

Honolulu, Hawaii

APR 05 2019

RE: H.B. No. 1116  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 1116, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend ballot requirements to display candidates for the Board of Trustees of the Office of Hawaiian Affairs by residency and non-residency requirements; and
- (2) Require the names of candidates in each group to be randomized on individual ballots and on ballots across precincts.

Your Committees received testimony in support of this measure from the O'ahu County Democrats Legislative Priorities Committee and two individuals. Your Committees received comments on this measure from the Office of Elections.

Your Committees find that under existing law, names of candidates for the Board of Trustees of the Office of Hawaiian Affairs are placed on the ballot in alphabetical order. Your Committees further find that the ordering of candidate names on a




ballot has been shown to affect election outcomes because the first name on the ballot generally has an advantage over names listed further down the ballot. To mitigate any advantage that may arise from the order of candidate names on the ballot, this measure requires that the names of candidates for the Board of Trustees of the Office of Hawaiian Affairs be randomized on individual ballots and also randomly rotated between precincts.

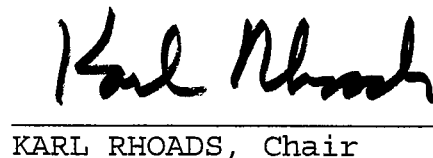
Your Committees additionally find that the method of vote counting currently used by the Office of Elections may not allow full randomization of candidate names on the ballot. Your Committees further find that this should not prevent the State from implementing the randomization of the names of candidates on ballots to the extent that randomization is feasible.

Accordingly, your Committees have amended this measure by requiring that if randomization of the names of candidates on individual ballots and on ballots across precincts is not feasible, then a feasible method that provides the greatest degree of randomization shall be used.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1116, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1116, H.D. 1, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committees on Judiciary and  
Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair

  
KARL RHOADS, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

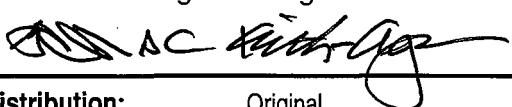
**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>HB 1116 HD1</b>	Committee Referral: <b>HWN, JDC/WAM</b>	Date: <b>4/3/19</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>5</b>	<del>0</del>	<del>0</del>	<del>0</del>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:
HBill 1116 HDI	HWN, JDC/WAM	4/3/19
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
DELA CRUZ, Donovan M. (C)	X	
KEITH-AGARAN, Gilbert S.C. (VC)	X	
ENGLISH, J. Kalani		X
HARIMOTO, Breene		X
INOUYE, Lorraine R.	X	
KAHELE, Kaiali'i		X
KANUHA, Dru Mamo	X	
KIDANI, Michelle N.	X	
MORIWAKI, Sharon Y.	X	
RIVIERE, Gil	X	
SHIMABUKURO, Maile S.L.	X	
TANIGUCHI, Brian T.	X	
FEVELLA, Kurt	X	
<b>TOTAL</b>	10	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 		
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy		

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