

JAN 21 2011

A BILL FOR AN ACT

RELATING TO PUBLIC AGENCY MEETINGS.

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

1 SECTION 1. Current law requires members of boards and
2 commissions, among other persons, to file disclosure of
3 financial interests with the state ethics commission. The
4 financial disclosures inform the public of whether a board
5 member may have a potential conflict of interest.

6 The legislature finds that in the interest of an informed
7 public, a copy of each board or commission member's financial
8 disclosure statement should be made available to the chair of
9 each respective board or commission to enable the chair to
10 determine if any member may have a conflict of interest in
11 voting on any particular matter.

12 The purpose of this Act is require the state ethics
13 commission to make available to every chair of a board or
14 commission a copy of the most recent financial disclosure of
15 board or commission members.

16 SECTION 2. Section 84-17.5, Hawaii Revised Statutes, is
17 amended to read as follows:



1 "§84-17.5 Disclosure files; disposition[-]; copy available
2 to board or commission chair. (a) All financial disclosure
3 statements filed by a legislator, employee, or delegate to a
4 constitutional convention shall be maintained by the state
5 ethics commission during the term of office of the legislator,
6 employee, or delegate and for a period of six years thereafter.
7 Upon the expiration of the six-year period, the financial
8 disclosure statement and all copies thereof shall be destroyed.

9 (b) Upon the expiration of six years after an election for
10 which a candidate for state elective office or a constitutional
11 convention has filed a financial disclosure statement, the state
12 ethics commission shall destroy the candidate's financial
13 disclosure statement and all copies thereof.

14 (c) Financial disclosure statements provided for in
15 section 84-17(d) shall cease to be public records once the six-
16 year period in subsection (a) or (b) has run.

17 (d) Nothing herein shall bar the state ethics commission
18 from retaining a financial disclosure statement or copy of a
19 financial disclosure statement that has become part of a charge
20 case or advisory opinion request, or is part of an ongoing
21 investigation.



1 (e) The state ethics commission shall make available to
2 the chair or executive director of any state board or commission
3 that is required to file a disclosure of financial interests
4 under section 84-17, a copy of the current financial disclosure
5 statement of any current member of that board or commission;
6 provided that copies of any financial disclosure statement made
7 available pursuant to this subsection:

8 (1) May be distributed to current members of that board or
9 commission for the sole purpose of determining whether
10 a current member of that board or commission has a
11 conflict of interest under section 84-14; and

12 (2) Shall be held in the strictest confidence at all
13 times.

14 Any person who releases confidential information shall be
15 subject to sections 84-31 and 84-39.

16 All copies of a member's financial disclosure statement
17 that are made available to a chair or executive director of a
18 board or commission pursuant to this subsection shall be
19 destroyed by that chair or executive director on the expiration
20 date of the member's term of office."

21 SECTION 3. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.

S.B. NO. 666

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

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Report Title:

Boards and Commissions; Financial Disclosures

Description:

Requires the state ethics commission to make available to every chair of a board or commission a copy of the most recent financial disclosure of board or commission members.

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