

JAN 24 2007

A BILL FOR AN ACT

RELATING TO JUSTICES AND JUDGES.

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

1 SECTION 1. The purpose of this Act is to provide for the
2 financial disclosure of justices and judges of the courts to be
3 comparable to public officers and employees of the State of
4 Hawaii.

5 SECTION 2. Section 84-2, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**S84-2 Applicability.** This chapter shall apply to every
8 nominated, appointed, or elected officer, employee, justice,
9 judge, and candidate to elected office of the State and for
10 election to the constitutional convention[~~, but excluding~~
11 ~~justices and judges~~]; provided that in the case of elected
12 delegates and employees of the constitutional convention, this
13 chapter shall apply only to the enforcement and administration
14 of the code of ethics adopted by the constitutional convention."

15 SECTION 3. Subsections (a) through (d) of Section 84-17,
16 Hawaii Revised Statutes, are amended to read as follows:



1 **"§84-17 Requirements of disclosure.** (a) For the purposes
2 of this section, the terms:

3 "Disclosure period" refers to the period from January 1 of
4 the preceding calendar year to the time of the filing of the
5 employee's or legislator's disclosure of financial interests.

6 "Substantially the same" refers to no more than ten
7 amendments or changes to the information reported for the
8 preceding disclosure period.

9 (b) The disclosure of financial interest required by this
10 section shall be filed:

11 (1) Between January 1 and May 31 of each year;

12 (2) Within thirty days of one's election or appointment to
13 a state position enumerated in subsection (c); or

14 (3) Within thirty days of separation from a state position
15 if a prior financial disclosure statement for the
16 position was not filed within the one hundred eighty
17 days preceding the date of separation;

18 provided that candidates for state elective offices or the
19 constitutional convention shall file the required statements no
20 later than twenty days prior to the date of the primary election
21 for state offices or the election of delegates to the
22 constitutional convention.



1 (c) The following persons shall file annually with the
2 state ethics commission a disclosure of financial interests:

3 (1) The governor, the lieutenant governor, the members of
4 the legislature, and delegates to the constitutional
5 convention; provided that delegates to the
6 constitutional convention shall only be required to
7 file initial disclosures;

8 (2) The directors and their deputies, the division chiefs,
9 the executive directors and the executive secretaries
10 and their deputies, the purchasing agents and the
11 fiscal officers, regardless of the titles by which the
12 foregoing persons are designated, of every state
13 agency and department;

14 (3) The permanent employees of the legislature and its
15 service agencies, other than persons employed in
16 clerical, secretarial, or similar positions;

17 (4) The administrative director of the State, and the
18 assistants in the office of the governor and the
19 lieutenant governor, other than persons employed in
20 clerical, secretarial, or similar positions;

21 (5) The hearings officers of every state agency and
22 department;



- 1 (6) The president, the vice presidents, assistant vice
2 presidents, the chancellors, and the provosts of the
3 University of Hawaii and its community colleges;
- 4 (7) The superintendent, the deputy superintendent, the
5 assistant superintendents, the complex area
6 superintendents, the state librarian, and the deputy
7 state librarian of the department of education;
- 8 (8) The administrative director and the deputy director of
9 the courts;
- 10 (9) The members of every state board or commission whose
11 original terms of office are for periods exceeding one
12 year and whose functions are not solely advisory;
13 provided that the governor's special advisory council
14 for technology development established pursuant to
15 section 27-42 not otherwise subject to this subsection
16 shall be exempt from this subsection;
- 17 (10) Candidates for state elective offices, including
18 candidates for election to the constitutional
19 convention, provided that candidates shall only be
20 required to file initial disclosures; [~~and~~]
- 21 (11) The administrator and assistant administrator of the
22 office of Hawaiian affairs[-]; and



1 (12) Justices and judges, with the exception of per diem
2 judges, of the courts of Hawaii.

3 (d) The financial disclosure statements of the following
4 persons shall be public records and available for inspection and
5 duplication:

6 (1) The governor, the lieutenant governor, the members of
7 the legislature, candidates for and delegates to the
8 constitutional convention, the members of the board of
9 education, the trustees of the office of Hawaiian
10 affairs, and candidates for state elective offices;

11 (2) The directors of the state departments and their
12 deputies, regardless of the titles by which the
13 foregoing persons are designated; provided that with
14 respect to the department of the attorney general, the
15 foregoing shall apply only to the attorney general and
16 the first deputy attorney general;

17 (3) The administrative director of the State;

18 (4) The president, the vice presidents, the assistant vice
19 presidents, the chancellors, and the provosts of the
20 University of Hawaii;

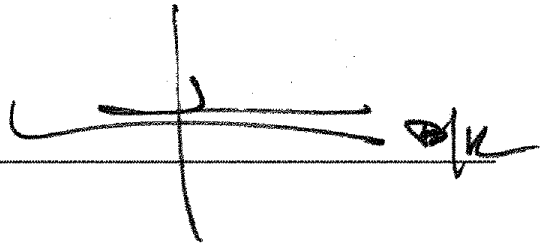
- 1 (5) The superintendent, the deputy superintendent, the
- 2 state librarian, and the deputy state librarian of the
- 3 department of education;
- 4 (6) The administrative director and the deputy director of
- 5 the courts; [~~and~~]
- 6 (7) The administrator and the assistant administrator of
- 7 the office of Hawaiian affairs[~~-~~]; and
- 8 (8) Justices and judges, with the exception of per diem
- 9 judges, of the courts of Hawaii."

10 SECTION 4. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 5. This Act shall take effect upon its approval.

13
14

INTRODUCED BY: _____



Report Title:

RELATING TO JUSTICES AND JUDGES.

Description:

Requires financial disclosure by justices and judges to the State Ethics Commission.

