

---

---

# 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) Beginning  
4 January 1, 2014, members of the board of trustees shall be  
5 ~~[elected at a special election held in conjunction with the~~  
6 ~~general election]~~ nominated at a primary election and elected at  
7 the general election in every even-numbered year. Except as  
8 otherwise provided by this chapter, members shall be nominated  
9 and elected in the manner 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 highest number of votes  
9 for each available seat shall be nominated at the primary  
10 election for the general election; provided that if any  
11 candidate receives more than fifty per cent of the total votes  
12 at the primary election, the chief election officer shall  
13 declare that candidate to be duly and legally elected. If,  
14 after the close of filing of nomination papers, there are only  
15 two qualified candidates for any seat requiring residency on a  
16 particular island, the chief election officer shall declare  
17 those two candidates duly nominated for the general election.  
18 The names of those two candidates shall not appear on the  
19 primary election 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 (g) For any at-large seat without a residency requirement,  
13 the qualified candidates receiving the highest number of total  
14 votes at the primary election shall be declared by the chief  
15 election officer duly nominated for the general election;  
16 provided that the general election shall include no more than  
17 twice the number of qualified candidates as seats available."

18 SECTION 2. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20 SECTION 3. This Act shall take effect July 1, 2050.



**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 to begin with the 2014 elections. Effective 7/1/2050. (SD2)

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

