

JAN 21 2011

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# A BILL FOR AN ACT

RELATING TO COUNTY ETHICS COMMISSIONS.

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

1           SECTION 1. Article XIV of the Constitution of the State of  
2 Hawaii provides in pertinent part: "Ethics commissioners shall  
3 be selected in a manner which assures their independence and  
4 impartiality." Each member of the state ethics commission is  
5 appointed by the governor from a list of two persons nominated  
6 by the judicial council. The Hawaii supreme court appoints  
7 members of the judicial council, which does not include  
8 legislators. In contrast, members of the Honolulu ethics  
9 commission are appointed by the mayor and confirmed by the  
10 Honolulu city council, both of which are subject to oversight by  
11 the county ethics commission.

12           The legislature further finds that, in order to effectuate  
13 article XIV of the Hawaii State Constitution, the process for  
14 selecting members of county ethics commissions should not  
15 involve persons who are subject to regulation by ethics  
16 commissions.



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

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

7                           **"PART       .    COUNTY ETHICS COMMISSIONS**

8           **§46-        Process for selection of county ethics**

9 **commissioners.** (a) Each county shall cause to be adopted a  
10 charter amendment for the creation of an independent body that  
11 shall select members of the county ethics commission. Members  
12 of the independent body shall not be subject to confirmation by  
13 the county legislative body and shall not be subject to the  
14 jurisdiction of the ethics commission of their county. To  
15 ensure minimal involvement in the process by persons over which  
16 the commission has oversight, members of each county ethics  
17 commission shall be appointed:

18           (1) From a list of nominees selected by the independent  
19               body; or

20           (2) In accordance with comparable alternative selection  
21               methods as provided by county ordinance.



1 (b) Each county shall have a selection process in place  
2 that meets the criteria for any appointment made after the  
3 effective date of this part.

4 §46- Character of county ethics commissioners. A county  
5 ethics commissioner shall be selected on the basis of integrity,  
6 impartiality, and independence, as reflected by, among other  
7 things, the background and experiences of the person and the  
8 absence of potential conflicts of interest; provided that county  
9 ordinance may provide for additional criteria."

10 SECTION 3: This Act shall take effect on July 1, 2011.

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INTRODUCED BY:

*[Handwritten signatures: Paul ...]*  
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**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.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

