

1 "(a) The names of the candidates shall be placed upon the
2 ballot for their respective offices in alphabetical order
3 except:

4 (1) As provided in section 13D-4;

5 ~~[-(1)]~~ (2) As provided in section 11-118;

6 ~~[-(2)]~~ (3) For the limitations of the voting system in use;
7 and

8 ~~[-(3)]~~ (4) For the case of the candidates for vice president
9 and lieutenant governor in the general election whose
10 names shall be placed immediately below the name of
11 the candidate for president or governor of the same
12 political party."

13 SECTION 3. Section 13D-4, Hawaii Revised Statutes, is
14 amended by amending subsection (c) to read as follows:

15 "(c) The board of trustees ballot shall be prepared in
16 such a manner that every voter qualified and registered under
17 section 13D-3 shall be afforded the opportunity to vote for each
18 and every candidate seeking election to the board. ~~[The ballot~~
19 ~~shall contain the names of all board candidates arranged in~~
20 ~~accordance with section 11-115.]~~ The names of the candidates
21 shall be placed upon the ballot grouped by residency requirement



1 or lack thereof; provided that within those groupings the names
2 shall be in random order so that the names are randomized on
3 individual ballots and also randomly rotated from one precinct
4 to another."

5 SECTION 4. The chief election officer is directed to
6 establish procedures to implement the purpose of this part,
7 which shall apply to the election cycle beginning on January 1,
8 2020.

9 PART III

10 SECTION 5. Section 11-423, Hawaii Revised Statutes, is
11 amended by amending subsection (d) to read as follows:

12 "(d) From January 1 of the year of any primary, special,
13 or general election, the aggregate expenditures for each
14 election by a candidate who voluntarily agrees to limit campaign
15 expenditures, inclusive of all expenditures made or authorized
16 by the candidate alone, all treasurers, the candidate committee,
17 and noncandidate committees on the candidate's behalf, shall not
18 exceed the following amounts expressed, respectively multiplied
19 by the number of voters in the last preceding general election
20 registered to vote in each respective voting district:

21 (1) For the office of governor – \$2.50;



- 1 (2) For the office of lieutenant governor – \$1.40;
- 2 (3) For the office of mayor – \$2.00;
- 3 (4) For the offices of state senator, state
- 4 representative, county council member, and prosecuting
- 5 attorney – \$1.40; [and]
- 6 (5) For member of the board of trustees, office of
- 7 Hawaiian affairs – \$1.40; and
- 8 ~~(5)~~ (6) For all other offices – 20 cents."

9 SECTION 6. Section 11-425, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"§11-425 Maximum amount of public funds available to**
12 **candidate.** (a) The maximum amount of public funds available in
13 each election to a candidate for the office of governor,
14 lieutenant governor, board of trustees of the office of Hawaiian
15 affairs, or mayor shall not exceed ten per cent of the
16 expenditure limit established in section 11-423(d) for each
17 election.

18 (b) The maximum amount of public funds available in each
19 election to a candidate for the office of state senator, state
20 representative, county council member, and prosecuting attorney



1 shall not exceed fifteen per cent of the expenditure limit
2 established in section 11-423(d) for each election.

3 ~~[(c) For the office of Hawaiian affairs, the maximum~~
4 ~~amount of public funds available to a candidate shall not exceed~~
5 ~~\$1,500 in any election year.~~

6 ~~(d)]~~ (c) For all other offices, the maximum amount of
7 public funds available to a candidate shall not exceed \$100 in
8 any election year.

9 ~~[(e)]~~ (d) Each candidate who qualified for the maximum
10 amount of public funding in any primary election and who is a
11 candidate for a subsequent general election shall apply with the
12 commission to be qualified to receive the maximum amount of
13 public funds as provided in this section for the respective
14 general election. For purposes of this section, "qualified"
15 means meeting the qualifying campaign contribution requirements
16 of section 11-429."

17 **PART IV**

18 SECTION 7. Section 10-12, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "**§10-12 Assistant; staff.** The administrator may employ
21 and retain ~~[such]~~ officers and employees as may be necessary to



1 carry out the functions of the office. [~~Such~~] The officers [~~and~~
2 ~~employees~~] may be hired without regard to chapter 76, and shall
3 serve at the pleasure of the administrator. The employees shall
4 be subject to chapters 76 and 89. Officers and employees of the
5 office of Hawaiian affairs shall be included in any benefit
6 program generally applicable to officers and employees of the
7 State."

8 SECTION 8. Section 76-71, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "§76-71 Department of civil service. There shall be a
11 department of civil service for each of the counties of Hawaii,
12 Maui, and Kauai, and for the office of Hawaiian affairs, which
13 shall include a personnel director and a merit appeals board
14 established under section 76-47."

15 SECTION 9. Section 89-6, Hawaii Revised Statutes, is
16 amended by amending subsection (d) to read as follows:

17 "(d) For the purpose of negotiating a collective
18 bargaining agreement, the public employer of an appropriate
19 bargaining unit shall mean the governor together with the
20 following employers:



1 (1) For bargaining units (1), (2), (3), (4), (9), (10),
2 (13), and (14), the governor shall have [~~six~~] seven
3 votes and the following individuals or boards shall
4 have one vote each if they have employees in the
5 particular bargaining unit:

6 (A) The mayors [~~7~~, ~~the~~];

7 (B) The chief justice [~~7~~, ~~and the~~];

8 (C) The Hawaii health systems corporation board
9 ~~[shall each have one vote if they have employees~~
10 ~~in the particular bargaining unit];~~ and

11 (D) The board of trustees of the office of Hawaiian
12 affairs;

13 (2) For bargaining units (11) and (12), the governor shall
14 have four votes and the mayors shall each have one
15 vote;

16 (3) For bargaining units (5) and (6), the governor shall
17 have three votes, the board of education shall have
18 two votes, and the superintendent of education shall
19 have one vote; and

20 (4) For bargaining units (7) and (8), the governor shall
21 have three votes, the board of regents of the



1 University of Hawaii shall have two votes, and the
2 president of the University of Hawaii shall have one
3 vote.

4 Any decision to be reached by the applicable employer group
5 shall be on the basis of simple majority, except when a
6 bargaining unit includes county employees from more than one
7 county. In that case, the simple majority shall include at
8 least one county."

9 SECTION 10. All existing employees of the office of
10 Hawaiian affairs shall be conferred permanent civil service
11 status within the meaning of chapter 76, Hawaii Revised
12 Statutes, without the necessity of examination, without any
13 reduction in pay, and without any loss of seniority, prior
14 service credit, vacation and sick leave credits earned, or loss
15 of any benefits accorded a civil service employee.

16 SECTION 11. The rights, benefits, and privileges currently
17 enjoyed by employees of the office of Hawaiian affairs,
18 including those rights, benefits, and privileges under chapters
19 78, 87A, and 88, Hawaii Revised Statutes, shall not be impaired
20 or diminished as a result of these employees being transitioned
21 to their respective bargaining unit. The transition to the new



1 bargaining units shall not result in any break in service for
2 the affected employees.

3 **PART V**

4 SECTION 12. If any provision of this Act, or the
5 application thereof to any person or circumstance, is held
6 invalid, the invalidity does not affect other provisions or
7 applications of the Act that can be given effect without the
8 invalid provision or application, and to this end the provisions
9 of this Act are severable.

10 SECTION 13. This Act does not affect rights and duties
11 that matured, penalties that were incurred, and proceedings that
12 were begun before its effective date.

13 SECTION 14. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 15. This Act shall take effect upon its approval.

16

INTRODUCED BY: 



S.B. NO. 727

Report Title:

Office of Hawaiian Affairs; Term Limits; Ballot Order; Partial Public Funding; Collective Bargaining

Description:

Subjects office of Hawaiian affairs employees in the State's civil service and public employee collective bargaining systems; sets term limits for members of the board of trustees of the office of Hawaiian affairs to no more than three terms or twelve years; increases partial public funding for candidates running for seats on the board of trustees of the office of Hawaiian affairs to match the partial public funding provided to the lieutenant governor; and requires that names of candidates running for seats on the board of trustees of the office of Hawaiian affairs be listed on the ballot in random order.

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

