

ORDINANCE NO. \_\_\_\_\_

BILL NO. 3 (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 purpose is to implement Section 10-3 of the Charter of the County of Maui (1983), as amended ("Charter"), 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:

"A. Filing ~~[Deadlines.]~~ deadlines.

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 board of ethics no earlier than five business days prior to filing their application for nomination papers and must file a true and correct copy of the statement with the clerk concurrently with their application for nomination papers. A new public financial disclosure statement ~~[shall]~~ must be filed with the board of ethics and clerk as provided herein 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. For purposes of election official security, the county

clerk and deputy county clerk must file a confidential financial disclosure statement.

3. 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.] Salary commission;
  - [g.] f. 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;
  - [p.] o. Molokai planning commission;
  - [q.] p. Lanai planning commission; and
  - [r.] q. Public safety commission.
4. [The board of ethics shall request an annual updating of all financial disclosure statements.] Filing requirements. All persons required to make financial disclosure statements, other than candidates for elective County office, shall 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 shall 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 [shall] 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 pursuant to 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 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 3. Material to be repealed is bracketed. New material is underscored. In printing the amendments to the Maui County Code, 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:

---

CALEB P. ROWE  
Deputy Corporation Counsel

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

---

ALICE L. LEE, Chair