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Regents' assets might stay private

[Nanea Kalani](#) and Derrick DePledge

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The financial disclosure forms filed annually by members of the University of Hawaii's governing board and 14 other state boards and commissions will likely remain confidential now that Gov. Neil Abercrombie has signaled he might veto legislation aimed at making the forms public documents.

Senate Bill 2682 was among 10 bills that Abercrombie told lawmakers Monday he's considering rejecting.

The bill — which was passed unanimously by both chambers, with a 25-0 vote in the state Senate and a 50-0 vote in the House — would add members of UH's Board of Regents, the state Ethics Commission, Public Utilities Commission, Hawaii Community Development Authority, Board of Land and Natural Resources, Land Use Commission, Hawaiian Homes Commission and others to the list of public officials whose financial disclosure forms would be public records and available on the Ethics Commission's website.

As members of state boards with multiyear terms, the members of the 15 boards named in the bill do submit annual financial disclosures, but the commission keeps the statements confidential under current law.

The UH regents last month sent a letter to Abercrombie objecting to the bill and asking him to veto it. Several regents said that if SB 2682 were to become law, they may step down, while at least one regent promised to resign, citing privacy issues.

Board members did not immediately respond to a request for comment through a

university spokeswoman.

The board's 15 sitting regents include volunteer gubernatorial appointees who mostly are attorneys, business executives and consultants for the local real estate, financial, retail, technology and nonprofit industries.

"It's a shame that Gov. Abercrombie was more responsive to the needs of those in power on the Board of Regents instead of the public's pleas for more transparency and accountability for these boards and commissions," said Carmille Lim, executive director of Common Cause Hawaii. The bill had been a priority this year for the good-government group.

Nearly 1,800 state employees and members of boards and commissions are required to file the annual disclosures, but only 180 of those are deemed to be public records, including those of the president, vice presidents, assistant vice presidents, chancellors and provosts of the UH system.

The forms ask public executives and officers to disclose such financial information as income sources and amounts, investments, debts, ownership or interests in businesses, and real estate holdings for themselves, their spouse and dependent children.

The disclosures are intended to help the Ethics Commission identify potential conflicts of interest, but the commission said in supporting testimony that its ability to do so is limited because of the large volume of statements filed and its small staff.

"The public, especially those who are involved with and may be impacted by the board/commission member's action, is best able to identify and raise concerns about possible conflicts of interest," the Ethics Commission wrote in supporting testimony.

The few opponents to SB 2682 testified the changes would make it harder to recruit volunteer members to serve on the unpaid boards and commissions named in the bill. But the Ethics Commission countered "that there are certain responsibilities and obligations to the public that members must accept in exchange for the privilege and honor of serving."

Former Gov. Linda Lingle vetoed a similar measure in 2007.

Earlier this month the governor announced he would line-item veto about \$45 million in bond money for school facilities in the state budget to correct an inconsistency with a bond declaration bill. Lawmakers are expected to remedy the mistake by restoring the \$45 million after the next legislative session opens in January.

Under the state Constitution, the governor has 10 working days — or until July 8 — to decide whether to veto the bills on his list. The notice requirement is intended to give lawmakers and the public time to contact the governor about the bills.

The Legislature has the option to return for a one-day veto override session, but such a session is unlikely. Lawmakers have not overridden an Abercrombie veto since he took office.

Among the bills on the veto list are measures that would give crime victims and surviving family members or loved ones the right to participate in restorative justice processes, amend the composition of the Board of Land and Natural Resources to require that at least one member has a background in Native Hawaiian traditional practices, and clarify that a lieutenant governor vacancy is to be filled by a member of the same political party as the governor.

The Abercrombie administration did not disclose the reasons why the bills made the veto list.

"The purpose of today's notice, as required by the state Constitution, is to allow for more review time to conduct a detailed analysis of the measures in question," Justin Fujioka, an Abercrombie spokesman, said in a statement. "When final decisions are made next month, any bill on the veto list will include a statement of objections, which will clearly outline the administration's position."