

Honolulu, Hawaii

FEB 22 2021

RE: S.B. No. 981
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 981, S.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) Change the maximum amount of public funds available to each candidate running for the office of State Senator, State Representative, County Council, and the Board of Trustees of the Office of Hawaiian Affairs to an unspecified percent of the expenditure limit established for each election;
- (2) Amend the amount each Office of Hawaiian Affairs candidate must raise to qualify for public funds; and
- (3) Amend ballot requirements to display candidates for the Office of Hawaiian Affairs Board of Trustees by residency and non-residency requirements and to randomize the order of candidate names within those groupings.

Your Committees received testimony in support of this measure from Common Cause Hawaii and League of Women Voters of Hawaii.



Your Committees received comments on this measure from the Department of the Attorney General, Office of Hawaiian Affairs, Office of Elections, and Campaign Spending Commission.

Your Committees find that candidates running for the Board of Trustees of the Office of Hawaiian Affairs who voluntarily agree to participate in the partial public funding program run statewide campaigns yet they are provided substantially less partial public funding than other statewide candidates. Your Committees further 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 to ensure that all candidates are properly listed, which corresponds to the voting position for the vote counting system. This measure will increase the partial public funding expenditure limit and maximum amount of public funds available for candidates for the Board of Trustees and mitigates any advantage that may arise from the order of candidate names on the ballot by requiring that the names of candidates for the Board of Trustees of the Office of Hawaiian Affairs be placed in random order on the ballot.

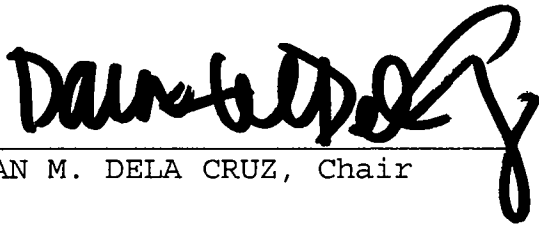
Your Committees have amended this measure by:

- (1) Re-inserting fifteen percent as the maximum amount of public funds available to candidates running for the office of State Senator, State Representative, and County Council and inserting fifteen percent as the maximum amount of public funds available to candidates running for the Board of Trustees of the Office of Hawaiian Affairs;
- (2) Clarifying that the requirement that candidates be placed on the ballot in random order applies only to candidates for the Board of Trustees of the Office of Hawaiian Affairs;
- (3) Inserting an effective date of May 6, 2137, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.



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 S.B. No. 981, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 981, S.D. 2.

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



DONOVAN M. DELA CRUZ, Chair



KARL RHOADS, Chair



