

JAN 22 2010

S.B. NO. 2378

---

# A BILL FOR AN ACT

---

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 13D-4, Hawaii Revised Statutes, is amended to read as follows:

"~~[§]§13D-4~~ Election of board members. (a) Members of the board of trustees shall be ~~[elected at a special election held in conjunction with the general election]~~ nominated at a primary election and elected at the general election in every even-numbered year. Except as otherwise provided by this chapter, members shall be nominated and elected in the manner prescribed by this title.

~~[Nomination papers.]~~ (b) The chief election officer shall prepare the nomination papers in such a manner that a candidate desiring to file for election to the board shall be able to specify whether the candidate is seeking a seat requiring residency on a particular island or a seat without ~~[such]~~ a residency requirement.

~~[Ballot.]~~ (c) The board of trustees ballot shall be prepared in such a manner that every voter qualified and registered under section 13D-3 shall be afforded the opportunity



1 to vote for each and every candidate seeking election to the  
2 board. The ballot shall contain the names of all board  
3 candidates arranged alphabetically; provided that the names of  
4 candidates seeking seats requiring residency on a particular  
5 island shall also be grouped by island of residency. Each  
6 eligible voter shall be entitled to receive the board of  
7 trustees ballot and to vote for the number of seats available.

8 (d) Two candidates receiving the most votes for each  
9 available seat shall be nominated at the primary election for  
10 the general election; provided that if any candidate receives  
11 more than fifty per cent of the total votes at the primary  
12 election, the chief election officer shall declare that  
13 candidate to be duly and legally elected. If, after the close  
14 of filing of nomination papers, there are only two qualified  
15 candidates for any seat requiring residency on a particular  
16 island, the chief election officer shall declare those two  
17 candidates duly nominated for the general election. The names  
18 of those two candidates shall not appear on the primary election  
19 ballot.

20 (e) Each voter registered to vote in the general election  
21 shall be entitled to receive the office of Hawaiian affairs



1 ballot and to vote for the number of seats available on the  
 2 respective islands.

3 (f) If there is only one qualified candidate for any seat  
 4 requiring residency on a particular island, after the close of  
 5 filing of nomination papers, the chief election officer shall  
 6 declare the candidate to be duly and legally elected. If the  
 7 number of qualified candidates for seats without a residency  
 8 requirement is equal to or less than the number of the seats to  
 9 be filled, after the close of filing of nomination papers, the  
 10 chief election officer shall declare the candidates to be duly  
 11 and legally elected."

12 SECTION 2. Statutory material to be repealed is bracketed  
 13 and stricken. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval.  
 15

INTRODUCED BY:

*John Lee*

*Russell K. Kolt*

*Michelle N. Sidani*

*Gay L. Haas*

*J. Klem Gosh*

*John M. M. M.*

*B.*

*Sharonne C. M. M. M.*

*S. S. S. S.*  
*Jim*



**Report Title:**

Office of Hawaiian Affairs; Trustees; Election

**Description:**

Provides for the election of the office of Hawaiian affairs board members through a system of nonpartisan primary and general elections.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

