
HOUSE RESOLUTION

ESTABLISHING AN INTERIM HOUSE TASK FORCE TO EVALUATE THE PROPRIETY, MERITS, AND, IF FOUND, POSSIBLE PROCEDURES FOR A STANDARDS OF CONDUCT COMMITTEE TO HANDLE POTENTIAL CONFLICTS OF INTERESTS AND OTHER BREACHES OF THE STANDARDS OF CONDUCT BY MEMBERS OF THE HOUSE OF REPRESENTATIVES.

1 WHEREAS, Hawaii's legislators are entrusted by the people
2 of this State to serve the public interest; and
3

4 WHEREAS, high ethical standards among the members of the
5 Legislature are essential to assure the trust, respect, and
6 confidence of the people of Hawaii; and
7

8 WHEREAS, in order to preserve the public's confidence in
9 state government, the Legislature should conduct its business in
10 a manner that preserves the integrity of the legislative
11 process; and
12

13 WHEREAS, through the responsible use of this political
14 power, legislators demonstrate their understanding and respect
15 for those on whose behalf they have accepted this trust; and
16

17 WHEREAS, adoption of broader standards and transparency in
18 the resolution of ethical conflicts is imperative both to enable
19 the public to understand the intricacies of the legislative
20 process and its effects on the legislators as well as to provide
21 the legislators with guidance when confronted with the
22 inevitable conflicts between their responsibility to the public
23 and their need to pursue their employment outside the
24 Legislature; and
25

26 WHEREAS, these needs for ethics and avoidance of conflicts
27 of interest must be balanced against the public's commitment to
28 a part-time citizen Legislature, which requires that legislators



1 be drawn from all parts of society and implies that legislators
2 are expected and permitted to earn outside income; and
3

4 WHEREAS, the 1978 Constitutional Convention found that
5 public officers "must exhibit the highest standards of ethical
6 conduct"; towards that end, and to enhance public confidence,
7 the Legislature established standards of conduct for legislators
8 through the enactment of Chapter 84, Hawaii Revised Statutes,
9 which also established the State Ethics Commission, an
10 independent body to administer and enforce the Code of Ethics;
11 and
12

13 WHEREAS, although the State Ethics Commission has
14 jurisdiction over legislators' alleged conflicts of interests,
15 additional procedures may be necessary within the Legislature
16 itself to allow the Legislature to promptly identify and advise
17 its members on potential conflicts of interest, and to
18 investigate, evaluate, and pass judgment on those of its members
19 who may have violated the public's trust; and
20

21 WHEREAS, the House of Representatives also has its own
22 internal rules, promulgated as Rule 60, Code of Legislative
23 Conduct, that prescribes the ethical standards of its members;
24 however, this rule does not appear to comprehensively address
25 the multitude and complexity of issues that can surround ethical
26 standards of House members; and
27

28 WHEREAS, the United States Senate, 108th Congress, 1st
29 Session, also has its own Senate Ethics Manual, consisting of
30 over 506 substantive pages, that appears to comprehensively
31 define and prescribe its members standards in relation to gifts,
32 conflicts of interest and outside earned income, prohibition on
33 unofficial office accounts, financial disclosure, political
34 activity, use of government equipment and facilities,
35 constituent services, and employment practices; and
36

37 WHEREAS, to strengthen public confidence in their elected
38 officials and provide guidance to state officials and employees,
39 the House of Representatives finds that an evaluation of
40 additional and different standards of conduct is a worthwhile
41 endeavor; now, therefore,



1
2 BE IT RESOLVED by the House of Representatives of the
3 Twenty-fourth Legislature of the State of Hawaii, Regular
4 Session of 2007, that the Speaker is requested to establish an
5 interim task force to evaluate:

- 6
7 (1) The Senate Ethics Manual of the United States Senate,
8 108th Congress, 1st Session, and the rules of other
9 legislative bodies to determine those provisions which
10 may be worthwhile and applicable for consideration for
11 adoption by the House of Representatives;
12
13 (2) The propriety, merits, and need to amend Rule 60 of
14 the Rules of the House of Representatives to more
15 comprehensively address standards of conduct;
16
17 (3) Whether the House of Representatives should establish
18 a Standards of Conduct Committee, and if so, the scope
19 of its duties, make-up (including majority and
20 minority representation), and procedures;
21
22 (4) Whether, if established, the Standards of Conduct
23 Committee should also be empowered to initiate,
24 receive, and consider conflict of interest complaints
25 involving House members;
26
27 (5) Whether, if established, the Standards of Conduct
28 Committee should render advisory opinions and
29 recommend disciplinary action; and
30
31 (6) Additional measures that may be enacted to address
32 possible conflicts of interests involving House
33 members;

34 and

35
36 BE IT FURTHER RESOLVED that the Speaker is requested to
37 appoint majority and minority members to the interim task force
38 after consultation with the majority and minority leaders,
39 respectively, and designate the chair and vice chair from among
40 the members; and
41



1 BE IT FURTHER RESOLVED that the study, and proposed
2 legislation, if any, be transmitted to the Speaker of the House
3 of Representatives no later than 20 days prior to the convening
4 of the Regular Session of 2008; and

5
6 BE IT FURTHER RESOLVED that certified copies of this
7 Resolution be transmitted to the Speaker of the House of
8 Representatives and the Executive Director of the Hawaii State
9 Ethics Commission.

