

JAN 20 2012

A BILL FOR AN ACT

RELATING TO THE STATE CODE OF ETHICS.

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

1 SECTION 1. The legislature finds that the public interest
2 is disserved when experts or persons who possess the knowledge
3 that could benefit the State, decline to serve or are foreclosed
4 from serving as members of advisory groups convened solely for
5 the purpose of sharing knowledge or experiences, making
6 recommendations, or commenting on proposed courses of action
7 because they would otherwise stand to gain financially, from the
8 advice or comments they provide, or the recommendations they may
9 make.

10 This Act amends the definition of "employee" in part II of
11 chapter 84, Hawaii Revised Statutes, to exempt from that
12 definition and the provisions of the State's Code of Ethics,
13 persons who serve on advisory or working groups that are
14 convened solely for the purpose of commenting, sharing technical
15 knowledge or experience, or formulating recommendations.

16 The purpose of this Act is to allow persons with knowledge
17 and expertise the State needs to serve as members of state
18 advisory or working groups without being foreclosed by the



1 requirements, restrictions, or prohibitions imposed by the
2 State's code of ethics.

3 SECTION 2. Section 84-3, Hawaii Revised Statutes, is
4 amended by amending the definition of "employee" to read as
5 follows:"

6 "Employee" means any nominated, appointed, or elected
7 officer or employee of the State, including members of boards,
8 commissions, and committees, and employees under contract to the
9 State or of the constitutional convention, but excluding
10 legislators, delegates to the constitutional convention,
11 justices [~~and~~], judges[~~-~~], and members of groups convened by a
12 statute or resolution, an executive order or proclamation, or
13 the invitation of the legislature, the governor, or another
14 state officer, solely for the purpose of providing advice or
15 comments to, or formulating recommendations for, the
16 legislature, the governor, or a state department, agency, or
17 officer."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

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

21

INTRODUCED BY:



S.B. NO. 2240

Report Title:

Ethics Code; Exemption; Advisory Group; Employees

Description:

Exempts members of groups convened solely to provide comments, share technical knowledge or expertise, or assist in formulating recommendations to, with or for the legislature, governor, or other state departments, agencies, or boards, from the state code of ethics.

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