

**ETHICS COMMISSION  
CITY AND COUNTY OF HONOLULU**



Advisory Opinion No. 258

This is an advisory opinion in response to your letter requesting advice from the Ethics Commission as to whether you could accept the gift of a round trip ticket to Taiwan and Hong Kong.

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

In addition to your other responsibilities, you have been serving as the Mayor's liaison to the Chinatown Merchants Association [CMA] for the past seven years. As a result of the relationships you have developed there, you are voluntarily serving on the Board of Directors of the Hawaii Dragon Boat Association [HDBA], a non-profit organization founded by some members of the CMA. Its purpose is to plan and implement dragon boat festival events on Oahu. Approximately fourteen HDBA members are making a trip to Taiwan and Hong Kong to meet with organizers of dragon boat festival activities in those locations in order to gain information to assist the HDBA in planning local events. The group will accompany the Mayor whose trip is being underwritten by the government of Taiwan.

You have been invited to travel with the other HDBA members using a free ticket worth \$1500 provided for the fifteenth member of the tour group by the travel agency. If you make the trip, you would cover all of your own ground expenses. You would travel on City time and use the opportunity to gain information helpful to the City and County of Honolulu in addition to learning more about dragon boat festival activities.

The ethical question presented is whether accepting the round trip ticket would present a conflict of interest with your City employment.

The general rule in relation to your question is found in Section 11-102(a) of the Revised Charter of the City and County of Honolulu 1973 (1994 Ed.) which states in pertinent part:

No elected or appointed officer...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...in the performance of such person's official duties.** (emphasis added)

Based on the evidence presented, the Commission finds that you may accept the plane ticket to Taiwan and Hong Kong. The Commission believes that it cannot reasonably be inferred that this gift is intended to influence you in the performance of your official duties. Furthermore, the trip will ultimately benefit the City and County of Honolulu. However, you are cautioned that this gift must be reported to the City Clerk in 1996 as required by Section 3-8.7 of the Revised Ordinances of Honolulu 1990.

Dated: August 7, 1995

SAMUEL L. DOMINGO  
Chair, Ethics Commission