
A BILL FOR AN ACT

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

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

1

PART I

2 SECTION 1. Section 11-115, Hawaii Revised Statutes, is
3 amended by amending subsection (a) to read as follows:

4 "(a) The names of the candidates shall be placed upon the
5 ballot for their respective offices in alphabetical order
6 except:

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

8 ~~[(1)]~~ (2) As provided in section 11-118;

9 ~~[(2)]~~ (3) For the limitations of the voting system in use;

10 and

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

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



1 "(c) The board of trustees ballot shall be prepared in
2 such a manner that every voter qualified and registered under
3 section 13D-3 shall be afforded the opportunity to vote for each
4 and every candidate seeking election to the board. [~~The ballot~~
5 ~~shall contain the names of all board candidates arranged in~~
6 ~~accordance with section 11-115.~~] The names of the candidates
7 shall be placed upon the ballot grouped by residency requirement
8 or lack thereof; provided that within those groupings the names
9 shall be in random order so that the names are randomized on
10 individual ballots and also randomly rotated from one precinct
11 to another."

12 SECTION 3. The chief election officer is directed to
13 establish procedures to implement the purpose of this part,
14 which shall apply to the election cycle beginning on January 1,
15 2020.

PART II

17 SECTION 4. Section 11-425, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§11-425 Maximum amount of public funds available to**
20 **candidate.** (a) The maximum amount of public funds available in
21 each election to a candidate for the office of governor,



1 lieutenant governor, or mayor shall not exceed ten per cent of
2 the expenditure limit established in section 11-423(d) for each
3 election.

4 (b) The maximum amount of public funds available in each
5 election to a candidate for the office of state senator, state
6 representative, county council member, board of trustees of the
7 office of Hawaiian affairs, and prosecuting attorney shall not
8 exceed fifteen per cent of the expenditure limit established in
9 section 11-423(d) for each election.

10 ~~[(c) For the office of Hawaiian affairs, the maximum~~
11 ~~amount of public funds available to a candidate shall not exceed~~
12 ~~\$1,500 in any election year.~~

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

16 ~~[(e)]~~ (d) Each candidate who qualified for the maximum
17 amount of public funding in any primary election and who is a
18 candidate for a subsequent general election shall apply with the
19 commission to be qualified to receive the maximum amount of
20 public funds as provided in this section for the respective
21 general election. For purposes of this section, "qualified"



1 means meeting the qualifying campaign contribution requirements
2 of section 11-429."

3 SECTION 5. Section 11-429, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) As a condition of receiving public funds for a
6 primary or general election, a candidate shall not be unopposed
7 in any election for which public funds are sought, shall have
8 filed an affidavit with the commission pursuant to section 11-
9 423 to voluntarily limit the candidate's campaign expenditures,
10 and shall be in receipt of the following sum of qualifying
11 contributions from individual residents of Hawaii:

12 (1) For the office of governor – qualifying contributions
13 that in the aggregate exceed \$100,000;

14 (2) For the office of lieutenant governor – qualifying
15 contributions that in the aggregate exceed \$50,000;

16 (3) For the office of mayor for each respective county:

17 (A) County of Honolulu – qualifying contributions
18 that in the aggregate exceed \$50,000;

19 (B) County of Hawaii – qualifying contributions that
20 in the aggregate exceed \$15,000;



- 1 (C) County of Maui – qualifying contributions that in
2 the aggregate exceed \$10,000; and
- 3 (D) County of Kauai – qualifying contributions that
4 in the aggregate exceed \$5,000;
- 5 (4) For the office of prosecuting attorney for each
6 respective county:
- 7 (A) County of Honolulu – qualifying contributions
8 that in the aggregate exceed \$30,000;
- 9 (B) County of Hawaii – qualifying contributions that
10 in the aggregate exceed \$10,000; and
- 11 (C) County of Kauai – qualifying contributions that
12 in the aggregate exceed \$5,000;
- 13 (5) For the office of county council – for each respective
14 county:
- 15 (A) County of Honolulu – qualifying contributions
16 that in the aggregate exceed \$5,000;
- 17 (B) County of Hawaii – qualifying contributions that
18 in the aggregate exceed \$1,500;
- 19 (C) County of Maui – qualifying contributions that in
20 the aggregate exceed \$5,000; and



- 1 (D) County of Kauai – qualifying contributions that
- 2 in the aggregate exceed \$3,000;
- 3 (6) For the office of state senator – qualifying
- 4 contributions that, in the aggregate exceed \$2,500;
- 5 (7) For the office of state representative – qualifying
- 6 contributions that, in the aggregate, exceed \$1,500;
- 7 (8) For the office of Hawaiian affairs – qualifying
- 8 contributions that, in the aggregate, exceed [~~\$1,500,~~
- 9 \$5,000; and
- 10 (9) For all other offices, qualifying contributions that,
- 11 in the aggregate, exceed \$500."

PART III

12 SECTION 6. Section 10-12, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§10-12 Assistant; staff. The administrator may employ
15 and retain [~~such~~] officers and employees as may be necessary to
16 carry out the functions of the office. [~~Such~~] The officers [~~and~~
17 ~~employees~~] may be hired without regard to chapter 76, and shall
18 serve at the pleasure of the administrator. The employees may
19 be subject to chapters 76 and 89. Officers and employees of the
20 office of Hawaiian affairs shall be included in any benefit
21



1 program generally applicable to officers and employees of the
2 State."

3 SECTION 7. Section 89-6, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) All employees throughout the State within any of the
6 following categories shall constitute an appropriate bargaining
7 unit:

- 8 (1) Nonsupervisory employees in blue collar positions;
- 9 (2) Supervisory employees in blue collar positions;
- 10 (3) Nonsupervisory employees in white collar positions;
- 11 (4) Supervisory employees in white collar positions;
- 12 (5) Teachers and other personnel of the department of
13 education under the same pay schedule, including part-
14 time employees working less than twenty hours a week
15 who are equal to one-half of a full-time equivalent;
- 16 (6) Educational officers and other personnel of the
17 department of education under the same pay schedule;
- 18 (7) Faculty of the University of Hawaii and the community
19 college system;
- 20 (8) Personnel of the University of Hawaii and the
21 community college system, other than faculty;



- 1 (9) Registered professional nurses;
- 2 (10) Institutional, health, and correctional workers;
- 3 (11) Firefighters;
- 4 (12) Police officers;
- 5 (13) Professional and scientific employees, who cannot be
- 6 included in any of the other bargaining units; [and]
- 7 (14) State law enforcement officers and state and county
- 8 ocean safety and water safety officers[-]; and
- 9 (15) Employees of the office of Hawaiian affairs."

10 SECTION 8. Section 89-6, Hawaii Revised Statutes, is
11 amended by amending subsection (d) to read as follows:

12 "(d) For the purpose of negotiating a collective
13 bargaining agreement, the public employer of an appropriate
14 bargaining unit shall mean the governor together with the
15 following employers:

- 16 (1) For bargaining units (1), (2), (3), (4), (9), (10),
- 17 (13), and (14), the governor shall have six votes and
- 18 the mayors, the chief justice, and the Hawaii health
- 19 systems corporation board shall each have one vote if
- 20 they have employees in the particular bargaining unit;



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

4 (3) For bargaining units (5) and (6), the governor shall
5 have three votes, the board of education shall have
6 two votes, and the superintendent of education shall
7 have one vote; [~~and~~]

8 (4) For bargaining units (7) and (8), the governor shall
9 have three votes, the board of regents of the
10 University of Hawaii shall have two votes, and the
11 president of the University of Hawaii shall have one
12 vote [~~-~~]; and

13 (5) For bargaining unit (15), the office of Hawaiian
14 affairs shall have one vote.

15 Any decision to be reached by the applicable employer group
16 shall be on the basis of simple majority, except when a
17 bargaining unit includes county employees from more than one
18 county. In that case, the simple majority shall include at
19 least one county."

20 **PART IV**



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

7 SECTION 10. This Act does not affect rights and duties
8 that matured, penalties that were incurred, and proceedings that
9 were begun before its effective date.

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

12 SECTION 12. This Act shall take effect upon its approval.



Report Title:

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

Description:

Allows office of Hawaiian affairs employees to join the State's civil service and public employee collective bargaining systems. Creates bargaining unit (15) as a separate collective bargaining unit for employees of the office of Hawaiian affairs in the event they vote to do so. Increases the maximum amount of public funds available to each candidate running for the Board of Trustees of the Office of Hawaiian Affairs to fifteen per cent of the expenditure limit established for each election. Increases the amount each board of trustees candidate must raise in order to qualify for public funds. 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. (SD1)

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

