STAND. COM. REP. NO. 247D

Honolulu, Hawaii

FEB 1 6 2018

RE: S.B. No. 1303

S.D. 1

Honorable Ronald D. Kouchi President of the Senate Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred S.B. No. 1303 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to amend the election method of the three at-large seats for the Office of Hawaiian Affairs' Board of Trustees.

Your Committee received testimony in support of this measure from the Hawaiian Affairs Caucus of the Democratic Party of Hawaii; We Are One, Inc.; Honua Consulting; Patients Without Time; Aha Moku O, Inc.; and twenty-eight individuals. Your Committee received testimony in opposition to this measure from Hoʻomanapono Political Action Committee and one individual. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that there has been a call to amend the current election process of the Office of Hawaiian Affair's Board of Trustees election. Currently, there are nine positions on the Board and, of the nine, four are at-large positions, which seek to represent the State as a whole. Your Committee believes that it is important to create a fair and just election process that requires candidates to run in head-to-head races for the Board of

Trustees to uphold democracy, and doing so requires a change in the current election process. Your Committee believes that the congressional delegates election process may serve as a model for the Board of Trustees election, as the congressional delegates are chosen to represent Hawaii as a whole, similar to the at-large seats of the Board of Trustees.

Your Committee has amended this measure by modeling the elections after the Congressional races by:

- (1) Requiring that of the four at-large seats, two seats will be up for election during each election cycle;
- (2) Of the two seats up for election during each election cycle, requiring one member to be a resident of an urban district and one member to be a resident of a rural district;
- (3) Making the change in the election process and residency requirement for the at-large seats effective beginning with the general election of 2020 but requiring a shortened term for one member elected for an at-large seat without a residency requirement in the general election of 2018; and
- (4) 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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1303, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1303, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Hawaiian Affairs,

MAILE S.L. SHIMABUKURO, Chair

The Senate Twenty-Ninth Legislature State of Hawaiʻi

Record of Votes Committee on Hawaiian Affairs HWN

Bill / Resolution No.:* 68 /303	Committee Referral: HUN, IDC			Date: 2/08/2018	
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
SHIMABUKURO, Maile S.L. (C)					
GALUTERIA, Brickwood (VC)			12 174		
ENGLISH, J. Kalani					~
GREEN, Josh					
RIVIERE, Gil					
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TOTAL		3			1
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