

JAN 24 2024

A BILL FOR AN ACT

RELATING TO PUBLIC SERVICE.

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

1 PART I

2 SECTION 1. The legislature finds that the State is
3 responsible for upholding an ethical position on the deterrence
4 of conflicts of interest, bribery, and corruption in all
5 branches of government. When government is idle about
6 combatting corruption, this can erode public trust and
7 confidence for state leaders and exacerbate social tensions,
8 which could contribute to violence.

9 The purpose of this Act is to:

- 10 (1) Require that justices, judges, and judicial nominees
11 file the same financial disclosures that are required
12 of other state officials, which will help prevent
13 bribery and corruption; and
- 14 (2) Require the commission on salaries to consider the
15 deterrence of bribery and corruption when making its
16 salary recommendations.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

PART II

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

"(c) The following persons shall file annually with the state ethics commission a disclosure of financial interests:

- (1) The governor, lieutenant governor, members of the legislature, and delegates to the constitutional convention; provided that delegates to the constitutional convention shall only be required to file initial disclosures;
- (2) The directors and their deputies, the division chiefs, the executive directors and the executive secretaries and their deputies, the purchasing agents, and the fiscal officers, regardless of the titles by which the foregoing persons are designated, of every state agency and department;
- (3) The permanent employees of the legislature and its service agencies, other than persons employed in clerical, secretarial, or similar positions;
- (4) The administrative director of the State, and the assistants in the office of the governor and



- 1 lieutenant governor, other than persons employed in
2 clerical, secretarial, or similar positions;
- 3 (5) The hearings officers of every state agency and
4 department;
- 5 (6) The president, vice presidents, assistant vice
6 presidents, chancellors, and provosts of the
7 University of Hawaii and its community colleges;
- 8 (7) The superintendent, deputy superintendent, assistant
9 superintendents, complex area superintendents, state
10 librarian, and deputy state librarian of the
11 department of education;
- 12 (8) [The] Justices, judges, and the administrative
13 director and deputy director of the courts;
- 14 (9) The members of every state board or commission whose
15 original terms of office are for periods exceeding one
16 year and whose functions are not solely advisory;
- 17 (10) Candidates for state elective offices, including
18 candidates for election to the constitutional
19 convention; and nominees for justices and judges;
20 provided that candidates and nominees shall only be
21 required to file initial disclosures;



1 (11) The administrator and assistant administrator of the
2 office of Hawaiian affairs;

3 (12) The Hawaii unmanned aerial systems test site chief
4 operating officer; and

5 (13) The members of the school facilities board appointed
6 by the governor."

7 PART III

8 SECTION 3. Section 26-56, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) The commission shall review and recommend an
11 appropriate salary for the governor, lieutenant governor,
12 members of the legislature, justices and judges of all state
13 courts, administrative director of the State or an equivalent
14 position, and department heads or executive officers and the
15 deputies or assistants to the department heads of the
16 departments of:

17 (1) Accounting and general services;

18 (2) Agriculture;

19 (3) The attorney general;

20 (4) Budget and finance;

21 (5) Business, economic development, and tourism;



- 1 (6) Commerce and consumer affairs;
- 2 (7) Corrections and rehabilitation;
- 3 (8) Defense;
- 4 (9) Hawaiian home lands;
- 5 (10) Health;
- 6 (11) Human resources development;
- 7 (12) Human services;
- 8 (13) Labor and industrial relations;
- 9 (14) Land and natural resources;
- 10 (15) Law enforcement;
- 11 (16) Taxation; and
- 12 (17) Transportation.

13 The commission shall not review the salary of any position
14 in the department of education or the University of Hawaii.

15 The commission may recommend different salaries for
16 department heads and executive officers and different salary
17 ranges for deputies or assistants to department heads; provided
18 that the commission shall recommend the same salary range for
19 deputies or assistants to department heads within the same
20 department; provided further that the appointing official shall



1 specify the salary for a particular position within the
2 applicable range.

3 In making its salary recommendations for each position, the
4 commission shall consider the deterrence of bribery and
5 corruption.

6 The commission shall not recommend salaries lower than
7 salary amounts recommended by prior commissions replaced by this
8 section."

9 PART IV

10 SECTION 4. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect upon its approval;
16 provided that that the amendments made to section 84-17, Hawaii
17 Revised Statutes, by section 2 of this Act shall not be repealed
18 when that section is amended on January 1, 2025, pursuant to
19 sections 1 and 4 of Act 123, Session Laws of Hawaii 2023.

20

INTRODUCED BY:



S.B. NO. 3350

Report Title:

Public Officials; Judicial Nominees; Ethics; Salaries;
Disclosures

Description:

Requires judges, justices, and nominees for judicial vacancies to file certain disclosures with the State Ethics Commission. Requires the Commission on Salaries to consider the deterrence of bribery and corruption when making its salary recommendations.

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

