

## OPINION NO. 179

A commission chairman inquired whether an officer, specifically a president of a professional association, was prohibited from being appointed to the commission regulating the profession. It was our understanding that the commission examines and licenses qualified applicants and prescribes standards and approves the curriculum of educational programs for licensure under the chapter.

The ethics law does not bar a person from serving on a board when he has a potential conflict of interest, whether that interest be an ownership interest in a business, a license which is regulated by a board, or an officership in an organization related to the profession regulated by the board. Instead, the law provides for disqualification when the official responsibilities of the individual may directly affect a business or matter in which he has a substantial financial interest.

This chairman therefore was correct in assuming that the president of the professional association may be appointed to the commission, but that the person should disqualify himself when commission action directly affected the professional organization.

Dated: Honolulu, Hawaii, February 19, 1974.

STATE ETHICS COMMISSION  
Gwendolyn B. Bailey, Chairman  
Vernon F.L. Char, Vice Chairman  
Audrey P. Bliss, Commissioner  
Walters K. Eli, Commissioner

Note: There was one vacancy on the Commission.