
A BILL FOR AN ACT

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

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

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

3 "~~+~~§13D-4~~+~~ Election of board members. (a) Members of
4 the board of trustees shall be ~~[elected at a special election~~
5 ~~held in conjunction with the general election]~~ nominated at a
6 primary election and elected at the general election in every
7 even-numbered year. Except as otherwise provided by this
8 chapter, members shall be nominated and elected in the manner
9 prescribed by this title.

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

16 ~~[Ballot.]~~ (c) The board of trustees ballot shall be
17 prepared in such a manner that every voter qualified and
18 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: Mel Carroll
Ray Handland
[Signature]
John A. Smith
[Signature]
[Signature]

JAN 20 2010



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.

