

STAND. COM. REP. NO.

782

Honolulu, Hawaii

MAR 02 2007

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

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

Madam:

Your Committee on Intergovernmental and Military Affairs, to which was referred S.B. No. 755 entitled:

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

begs leave to report as follows:

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

Testimony in support of this measure was received from The League of Women Voters of Hawaii.

Your Committee 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.

Your Committee has amended this measure to further clarify the selection process of County Ethics Commissioners 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.

The intent of your Committee 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 members of your Committee on Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 755, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 755, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Intergovernmental
and Military Affairs,


LORRAINE R. INOUE, Chair



