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## HOUSE RESOLUTION

AMENDING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE  
TWENTY-FOURTH LEGISLATURE OF THE STATE OF HAWAII AND  
ADOPTING OPERATING PROCEDURES FOR THE HOUSE SELECT  
COMMITTEE ON STANDARDS OF CONDUCT.

1           WHEREAS, the Rules of the House of Representatives may be  
2 amended pursuant to House Rule 57 with one day's notice of the  
3 change by a majority vote of the members of the House; and  
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5           WHEREAS, during the Regular Session of 2007, the House  
6 adopted House Resolution No. 176, H.D. 1, that established an  
7 interim House task force to evaluate the propriety, merits, and,  
8 if found, possible procedures for a standards of conduct  
9 committee to handle potential conflicts of interests and other  
10 breaches of the standards of conduct by members of the House of  
11 Representatives; and  
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13           WHEREAS, during the 2007 interim, the task force met and,  
14 after various consultations and discussions regarding the  
15 establishment of a standards of conduct committee, recommended  
16 that changes to the Rules of the House of Representatives  
17 establishing a Select Committee on Standards of Conduct, as well  
18 as the establishment of procedural rules governing the operation  
19 of the Select Committee on Standards of Conduct, be adopted by  
20 the House of Representatives; now, therefore,  
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22           BE IT RESOLVED by the House of Representatives of the  
23 Twenty-fourth Legislature of the State of Hawaii, Regular  
24 Session of 2008, that the House of Representatives hereby amends  
25 the Rules of the House of Representatives to add new Rules 60.5  
26 through 60.10 as follows:  
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28           60.5 *If the member has a conflict of interest in legislation, the member shall*  
29           *disclose to the presiding officer (the committee chair or the Speaker,*  
30           *depending on where the vote is taking place) the conflict of interest prior*



1 to voting on that legislation. For the purposes of this rule, a "conflict of  
2 interest" means that the legislation affects the member's direct personal,  
3 familial, or financial interest except if the member, or the member's  
4 relative, is part of a class of people affected by the legislation.

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6 60.6 If a member is uncertain as to whether a conflict of interest exists, the  
7 member may request a ruling from the presiding officer by giving notice  
8 and disclosing the direct financial interest to the presiding officer prior to  
9 voting. When making a determination in cases where a portion of a  
10 measure may place a member in a conflict of interest, the presiding  
11 officer shall give due consideration to the context of that portion as it  
12 relates to the overall purpose of the measure. If the presiding officer  
13 determines that a conflict exists, the presiding officer shall recognize the  
14 conflict and honor the member's request to be excused from discussion,  
15 debate, and voting.

16  
17 60.7 There shall be established a Select Committee on Standards of Conduct  
18 composed of three members of the majority party and three members of  
19 the minority party, who shall be appointed by the Speaker. The  
20 Committee shall investigate any member for misconduct, disorderly  
21 conduct, neglect of duty, violation of chapter 84, Hawaii Revised Statutes,  
22 or violation of these Rules. The Select Committee on Standards of  
23 Conduct shall operate in accordance with rules and procedures adopted  
24 by the Committee.

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26 60.8 Except as provided, a member shall not accept an honorarium related to  
27 the member's legislative role, duties, or responsibilities. For the purposes  
28 of this rule, an "honorarium" means compensation provided to a member  
29 for services rendered by the member under conditions for which there is  
30 no contractual or legal obligation by the recipient of the services to  
31 compensate the member. The following shall not be considered an  
32 honorarium:

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34 (1) Reasonable and verifiable expenses for the member's meals,  
35 travel, lodging, and for care of a child or dependent adult that are  
36 actually incurred;

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38 (2) Permissible gifts under Chapter 84, Hawaii Revised Statutes;

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40 (3) Anything of value that is otherwise reported or reportable as a  
41 campaign donation or expenditure; or  
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1                   (4) Any compensation if the member is requested to appear and/or  
 2                   speak on a topic or issue that is not related to the member's  
 3                   legislative role or duties.

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 5                   60.9 Even if permitted by rule 60.8, a member may not accept an honorarium  
 6                   if the offering of the honorarium is made for the purpose of influencing  
 7                   the performance of a member's official duties.

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 9                   60.10 Nothing herein shall be construed to limit, approve, prohibit, or infringe  
 10                   upon the proper jurisdiction of the Ethics Commission.;

11  
 12 and

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 14                   BE IT FURTHER RESOLVED that the House of Representatives  
 15 also hereby adopts the attached operating procedures for the  
 16 Select Committee on Standards of Conduct established under the  
 17 newly adopted Rule 60.7; and

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 19                   BE IT FURTHER RESOLVED that House Rule 11.5, subparagraph  
 20 (1), is amended to read as follows:

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 22                   (1) Meetings, including decision-making sessions, of standing committees shall be  
 23                   public. Notice shall be publicly posted or announced on the House floor at least  
 24                   forty-eight hours prior to the meeting. Except for notices posted by the  
 25                   Committee on Finance, notice shall be posted before 4:30 p. m. on the last day  
 26                   of the work week for a hearing to be held on the following Monday or Tuesday.  
 27                   Notice of meetings may be shortened at the discretion of the Speaker upon  
 28                   request on the House floor by a chair or vice-chair and upon good cause shown.

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 30                   BE IT FURTHER RESOLVED that House Rule 12, subparagraph  
 31 (16), is amended to read as follows

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 33                   (16) Committee on Finance, whose scope shall be those programs relating to overall  
 34                   State financing policies, including taxation and other revenues, cash and debt  
 35                   management, and statewide implementation of planning, programming,  
 36                   budgeting, and evaluation. [The committee may provide for such subcommittees  
 37                   in the performance of its duties including:

38  
 39                   ~~(a) Subcommittee on Taxation;~~

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 41                   ~~(b) Subcommittee on Purchases of Health and Human Services and Grants in~~  
 42                   ~~Aid; and~~



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~~(c) — Subcommittee on Capital Improvements.]~~

BE IT FURTHER RESOLVED that new languages for rules added to the Rules of the House of Representatives are underscored and repealed language of the Rules of the House of Representatives is bracketed and stricken.

OFFERED BY: Kirk Caldwell

Frank Cannon

[Signature]

