

# County of Hawai'i Board of Ethics

## Constitution of the State of Hawai'i, Article XIV, Code of Ethics

*The people of Hawai'i believe that public officers and employees must exhibit the highest standards of ethical conduct and that these standards come from the personal integrity of each individual in government. To keep faith with this belief, the legislature, each political subdivision and the constitutional convention shall adopt a code of ethics which shall apply to appointed and elected officials and employees of the State or the political subdivision, respectively, including members of the boards, commissions and other bodies.*

### INSTRUCTIONS FOR THE CONFIDENTIAL FINANCIAL DISCLOSURE FORM

**Questions:** If you have questions regarding the following instructions, contact the County Board of Ethics at 961-8251.

**Where do I find the Confidential Financial Disclosure Form?** The form is available on-line on the County's website at <http://co.hawaii.hi.us>. From the Home Page, click on Vacancies - Boards and Commissions, then Board of Ethics, then Disclosure of Financial Interest Form. Forms are also available from the Board of Ethics, c/o Office of the Corporation Counsel.

**Who must file?** Hawai'i County Code, Chapter 2, Article 15, Section 2-91.1, requires that all elected officials, candidates for County office, and directors and their first deputies must file financial disclosures with the Office of the County Clerk. Certain other officers and employees must file confidential disclosures with the Board of Ethics. Members of the following Boards and Commissions are required to file disclosures with the Board of Ethics:

|                                     |                            |
|-------------------------------------|----------------------------|
| Board of Appeals                    | Pension Board              |
| Board of Ethics                     | Planning Commission        |
| Charter Commission                  | Police Commission          |
| Environmental Management Commission | Salary Commission          |
| Fire Commission                     | Tax Board of Review        |
| Fire Board of Appeals               | Transportation Commission  |
| Liquor Commission                   | Water Board                |
| Liquor Control Adjudication Board   | Workforce Investment Board |
| Merit Appeals Board                 |                            |

**Members of the following Advisory Boards and Commissions are NOT required to file Financial Disclosure Forms:** Arborist Advisory Committee; Bicycle and Pedestrian Advisory Committee; Committee on Aging; Committee on People With Disabilities; Committee on the Status of Women; Cost of Government Commission; Family Violence Advisory Commission; Highway Safety Council; Kailua Village Design Commission; Kona Community Development Plan Steering Committee; Public Access, Open Space, and Natural Resources Preservation Commission; Puna Community Development Plan Steering Committee; Reapportionment Commission; Veterans Advisory Committee. If a Board or Commission is not listed above, please check with the Mayor's Office or the Office of the Corporation Counsel.

**What time period does the Disclosure Form cover?** The disclosure shall cover the period of January 1 to December 31 of the year preceding the filing of this form.

**When must the Disclosure Form be filed?** File within twenty (20) working days after taking the oath of office, and by January 31 of each year thereafter until the end of the term of office, except for regulatory employees, who must file every other year. Any officer or regulatory employee of the County must file an exit financial disclosure ten (10) working days prior to leaving office or terminating employment with the County.

**Where should the completed Disclosure Form be sent?** Send completed disclosures to the Board of Ethics, c/o Office of the Corporation Counsel, 101 Aupuni Street, Suite 325, Hilo, Hawai'i 96720.

**How are Disclosure Forms reviewed?** They are reviewed by the Board of Ethics during its Executive Session.

**What interests must be disclosed?** Section 2-91.1(c) of the Hawai'i County Code notes that "The disclosure of financial interests shall state the financial interests of the person disclosing, whether held in the person's name or by any other person for the person disclosing's use and benefit . . ." The Code sections that apply are quoted below each item on the form.

**Financial Amount Code:** On any item which calls for stating a dollar amount, this value may be reported by using an appropriate letter code as follows:

- A** Less than \$1,000;
- B** At least \$1,000 but less than \$10,000;
- C** At least \$10,000 but less than \$50,000;
- D** At least \$50,000 but less than \$100,000;
- E** At least \$100,000 but less than \$300,000;
- F** At least \$300,000 but less than \$700,000;
- G** At least \$700,000 but less than \$1,000,000;
- H** More than \$1,000,000.

### **Item-By-Item Detailed Instructions**

The relevant wording from Hawai'i County Code, Chapter 2, Article 15, Code of Ethics, is quoted at the bottom of respective Item sections. **Note:** Check " None" when there is no entry for that Item. You must sign and date your form.

**Identification Section:** Fill out the name and address and the identification information in the space provided on every page.

**Item 1 - Annual Income in Excess of \$1,000:** You must report the source and amount of all income of \$1,000 or more received during the preceding calendar year. You must report the source of the income, the amount of income received and your occupation. For example, if you are employed by a business, then report the name of the business, the amount of income received during the preceding year, and your occupation with the business. When disclosing the source, provide the complete name (not acronyms) and the address of the business or source from which the income was derived. If another person's income (e.g., spouse) is also used to your benefit, you must disclose that as well. Note that person's name next to the income source.

**Item 2 - Creditors:** List the name of each creditor to whom \$3,000 or more was owed during the preceding year. List the original amount owed and the present amount owed. If you are responsible for payment to creditors for accounts in another's name (i.e., spouse, dependent children) you must list these as well. Debts arising from retail installment transactions for the purchase of consumer goods need not be listed (e.g., furniture, appliances, personal automobile).

**Item 3 - Ownership or Beneficial Interests in Businesses:** Report the amount and identity of every ownership or beneficial interest (including stocks) held by you or by another for your benefit if the interest has a value of \$5,000 or more or is equal to 10% of the ownership of the business. Report the complete name (not acronyms) and address of the business, the kind of activity the business is engaged in, and the nature of your (or the other person's) interest in the business. Report the number of shares or the approximate value of the stock.

**Item 4 - Officerships, Directorships, Trusteeships:** List every officership, directorship, trusteeship, or other fiduciary position held during the previous year in a business, including corporations, associations, unions, partnerships, trusts or foundations, and nonprofit businesses and associations. Report the annual compensation received, if any, and the term of office.

**Item 5 - Interests in Real Property Held:** Disclose the tax map key number and street address, if any, and the value of interest in any real property held by you or by another for your benefit where the value of the interest is \$5,000 or more. The value may be calculated using the assessed valuation.

**Item 6 – Interests in Real Property Acquired During the Disclosure Period:** Disclose any interest in real property, if the interest has a value of \$5,000 or more, acquired by you or by another for your benefit during the previous year. Report the amount that was paid for the property and the nature of the consideration paid, i.e., whether the payment was in cash, exchange, agreement of sale, etc. You must also provide the name of the person from whom the property was acquired (person receiving the consideration). Report the tax map key number and the property address.

**Item 7- Interests in Real Property Transferred:** Report any property, if the value is \$5,000 or more, sold during the previous year, the amount received, and the nature of the consideration given (cash, exchange, agreement of sale, etc.). Provide the name of the person buying the property (person furnishing consideration).

**Item 8 - Creditor Interests in Insolvent Businesses:** Report the amount and identity of every creditor interest in an insolvent business held during the previous year. Only interests having a value of \$5,000 or more need be disclosed. An insolvent business is one that is unable to pay debts as they become due. Disclose the name and address of the business, the nature of the business, the nature of your interest held, and the value of the interest held.

**Item 9 - Clients Represented for a Fee Before County Agencies:** Report the name of any client you personally represented before County agencies for a fee or compensation during the previous year. Report also the names of the particular County agencies involved.

**Important:** Remember to check the boxes ( None) for each Item where you have nothing to enter. You must sign and date your form.