

REQUEST FOR LEGAL SERVICES

Date: March 19, 2025
From: Nohelani U'u-Hodgins, Chair
Government Relations, Ethics, and Transparency Committee

TRANSMITTAL

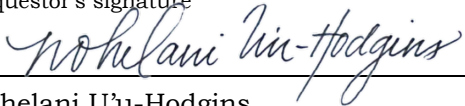
Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Caleb P. Rowe, Esq.

Subject: BILL 3 (2024), RELATING TO FINANCIAL DISCLOSURE STATEMENTS (GREAT-8)

Background Data: Please see attached CD1 version of Bill 3 (2024). Please submit your response to great.committee@mauicounty.us with a reference to GREAT-8.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY

OTHER:

Requestor's signature  Nohelani U'u-Hodgins	Contact Person <u>Kasie Apo Takayama or Peter Hanano</u> (Telephone Extension: <u>7665 or 8007, respectively</u>)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): March 25, 2025

REASON: For posting on the April 4, 2025, Council agenda.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

great:ltr:008acc01:kmat

Attachment

ORDINANCE NO. _____

BILL NO. 3, CD1 (2024)

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. This Ordinance’s purposes are to implement Section 10-3 of the Charter of the County of Maui (1983), as amended, approved by the electorate at the 2022 General Election, and update the procedure for the filing of financial disclosure statements. This Ordinance further provides for increased security for County elections officials.

SECTION 2. Section 2.56.060, Maui County Code, is amended to read as follows:

“2.56.060 Financial disclosure statements A. Filing [Deadlines.] requirements.

1. Candidates for [Elective Office.] elective office. All candidates for nomination [or] to elective office in County government [shall] must file a public financial disclosure statement with the county clerk concurrently with their nomination papers. A new public financial disclosure statement [shall] must be filed with the county clerk each year a person [becomes] files an application for nomination to a County elective [a candidate for] office.

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

3. County clerk and deputy county clerk. For purposes of election official security, the county clerk and

deputy county clerk must file a confidential financial disclosure statement.

[3.] 4. Members of [Boards and Commissions.] boards and commissions. All members of boards and commissions having significant discretionary or fiscal powers [shall] must 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.] e. Salary commission[;].
- [g.] f. Maui County cultural [Cultural] resources commission[;].
- [h.] g. Liquor control commission[;].
- [i.] h. Liquor control adjudication board[;].
- [j.] i. Maui planning commission[;].
- [k] j. Police commission[;].
- [l.] k. Cost of government commission[;].
- [m.] l. Maui redevelopment agency[;].
- [n.] m. Board of water supply[;].
- [o.] n. [Board of review;] Real property tax review board.
- [p.] o. Molokai planning commission[;].
- [q.] p. Lanai planning commission[; and].
- [r.] q. [Public] Fire and public safety commission.
- r. East Maui regional community board.
- s. Hana advisory committee.
- t. Independent nomination board.
- u. Paia-Haiku advisory committee to the Maui planning commission.
- v. South Maui advisory committee to the Maui planning commission.
- w. Housing advisory board.
- x. All community plan advisory committees.

[4.] 5. [The board of ethics shall request an annual updating of all financial disclosure statements.] Filing deadlines. All persons required to make financial disclosure statements, other than candidates for elective County office, must file financial disclosure statements with the board of ethics prior to taking office or the date of the resolution approving their appointment to the board or commission, whichever is earlier, and must file annual updates of their financial disclosure statements by February 15 of each year

the person continues in office. Appointed officers who file financial disclosure statements prior to taking office in an acting, or temporary, capacity are not required to file another statement for the applicable year following permanent appointment.

B. Form of disclosure. The financial disclosure statement [shall] must be sworn under oath and must 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 or street address of all real property 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 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.

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

8. Any other information required by the board of ethics in accordance with administrative rule.

C. Where an amount is required to be reported, the person disclosing [may] must indicate whether the amount is at least [one thousand dollars] \$1,000 but less than [ten thousand dollars;] \$10,000; at least [ten thousand dollars] \$10,000 but less than [twenty-five thousand dollars;] \$25,000; at least [twenty-five thousand dollars] \$25,000 but less than [fifty thousand dollars;] \$50,000; at least [fifty thousand dollars] \$50,000 but less than [one hundred thousand dollars;] \$100,000; at least [one hundred thousand dollars] \$100,000 but less than [two hundred thousand dollars;] \$200,000; at least [two hundred thousand dollars] \$200,000 but less than [five hundred thousand dollars;] \$500,000; or [five hundred thousand dollars] \$500,000 or more.

D. Filing Requirements. All public financial disclosure statements [shall] must be filed with the county clerk and, except for the filer's residential street address and phone number, [shall]

must be public records available for inspection. [All confidential financial disclosure statements shall be filed with the board of ethics and shall be confidential.]”

SECTION 3. 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 4. This Ordinance takes effect upon approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

great:misc:008abil101:kmatt

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Alice L. Lee". The signature is written in a cursive style with a large initial "A".

ALICE L. LEE, Chair