

JAN 27 2016

S.B. NO. 3091

A BILL FOR AN ACT

RELATING TO ETHICS TRAINING.

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

1 SECTION 1. 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- Definitions. As used in this part, unless the
5 context requires otherwise:

6 "Ethics training" means education and training in the
7 ethics laws set forth in this chapter."

8 SECTION 2. Section 84-41, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "§84-41 Applicability of part. This part applies to
11 [legislators, members of the board of education, trustees of the
12 office of Hawaiian affairs, the governor, the lieutenant
13 governor, and executive department heads and deputies. This
14 part does not apply to any other officer or employee of the
15 state.] all persons required to file a financial disclosure
16 statement pursuant to section 84-17(d); all members of a board,
17 as defined in section 92-2; state employees responsible for



1 procurement; state employees who administer state contracts; and
2 state employees who regulate or inspect private organizations."

3 SECTION 3. Section 84-42, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[+]§84-42[+] **Mandatory ethics training course.** (a) All
6 ~~[state officers and employees]~~ persons enumerated in section
7 84-41 shall complete ~~[an]~~ a course in ethics training ~~[course]~~,
8 as defined in section 84- , administered by the state ethics
9 commission as provided in this part~~[- For the purposes of this~~
10 ~~part, "ethics training" includes education and training in:~~

11 ~~(1) The ethics laws set forth in this chapter; and~~
12 ~~(2) The lobbying laws set forth in chapter 97.]~~ , at the
13 next available ethics training course administered by the state
14 ethics commission after taking office or on an employee's first
15 day of employment, and once every four years thereafter.

16 (b) All persons who are required to file a financial
17 disclosure statement pursuant to section 84-17(d) shall attend
18 an ethics training course in person.

19 (c) All members of a board, as defined in section 92-2,
20 and not included in section 84-17(d); state employees
21 responsible for procurement; state employees who administer



1 state contracts; and state employees who regulate or inspect
2 private organizations shall complete an online ethics training
3 course."

4 SECTION 4. Section 84-43, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "[+]§84-43[+] **Ethics training course.** (a) The state
7 ethics commission shall establish, design, supervise, and
8 conduct in-person and online ethics training courses, designed
9 specifically for the ~~[officers and employees]~~ persons to whom
10 this part applies~~[-]~~; provided that the state ethics commission
11 shall develop and implement an online ethics training course.

12 (b) The ethics training course shall include:

13 (1) Explanations and discussions of the ethics laws,
14 administrative rules, ~~[and]~~ relevant internal
15 policies~~[-]~~, and consequences for violations of ethics
16 laws;

17 (2) Additional information and clarification regarding
18 standards of conduct; compensation, gifts, and other
19 items of value; prohibited representations; conflicts
20 of interest; campaign and political activity



1 restrictions; contracts; disclosure of confidential
2 information; and abuse of office;
3 ~~[(+2)]~~ (3) Specific technical and legal requirements;
4 ~~[(+3)]~~ (4) The underlying purposes and principles of ethics
5 laws;
6 ~~[(+4)]~~ (5) Examples of practical application of the laws and
7 principles; and
8 ~~[(+5)]~~ (6) A question-and-answer ~~[participatory]~~ segment
9 regarding common problems and situations.
10 The state ethics commission shall develop the methods and
11 prepare any materials necessary to establish, implement, and
12 administer the ethics training course.
13 (c) The state ethics commission shall:
14 (1) ~~[Administer the]~~ Develop, implement, and administer an
15 ethics training course;
16 (2) Designate those of its legal staff who are to conduct
17 the in-person ethics training course; and
18 (3) Notify each ~~[officer or employee]~~ person enumerated in
19 section 84-41 that ~~[their]~~ in-person attendance in
20 this course or online completion of this course, as
21 applicable, is mandatory.



1 (d) The in-person and online ethics training [~~course~~
2 courses shall ~~[be held in January of each year for those who~~
3 ~~have not attended the course previously. The course shall last~~
4 ~~at least two hours in length.]~~ be made available on a regular
5 basis for each person enumerated in section 84-42(b) and on an
6 ongoing basis for each person enumerated in section 84-42(c).

7 ~~[(e) The state ethics commission may repeat the course as~~
8 ~~necessary to accommodate all persons who are required to attend.~~

9 ~~+(f)]~~ (e) Each state agency shall provide to the state
10 ethics commission the names of those required to take the course
11 ~~[in a timely manner and assist the commission by providing~~
12 ~~adequate meeting facilities for the ethics training course.]~~ and
13 provide each person enumerated in section 84-41 with sufficient
14 time to comply with the requirements of section 84-42."

15 SECTION 5. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so
17 much thereof as may be necessary for fiscal year 2016-2017 to
18 enable the state ethics commission to develop and implement an
19 online ethics training program for certain persons and state
20 employees.



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1 The sum appropriated shall be expended by the state ethics
2 commission for the purposes of this Act.

3 SECTION 6. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 7. This Act shall take effect on July 1, 2017;
6 provided that section 5 of this Act shall take effect on July 1,
7 2016.

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INTRODUCED BY:

Sharon Mercado K.
Elizabeth Ann Oakland

BT Ruives

Paul E. O'Brien

Breen Hunt

Yvonne Jones

Will Egan

Andrew M. Stone
Greg



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Report Title:

State Ethics Commission; Mandatory Online and In-person Ethics Training Course; Public Officials; Employees; Appropriation

Description:

Requires the state ethics commission to offer a more comprehensive ethics training course that is to be completed by persons subject to section 84-41, HRS, at the next available ethics training course administered by the state ethics commission taking office or starting employment and once every four years thereafter; and develop and implement an online ethics training program. Requires all persons required to file a financial disclosure statement pursuant to section 84-17(d), HRS, to attend an in-person ethics course and all members of a board, as defined in section 92-2, HRS, and not included in section 84-17(d), HRS; state employees responsible for procurement; state employees who administer state contracts; and state employees who regulate or inspect private organizations to complete an online ethics course. Appropriates funds for the development and implementation of an online training course.

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