

OPINION NO. 106

A legislator inquired whether he should disqualify himself from matters relating to a bill which would affect one of his private financial interests producing an annual net income in excess of \$14,000.

With respect to his action on the floor, we held that he could participate as a legislator, provided he complied with the disclosure and procedural rules of that body. See Opinions Nos. 48 and 66.

As to his participation in committee, we recommended that he follow the guidelines set forth in Opinions Nos. 26-28, 48, and 66. Because this individual's holdings represented a private financial interest which we deemed substantial in this case and which could be affected by the particular bill in question, any action, be it discussion or voting or even the signing of the committee report with reservation, would be a possible violation of HRS, §84-13, relating to fair treatment. We therefore advised that he should refrain from participation and voting on the bill in committee.

Dated: Honolulu, Hawaii, April 8, 1971.

STATE ETHICS COMMISSION
James F. Morgan, Jr., Chairman
Vernon F.L. Char, Vice Chairman
Gwendolyn B. Bailey, Commissioner
S. Don Shimazu, Commissioner

Note: Commissioner Walters K. Eli was excused from the meeting at which this opinion was considered.