



SB 2378 SD 2
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS
House Committee on Finance

March 29, 2010

6:00 p.m.

Room: 308

The Office of Hawaiian Affairs (OHA) offers the following comments on SB 2378, SD 2. This bill would provide for the election of the members of the OHA Board of Trustees through a system of primary and general elections to begin with the 2014 elections. Currently, the trustees are elected at a special election held in conjunction with the general election.

We respectfully request that in weighing the pros and cons of this bill, you take into account the financial and other costs to the state and to the candidates for trustee. For the state, the costs include the administrative expenses of shifting to a different system for electing the trustees.

Furthermore, implementation of the bill would put additional strain on the State Office of Elections, at a time when that office continues to struggle, financially and otherwise, with implementing existing election laws; and during a period in which state finances as a whole are in a precarious condition.

Election costs reached more than \$8.2 million in the 2008 primary and general election cycle, according to the Office of Elections. More than \$6.1 million of these costs supported the "voting system," including voting machines, printing of ballots, and tabulation of results. A large number of candidates becoming eligible for OHA trustee could result in the need for a separate OHA ballot card, increasing costs.

For the candidates for OHA trustee, the costs include the added expense of competing in two elections instead of one. The distinction of running state-wide for OHA trustee (similar to the Governor, Lieutenant Governor, and two U.S. Senators) makes the costs even more prohibitive. Increased candidate costs can have a chilling effect on those candidates or potential candidates who lack significant financial support.

We are also deeply concerned about the timing of this bill. The bill would require OHA to cope with the transition to a new OHA election system at a critical juncture when OHA will also be heavily involved in facilitating the transition to a new Native Hawaiian governing entity with the anticipated enactment at the federal level of the Native Hawaiian Government Reorganization Act (the "Akaka Bill").

We recommend that the Legislative Reference Bureau conduct a study of the financial and other costs and benefits of the proposed new election system to both the OHA candidates and the state. Such a study would enable the Legislature to more systematically determine whether the new system is advisable. If your Committee decides to move this bill forward, we recommend (1) that lines 3 and 4 of page 1 of the bill be amended to establish January 1, 2020 as the date on which the new OHA election system would kick in, and (2) a provision be added to the bill requiring an LRB study of the type mentioned above.

Mahalo for the opportunity to submit testimony.

March 29, 2010

House Finance Committee
Hawaii State House of Representatives

Re: SB 2378 SD2

Aloha Chairman Oshiro, Vice-Chair Lee and Committee Members,

The Council for Native Hawaiian Advancement (CNHA) is a national, member-based nonprofit founded to unify Native Hawaiian groups and organizations. CNHA provides assistance in accessing capital and technical resources, and is a policy voice on issues important to Native Hawaiian communities. Our mission is to enhance the well-being of Hawaii through the cultural, economic, and community development of Native Hawaiians. Our membership includes 162 Native Hawaiian organizations and individual members, and we are governed by a 15-member elected board of directors.

We are writing to express our strong support for SB 2378 SD2. The Office of Hawaiian Affairs (OHA) is an important governmental agency for all of the citizens of Hawaii in ensuring that our host culture remains strong. This measure ensures that the voices of the electorate are recognized and that the will of the people in electing trustees is representative for this important state agency.

Mahalo for your time.

Sincerely,



Robin Puanani Danner
President & CEO

Derek Kauanoe
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Oshiro, Vice-Chair Lee and Committee Members,

I hope you will democratize the elections for the Office of Hawaiian Affairs (OHA) by passing Senate Bill 2378 SD2 with an amendment for the bill to be in effect by January 1, 2012.

PASSING SB 2378 SD2 MEANS DEMOCRATIZING STATE ELECTIONS

Currently, a candidate can win an Office of Hawaiian Affairs election with only 30% of the votes. We must make OHA elections better.

COSTS TO THE STATE AND CANDIDATES

STATE

The Senate Committee on Judiciary and Government Operations determined in its committee report that the costs of instituting a primary and general election for OHA "will be neutralized by the savings of eliminating the special election and consolidating it into the existing primary and general election structure."

CANDIDATES

Democratizing OHA elections allows OHA candidates to demonstrate to voters their ability to manage their own campaign funds. This can be easily mis-perceived as candidates incurring burdensome campaign costs. In reality, voters want to know whether candidates for OHA trustees can manage trust assets. Candidates who manage their campaign finances are perhaps better suited to manage trust assets.

SB 2378 SD2 HAS NO NEGATIVE EFFECTS TO THE OHA

To clarify, SB 2378 SD2 does not require the Office of Hawaiian Affairs to do anything. SB 2378 SD2 only requires:

- **the State Office of Elections to implement the bill and**
- **for serious candidates to plan and strategize for a more democratic elections process.**

Hawaii should not have to wait unnecessarily for a democratic elections process. In closing, I urge to pass SB 2378 SD2 with an amendment that implements the bill on or before January 1, 2012. Thank you for your support.

Derek Kauanoe

Dear Mr. Committee Chair Marcus Oshiro, Madam Vice-Chair Marilyn Lee, and members of the House Finance Committee,

As a soon-to-be mother of a Native Hawaiian child, I hope you will democratize the Office of Hawaiian Affairs elections by passing S.B. 2378 SD2.

My child will be among the beneficiary class of which the Office of Hawaiian Affairs seeks to improve conditions for.

As a mother, it is important to me that trust assets and revenue intended to benefit my child are managed by elected trustees who have support from a majority of voters. S.B. 2378 SD2 will democratize the OHA elections. As I understand it, the current "special" elections process allows a candidate with only 30% of the votes to win the election. This is grossly unfair and our children deserve a more democratic process and sooner rather than later.

S.B. 2378 should be passed with an amendment so that OHA elections are democratized earlier than January 1, 2014. We deserve democratic elections now, not later.

Thank you for your time and consideration.

Alyssa Murphy

FINTestimony

From: Pohaku-Huli [pohakuhuli@live.com]
Sent: Sunday, March 28, 2010 8:33 PM
To: FINTestimony
Subject: OHA Voting Policy

Rocky R. Gilding
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is Rocky Gilding. I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs ("OHA").

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

OHA is an important governmental agency and candidates elected to OHA should have the support of more than 30% of the votes.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

Thank you for your time.

FINTestimony

From: Rocky Gilding [pohakuhuli@live.com]
Sent: Sunday, March 28, 2010 8:36 PM
To: FINTestimony
Subject: OHA Voting Policy

Rocky R. Gilding
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is Rocky Gilding. I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs ("OHA").

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

OHA is an important governmental agency and candidates elected to OHA should have the support of more than 30% of the votes.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

. Thank you for your time.

Hotmail: Trusted email with powerful SPAM protection. [Sign up now.](#)

FINTestimony

From: Davis price [daprice@hawaii.edu]
Sent: Sunday, March 28, 2010 10:20 PM
To: FINTestimony
Subject: SB2378 Testimony

Davis Price
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is Davis Price, I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs ("OHA") Trustees.

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

It is important to note that this bill does not create the need for an entirely separate primary election. It merely allows for a primary election for the position of OHA Trustee to be added to the primary election ballot in a given election year. This is identical to the way the OHA election is currently added to the general election ballot in a given election year.

OHA is an important governmental agency and candidates elected to OHA should have the support of more than 30% of the votes.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

Thank you for your time.

Davis Price
Juris Doctorate Candidate, 2010
William S. Richardson School of Law

FINTestimony

From: Todd Yamashita [todd@themolokaidispatch.com]
Sent: Sunday, March 28, 2010 11:03 PM
To: FINTestimony
Subject: OHA Democracy

Todd Yamashita
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is Todd Yamashita. I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs ("OHA").

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

OHA is an important governmental agency and candidates elected to OHA should have the support of more than 30% of the votes.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

Thank you for your time.

FINTestimony

From: Christiane Kauai Lucas [lucas@kaulana.net]
sent: Monday, March 29, 2010 6:38 AM
To: FINTestimony
Subject: OHA voting processes

ADD YOUR NAME]
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is Christiane Kaulana Lucas. I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs ("OHA").

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

OHA is a very important governmental agency. Candidates elected to OHA should have the support of more than 30% of the votes, just like most other publicly elected offices.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

Mahalo nui for serving the public interest.

C. Kauai Lucas

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C. Kauai Lucas
Hawaii Design Group
www.HawaiiDesignGroup.com
office (808) 326-7670
mobile (808) 282-2007

FINTestimony

From: Anna Fernandez [kikulani@gmail.com]
Sent: Monday, March 29, 2010 7:47 AM
To: FINTestimony
Subject: SB 2378 SD2

Anna Fernandez
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is _____. I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs ("OHA").

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

OHA is a very important governmental agency. Candidates elected to OHA should have the support of more than 30% of the votes, just like most other publicly elected offices.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

Thank you for your time.

FINTestimony

From: Kui Meyer [kmeyer@hclending.com]
Sent: Monday, March 29, 2010 8:37 AM
To: FINTestimony
Subject: 2378 SD2

Kui Meyer
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is Kui Meyer I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs (“OHA”).

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

OHA is an important governmental agency and candidates elected to OHA should have the support of more than 30% of the votes.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

Thank you for your time.

Kui Meyer

1592 Laulani Street

Honolulu, HI 96819

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 29, 2010 9:10 AM
To: FINTestimony
Cc: annie@schha.org
Subject: Testimony for SB2378 on 3/29/2010 6:00:00 PM

Testimony for FIN 3/29/2010 6:00:00 PM SB2378

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Annie K. Au Hoon
Organization: Individual
Address: 1050 Queen St. # 200 Honolulu, HI 96813
Phone: 808.529.1627
E-mail: annie@schha.org
Submitted on: 3/29/2010

Comments:
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is Annie K. Au Hoon. I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs ("OHA").

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

OHA is an important governmental agency and candidates elected to OHA should have the support of more than 30% of the votes.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

Thank you for your time.

FINTestimony

From: Ka'ano'i Walk [kwalk@hawaii.edu]
Sent: Monday, March 29, 2010 10:31 AM
To: FINTestimony
Subject: SB 2378 SD2 Testimony

Categories: Agenda 5

Ka'ano'i Walk House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Aloha e Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is Ka'ano'i Walk. I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs ("OHA").

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

OHA is an important governmental agency and candidates elected to OHA should have the support of more than 30% of the votes.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

Mahalo nui for your time.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 29, 2010 10:51 AM
To: FINTestimony
Cc: ppchawaii@yahoo.com
Subject: Testimony for SB2378 on 3/29/2010 6:00:00 PM

Categories: Agenda 5

Testimony for FIN 3/29/2010 6:00:00 PM SB2378

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Judith Mick
Organization: Individual
Address: 1132 Ilikala Place Kailua, Hawaii
Phone: 808-254-3357
E-mail: ppchawaii@yahoo.com
Submitted on: 3/29/2010

Comments:

Please support SB 2378 SD2 so that OHA elections will be more reflective of the voters desires. No one should be elected that does not truly represent the majority and right now that is the case.

ʻāhalo for your consideration. Aloha, Judith Mick, Kailua

FINTestimony

From: PuaNani Rogers [kealiagirl2004@yahoo.com]
ent: Monday, March 29, 2010 1:27 PM
fo: FINTestimony
Subject: Strong Testimony in SUPPORT of SB 2378 SD2

Puanani Rogers
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is **Puanani Rogers, Kupuna from the ahupua`a o Kealia, Kaua`i**.
I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs ("OHA").

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

OHA is an important governmental agency and candidates elected to OHA should have the support of more than 30% of the votes.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

ʻāhālo a nui loa.

Puanani Rogers, Kupuna o Kealia
Kapaa, Kaua`i
Kingdom of Hawaii

Think Kanaka maoli.....Think Ahupua`a

FINTestimony

From: George [protrade@teleport.com]
Sent: Sunday, March 28, 2010 9:47 AM
To: FINTestimony
Subject: RE: OHA elections

George Heiligman
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is George Heiligman. I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs ("OHA").

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

OHA is an important governmental agency and candidates elected to OHA should have the support of more than 30% of the votes.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

Thank you for your time.

George Heiligman

FINTestimony

From: JRK [jrkeoneakapu@yahoo.com]
Sent: Monday, March 29, 2010 2:40 PM
To: FINTestimony
Subject: SB 2378 SD2

JR Keoneakapu
House Finance Committee
March 29, 2010, 6pm
SB 2378 SD2

Dear Committee Chair Representative Marcus Oshiro, Vice-Chair Marilyn Lee and Committee Members,

My name is JR Keoneakapu. I humbly urge you to support Senate Bill 2378 SD2 because it democratizes the elections for Office of Hawaiian Affairs ("OHA").

An OHA candidate who gets only 30% of the votes can win the election under the current OHA elections process. This means that although 70% of voters may vote against a candidate, that candidate can still be elected. Clearly this elections process is inconsistent with the values of a democracy and needs to be changed.

OHA is an important governmental agency and candidates elected to OHA should have the support of more than 30% of the votes.

Please pass SB 2378 SD2 with a start date of January 1, 2012 instead of 2014.

Thank you for your time.

JR Keoneakapu