

JAN 25 2017

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# A BILL FOR AN ACT

RELATING TO OFFICE OF HAWAIIAN AFFAIRS ELECTIONS.

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

1           SECTION 1. The purpose of this Act is to amend the  
2 election process for three of the office of Hawaiian affairs  
3 board of trustees at-large seats so that each of the three at-  
4 large seat candidates without a residency requirement who stand  
5 for election will run in a head-to-head race to ensure a more  
6 democratic election process for the office of Hawaiian affairs.

7           SECTION 2. Section 13D-4, Hawaii Revised Statutes, is  
8 amended by amending subsection (f) to read as follows:

9           "(f) ~~[Any]~~ For any election with three available seats  
10 without a residency requirement, the election shall be conducted  
11 as follows:

12           ~~[(1) If, after the close of filing of nomination papers,~~  
13           ~~there are only three or less qualified candidates for~~  
14           ~~the available seats without a residency requirement,~~  
15           ~~the chief election officer shall declare those~~  
16           ~~candidates to be duly and legally elected and the~~



1 ~~names of those candidates shall not appear on the~~  
2 ~~primary or general election ballot;~~

3 ~~(2) If, after the close of filing of nomination papers,~~  
4 ~~there are four, five, or six qualified candidates for~~  
5 ~~the available seats without a residency requirement,~~  
6 ~~the chief election officer shall declare those~~  
7 ~~candidates duly nominated for the general election.~~  
8 ~~The names of those candidates shall not appear on the~~  
9 ~~primary election ballot; and~~

10 ~~(3) If, at the close of filing of nomination papers, there~~  
11 ~~are seven or more qualified candidates for the~~  
12 ~~available seats without a residency requirement, the~~  
13 ~~names of those candidates shall be listed on the~~  
14 ~~primary election ballot. The qualified candidates~~  
15 ~~receiving the highest number of total votes at the~~  
16 ~~primary election shall be declared by the chief~~  
17 ~~election officer duly nominated for the general~~  
18 ~~election provided that the general election shall~~  
19 ~~include no more than twice the number of qualified~~  
20 ~~candidates as seats available; provided further that~~  
21 ~~if any candidate receives more than fifty per cent of~~



1 ~~the total votes cast for the available seats at the~~  
2 ~~primary election, the chief election officer shall~~  
3 ~~declare that candidate to be duly and legally elected~~  
4 ~~and the name of that candidate shall not appear on the~~  
5 ~~general election ballot.]~~

6 (1) Of the three available seats without a residency  
7 requirement, each seat shall be designated on the  
8 primary election ballot as trustee-at-large position  
9 1, trustee-at-large position 2, and trustee-at-large  
10 position 3, respectively, and the two candidates  
11 receiving the highest number of votes for each of the  
12 three at-large seats shall proceed to the general  
13 election designated as trustee-at-large position 1,  
14 trustee-at-large position 2, and trustee-at-large  
15 position 3; provided that each of the three trustee-  
16 at-large positions shall appear on the general  
17 election ballot as trustee-at-large position 1,  
18 trustee-at-large position 2, and trustee-at-large  
19 position 3; provided further that the chief elections  
20 officer shall declare the candidate for trustee-at-  
21 large position 1, for trustee-at-large position 2, and



1           for trustee-at-large position 3 with the highest  
 2           number of votes in the general election to be duly and  
 3           legally elected as a trustee of the office of Hawaiian  
 4           affairs; and



5           (2) If any trustee-at-large position has only one  
 6           candidate nominated in the primary election under  
 7           paragraph (1), then the chief elections officer shall  
 8           declare each of those candidates to be duly and  
 9           legally elected, and the names of those candidates  
 10           shall not appear on the general election ballot."

11           SECTION 3. Statutory material to be repealed is bracketed  
 12 and stricken. New statutory material is underscored.

13           SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: 



# S.B. NO. 1303

**Report Title:**

OHA At-large-Positions; Election

**Description:**

Changes the method by which candidates for three office of Hawaiian affairs board of trustees at-large seats without residency requirements are elected.

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

