

STAND. COM. REP. NO.

1447

Honolulu, Hawaii

MAR 25 , 2021

RE: S.B. No. 238
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 238, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to require the names of the candidates for the Office of Hawaiian Affairs Board of Trustees to be placed on the ballot grouped by residency and non-residency requirements and to randomize the order of candidate names within those groupings.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs, Office of Elections, and Common Cause Hawaii.

Your Committee finds that candidates for the Board of Trustees of the Office of Hawaiian Affairs who voluntarily participate in the partial public funding program are provided substantially less public funding than candidates for other statewide races. In order to provide parity, candidates for the Board of Trustees of the Office of Hawaiian Affairs should receive funding similar to other candidates for statewide offices.

2021-2460 SB238 HD1 HSCR HMSO



Your Committee further finds that S.B. No. 981, S.D. 2 (Regular Session of 2021), a substantially similar measure heard at the same public hearing as this measure, would accomplish this goal.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 981, S.D. 2, a substantially similar measure that:
 - (A) Restricts the maximum amount of public funds available in each election to a candidate for Board of Trustees of the Office of Hawaiian Affairs to fifteen percent of the expenditure limit, rather than \$1,500;
 - (B) Sets qualifying contributions for the Office of Hawaiian Affairs at \$5,000, rather than \$1,500; and
 - (C) Requires that the names of candidates for the Board of Trustees of the Office of Hawaiian Affairs be grouped on the ballot by residency requirement or lack thereof, and within those groupings, be placed in random order;
- (2) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 238, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 238, S.D. 2, H.D. 1, and be referred to your Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



