

Report Title:

County Ethics Commissions; Selection of Members

Description:

Provides standards for the selection of county ethics commission members to ensure their impartiality and independence. Effective July 1, 2112. (SB755 HD1)

THE SENATE
TWENTY-FOURTH LEGISLATURE, 2007
STATE OF HAWAII

S.B. NO. ⁷⁵⁵
S.D. 1
H.D. 1

A BILL FOR AN ACT

relating to county ethics commissions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Article XIV of the Constitution of the State of Hawaii provides in pertinent part: "Ethics commissioners shall be selected in a manner which assures their independence and impartiality." Each member of the state ethics commission is appointed by the governor from a list of two persons nominated by the judicial council. The Hawaii supreme court appoints members of the judicial council, which does not include legislators. 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.

The legislature finds that the selection process of the state ethics commissioners should serve as a model for the selection of

county ethics commissioners, in the interest of ensuring sufficient independence and impartiality of the commissioners.

The purpose of this Act is to provide standards for the selection of county ethics commissioners to ensure their impartiality and independence.

SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

"Part . county ethics commissions

§46• Process for selection of county ethics commissioners.

The process of selecting members of county ethics commissions in each county shall be in a manner that assures impartiality and independence. To ensure minimal involvement in the process by persons over which the commission has oversight, members of each county ethics commission shall be appointed from a list of nominees selected by an independent body and shall not be subject to confirmation by the county legislative body. Each county shall have a selection process in place that meets these criteria for any appointment made after the effective date of this part.

§46- Character of county ethics commissioners. A county ethics commissioner shall be selected on the basis of integrity, impartiality, and independence, as reflected by, among other things, the background and experiences of the person and the absence of potential conflicts of interest."

SECTION 3. This Act shall take effect on July 1, 2112.