

STAND. COM. REP. NO.

959

Honolulu, Hawaii

March 2, 2007

RE: H.B. No. 1909
H.D. 1

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

Sir:

Your Committees on Judiciary and Legislative Management, to which was referred H.B. No. 1909 entitled:

"A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT,"

beg leave to report as follows:

The purpose of this bill is to strengthen public confidence in elected officials as well as public officers and employees by:

- (1) Requiring each house of the Legislature to establish a bipartisan ethics committee to review ethics issues, approve official travel paid for by nongovernmental entities, and require additional public disclosures by members and, if necessary, legislative employees; and
- (2) Establishing additional ethics requirements and standards for elected officials and state officials and employees.

The State Ethics Commission and a concerned individual testified in support of this bill. The League of Women Voters of Hawaii supported the intent of this bill.

Your Committees have amended this bill by:

- (1) Removing the provisions establishing additional ethics requirements and standards for elected officials and state officials and employees;

HB1909 HD1 HSCR JUD-LMG HMS 2007-2873



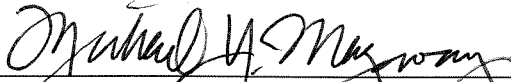
- (2) Renaming the legislative ethics committees, "legislative standards of conduct committees" (Committees);
- (3) Removing specific Committee membership provisions and providing that the Speaker of the House of Representatives and the President of the Senate are to chair their respective Committees;
- (4) Allowing charges of ethics violations by a legislator to be filed with a Committee;
- (5) Establishing a procedure by which charges are forwarded to the State Ethics Commission (Commission) for resolution by the Commission, or if determined to be outside the Commission's jurisdiction, returned to the Committee; and
- (6) For charges returned from the Commission, requiring the Committee to file a complaint against a legislator if there is sufficient cause, determine whether disciplinary action is warranted, and if so, report its decision to the legislative body.


Your Committee finds that establishing a permanent, internal mechanism to oversee the conduct of legislators will encourage elected officials to avoid not only conflicts of interest that violate the State Ethics Code, but also any appearance of conflict between their public and private duties. Your Committee intends that the membership of the standards of conduct committees established by this bill reflect a balanced membership that takes action only by majority vote of its members.

As affirmed by the records of votes of the members of your Committees on Judiciary and Legislative Management that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1909, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1909, H.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Legislative Management,


MICHAEL Y. MAGAOAY, Chair


TOMMY WATERS, Chair



