

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

July 1, 2011

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Policy Committee, having met on June 15, 2011, makes reference to County Communication No. 11-120, from Council Chair Danny A. Mateo, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.56.060, MAUI COUNTY CODE, RELATING TO FINANCIAL DISCLOSURE STATEMENTS".

The purpose of the proposed bill is to require candidates for elective County office to file financial disclosure statements concurrently with the filing of nomination papers, instead of allowing financial disclosure statements to be filed within 15 days of filing nomination papers. At the 2010 General Election, the voters approved an amendment to Section 10-3 of the Revised Charter of the County of Maui (1983), as amended ("Charter"), to require candidates for elective County office to file financial disclosure statements concurrently with the filing of nomination papers. The proposed bill, therefore, is a housekeeping measure that would make Section 2.56.060, Maui County Code, consistent with the Charter.

Your Committee voted 6-0 to recommend passage of the proposed bill on first reading and filing of the communication. Committee Chair Hokama, Vice-Chair Carroll, and members Baisa, Cochran, Pontanilla, and White voted "aye". Committee members Couch, Mateo, and Victorino were excused.

Your Policy Committee RECOMMENDS the following:

1. That Bill No. _____ (2011), attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.56.060, MAUI COUNTY CODE, RELATING TO FINANCIAL DISCLOSURE STATEMENTS", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication No. 11-120 be FILED.

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

July 1, 2011
Page 2

Committee
Report No. _____

This report is submitted in accordance with Rule 8 of the Rules of the Council.



G. RIKI HOKAMA, Chair

pol:cr:11026aa:cmn

ORDINANCE NO. _____

BILL NO. _____ (2011)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.56.060,
MAUI COUNTY CODE,
RELATING TO FINANCIAL DISCLOSURE STATEMENTS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 2.56.060, Maui County Code, is amended to read as follows:

"2.56.060 Financial [Disclosures] Disclosure Statements.

A. Filing Deadlines.

1. **Candidates for Elective Office.** All candidates for nomination or elective office in County government shall file a public financial disclosure statement [within fifteen days of filing] concurrently with their nomination papers. A new public financial disclosure statement shall be filed each year a person becomes a candidate for office.

2. **Appointed Officers.** All appointed officers having significant discretionary or fiscal powers shall file a public financial disclosure statement within fifteen days after starting employment. Appointed officers having significant discretionary or fiscal powers shall include executive and legislative department heads and first deputies.

3. **Members of Boards and Commissions.** All members of boards and commissions having significant discretionary or fiscal powers shall file a confidential financial disclosure statement within fifteen days after taking the oath of office. The following boards and commissions have significant discretionary or fiscal powers:

- a. Board of variances and appeals;
- b. Charter commission;
- c. Civil service commission;
- d. Board of ethics;
- e. Board of code appeals;
- f. Salary commission;
- g. Cultural resources commission;
- h. Liquor control commission;
- i. Liquor control adjudication board;
- j. Maui planning commission;
- k. Police commission;
- l. Cost of government commission;
- m. Maui redevelopment agency;

- n. Board of water supply;
- o. Board of review;
- p. Molokai planning commission;
- q. Lanai planning commission; and
- r. Public safety commission.

4. The board of ethics shall request an annual updating of all financial disclosure statements.

B. Form of Disclosure. The financial disclosure statement shall include the following information:

1. The source and amount of all income received by the person in his or her own name or by any other person for his or her use and benefit during the preceding calendar year;

2. The tax map key number and street address, if any, of all real property [which] that is currently owned in whole or in part by the person in his or her own name or by any other person for his or her use and benefit;

3. The name and mailing address of all business firms [which] that are currently owned in whole or in part by the person in his or her own name or by any other person for his or her use and benefit;

4. Every officership, directorship, trusteeship, or other fiduciary relationship currently held in any organization or business;

5. The total amount of debt currently owed to all creditors;

6. The identity of each creditor interest currently held in an insolvent business; and

7. The name of each person represented before a county agency for the year immediately preceding the date of the financial disclosure statement.

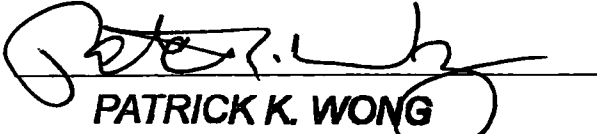
C. Where an amount is required to be reported, the person disclosing may indicate whether the amount is at least one thousand dollars but less than ten thousand dollars; at least ten thousand dollars but less than twenty-five thousand dollars; at least twenty-five thousand dollars but less than fifty thousand dollars; at least fifty thousand dollars but less than one hundred thousand dollars; at least one hundred thousand dollars but less than two hundred thousand dollars; at least two hundred thousand dollars but less than five hundred thousand dollars; or five hundred thousand dollars or more.

D. Filing Requirements. All public financial disclosure statements shall be filed with the county clerk and shall be public records available for inspection. All confidential financial disclosure statements shall be filed with the board of ethics and shall be confidential.”

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



A handwritten signature in black ink, appearing to read 'Patrick K. Wong', is written over a horizontal line. The signature is stylized and cursive.

PATRICK K. WONG

Department of the Corporation Counsel
County of Maui

paf:cmn:11-088a