel are, in effect, working for free—even working themselves into debt, given their need to subsidize a significant portion of their own travel costs, like meals. Administrators and departmental employees cannot and should not be tasked with trip coordination, as they are too overburdened with managing financial, academic, and personnel tasks to spend months planning student travel. Administrators are also not personally responsible for classroom content and do not develop deep relationships with students based on daily interactions, and thus are not ideally equipped to connect travel with individual student needs. Again, school-sponsored trips are not vacations. They are educational experiences that bring core classroom content to life, delivering what cannot be captured in a standard—the humanity, sublimity, historicity, and worldliness that turn students into lifelong learners.

That said, we do not believe that this bill is an appropriate vehicle for reconsideration of HRS §84-1, regarding statutory interpretation of the state's ethics code. Teachers believe in, and comport themselves with, the highest standards of ethical conduct. While some may believe that HRS §84-1 carries little legal weight and practical application, we believe that this provision consecrates statutorily our communal interest in ethical governance, especially at a time when both ethical lapses by public officials and clamor for "good government" initiatives are highly visible. Accordingly, **we urge you to delete Section 2 of this bill.**

We must free our teachers and students from the yoke of common corporate standards and the tyranny of toxic testing. In turn, we should offer educational opportunities that allow our educators and children to critically engage with the world around them, both within our island community and beyond our shores, fostering intellectual voyages that will chart our state's course through the 21st Century. Mahalo for the opportunity to testify in strong support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 6:45 PM
To: JUDtestimony
Cc: rkailianu57@gmail.com
Subject: *Submitted testimony for HB1713 on Feb 19, 2016 15:00PM*

HB1713

Submitted on: 2/16/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Ho`omana Pono, LLC	Oppose	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



House Judiciary Committee
Chair Karl Rhoads, Vice Chair Joy San Buenaventura

Friday, 02/19/2016 at 2:00 PM in Room 325
HB 1713 – Relating to Ethics

TESTIMONY — OPPOSE
Carmille Lim, Executive Director, Common Cause Hawaii

Dear Chair Rhoads, Vice Chair San Buenaventura, and members of the House Judiciary Committee:

Common Cause Hawaii strongly opposes HB 1713 which would seriously undermine the State Ethics Code.

A primary focus of Common Cause is on promoting strong ethics in government. It is unfortunate that the general public is increasingly cynical about governmental ethics. We believe it is important to counter this perception by maintaining and enforcing a strong ethics code.

HB 1713 would repeal Section 84-1 of the Hawaii Revised Statutes, which reads:

“Construction: This chapter shall be liberally construed to promote high standards of ethical conduct in state government.”

To repeal this section is to severely limit the ability of the Ethics Commission to enforce the ethics code, and sends a message to the public that the legislature, and the advocates supporting this bill, are not interested in promoting high standards of ethical conduct.

This section of the current law intentionally tips the balance in application of the code toward public, rather than private, interest and helps guard against public perception that a given behavior is unethical.

We understand that the origin of this bill was a concern by certain Department of Education (DOE) teachers with the application of Board of Education (BOE) directives to the DOE administration concerning teacher initiated trips for students, in response to an advisory opinion by the Ethics Commission. While we appreciate teachers' past efforts to provide travel opportunities to students, we are concerned that any such travel must be handled in ways that ensure fair treatment of possible travel agencies and avoid the perception that teachers are developing trips for their own personal reasons.

This past summer, the BOE designated three of its members as a committee to develop recommendations, and in September 2015, directed the DOE to implement the committee's recommendations. **We believe that these directives successfully address the major ethical concern with the current procedure, which is: selection by a teacher of a travel agent; soliciting business for said travel agency; promoting that agency; and in return obtaining free travel and often other perks such as hotel accommodations, per diem or other gifts.** The BOE directives handle this by removing the teacher from the selection process and using normal state procurement procedures to select a travel agency for all official DOE trips. The directive includes requiring travel agencies to donate to a teacher travel fund which, in turn, would be used to compensate the teacher chaperones for travel expenses, and perhaps other expenses according to policy to be developed by DOE.

Thus, under the BOE's recommendations, teachers already would not have to pay for their travel on approved trips.

Further, Common Cause Hawaii is also concerned that HB 1713 extends an exemption from all parts of the ethics code to all state employees when carrying out “extracurricular service,” not only from the gift section, but other sections as well. It still is not clear what range of activities might fall under the designation of “extracurricular service,” but this exemption appears to promise a wide-ranging exemption from the ethics code. Doing this may cause unanticipated problems for the state, and further undermine public confidence in the conduct of government.

While our purview is to comment specifically on good government issues, it would be irresponsible for us to exclude that from a public policy standpoint, there are clear red flags in this bill related to the state's liability for the public school children who may take part in these “extracurricular activities.”

SUGGESTION

If the Legislature wishes to express concern with the impact of the BOE directives on teachers and students, **we suggest that the legislature consider passing a resolution, rather than a bill, specifying the concerns and asking that the BOE and DOE attempt to address these concerns as both parties continue to develop policies on travel.**

In light of the above, **we urge you to defer HB 1713.**

Thank you for the opportunity to testify **in strong opposition to HB 1713.**



HAWAII STATE ETHICS COMMISSION

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

HOUSE COMMITTEE ON JUDICIARY
The Honorable Karl Rhoads, Chair
The Honorable Joy A. San Buenaventura, Vice Chair

H.B. No. 1713, H.D. 1, Relating to Ethics

Hearing: Friday, February 19, 2016, 3:00 p.m.

The State Ethics Commission **opposes** H.B. No. 1713, H.D. 1, which creates a blanket exemption to the State Ethics Code for employees who engage in “extracurricular service” that is related to their state duties. The bill is unnecessary, overly broad, and contrary to the stated purpose of the State Ethics Code.

H.B. No. 1713, H.D. 1 is intended to address the concerns raised by the Commission in Advisory Opinion No. 2015-1 (attached) regarding the free travel and other personal benefits that a number of Department of Education (“DOE”) teachers were receiving from the tour companies that the teachers selected to organize student trips. In the advisory opinion, the Commission explained that the State Ethics Code prohibits teachers from accepting free travel from the tour companies because of the way the trips are organized and arranged. Specifically, in response to a request by a DOE complex area office for guidance, the Commission advised that the State Ethics Code prohibits teachers from accepting free travel and other benefits from tour companies where the teachers planned a Spring Break trip, decided which teachers would travel as chaperones, selected the tour company that would organize the trip, and solicited their students and parents of their students to participate in the trip using the tour company’s promotional material. Teachers received free travel and other benefits from the tour company based on the number students who purchased tour packages. For certain trips, the value of the travel exceeds \$6,000.

The manner in which the Spring Break trip was organized raised issues under numerous sections of the State Ethics Code, namely the conflicts of interests law, the fair treatment law (misuse of position), and the gifts law. Teachers simply cannot use their official positions to, in essence, serve as a private company’s sales representatives; they cannot accept free travel and other personal benefits under circumstances in which it can reasonably be inferred that the travel and other benefits are offered to influence the teachers in actions that they take as teachers or to reward the teachers for their actions.

The Commission’s advice regarding student trips chaperoned by teachers appears to have been misunderstood. The Commission has never stated that the State

Ethics Code prohibits student trips or that the State Ethics Code prohibits teachers from serving as chaperones on these trips. The Commission has never said that teachers must pay if they are going to chaperone the students.

Rather, the Commission's advisory opinion was intended to help teachers and the DOE understand how the State Ethics Code applied to one school's Spring Break trip and others trips that were similarly organized. As stated above, the Commission's concern about the free travel and other personal benefits that teachers were receiving was because of the way student trips were structured, i.e., the teachers' role in selecting the tour company, soliciting the students and their parents, and then being given free trips.

The Commission repeatedly has explained that the State Ethics Code issues can be addressed if the trips are organized differently, i.e., if the teachers are not directly involved in selecting the company and soliciting the students and their parents. It simply is unnecessary to create an exception in the State Ethics Code so that teachers can accept free travel from tour companies. If the DOE believes that the trips are part of the DOE student learning experience and should continue, the DOE can develop a process that addresses the Commission's concerns and protects its teachers from actions that may violate the State Ethics Code.

In fact, the DOE was developing a Student Travel Policy and Guidelines to address the Commission's concerns that were raised in Advisory Opinion No. 2015-1. Under that policy, the DOE would create a "pre-approved" student travel vendor list from which a school's Student Activities Coordinator ("SAC") would select the tour company that offered the desired itinerary. Communications with the students' parents about the trip would be through the SAC. In addition, the draft policy would create a "fund" to pay the travel expenses of the teacher-chaperones as well as to provide scholarships for students who are financially unable to participate. The Board of Education subsequently adopted a travel policy that superseded the DOE's policy; however, the DOE's policy that was being developed clearly demonstrates that the DOE can structure student travel in a way that is consistent with the State Ethics Code.

In addition to teacher travel, H.B. No. 1713, H.D. 1 will have the unintended effect of allowing employees to secure substantial personal benefits while performing services relating to their state jobs. The term "extracurricular services" contemplated by the bill is unduly broad and includes virtually any activity by any employee, so long as it is somewhat related to an employee's state job duties. For example, a Department of Accounting and General Services motor pool mechanic is asked to help recommend new cars that the motor pool intends to purchase. The employee, outside of his work hours, meets with car dealership representatives to learn about their companies' vehicles. One sales representative invites the employee to an expensive dinner to talk about his company's fleet; another loans the employee a vehicle for the employee's personal use. The bill likely would exempt the employee from the State Ethics Code, meaning that the employee can accept the dinner and the free use of the vehicle.

Allowing employees to accept those types of personal benefits is clearly contrary to the statute's purpose, i.e., to preserve public confidence in state government.

Finally, in its current form, the bill repeals section 84-1, which requires that the statute "be liberally construed to promote high standards of ethical conduct in state government." Repealing the requirement that the law be liberally construed is directly contrary to the express legislative intent, i.e., to administer and enforce the provisions of the State Ethics Code "so that public confidence in public servants will be preserved." The Commission strongly suggests that repealing section 84-1 is against the public interest and is a blatant attempt to weaken the State Ethics Code.

The Commission urges the Committee to defer H.B. No. 1713, H.D. 1.

Thank you for your continuing support of the Commission's work and for considering the Commission's testimony.



HAWAII STATE ETHICS COMMISSION

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

ADVISORY OPINION NO. 2015-1

The Hawaii State Ethics Commission (“Commission”) has learned that it is a longstanding practice for Department of Education (“DOE”) teachers and other DOE employees (collectively, “teachers”) who serve as chaperones on student educational trips to be offered free travel and other benefits from tour companies through which the teachers plan and organize these trips.

The State Ethics Code, Chapter 84, Hawaii Revised Statutes (“HRS”), prohibits teachers from accepting free travel and other benefits from tour companies for serving as chaperones on student educational trips, where the teachers are directly involved in planning a trip and selecting a tour company to help organize the trip, promoting the trip to students and their parents, deciding who will chaperone the students, and/or requesting DOE approval of the trip.

I. Facts

Based on the Commission’s understanding of the facts, a teacher or group of teachers plans and organizes an educational trip for students. The trips that are the subject of this Advisory Opinion (also referred to as “student educational trips”) are organized and arranged as follows:

- The teachers decide to offer students the opportunity to participate in an educational trip and decide on a particular destination.
- The trip usually relates to a particular subject such as history or foreign language. The trip is not mandatory or a required part of the curriculum but, rather, an “enrichment” activity offered to interested students and their parents.
- The trip usually is scheduled to occur around the time of a school break, such as Spring Break or summer.
- Teachers who are interested in and/or willing to accompany the students and serve as chaperones plan and organize the trip.
- The teachers select a particular tour company to help organize the trip. When selecting the tour company, the teachers do not appear to follow formal state procurement procedures. The choice of tour company appears to be based on the teachers’ own subjective criteria.

- The teachers select a particular tour package offered by the tour company or work with the tour company to develop a trip itinerary.
- The teachers generate interest in and promote the trip to students and their parents. Typically, this involves meeting with the parents and disseminating and presenting informational and promotional material about the trip prepared by the tour company.
- The tour company may prepare a letter to the students' parents from a particular teacher, on the tour company's letterhead, to generate interest in the trip. The teacher's name may appear as the signatory of the letter. In addition to providing information about the trip, the letter may include an endorsement of the tour company by stating that the teacher chose that particular tour company due to the quality and affordability of that company's services.
- The tour company may also prepare a PowerPoint slide show promoting the trip, which the teachers present at an informational meeting with parents. The slide show may bear the tour company's logo and identify a particular teacher as the person who will be leading the student travel group. The tour company customarily offers one free travel package to a teacher per a certain number of paying travelers. For example, for a trip to the East Coast, the ratio may be one free travel package per 10 paying travelers; whereas for a trip to Europe, the ratio may be one free travel package per six paying travelers.
- The travel package typically covers airfare, hotel accommodations, meals, overnight hotel security, illness and accident insurance coverage, entrance fees to the sites visited, and gratuities. Some tour companies provide emergency and/or other types of assistance during the trip as part of the travel package.
- The fair market value of a teacher's travel package is several thousand dollars, e.g., \$3,500 or more for a tour of East Coast cities, and \$5,500 or more for a tour of European countries.
- Travelers who must pay for the trip include the students, parents who want to accompany their children on the trip, and other members of the students' families, if they are invited to join the travel group. Paying travelers also may include a teacher's spouse and/or family members.
- The tour company may also offer a teacher additional benefits. For example, the tour company may offer a teacher who will be leading a student travel group for the first time a free weekend "orientation" trip to the mainland, to experience a tour firsthand and obtain additional information from the tour

company. The tour company may also offer a teacher a stipend for the trip, “points” that can be earned and applied toward obtaining other benefits from the tour company, or a personal gift, such as an iPad.

- The students may conduct fundraising activities to help pay for their travel expenses.
- Teachers must obtain approval for the trip from their school principal and complex area superintendent. In requesting the approval, the teachers must articulate an educational purpose for the trip.

II. Application of the State Ethics Code

Based on the Commission’s understanding of how student educational trips are currently organized and arranged, it is the Commission’s opinion that the State Ethics Code prohibits teachers from accepting free travel and other benefits from the tour companies. Several sections of the State Ethics Code apply.

A. Gifts Law, HRS section 84-11

The gifts law, HRS section 84-11, prohibits an employee from soliciting, accepting, or receiving any gift, including travel, under circumstances where it can reasonably be inferred that the gift is intended to influence the employee in performing the employee’s official duties or is intended to reward the employee for official action.¹ Because the gifts law is based on an appearance of impropriety, it is immaterial whether the employee is actually influenced by the gift or whether the donor of the gift actually intended to influence the employee. If it appears to a reasonable person that the gift is given to influence or reward the employee for official action, the employee is prohibited from accepting the gift.

¹ HRS section 84-11 states:

No legislator or employee shall solicit, accept, or receive, directly or indirectly, any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing, or promise, or in any other form, under circumstances in which it can reasonably be inferred that the gift is intended to influence the legislator or employee in the performance of the legislator's or employee's official duties or is intended as a reward for any official action on the legislator's or employee's part.

“Official action” is “a decision, recommendation, approval, disapproval, or other action, including inaction, which involves the use of discretionary authority.”² Official action includes providing input to decisions even if one is not the final decision maker, exercising judgment, expressing opinions, giving advice, and taking other action that is non-ministerial in nature.

Teachers who participate in planning and organizing a student educational trip engage in official action that includes: selecting a tour company with which to plan and organize the trip, planning the trip itinerary, promoting and recommending the trip to students/parents, deciding who will chaperone the students, and requesting DOE approval for the trip by justifying the purpose of the trip to the principal and complex area superintendent.

The Commission believes it is reasonable to infer that the free travel and other benefits offered to teachers by a tour company are intended as both an incentive for the teachers to promote the trip to as many students/parents as possible and a reward for the teachers’ efforts in generating revenue for the tour company. Therefore, the free travel and other benefits are prohibited gifts.

In the Commission’s view, the “educational purpose” of the trip that may be proffered by the teachers does not outweigh or negate the inference that free travel and other benefits are intended to influence or reward the teachers for official action.

Many teachers have emphasized that the trip is a “working trip” for them, and they do not construe the free travel and other benefits provided to them by a tour company as “gifts.” The Commission does not doubt that a teacher who serves as a chaperone takes on additional work responsibilities. At the same time, however, the free travel package has substantial monetary value that provides a personal benefit to the teacher by allowing the teacher to travel for free. Additional personal benefits the teacher may receive from a tour company also have significant monetary value. The Commission emphasizes that the free travel and other benefits constitute prohibited gifts because of the way the trips are currently organized and arranged.

B. Gifts Reporting Law, HRS section 84-11.5

The gifts reporting law, HRS section 84-11.5, requires an employee to report a gift to the State Ethics Commission on a gifts disclosure statement filed by June 30 of each year, if: (1) the value of the gift or gifts received from a single source, singly or in the aggregate, exceeds \$200; (2) the source of the gift has interests that may be affected by official action by the employee; and (3) the law does not exempt the gift

² HRS section 84-3.

from the reporting requirement.³ A teacher who accepts a free trip and other benefits from a tour company for serving as a chaperone on a student educational trip must report these items on a gifts disclosure statement.

The Commission emphasizes that reporting the free travel and other benefits on a gifts disclosure statement does not mean that the teacher was allowed to accept them

³ HRS section 84-11.5 states:

- (a) Every legislator and employee shall file a gifts disclosure statement with the state ethics commission on June 30 of each year if all the following conditions are met:
 - (1) The legislator or employee, or spouse or dependent child of a legislator or employee, received directly or indirectly from one source any gift or gifts valued singly or in the aggregate in excess of \$200, whether the gift is in the form of money, service, goods, or in any other form;
 - (2) The source of the gift or gifts have interests that may be affected by official action or lack of action by the legislator or employee; and
 - (3) The gift is not exempted by subsection (d) from reporting requirements under this subsection.
- (b) The report shall cover the period from June 1 of the preceding calendar year through June 1 of the year of the report.
- (c) The gifts disclosure statement shall contain the following information:
 - (1) A description of the gift;
 - (2) A good faith estimate of the value of the gift;
 - (3) The date the gift was received; and
 - (4) The name of the person, business entity, or organization from whom, or on behalf of whom, the gift was received.
- (d) Excluded from the reporting requirements of this section are the following:
 - (1) Gifts received by will or intestate succession;
 - (2) Gifts received by way of distribution of any inter vivos or testamentary trust established by a spouse or ancestor;
 - (3) Gifts from a spouse, fiancé, fiancée, any relative within four degrees of consanguinity or the spouse, fiancé, or fiancée of such a relative. A gift from any such person is a reportable gift if the person is acting as an agent or intermediary for any person not covered by this paragraph;
 - (4) Political campaign contributions that comply with state law;
 - (5) Anything available to or distributed to the public generally without regard to the official status of the recipient;
 - (6) Gifts that, within thirty days after receipt, are returned to the giver or delivered to a public body or to a bona fide educational or charitable organization without the donation being claimed as a charitable contribution for tax purposes; and
 - (7) Exchanges of approximately equal value on holidays, birthday, or special occasions.
- (e) Failure of a legislator or employee to file a gifts disclosure statement as required by this section shall be a violation of this chapter.
- (f) This section shall not affect the applicability of section 84-11.

from the tour company. In other words, if the free travel and other benefits were prohibited gifts in the first place, reporting them on a gifts disclosure statement does not “cure” a violation of the gifts law.⁴

C. Fair Treatment Law, HRS section 84-13

The fair treatment law, HRS section 84-13, prohibits an employee from using or attempting to use the employee’s official position to secure unwarranted advantages or benefits for himself or herself or anyone else. A teacher’s personal and direct involvement in selecting a particular tour company to help organize a trip, promoting the trip, deciding that he or she will serve as a chaperone, and securing DOE approval for the trip raises concerns that the teacher may be misusing the teacher’s official position to secure free travel and other personal benefits for himself or herself. Under these circumstances, the free travel and other benefits appear to be unwarranted benefits the teacher obtains in violation of HRS section 84-13.

D. Conflicts of Interests Law, HRS section 84-14

When an employee takes official action that personally benefits the employee, concerns arise that the employee’s state work is influenced by personal interests. This undermines public confidence in government. The State Ethics Code is intended to prevent an employee from being involved in official action that places the employee in a conflict of interest with his or her state position.

1. HRS section 84-14(a)(2)

HRS section 84-14(a)(2), part of the conflicts of interests law, prohibits an employee from taking official action directly affecting a private undertaking in which the employee is engaged as a representative or in some other agency capacity.⁵

A trip that a teacher organizes and arranges through a particular tour company using the tour company’s letterhead, PowerPoint presentation, and/or other promotional material prepared by the tour company appears to be a private undertaking in which the teacher in essence is a representative of the tour company. By taking official action directly affecting this undertaking in his or her capacity as a teacher, i.e., selecting the

⁴ See HRS section 84-11.5(f).

⁵ HRS section 84-14(a)(2) states:

No employee shall take any official action directly affecting . . . [a] private undertaking in which the employee is engaged as legal counsel, advisor, consultant, representative, or other agency capacity.

tour company, planning the trip itinerary, promoting the trip, deciding who will serve as chaperones, and/or requesting DOE approval of the trip, the teacher has a conflict of interest under HRS section 84-14(a)(2). Under these circumstances, the teacher's acceptance of free travel and other benefits from the tour company is prohibited under the State Ethics Code.

HRS section 84-14(d)

HRS section 84-14(d), another part of the conflicts of interests law, prohibits an employee from assisting or representing a business for compensation on a matter in which the employee participates or will participate in the employee's state capacity, or on a matter before the employee's own state agency.⁶

In the Commission's view, the free travel and other benefits a teacher receives from a tour company is "compensation"⁷ for assisting or representing the tour company on a matter in which the teacher participates in his or her DOE (state) capacity. By promoting the trip to the students and their parents, the teacher assists or represents the tour company in generating revenue for the tour company and is "compensated" by the tour company for these efforts. The teacher also is "compensated" for securing approval for the tour company's trip from the DOE, i.e., assisting or representing the tour company on a matter before the DOE.⁸ The teacher's acceptance of free travel and other benefits from the tour company under these circumstances is a conflict of interest and, therefore, prohibited under HRS section 84-14(d).

⁶ HRS section 84-14(d) states:

No legislator or employee shall assist any person or business or act in a representative capacity for a fee or other compensation to secure passage of a bill or to obtain a contract, claim, or other transaction or proposal in which the legislator or employee has participated or will participate as a legislator or employee, nor shall the legislator or employee assist any person or business or act in a representative capacity for a fee or other compensation on such bill, contract, claim, or other transaction or proposal before the legislature or agency of which the legislator or employee is an employee or legislator.

⁷ HRS section 84-3 defines "compensation" as "any money, thing of value, or economic benefit conferred on or received by any person in return for services rendered or to be rendered by oneself or another."

⁸ It is possible that the free travel and other benefits (i.e., "compensation") a teacher receives from a tour company may be considered as "income" the teacher earns for services rendered. The Commission notes that the Internal Revenue Service ("IRS") may recognize the fair market value of the free travel and other benefits as "income" the teacher must report to the IRS for tax purposes. See Taxable and Nontaxable Income, Publication 525 (2014), Department of the Treasury, IRS.

III. Upcoming Trips

The Commission is aware that teachers have been offered free travel and other benefits by tour companies for a number of upcoming trips that are scheduled or are being planned, including trips for which students have already paid. For the reasons discussed above, the teachers are prohibited from accepting the free travel and other benefits from the tour companies.

The State Ethics Code does not prohibit the trips from occurring, nor does the State Ethics Code prohibit the teachers from serving as chaperones on the trips. However, if the teachers are directly involved in planning and organizing the trips with the tour companies and engage in the official action described above, the State Ethics Code prohibits the teachers from accepting free travel and other benefits from the tour companies.

IV. Trips That Already Occurred

The Commission is aware that teachers have received free travel and other benefits from tour companies for trips that already occurred. The Commission has decided to take no administrative action⁹ against teachers for accepting free travel and other benefits from tour companies for student educational trips that already occurred. However, in accordance with the gifts reporting law, teachers who accepted free travel and other benefits from the tour companies must report the travel and other benefits that they received on a gifts disclosure statement filed with the Commission.¹⁰

V. Summary

The Commission emphasizes that the State Ethics Code does not prohibit student educational trips from occurring, nor does the State Ethics Code prohibit teachers from serving as chaperones on these trips. However, the State Ethics Code prohibits the teachers from accepting free travel and other benefits from the tour

⁹ The Commission may take administrative action by issuing a charge against an employee for alleged violations of the State Ethics Code. A charge commences formal proceedings against an employee that may lead to an administrative hearing and penalties that may include a fine. See HRS section 84-31.

¹⁰ The Commission issued a memorandum to all teachers, dated August 4, 2015, which addresses trips that already occurred. The memorandum states that the Commission will take no administrative action against teachers for accepting free travel and other benefits from tour companies for student educational trips that were completed before July 31, 2015. The memorandum also explains that teachers who accepted free travel and other benefits from tour companies after June 1, 2014, must file a gifts disclosure statement with the Commission to report those gifts.

companies if the teachers engage in official action vis-a-vis the tour companies as described above. In short, because of the way the trips are currently organized and arranged, the State Ethics Code prohibits teachers from accepting free travel and other benefits from the tour companies.

The Commission has offered to assist the DOE in reviewing policies and procedures to address the State Ethics Code concerns associated with the teachers' acceptance of free travel and other benefits, including possible ways to fund the teachers' travel for upcoming student educational trips.

Dated: Honolulu, Hawaii, August 19, 2015.

HAWAII STATE ETHICS COMMISSION

Susan N. DeGuzman, Chair
David O'Neal, Vice Chair
Ruth D. Tschumy, Commissioner
Melinda Wood, Commissioner
Reynaldo D. Graulty, Commissioner

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 9:20 PM
To: JUDtestimony
Cc: ndavlantes@aol.com
Subject: *Submitted testimony for HB1713 on Feb 19, 2016 15:00PM*

HB1713

Submitted on: 2/16/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Davlantes	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 18, 2016 11:35 AM
To: JUDtestimony
Cc: johnnaylor@kula.us
Subject: Submitted testimony for HB1713 on Feb 19, 2016 15:00PM

HB1713

Submitted on: 2/18/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
John NAYLOR	Individual	Support	No

Comments: We need a standard of ethics for in all of public service including but not limited to our public school teachers and most especially our politicians!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 18, 2016 12:35 PM
To: JUDtestimony
Cc: blockard@iname.com
Subject: *Submitted testimony for HB1713 on Feb 19, 2016 15:00PM*

HB1713

Submitted on: 2/18/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Brodie Lockard	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Larry Geller
Honolulu, HI 96817

HB1713 HD1
JUD
Friday February 19, 2016
3:00 p.m.
Room 325

COMMITTEE ON JUDICIARY
Rep. Karl Rhoads, Chair
Rep. Joy A. San Buenaventura, Vice Chair

February 18, 2016

Re: HB1713 HD1 Exemption from the prohibition on gift receipt for all state employees

In Opposition

Dear Rep. Rhoads, Rep. San Buenaventura and members of the Committee:

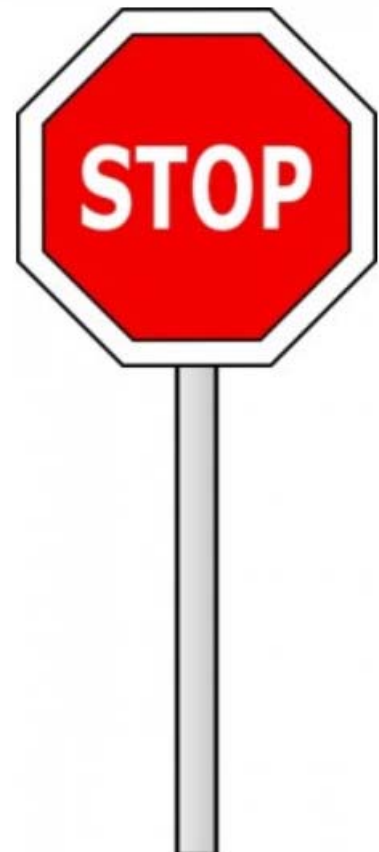
This bill would appear to be unnecessary since **the Board of Education has effectively dealt with the original issue** in a way that will permit students to continue to benefit from school excursions.

Weakening the state Ethics Code with an exemption broadened to include all state employees is not only not necessary, it will contribute to citizen doubts over the motives of the Hawaii state House.

Should this bill become law, it would be party time in state government.

Don't do it. I recommend that the Committee defeat this bill.

--Larry Geller



LATE

February 18, 2016

TO: Chair Karl Rhoads, Vice-Chair San Buenaventura,
Members of the House Committee on the Judiciary

FROM: Barbara Polk

SUBJECT: OPPOSITION TO HB 1713

Although I am a member of the Common Cause Board, I am testifying as an individual on issues that lie outside of the Common Cause domain. I share the ethics concerns about HB1713 as presented by Common Cause, including strong opposition to deletion of the “construction” clause of the Ethics Code and the attempt to create a special category of state employees not subject to the entire Ethics Code. Below I address additional policy considerations that result in my opposition to this bill.

Background:

The Board of Education appointed a committee of three of its members to address the ethical questions about teacher organized trips for students. The committee met with the DOE Superintendent and some of her staff, the Ethics Commission Executive Director and the Commission's staff attorney, and a Deputy Attorney General, among others. In their recommendations, the committee focused especially on the legal liability of DOE for any mishap that might occur on such a trip. They limited liability by differentiating between trips that were part of the curriculum and approved by administrators at the school or district level (sports teams, band trips, debate tournaments and the like) and trips that were initiated and organized by teachers outside of their regular duties. The former they handled by requiring that selection of a travel agency be done through regular procurement procedures. The latter they determined could be handled by teachers as they do now, but would not be considered to be DOE trips, requiring that the teachers make this clear to students and parents and that, as with other private business endeavors by state employees, no use be made of State facilities or materials.

The BOR, in September, directed the DOE to implement the committee's recommendations. As I understand it, the DOE is currently in the process of developing policies to implement the BOR directives.

Policy concerns:

1. This bill attempts to resolve concerns (not all of which are accurate) expressed by some teachers and perhaps some DOE administrators without doing the due diligence which the BOE has done. Doing so undermines the BOE in carrying out its responsibilities.
2. This bill would usurp DOE's responsibility for policy development to implement the BOE's directives. It is my understanding that DOE is still in process of developing implementing policy.
3. Setting up a special category of “extracurricular service” for ALL State employees may expose the State to liability for a wide variety of unspecified activities, carried out by State employees, that are not part of their employment with the State. The BOE is especially concerned about this liability, and other agency heads may also come to share this concern. I believe it is dangerous for the State to take on this liability.

4. Allowing employees to use State resources for privately organized activities outside their regular duties may result in a substantial financial impact on the State.
5. This bill allows or even encourages state employees (in this case, teachers) to bypass their agency employer. I doubt that the legislature wants to encourage state employees to seek legislative support for any concern they have with the operations or policies of their department—to do so would result in chaos in governmental operations.
6. This bill bypasses established procurement procedures, and may lead to other employees seeking to bypass procedures they do not like.

I ask that the legislature not attempt to micromanage DOE by bypassing the decisions of its Board and the DOE's role in policy making, and not impose unexpected liability on DOE and all other state agencies.

Please do not pass HB 1713.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 19, 2016 6:26 AM
To: JUDtestimony
Cc: boydready@hawaii.rr.com
Subject: Submitted testimony for HB1713 on Feb 19, 2016 15:00PM

HB1713

Submitted on: 2/19/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Boyd Ready	Individual	Oppose	No

Comments: Dear Committee members: I oppose this bill. The ethics problem can be solved by DOE procedures removing teacher-chaperones from the tour promotion loop. This bill would open wide the floodgates of corruption of all kinds in State government. With respect, Boyd Ready Haleiwa

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 18, 2016 6:55 PM
To: JUDtestimony
Cc: tlalocct@hotmail.com
Subject: Submitted testimony for HB1713 on Feb 19, 2016 15:00PM

HB1713

Submitted on: 2/18/2016
Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
tlaloc tokuda	Individual	Oppose	No

Comments: With the advent of corporations as people (Citizens United) and the ability to have money destroy our democracy, all state and national congresses needs due diligence in ethical standards. I question the logic behind having a bill granting teachers an exemption from the ethics code... but now this bill has morphed into a blanket exemption of ethical standards for all state employees! In order to keep public trust, all of Hawaii's public servants — including state employees — must hold to the highest standard of ethics. So hopefully this bill will be defeated and be done with...why am i worried...

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 18, 2016 5:59 PM
To: JUDtestimony
Cc: amymonk99@hotmail.com
Subject: Submitted testimony for HB1713 on Feb 19, 2016 15:00PM

HB1713

Submitted on: 2/18/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Monk	Individual	Oppose	No

Comments: I support the original intent to allow a narrow exemption to allow teachers to accept travel to escort their students on educational travel. A blanket exemption could be abused or misused.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov