

**ETHICS COMMISSION  
CITY AND COUNTY OF HONOLULU**



Advisory Opinion No. 254

This is an advisory opinion in response to your letters requesting advice from the Ethics Commission in regard to several matters concerning a task force.

The Commission understands the facts relative to your inquiry to be as follows:

"A" is the Chair of a task force, a committee formed by Council resolution to coordinate the efforts of community and governmental agencies to address island-wide problems. The group includes two councilmembers and a representative from the Mayor's office. The State Judiciary, Board of Education, and Youth Correctional Facility participate on the task force along with representatives from the Honolulu Police Department and the City's Departments of Parks and Transportation. The Lions Clubs and YMCA are also members of the group.

The task force has established an Eradication Fund to receive donations to assist with removal efforts. The Fund is lodged with the City's Department of Transportation and is administered by the Department of Finance. The task force would like to solicit donations to the Fund and to underwrite an informational brochure. Additionally, A would like to personally sponsor a fundraiser with all proceeds being donated to the Eradication Fund.

The ethical questions presented are whether the City's Standards of Conduct would be violated if: there are solicitations by the task force to fund a brochure and to increase the Eradication Fund, the words "to donate" are included in the groups's logo, and if A sponsors a \$25 fundraiser for the Fund.

The general rules in relation these questions are found in the Revised Charter of the City and County of Honolulu 1973 (1994 Ed.), Section 11-102(a) and Section 11-104, which respectively state as follows:

No elected or appointed officer or employee shall...[s]olicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, service, 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 officer or employee in the performance of such person's official duties.

Elected or appointed officers or employees shall not use their official positions to secure or grant special consideration, treatment, advantage, privilege or exemption to themselves or any person beyond that which is available to every other person.

Based on the evidence presented, the Commission finds that the words "to donate" may be included in the task force's logo, which includes a hotline telephone number. The Commission also finds that the task force may solicit donations to the Eradication Fund and to print an informational brochure provided that all solicitation is done in writing, rather than by using the telephone or face-to-face contact. Additionally, the Commission finds that A may sponsor a

traditional \$25 fundraiser with all proceeds being donated to the Fund, provided that A limits the number of tickets that any single person or business may purchase to \$2,000, which is the same limit imposed on persons for contributions to a single political candidate.

Dated: May 30, 1995

SAMUEL L. DOMINGO  
Chair, Ethics Commission