

Honolulu, Hawaii

April 26, 2007

RE: S.B. No. 755  
S.D. 1  
H.D. 1  
C.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 755, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to provide standards for the selection of County Ethics Commissioners to ensure their impartiality and independence.

Your Committee on Conference finds that, in the interest of ensuring sufficient independence and impartiality, the selection process of the State Ethics Commissioners should serve as a model for the selection of County Ethics Commissioners. Each member of the State Ethics Commission is appointed by the Governor from a list of two persons nominated by the Judicial Council, and complies with Article XIV of the Constitution of the State of Hawaii, which



provides that: "Ethics commissioners shall be selected in a manner which assures their independence and impartiality."

Your Committee further finds that, in contrast, members of the Honolulu Ethics Commission are appointed by the Mayor and confirmed by the Honolulu City Council, both of which are subject to oversight by the County Ethics Commission.

To remedy this perceived conflict of interest, this measure requires the counties to establish a selection process that ensures a minimal amount of involvement of persons who are to be subject to an ethics commission's oversight by requiring each County Ethics Commissioner to be appointed from a list of nominees selected by an independent body and not subject to confirmation by the county legislative body.

Your Committee has amended this measure to further clarify the selection process of County Ethics Commissioners by requiring that county ethics commissioners in each county to be selected by an independent body as set forth by county ordinance in each county.

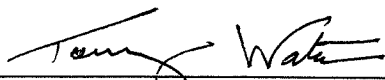
The intent of your Committee on Conference is to create improved standards for the selection of County Ethics Commissioners that will allow them to fulfill their duties in an independent and impartial manner.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 755, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 755, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

  
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TOMMY WATERS, Chair

  
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LORRAINE R. INOUE, Chair



