

# Ethics panel rejects \$1,000 fine

SALEM (AP) — The Oregon Government Ethics Commission has rejected a \$1,000 fine that had been proposed for former Gov. John Kitzhaber for failing to publicly declare a potential conflict of interest between his elected position and his partner's work.

The panel voted 7 to 1 Friday to deny the settlement, Ron Bersin, executive director of the commission, said in an email. *The Portland Tribune* reported that some commissioners felt the proposed fine was too low.

"There was a sense that there were more issues to be dealt with than were dealt with in the settlement," commissioner Richard Burke told *The Associated Press* after the meeting. "And I think there was a sense that for someone who has had as much experience in public life as Gov. Kitzhaber has had, there needed to be a little more contrition. And the fine was a little bit light."

"But having said that, nobody's out to get the governor. The mission of the ethics commission is to educate;

it's not to punish."

As part of the agreement, the commission would've dropped further investigation into whether Cylvia Hayes used her relationship as Kitzhaber's fiancée to win contracts for her green-energy consulting business. The commission could have assessed fines of up to a total of \$20,000 for the known violations, which included Kitzhaber being credited frequent flier miles once when he traveled on state business.

After investigating the matter, the U.S. Department of Justice said in June that the couple won't face criminal charges.

The ethics commission had said there were potential conflicts of interest when Kitzhaber's duties as governor overlapped with the issues that Hayes' consulting firm, 3E Strategies, was receiving payment for. 3E Strategies could have had financial gains or losses stemming from Kitzhaber's policy decisions and public appearances, the commission said.

Oregon law "requires

an elected public official to make a public announcement of the nature of the potential conflict of interest prior to taking any official action on the matter," the commission wrote, adding that Kitzhaber failed to make such public announcements, for example through press releases.

The former governor had apologized this week for failing to make the public declarations. He said he had not perceived a conflict of interest because Hayes' work for nonprofit organizations wasn't directed at influencing state policy, but to educate people on issues. He said he had referred matters regarding potential conflicts to general counsel, and wasn't advised he needed to publicly disclose them.

Secretary of State Kate Brown, also a Democrat, assumed Oregon's highest office in 2015 after Kitzhaber resigned just over a month into his fourth term. She was elected last November to complete his term and is a candidate for re-election in 2018.

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