
A BILL FOR AN ACT

RELATING TO THE LAND USE COMMISSION.

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

1 SECTION 1. Chapter 205, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§205- Conflict of interest. (a) Notwithstanding any
5 provision of law to the contrary, if any member of the land use
6 commission has had material personal involvement with a parcel
7 of land that is the subject of action to be taken by the
8 commission, the member shall disclose the nature of the material
9 personal involvement and shall not vote or take any official
10 action relating to that parcel of land.

11 (b) For the purposes of this section:

12 "Material personal involvement" means:

13 (1) The commissioner has at any time had ownership or
14 tenancy rights attached to the parcel of land that is
15 subject to a land use commission proceeding; or

16 (2) A relationship between a member of the land use
17 commission and a person or entity that controls the



1 parcel of land that is subject to a land use
2 commission proceeding where:

3 (A) The commissioner is, or has been within the last
4 three years, an employee other than a benefit
5 officer of the person or entity or any of the
6 entity's subsidiaries;

7 (B) The commissioner is related by blood, marriage,
8 or adoption to; is a party to a civil union with;
9 is a reciprocal beneficiary or household member
10 of; or resides with an officer other than a
11 benefit officer or director of an entity or any
12 of its subsidiaries; or

13 (C) The commissioner or an association of which the
14 commissioner is a director, officer, or manager
15 or in which the commissioner owns beneficially or
16 of record five per cent or more of the
17 outstanding equity interests or the outstanding
18 shares of the entity; provided that percentage
19 ownership in an association shall be calculated
20 as if all outstanding rights to acquire equity
21 interests in the association had been exercised.

22 "Entity" has the same meaning as defined in section 245-1."



H.B. NO. 1730

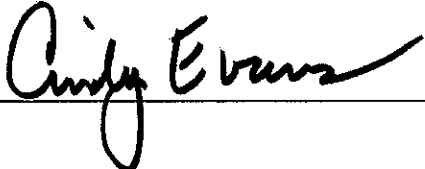
1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

6

INTRODUCED BY:



JAN 12 2012



H.B. NO. 1730

Report Title:

Land Use Commission; Conflict of Interest

Description:

Prohibits members of the land use commission from voting on action taken by the commission if there is a conflict of interest.

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