

**HB2181**



**STATE OF HAWAII**  
**OFFICE OF ELECTIONS**  
802 LEHUA AVENUE  
PEARL CITY, HAWAII 96782  
[www.hawaii.gov/elections](http://www.hawaii.gov/elections)

SCOTT T. NAGO  
CHIEF ELECTION OFFICER

**TESTIMONY OF THE**  
**CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS**  
**TO THE SENATE COMMITTEE ON HAWAIIAN AFFAIRS**

**AND**

**THE SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT**  
**OPERATIONS, AND MILITARY AFFAIRS**

**ON HOUSE BILL NO. 2181**

**RELATING TO VACANCIES**

**March 14, 2012**

Chair Galuteria and Chair Espero and members of the Senate Committee on Hawaiian Affairs and the Senate Committee on Public Safety, Government Operations, and Military Affairs, thank you for the opportunity to testify in support of House Bill No. 2181. The purpose of this bill is to amend the deadline to file nomination papers associated with the filling of a vacancy in the membership of the Board of Trustees of the Office of Hawaiian Affairs.

In 2010, the National Defense Authorization Act for Fiscal Year 2010, P.L. 111-84, mandated the mailing of absentee ballots to uniformed and overseas voters no later than forty-five days prior to an election. For regularly scheduled elections, our laws provide sufficient time between the conclusion of the candidate filing process and this deadline, to permit us to design, print, and mail out ballots to our uniformed and overseas voters.

However, there are a variety of vacancy laws that permit a special vacancy election to be held in conjunction with a regularly scheduled General Election. Instead of establishing the filing deadline for nomination papers as the same as that used for the regularly scheduled election, our laws set the deadline at fifty days prior to the election. The current fifty day time period for a special vacancy election for the Office of Hawaiian Affairs, only permits us five days to

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RELATING TO VACANCIES  
March 14, 2012  
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layout the ballot to include the names of the candidates for the vacant seat, coordinate the printing of over 600,000 ballots, and then mail out the overseas ballots by the forty fifth day prior to the General Election.

This bill moves the candidate filing deadline, for special vacancy elections, to the sixtieth day prior to the General Election. Currently, there is a vacancy in the Office of Hawaiian Affairs, which if this law is not changed, may likely result in the State not being able to comply with federal law.

Thank you for the opportunity to testify in support of House Bill No. 2181.



**HB2181**

**RELATING TO VACANCIES**

Senate Committee on Hawaiian Affairs

Senate Committee on Public Safety, Government Operations, and Military Affairs

March 14, 2012

2:45 p.m.

Room 224

The Office of Hawaiian Affairs (OHA) offers the following comments on HB2181, which seeks to amend the deadline to file nomination papers associated with filling a vacancy in the membership of the Board of Trustees of OHA .

It is our understanding that this measure simply seeks to ensure that, when a vacancy on the OHA Board of Trustees is to be filled for the unexpired term at the next succeeding special election held in conjunction with the general election, the Office of Elections will have adequate time to mail absentee ballots to uniformed and overseas voters no later than 45 days prior to the election. We further understand that the bill seeks to ensure compliance with the National Defense Authorization Act for Fiscal Year 2010. We understand and appreciate the intent of the bill.

Mahalo for the opportunity to testify on this measure.

JEFFREY T. KUWADA  
County Clerk



LANCE TAGUCHI  
Deputy County Clerk

**OFFICE OF THE COUNTY CLERK**

COUNTY OF MAUI  
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WAILUKU, MAUI, HAWAII 96793  
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TESTIMONY OF  
JEFFREY T. KUWADA, COUNTY CLERK, COUNTY OF MAUI  
TO THE SENATE COMMITTEE ON HAWAIIAN AFFAIRS  
AND  
SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT  
OPERATIONS, AND MILITARY AFFAIRS  
ON HOUSE BILL NO. 2181  
RELATING TO VACANCIES  
MARCH 14, 2012

Chair Galuteria and Chair Espero and members of the Senate Committee on Hawaiian Affairs and Senate Committee on Public Safety, Government Operations and Military Affairs, thank you for the opportunity to testify in support of House Bill No. 2181. The purpose of this bill is to amend the deadline to file nomination papers to fill a vacancy in the membership of the Board of Trustees of the Office of Hawaiian Affairs.

In 2010, the National Defense Authorization Act for Fiscal Year 2010, P.L. 111-84, mandated the mailing of absentee ballots to uniformed and overseas voters no later than forty-five days prior to an election. For regularly scheduled elections, State law provides sufficient time between the end of the candidate filing process and the above-referenced deadline to permit election officials to design, print, and mail out ballots to uniformed and overseas voters.

However, with respect to filling a vacancy in the membership of the Board of Trustees of the Office of Hawaiian Affairs, current State law sets a nomination paper filing deadline that is only fifty days prior to the special election (to be held in conjunction with a General Election). The current fifty day time period gives election officials only five days to redesign the ballot to include the names of the candidates for the vacant seat, coordinate the printing of over 600,000 redesigned ballots, and then mail them out by the forty-fifth day prior to the General Election. The current fifty day time frame is too compressed.

Currently, there is a vacancy in the membership of the Board of Trustees of the Office of Hawaiian Affairs. The present bill extends the deadline for candidate filing to the sixtieth day prior to the General Election. This is a more reasonable time frame given the requirements of above-referenced federal law and the work to be accomplished by election officials.

Thank you for the opportunity to testify in support of House Bill No. 2181.

**RICKY R. WATANABE**  
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**JADE K. FOUNTAIN-TANIGAWA**  
Deputy County Clerk

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TESTIMONY OF  
JADE K. FOUNTAIN-TANIGAWA  
DEPUTY COUNTY CLERK, COUNTY OF KAUAI  
TO THE SENATE COMMITTEE ON HAWAIIAN AFFAIRS AND  
COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND  
MILITARY AFFAIRS  
ON HOUSE BILL NO. 2181  
RELATING TO VACANCIES  
March 14, 2012

Chair Galuteria and Chair Espero, and Committee Members:

Thank you for the opportunity to provide testimony in support of House Bill No. 2181. The purpose of this bill is to amend the deadline to file nomination papers for an election to fill a vacancy in the membership of the Board of Trustees of the Office of Hawaiian Affairs (OHA).

The earlier filing deadline established by House Bill No. 2181 will ensure that the official list of candidates is finalized early enough for ballots to be printed and mailed to uniformed and overseas voters no later than forty-five days prior to the election as mandated by the National Defense Authorization Act for Fiscal Year 2010, P.L. 111-84.

The bill will also amend related deadlines in Section 17-7, Hawai'i Revised Statutes so they conform to the amended deadline for filing nomination papers.

Thank you for the opportunity to submit testimony in support of House Bill No. 2181.

JADE K. FOUNTAIN-TANIGAWA  
Deputy County Clerk

## galuteria1 - Davis

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 14, 2012 7:39 AM  
**To:** HWN Testimony  
**Cc:** info@schha.com  
**Subject:** Testimony for HB2181 on 3/14/2012 2:45:00 PM

Testimony for HWN/PGM 3/14/2012 2:45:00 PM HB2181

Conference room: 224  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Annie Au Hoon  
Organization: SCHHA  
E-mail: [info@schha.com](mailto:info@schha.com)  
Submitted on: 3/14/2012

### Comments:

All 33 members of SCHHA are in support.

Kamaki Kanahale, Chairman of SCHHA

Lorraine Rapozo, Secretary

Kammy Purdy, Vice Chair

Jared Aiwohi, Exec Officer

Beatrice Hew Len, Oahu Mokupuni

Herbert Kalena Hew Len, Council Kahu

Micheal Kahikina, Government Affairs & Legislative Myron Brumaghim / Margie Maaka, Education

Helen O'Connor Health / Human Service

Tasha Kama, Genealogy

Al Harrington, Native Tourism

Dr. Agnes Cope, AHA Kupuna Council

Branscombe Richmond, Telecommunication, Productions

Audrey Loo, Anahola Hawaiian Lands Farms Assn Kawehi Mahi Anahola Hawaiian Homes Association

Harry Purdy, Hoolehua Homestead Agriculture Assn Oochie Bush, Hoolehua Homestead Association

Aimuku Pali, Ka Ohana Kahikinui Vivian Ainoa, Kamiloloa One-Alii Homesteaders J. Leilani

Wallace, Kapaakea Homesteader Colleen Aiwohi, Kaupe'a Homestead Community Annie Au Hoon,

Kewalo Hawaiian Homestead Comm Kimo Keli, Nanakuli Hawaiian Homestead Comm Assn Kelly

Lincoln, Panaewa Hawaiian Home Lands Olinda Aiwohi, Paukukalo Hawaiian Homestead Assn Rodney

Paahana, Villages of Leialii Association Herbert Hew Len, Waianae Kai Homestead Association

Alapake Heanu, Waiehu Kou I Homestead Association Aloha Planesi, Waiehu Kou II Homeowners Assn

Roy Oliver, Waiehu Kou III Community Association Danny Kanahale, Waiehu Kou IV Micheal

Hodson, Waimea Hwn Homesteaders Assn, Inc Blossom Feiteira, Association of Hawaiians for

Homestead Lands