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THE COUNTY CLERK
COUNTY OF KAUAI
NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, September 1, 2021, at 1:30 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, on the following:

Bill No. 2830

A BILL FOR AN ORDINANCE AMENDING CHAPTER 3, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO FINANCIAL DISCLOSURES

The purpose of this Bill is to amend Chapter 3, Sections 3-1.3 and 3-1.9(a), Kaua'i County Code 1987, as amended, to conform to the County Charter Amendment adopted in November 2020 that broadened the classes of employees required to file financial disclosures with the Board of Ethics to include the Managing Director, the heads of agencies and divisions, and regulatory employees; and to define the regulatory employees required to file financial disclosures with the Board of Ethics.

All interested persons who wish to present their comments may do so at the public hearing. Written testimony prior to the hearing would be appreciated. Written testimony can be submitted to the Office of the County Clerk, Council Services Division by mail, facsimile, or via E-mail to counciltestimony@kauai.gov. Copies of this Bill are available at the Office of the County Clerk, Council Services Division.

(The Council Committee or Council may amend this Bill at their subsequent meetings. Meeting notices are posted at least six (6) days in advance at the County Clerk's Office and the public may also testify at any of these meetings.)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Bill No. 2830 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on August 4, 2021, by the following vote:

AYES:	Carvalho, Chock, Cowden, DeCosta, Evslin, Kualii, Kaneshiro	TOTAL - 7,
NOES:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	None	TOTAL - 0,
RECUSED & NOT VOTING:	None	TOTAL - 0.

Līhu'e, Hawai'i
August 4, 2021

/s/ Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR COKCOUNCIL@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

(One publication - The Garden Island - August 12, 2021)

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 3,
KAUA'I COUNTY CODE 1987, AS AMENDED,
RELATING TO FINANCIAL DISCLOSURES**

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. Findings and purpose. The Council finds that a range of important government operations are conducted by employees working underneath the Mayor and department heads and deputies. These employees are engaged in sensitive matters involving the administration of County business and the determination of compliance with County law and rules. These employees historically have not been required to file financial disclosures with the Board of Ethics under Chapter 3, Section 3-1.9(a), Kaua'i County Code 1987, as amended.

The Council finds that a Charter Amendment was duly adopted on November 3, 2020, that broadened the classes of employees required to file financial disclosures with the Board of Ethics to include the Managing Director, the heads of agencies and divisions, and regulatory employees.

The Council finds that Chapter 3, Kaua'i County Code 1987, as amended, must be amended in order to conform to the Charter Amendment adopted in November 2020. Furthermore, the Council finds that the term "regulatory employees" should be defined in the Kaua'i County Code 1987, as amended, to provide clarity and certainty on which employees shall be required to file financial disclosures.

The purpose of this Ordinance is to amend Chapter 3, Sections 3-1.3 and 3-1.9(a), Kaua'i County Code 1987, as amended, to conform to the County Charter and to define the regulatory employees required to file financial disclosures with the Board of Ethics.

SECTION 2. Chapter 3, Section 3-1.3, Kaua'i County Code 1987, as amended, is hereby amended by inserting, alphabetically, a definition for the following term:

“Regulatory Employee” means

- (1) Supervisors of inspectors employed by the Department of Public Works;
- (2) Inspectors employed by the Department of Public Works;
- (3) Supervisors of liquor control investigators;

- (4) Liquor control investigators;
- (5) Buyers and purchasing agents;
- (6) Supervisors of real property tax appraisers;
- (7) Real property tax appraisers;
- (8) Supervisors of planners or inspectors employed by the Planning Department;
- (9) Planners employed by the Planning Department;
- (10) Inspectors employed by the Planning Department;
- (11) Supervisors of fire prevention inspectors;
- (12) Fire prevention inspectors;
- (13) Supervisors of housing quality standards inspectors;
- (14) Housing quality standards inspectors;
- (15) Supervisors of motor vehicle inspectors;
- (16) Motor vehicle inspectors;
- (17) Supervisors of inspectors employed by the Department of Water;
- (18) Inspectors employed by the Department of Water;
- (19) The County Auditor;
- (20) Auditors employed by the County Auditor; and
- (21) Analysts employed by the County Auditor.”

SECTION 3. Chapter 3, Section 3-1.9(a), Kaua'i County Code 1987, as amended, is hereby amended to read as follows:

“(a) The Mayor, Councilpersons, [all department heads and deputies,] Managing Director, heads and deputies of all departments, agencies, and divisions, members of boards and commissions [and], the purchasing administrator, and [any employee delegated or authorized to act on behalf of the Director of Finance and the Deputy Director of Finance in their absence] regulatory employees shall, within thirty (30) days of assuming office, file with the Board of Ethics a list of all real property within the County in which he or she has any right, title or interest; a list of all business firms which contract for County business in which he or she has interest; all places of employment, including part-time employment; and all sources and amounts of income, business ownership, officer and director positions, debts, creditor interests in insolvent businesses and the names of persons represented before government agencies. Amendments to the list, including additions, deletions or changes in title, interest in property or of employment, shall be made within thirty (30) days of the occurrence of the amendment. The list shall be a matter of public record[.]; provided that the lists of regulatory employees shall not be open to public inspection.”

SECTION 4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

SECTION 5. Material to be repealed is bracketed. New material is underscored. When revising, compiling, or printing this Ordinance for inclusion in the Kaua'i County Code 1987, as amended, the brackets, bracketed material, and underscoring need not be included.

SECTION 6. This Ordinance shall take upon its approval.

Introduced by:



ARRYL KANESHIRO
(By Request)

DATE OF INTRODUCTION:

August 4, 2021

Līhu'e, Kaua'i, Hawai'i

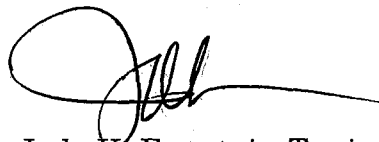
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CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2830, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on August 4, 2021, by the following vote:

FOR PASSAGE:	Carvalho, Chock, Cowden, DeCosta, Evslin, Kualii, Kaneshiro	TOTAL - 7,
AGAINST PASSAGE:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	None	TOTAL - 0,
RECUSED & NOT VOTING:	None	TOTAL - 0.

Lihu'e, Hawai'i
August 4, 2021



Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i