

JAN 20 2012

S.B. NO. 2548

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# A BILL FOR AN ACT

RELATING TO THE CODE OF ETHICS.

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

1           SECTION 1. Policy makers, state agency leaders, candidates  
2 for state elective offices, and state board and commission  
3 members are required every year to file financial disclosure  
4 statements to the state ethics commission. However, only the  
5 financial disclosure statements of the governor, lieutenant  
6 governor, legislators, and state department directors and their  
7 deputies are public records and available for inspection and  
8 duplication. Thus, the financial disclosure statements of  
9 members who serve on state boards and commissions are not  
10 considered public documents despite some board or commission  
11 members holding discretionary authority to approve projects or  
12 issue permits or licenses that may impact state government,  
13 business, and economy. This type of authority may pose  
14 conflicts of interest, of which the public may be unaware.

15           The purpose of this Act is to further ensure transparency  
16 and accountability of individuals serving in state government by  
17 making the financial disclosure statements of state board and



1 commission members holding permitting and licensing official  
2 authority public documents and available for public inspection.

3 SECTION 2. Section 84-17, Hawaii Revised Statutes, is  
4 amended by amending subsection (d) to read as follows:

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

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

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

19 (3) The administrative director of the State;

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



1 (5) The members of the board of education and the  
2 superintendent, the deputy superintendent, the state  
3 librarian, and the deputy state librarian of the  
4 department of education;

5 (6) The administrative director and the deputy director of  
6 the courts; [~~and~~]

7 (7) The administrator and the assistant administrator of  
8 the office of Hawaiian affairs[-]; and

9 (8) The members of state boards or commissions that have  
10 official authority that includes approving, issuing,  
11 or renewing permits or licenses relating to land use  
12 or water use."

13 SECTION 3. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

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

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# S.B. NO. 2548

**Report Title:**

Financial Disclosure Statements; Boards and Commissions; Public Documents

**Description:**

Allows the financial disclosure statements of the members of state boards and commissions holding official authority over permitting or licensing of land use and water use related matters to be public documents and available for public inspection.

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

