

---

---

# A BILL FOR AN ACT

RELATING TO COUNTY ETHICS COMMISSIONS.

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

1           SECTION 1. Article XIV of the Constitution of the State of  
2 Hawaii provides in pertinent part: "Ethics commissioners shall  
3 be selected in a manner which assures their independence and  
4 impartiality." Each member of the state ethics commission is  
5 appointed by the governor from a list of two persons nominated  
6 by the judicial council. The Hawaii supreme court appoints  
7 members of the judicial council, which does not include  
8 legislators. In contrast, members of the Honolulu ethics  
9 commission are appointed by the mayor and confirmed by the  
10 Honolulu city council, both of which are subject to oversight by  
11 the county ethics commission.

12           The legislature finds that the selection process of the  
13 state ethics commissioners should serve as a model for the  
14 selection of county ethics commissioners, in the interest of  
15 ensuring sufficient independence and impartiality of the  
16 commissioners.



1 The purpose of this Act is to provide standards for the  
2 selection of county ethics commissioners to ensure their  
3 impartiality and independence.

4 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended  
5 by adding a new part to be appropriately designated and to read  
6 as follows:

7 "PART . COUNTY ETHICS COMMISSIONS

8 §46- Process for selection of county ethics

9 **commissioners.** The members of county ethics commissions in each  
10 county shall be selected by an independent body as set forth by  
11 county ordinance in each county. To ensure minimal involvement  
12 in the process by persons over which the commission has  
13 oversight, members of each county ethics commission shall be  
14 appointed from a list of nominees selected by the independent  
15 body and shall not be subject to confirmation by the county  
16 legislative body. Each county shall have a selection process in  
17 place that meets these criteria for any appointment made after  
18 the effective date of this part.

19 §46- **Character of county ethics commissioners.** A county  
20 ethics commissioner shall be selected on the basis of integrity,  
21 impartiality, and independence, as reflected by, among other



1 things, the background and experiences of the person and the  
2 absence of potential conflicts of interest."

3 SECTION 3. This Act shall take effect on January 1, 2008.



S.B. NO. 755  
S.D. 1  
H.D. 1  
C.D. 1

**Report Title:**

County Ethics Commissions; Selection of Members

**Description:**

Provides standards for the selection of county ethics commission members to ensure their impartiality and independence. (CD1)

