

Honolulu, Hawaii

FEB 13 2007

RE: S.B. No. 945

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 945 entitled:

"A BILL FOR AN ACT RELATING TO ETHICS,"

begs leave to report as follows:

The purpose of this measure is to require state justices and  
judges to file public financial interest disclosure statements  
with the Hawaii State Ethics Commission.

Currently, state justices and judges are required to file  
annual financial disclosure statements on a form approved by the  
Hawaii Supreme Court. Rule 15 of the Rules of the Supreme Court  
establishes financial disclosure requirements nearly identical to  
those established for enumerated state officials under HRS Chapter  
84. Presently, public access is gained by going to the Supreme  
Court Clerk's office. This bill does not change that practice but  
merely require that financial disclosures be filed with the State  
Ethics Commission where the information is more accessible to the  
public. Simply filing a copy of the same documents at another  
agency will not unduly burden the justices and judges. This will  
ensure that the State Ethics Commission is the central repository  
for all state financial disclosures.

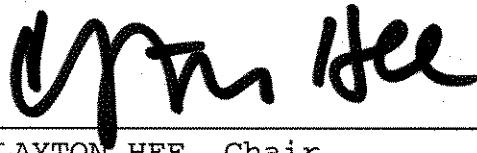
Your Committee heard testimony for Daniel Mollway of the  
State Ethics Commission in support of the bill. Your Committee  
also heard testimony from Susan Pang-Gochros, representing the  
Judiciary, in opposition to the bill. Your Committee finds that  
this bill does not violate any constitutional separation of powers  
since Article 14 of the Hawaii State Constitution provides that



the Legislature shall adopt a code of ethics which shall apply to appointed officers and employees of the State which, by definition, includes the justices and judges. It should also be pointed out that Congress enacted a very detailed financial disclosure law for federal judges.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 945 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,



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CLAYTON HEE, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

|  |  |                          |                         |          |
|--|--|--------------------------|-------------------------|----------|
| Bill / Resolution No.:*<br><b>SB 945</b>   | Committee Referral:<br><b>JDL</b>      | Date:<br><b>2/12/07</b>  |                         |          |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |  |                          |                         |          |
| The Recommendation is:<br><input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 |  |                          |                         |          |
| Members  | Aye                                    | Aye (WR)                 | Nay                     | Excused  |
| HEE, Clayton (C)   | /                                      |                          |                         |          |
| KOKUBUN, Russell S. (VC)   | /                                      |                          |                         |          |
| INOUYE, Lorraine R.  | /                                      |                          |                         |          |
| NISHIHARA, Clarence K.   | /                                      |                          |                         |          |
| GABBARD, Mike  | /                                      |                          |                         |          |
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| <b>TOTAL</b>   | <b>5</b>                               |                          |                         | <b>0</b> |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |  |                          |                         |          |
| Chair's or Designee's Signature:<br><div style="text-align: center; font-family: cursive; font-size: 1.2em;">Russell S. Kohl</div>   |  |                          |                         |          |
| Distribution:  | Original<br>File with Committee Report | Yellow<br>Clerk's Office | Pink<br>Drafting Agency |          |

\*Only one measure per Record of Votes