STAND. COM. REP. NO.

691

Honolulu, Hawaii

## MAR 0 1 2013

RE: S.B. No. 3 S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

## Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 3 entitled:

"A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS,"

begs leave to report as follows:

The purpose and intent of this measure is to provide for the election of the Office of Hawaiian Affairs board members through a system of nonpartisan primary and general elections to begin with the 2014 elections.

Your Committee received testimony in support of this measure from the Hawaiian Affairs Caucus of the Democratic Party of Hawaii and four individuals. Testimony in opposition to this measure was submitted by two individuals. Your Committee received comments on this measure from the Department of the Attorney General, Office of Hawaiian Affairs, Office of Elections, and Office of the County Clerk of the County of Kauai.

Your Committee finds that the absence of a primary election for the members of the Board of Trustees of the Office of Hawaiian Affairs causes a large pool of trustee candidates competing for only a few positions in the general election. A primary election process for the Board of Trustees will serve to narrow the pool of trustee candidates in the general election, limit the significant dispersion of votes that often occurs due to the large pool of candidates, and ensure a more democratic process.

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Your Committee has amended this measure by:

- (1) Adopting the conforming amendments suggested by the Department of the Attorney General to amend sections 13D-4(c), 13D-5, and 17-7, Hawaii Revised Statutes, that removes redundancies, provides clarity and consistency, and deletes references to "special election"; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3, S.D. 1.

Respectfully submitted on behalf of the members of the Committee on Judiciary and

Labor,

CLAYTON HEE, Chair

## The Senate Twenty-Seventh Legislature State of Hawai'i

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:		Dat	Date: / /	
5B 3	THA,	JDL	0	2/28/1	3
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)		V			
SHIMABUKURO, Maile S.L. (VC)					
GABBARD, Mike					
IHARA, Jr., Les					
SLOM, Sam					
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TOTAL		5			
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

\*Only one measure per Record of Votes