



**2.01**  
FIRST DAY

**6.07**  
LAST DAY

# CANDIDATE'S MANUAL 2016



### NO. ISSUED AND FILED



2010



2012



2014

### LOCATIONS

**7**  
TO FILE

### FILING FEES

|                            |       |
|----------------------------|-------|
| U.S. SENATE AND U.S. REP   | \$75  |
| STATE SENATE AND STATE REP | \$250 |
| OHA                        | \$250 |
| MAYOR                      | \$500 |
| PROSECUTING ATTORNEY       | \$250 |
| COUNCILMEMBER              | \$250 |

### SIGNATURE REQUIREMENTS

|                                |                  |
|--------------------------------|------------------|
| U.S. SENATE AND OHA            | 25 FROM STATE    |
| U.S. REPRESENTATIVE            | 25 FROM DISTRICT |
| STATE SENATE AND STATE REP     | 15 FROM DISTRICT |
| MAYOR AND PROSECUTING ATTORNEY | 15 FROM COUNTY   |
| COUNCILMEMBER                  | 15 FROM DISTRICT |

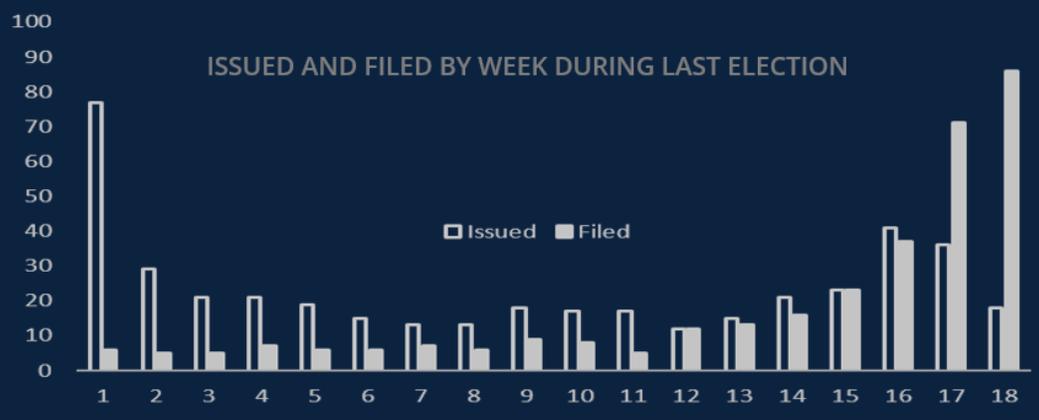
**27**  
SPACES FOR  
BALLOT NAME

### DAYS OF CANDIDATE FILING

**89**

### NO. OF CONTESTS

**16**  
IN 2016





## A Message from the Chief Election Officer



**STATE OF HAWAII  
OFFICE OF ELECTIONS**

802 LEHUA AVENUE  
PEARL CITY, HAWAII 96782  
[www.hawaii.gov/elections](http://www.hawaii.gov/elections)

SCOTT T. NAGO  
CHIEF ELECTION OFFICER

February 1, 2016

Dear Candidate:

Congratulations on your decision to seek public elective office! Your willingness to serve in a position of public trust strengthens the foundations of our democratic system, provides voters with more choices; and by demonstrating your desire for public service, you are helping to build a stronger Hawaii.

Please read this manual carefully. It presents basic information about federal, state, and county elections, and provides information most often requested by candidates and their staff. If you need further assistance, please do not hesitate to call the Office of Elections at 453-VOTE(8683) or neighbor island residents may call toll free at 1-800-442-VOTE(8683).

As we enter the 2016 Elections, we hope your campaign is challenging, exciting, and successful.

Very truly yours,

SCOTT T. NAGO  
Chief Election Officer

STN:KU

### Note to Candidates

This manual is a reference source. It is not to be used as the authority on the Hawaii election laws or any other laws for individuals or candidates. It is distributed with the understanding that the Office of Elections is not rendering legal advice and therefore the manual is not to be used as a substitute for legal counsel for the individual or candidate using it. In case of conflict with the manual, the law, regulation, or rule will apply.

Readers should consult the United States Constitution, the Hawaii State Constitution, the Hawaii Revised Statutes, the County Charters, Attorney General Opinions, and other sources for a complete and legal basis of the law.

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Part One:

# Introduction



## Chapter 1:

# Important Dates

### Election Dates

Primary Election (7:00 am to 6:00 pm)..... Saturday, August 13, 2016  
General Election (7:00 am to 6:00 pm)..... Tuesday, November 8, 2016

### Deadline to File Nomination Paper

Federal, State, and County Offices ..... Tuesday, June 7, 2016<sup>1</sup>

### Primary Election Dates

Last day to register to vote..... Thursday, July 14, 2016  
Early walk-in voting begins .....Monday, August 1, 2016  
Last day to request mail ballots..... Saturday, August 6, 2016  
Last day for early walk-in voting .....Thursday, August 11, 2016

### General Election Dates

Last day to register to vote..... Monday, October 10, 2016  
Early walk-in voting begins .....Tuesday, October 25, 2016  
Last day to request mail ballots..... Tuesday, November 1, 2016  
Last day for early walk-in voting ..... Saturday, November 5, 2016

### County Elections

The regular scheduled elections for the County of Hawaii, County of Maui, County of Kauai, and City and County of Honolulu are held in conjunction with the primary and general elections.

Other elections may be held in conjunction with the primary or general election as prescribed by law.

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<sup>1</sup> The deadline to file your nomination paper is 4:30 pm on the date noted above.



Chapter 2:

# Election Calendar

| <b>Subject</b>        | <b>Event/Deadline</b>  | <b>Date</b>                     |
|-----------------------|--|---------------------------------|
| Candidates            | File Organizational Report with the Campaign Spending Commission (HRS §11-321(d))  | See Below <sup>2</sup>          |
| Candidates            | Pick up nomination paper from the Office of Elections or Clerk's Office (HRS §12-2.5)  | Monday, February 1              |
| New Political Parties | File petition to form political party, party rules, and officers with the Office of Elections (HRS §11-62)                   | Thursday, February 25           |
| Political Parties     | File party rules with the Office of Elections (HRS §11-63)   | Wednesday, March 16             |
| Political Parties     | Deadline to file political party objections with the Office of Elections (HRS §11-62)  | Thursday, March 24 <sup>3</sup> |
| Political Parties     | Submit names of precinct officials to the Office of Elections (HRS §11-72)   | Friday, April 8                 |
| Political Parties     | File party officers with the Office of Elections (HRS §11-64)  | Saturday, May 14                |
| <b>CANDIDATES</b>     | <b>Last day to file nomination paper for the Primary Election with the Office of Elections or Clerk's Office (HRS §12-6)</b> | <b>Tuesday, June 7</b>          |

<sup>2</sup> The Organizational Report must be filed within ten days of the date the candidate files a nomination paper for office or within ten days of the date the candidate or candidate's committee receives contributions or makes or incurs expenditures of more than \$100 in the aggregate during the applicable election period, whichever occurs first.

<sup>3</sup> The deadline is not later than the twentieth business day after the petition is filed. As such, the deadline could be earlier if the group filed its petition earlier.

| <b><u>Subject</u></b>                     | <b><u>Event/Deadline</u></b>  | <b><u>Date</u></b>  |
|---|---|---------------------|
| Candidates                                | Submit request to withdraw from the Primary Election for any reason to the Office of Elections or Clerk's Office (HRS §11-117)            | Wednesday, June 8   |
| Candidates, Political Parties, and Voters | File written objections to nomination paper for the Primary Election with the Office of Elections or Clerk's Office (HRS §12-8)           | Tuesday, June 14    |
| City and County Candidates                | File C&C financial disclosure statements with the City Clerk (ROH §3-8.4(b)(1))   | Wednesday, June 22  |
| Candidates                                | Submit request to withdraw from the Primary Election for reasons of ill health to the Office of Elections or Clerk's Office (HRS §11-117) | Friday, June 24     |
| Clerk's Office                            | Mail Primary Election ballots to overseas voters (42 USC§1973ff-1 & HRS §15D-9)   | Wednesday, June 29  |
| Voters                                    | Last day to register to vote for the Primary Election with the Clerk's Office (HRS §11-24)  | Thursday, July 14   |
| Candidates                                | Last day to file 1st Preliminary Primary Report with the Campaign Spending Commission (HRS §11-334)                                       | Thursday, July 14   |
| State Candidates                          | File candidate financial disclosure forms with the State Ethics Commission (HRS §84-17)   | Friday, July 22     |
| Clerk's Office                            | Open early walk-in voting locations for the Primary Election (HRS §15-7)  | Monday, August 1    |
| Political Parties                         | Submit names of poll watchers for the Primary Election to the Office of Elections or Clerk's Office (HRS §11-77)                          | Wednesday, August 3 |

| <u>Subject</u>                            | <u>Event/Deadline</u>   | <u>Date</u>                |
|---|---|----------------------------|
| Candidates and Political Parties          | Last day to file 2nd Preliminary Report for Candidates and Preliminary Primary Report for Political Parties with the Campaign Spending Commission (HRS §§11-334 & 11-336) | Wednesday, August 3        |
| Voters                                    | Last day to request a mail ballot for the Primary Election from the Clerk's Office (HRS §15-4)  | Saturday, August 6         |
| Candidates and Political Parties          | Last day to file Primary Election Late Contributions Report with the Campaign Spending Commission (HRS §11-338)   | Wednesday, August 10       |
| Presidential Candidate Petitioners        | Last day to file presidential petitions with the Office of Elections (HRS §11-113(c)(2))  | Wednesday, August 10       |
| Voters                                    | Last day to vote at an early walk-in location for the Primary Election (HRS §15-7)  | Thursday, August 11        |
|   | <b>PRIMARY ELECTION (HRS §12-2)</b>   | <b>Saturday, August 13</b> |
| Candidates, Political Parties, and Voters | File complaint on contests for cause in the Primary Election with the Hawaii State Supreme Court (HRS §11-173.5)  | Monday, August 22          |
| House, Senate, and County Clerks          | Submit Constitutional Amendment questions, County Charter Amendment questions, and County Initiative questions to the Office of Elections (HRS §11-119)                   | Thursday, August 25        |
| Candidates and Political Parties          | Last day to file Final Primary Report with the Campaign Spending Commission (HRS §§11-334 & 11-336)   | Friday, September 2        |

| <b><u>Subject</u></b>                                    | <b><u>Event/Deadline</u></b>  | <b><u>Date</u></b>   |
|--|---|----------------------|
| Candidates   | Last day to file expense report on use of public funds in the Primary Election with the Campaign Spending Commission (HRS §11-433)        | Friday, September 2  |
| Political Parties  | Last day to certify nominees for president and vice president to the Office of Elections (HRS §11-113(c)(1))                              | Friday, September 9  |
| Political Parties and Presidential Candidate Petitioners | Last day to submit names and addresses of nominees for presidential elector and alternates to the Office of Elections (HRS §14-21)        | Friday, September 9  |
| Candidates   | Submit request to withdraw from the General Election for reasons of ill health to the Office of Elections or Clerk's Office (HRS §11-117) | Monday, September 19 |
| Clerk's Office   | Mail General Election ballots to overseas voters (42 USC§1973ff-1 & HRS §15D-9)   | Friday, September 23 |
| Political Parties  | Last day to file 1st Preliminary General Report with Campaign Spending Commission (HRS §11-336)   | Monday, October 3    |
| Voters   | Last day to register to vote for the General Election with the Clerk's Office (HRS §11-24)  | Monday, October 10   |
| Clerk's Office   | Open early walk-in voting locations for the General Election (HRS §15-7)  | Tuesday, October 25  |
| Political Parties  | Submit names of poll watchers for the General Election to the Office of Elections or Clerk's Office (HRS §11-77)                          | Saturday, October 29 |

| <u>Subject</u>                            | <u>Event/Deadline</u>   | <u>Date</u>                       |
|---|---|-----------------------------------|
| Candidates and Political Parties          | Last day to file Preliminary General Report for Candidates and 2nd Preliminary General Report for Political Parties with the Campaign Spending Commission (HRS §§11-334 & 11-336) | Monday, October 31                |
| Voters                                    | Last day to request a mail ballot for the General Election from the Clerk's Office (HRS §15-4)  | Tuesday, November 1               |
| Voters                                    | Last day to vote at an early walk-in location for the General Election (HRS §15-7)  | Saturday, November 5              |
| Candidates and Political Parties          | Last day to file General Election Late Contributions Report with the Campaign Spending Commission (HRS §11-338)   | Monday, November 7                |
|   | <b>GENERAL ELECTION<br/>(State Constitution,<br/>Article II, Section 8)</b>   | <b>Tuesday, November 8</b>        |
| Candidates, Political Parties, and Voters | File complaint on contest for cause in the General Election with the Hawaii State Supreme Court (HRS §11-174.5)   | Monday, November 28               |
| Candidates and Political Parties          | Last day to file Final Election Period Report with the Campaign Spending Commission (HRS §§11-334 & 11-336)   | Thursday, December 8 <sup>4</sup> |
| Candidates                                | Last day to file expense report on use of public funds in the General Election with the Campaign Spending Commission (HRS §11-433)  | Thursday, December 8 <sup>5</sup> |

<sup>4</sup> The Final Election Period Report and expense report on the use of public funds in the General Election for candidates that receive public funds must be filed with the Campaign Spending Commission before a candidate can receive their certificate of election pursuant to HRS §11-156.

<sup>5</sup> See footnote 4

| <b><u>Subject</u></b>            | <b><u>Event/Deadline</u></b>  | <b><u>Date</u></b>        |
|----------------------------------|---|---------------------------|
| Candidates                       | Last day to file final Primary and General Application for Public Funds with the Campaign Spending Commission (HRS §11-430) | Thursday, December 8      |
| Electors and Alternates          | Electoral College (HRS §14-26)  | Monday, December 19       |
| Candidates and Political Parties | Last day to file Supplemental Report with the Campaign Spending Commission (HRS §§11-334 & 11-336)                          | Tuesday, January 31, 2017 |
| Office of Elections              | Determine political party disqualifications (HRS §11-65)  | Wednesday, March 8, 2017  |

## Chapter 3:

# General Information

## Voter Registration Qualifications

Pursuant to the Hawaii State Constitution, Article II, Section 1, a voter registration applicant must be:

- A citizen of the United States;
- A resident of the State of Hawaii; and
- Eighteen (18) years of age.

***Note: Hawaii law allows individuals to pre-register at the age of sixteen (16), but must be eighteen (18) years old by election day to vote.***

## Register to Vote

Eligible residents are able to register online or by using the *Voter Registration & Permanent Absentee Application*, which can be obtained at: <http://www.elections.hawaii.gov>.

Applications are also available at the following locations:

- Clerk's Offices
- Office of Elections
- State Agencies
- State Libraries
- Satellite City Halls
- U.S. Post Offices

## Update your Voter Registration

Registered voters that have changed their name, residence, or mailing address must update their voter registration. Voters are able to update their voter registration online or by re-registering using the *Voter Registration & Permanent Absentee Application*.

## Early Voting

Section 15-2, Hawaii Revised Statutes (HRS), allows any person registered to vote in the State of Hawaii to cast a ballot by mail or in person at an early walk in location.

### Early Walk In Voting

To vote early in person, a voter must visit an early walk in location, established by the Clerk's Office, in the county in which they are registered to vote.

## Vote by Mail

A permanent mail ballot may be requested through the online system; or by completing the *Voter Registration & Permanent Absentee Application*. A seasonal mail ballot may be requested by completing the *One-Time Absentee Application*.

To request a permanent mail ballot online or obtain an application go to <http://www.elections.hawaii.gov>.

Applications are also available at the following locations:

- Clerk's Offices
- Office of Elections
- State Agencies
- State Libraries
- Satellite City Halls
- U.S. Post Offices

## Admission to the Polling Place

A candidate may observe the voting process. Candidates should identify themselves to the precinct chairperson when entering the polling place and should refer all questions and complaints to the precinct chairperson.

## Activities Prohibited at the Polling Place

Campaign activities for the purpose of influencing votes are prohibited within the polling place and within an area of 200 feet from the perimeter of the polling place and its appurtenances on election day (HRS §§11-132 and 19-6).

Automobiles and other vehicles with political signs and stickers may remain within the 200 foot perimeter of the polling place only during the time that the owner (voter) is actually voting.

Other activities not allowed within the 200 foot perimeter of the polling place on election day:

- Political signs;
- Political clothing, including armbands, hats, and campaign buttons;
- Campaign pamphlets or other literature;
- Public address systems and other public communication media;
- Motor caravans or parades; and
- Entertainment troupes or free food and/or services.

Candidates and their supporters are urged to check the 200 foot perimeter around each polling place and its appurtenances prior to election day to ensure compliance with the law. Regional election maps depicting the 200 foot perimeter are available through the Office of Elections and the respective Clerk's Office. A map will also be posted at the polling place prior to the opening of the polls.

## Poll Watchers and Activities of a Poll Watcher

An authorized poll watcher may observe the conduct of the election in the polling place after presenting official identification to the precinct chairperson. Poll watchers are limited to the following activities:

- Only one (1) poll watcher (per party) at a time is permitted in a polling place.
- Designated alternate poll watchers may relieve a poll watcher.
- Each poll watcher may call any observed violation of the election laws to the attention of the precinct chairperson, or to the respective clerk of the early walk in location. If the violation is not corrected by the precinct chairperson, the poll watcher may appeal to the county clerk.
- When there is a reasonable break in activities, the poll watcher may turn the pages of the poll book with permission from the precinct chairperson.
- Poll watchers may not interfere with the orderly process of the election.
- Poll watchers may not engage in any kind of activity for the purposes of influencing votes.
- Poll watchers may not use the polling place telephones.

## Persons Not Able to Serve as Precinct Officials

A parent, spouse, reciprocal beneficiary, child, or sibling of a candidate is not eligible to serve as a precinct official in any precinct in which votes may be cast for the candidate. Any candidate for any elective office is not eligible to serve as a precinct official in the same election in which the person is a candidate. A candidate who failed to be nominated in the primary or special primary election is not eligible to serve as a precinct official in the next following general election (HRS § 11-72(b)(3)).

## Advertising

To the extent authorized by law, all political advertisements authorized by a candidate or a candidate's committee shall contain the name and address of the candidate, committee, or party paying for the advertisement. If the advertisement is not authorized by a candidate or a candidate's committee, the advertisement shall contain the name and address of the person paying for the advertisement (HRS §11-391).

In addition to this requirement, no candidate or committee shall cause or submit any advertisement in support of a candidate or against an opponent, except under the following conditions:

### Advertisements Authorized by the Candidate

The advertisements must contain a prominent notice that the advertisement is approved and authorized by the candidate, except that advertisements paid for by the candidate or candidate committee does not need to include the notice of approval and authority.

## Advertisements Not Authorized by the Candidate

The advertisements must contain a prominent notice that the advertisement is published, broadcast, televised, or circulated without the approval and authority of the candidate (HRS §11-391). Bumper stickers and other small sundry items are not covered by this requirement (HRS §11-302, & HAR §3-160-2).

All candidates are urged to check their respective county ordinance(s) regulating campaign signs and advertisements.

## The Hatch Act

The Hatch Act restricts the political activity of executive branch employees of the federal government, the District of Columbia (D.C.), and certain state and local agencies. In 1993, Congress amended the Hatch Act, allowing most federal and D.C. employees to engage in many types of political activity. However, some federal agencies and categories of employees continue to be prohibited from engaging in political activity. The Hatch Act applies to four (4) categories of civilian public employees (see *Hatch Act Restrictions for Civilian Public Employees* on page 15).

If you are unsure about your employee status, the following is recommended:

- Check with your employer regarding your eligibility; and
- Contact the Federal Hatch Act Unit.

For More Information

Hatch Act Unit  
U.S. Office of Special Counsel  
1730 M Street, N.W., Suite 218  
Washington, D.C. 20036-4505

Telephone: (800) 854-2824  
E-mail: [hatchact@osc.gov](mailto:hatchact@osc.gov)  
Website: <http://www.osc.gov>

Hatch Act Restrictions for Civilian Public Employees

| <b>Categories of Civilian Employees</b>  | <b>These Employees May Not</b>   |
|--|--|
| <p><b>Category 1:</b><br/>Most persons employed by the United States Government.</p>   | <ul style="list-style-type: none"> <li>• Be a candidate for public office in partisan elections;</li> <li>• Use their official authority or influence to interfere with an election;</li> <li>• Engage in partisan political activity while on duty, while in any government office, while wearing an official uniform, or while using a government vehicle;</li> <li>• Solicit, accept, or receive political contributions under most circumstances; or</li> <li>• Knowingly solicit or discourage the partisan political activity of any person who has business before the agency.</li> </ul> |
| <p><b>Category 2:</b><br/>Employees of the United States Federal Government who were specifically excluded from provisions of the 1993 amendments to the Act that eased restrictions on the other categories of federal employees.</p> | <p><b>Same Restrictions as Category 1</b> plus they are prohibited from actively engaging in any partisan political efforts.</p>   |
| <p><b>Category 3:</b><br/>Federal employees who are political appointees serving at the pleasure of the President of the United States.</p>  | <p><b>Same Restrictions as Category 1</b> plus pay for costs associated with such activity from U.S. Treasury funds; or</p> <p>Act contrary to any additional restrictions imposed by the Administration on political appointees.</p>  |
| <p><b>Category 4:</b><br/>Employees of State or local government who are principally employed in connection with an activity which is funded in whole or in part by loans or grants made by the United States or a federal agency.</p> | <ul style="list-style-type: none"> <li>• Be a candidate for public office in partisan elections;</li> <li>• Use their official authority or influence to interfere with an election; or</li> <li>• Directly or indirectly coerce contributions from subordinates in support of a political party or candidate.</li> </ul>  |





## Chapter 4:

# Election Process

## Primary Election

Hawaii's primary election is held on the second Saturday of August in every even numbered year. The next Primary Election will be held on August 13, 2016 (HRS §12-2).

The primary election is a nomination process to select candidates to represent political parties and nonpartisans in the general election. The primary election replaces the traditional political party caucuses and conventions in which each political party chooses a slate of candidates to run in the general election. In a primary election, the voters, rather than the parties, choose the partisan or nonpartisan candidates who will run for office in the general election.

Hawaii conducts a "single-party" primary election. Voters do not declare their party preference prior to voting. Voters receive a ballot that includes political party and nonpartisan candidates but may only vote for one (1) affiliation.

Also on the ballot is a section for Office of Hawaiian Affairs (OHA) and county contests. This encompasses the nonpartisan OHA, County of Hawaii, County of Maui, County of Kauai, and City and County of Honolulu contests.

## General Election

The general election is held on the first Tuesday after the first Monday in November in an even numbered year. The next General Election will be held on November 8, 2016 (Hawaii State Constitution, Article II, Section 8).

The general election is held after the primary election to determine which of the candidates nominated in the primary will take office. To be placed on the general election ballot, individuals must be nominated in a primary election. The general election is a candidate contest, meaning voters are able to vote for the candidate of their choice regardless of partisan or nonpartisan affiliation.

Also on the ballot is a section for OHA, county contests, constitutional amendments, and county charter amendments and/or initiatives.

## Ballot Access

### Political Party Candidates

For ballot access to the primary election, individuals who wish to appear on the ballot as a candidate of a specific political party must belong to a qualified political party in Hawaii. Currently, the Democratic, Green, Hawaii Independent, Libertarian, and Republican parties are

qualified in Hawaii. Partisan candidates appear on their respective party ballots in the primary election.

New political parties have until 4:30 pm on February 25, 2016 to file a petition to qualify for the 2016 Elections.<sup>6</sup>

The person(s) receiving the greatest number of votes at the primary election as a candidate of a party for an office shall be the candidate of the party in the general election, but not more candidates for a party than there are offices to be elected (HRS §12-41(a)).

#### Nonpartisan Candidates

For ballot access to the primary election, individuals not affiliated with any political party in Hawaii may run as nonpartisan candidates for any partisan office. Nonpartisan candidates will appear in the nonpartisan section of the ballot in the primary election.

To qualify for the general election, nonpartisan candidates must meet one of the following qualifications:

- Receive at least ten percent (10%) of the votes cast for the office; or
- Receive a vote equal to or greater than the lowest vote received by the partisan candidate who was nominated.

If more nonpartisan candidates qualify to run in the general election than there are seats available, then the nonpartisan candidate who receives the most votes will appear on the general election ballot. (HRS §12-41(b)).

***Note: Nonpartisan qualification provisions for the general election do not apply to candidates for OHA, County of Hawaii, County of Maui, County of Kauai, and City and County of Honolulu offices.***

#### President and Vice President Candidates

Candidates for U.S. president and vice president may appear on the general election ballot in one of two ways:

- As a nominee of a political party qualified to place candidates on the primary or general election ballot; or
- As a nominee of a party or group not otherwise qualified to place candidates on the ballot, but for the fact that the group has met the presidential petition requirements (HRS §11-113).

The State of Hawaii does not have a presidential primary or provisions for write-in voting. Contact the Office of Elections to inquire about ballot access for president and vice president.

#### United States Senator or United States Representative Candidates

Candidates for federal legislative offices who are nominated in the primary election and are unopposed in the general election will be deemed elected to the office sought after the primary

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<sup>6</sup> Should additional parties become qualified; a revised list of parties will be available through the Office of Elections' website.

election regardless of the number of votes received by that candidate (United States Constitution, Article I, Section 4) (United States Amendment XX, Section 1) (HRS §12-41).

#### State Senate or State House of Representative Candidates

Candidates for state legislative offices who are nominated in the primary election and are unopposed in the general election will be deemed elected to the office sought after the primary election regardless of the number of votes received by that candidate (Hawaii State Constitution, Article III, Section 4).

#### OHA Candidates

Island Resident Trustees: If there is only one (1) candidate for a seat, the candidate is deemed elected at the close of filing. If there are two (2) candidates for a seat, they will only appear on the general election ballot. If there are three (3) or more candidates for a seat, they will appear on the primary election ballot. If a candidate receives majority of the votes cast (excluding blank and overvotes) at the primary election, then the candidate is deemed elected. Otherwise, the two (2) candidates receiving the most votes will appear on the general election ballot. The candidate who receives the most votes at the general election is deemed elected.

At-Large Trustee, one (1) regularly scheduled seat on the ballot: If there is only one (1) candidate, the candidate is deemed elected at the close of filing. If there are two (2) candidates, they will only appear on the general election ballot. If there are three (3) or more candidates, they will appear on the primary election ballot. The two (2) candidates receiving the most votes will appear on the general election ballot. The candidate who receives the most votes at the general election is deemed elected (HRS §13D-4).

#### County of Hawaii Candidates

A candidate who receives majority of the votes cast (excluding blank and overvotes) or is unopposed for a seat at the primary election, is deemed elected. The contest will not appear in the general election.

If no candidate receives majority of the votes cast for a seat at the primary election, the two (2) candidates receiving the most votes will appear on the general election ballot. The candidate who receives the most votes at general election is deemed elected (Hawaii County Charter, Article XIII, Section 13-27).

#### County of Maui Candidates

If there are two (2) or fewer candidates for a seat, they will only appear on the general election ballot. If there are three (3) or more candidates for a seat, they will appear on the primary election ballot. The two (2) candidates receiving the most votes will appear on the general election ballot. The candidate who receives the most votes at the general election is deemed elected. (Maui County Charter, Article 3, Section 3-2, and Article 7, Section 7-2).

#### County of Kauai Candidates

Prosecuting Attorney: If there is only one (1) candidate at the primary election, the candidate is deemed elected at that time. If there are two (2) or more candidates at the primary election, the two (2) candidates receiving the most votes will appear on the general election ballot. The candidate who receives the most votes at the general election is deemed elected.

Councilmember: The fourteen (14) candidates receiving the most votes at the primary election will appear on the general election ballot. The seven (7) candidates receiving the most votes at the general election will be deemed elected (Kauai County Charter, Article I, Section 1.03).

City and County of Honolulu Candidates

If there is only one (1) candidate for a seat, the candidate will appear on the primary election ballot, and be deemed elected at that time. If there are two (2) candidates for a seat, they will only appear on the general election ballot. If there are three (3) or more candidates for a seat, they will appear on the primary election ballot. If a candidate receives majority of the votes cast (excluding blank and overvotes) at the primary election, then the candidate is deemed elected. Otherwise, the two (2) candidates receiving the most votes will appear on the general election ballot. The candidate who receives the most votes at the general election is deemed elected (City and County of Honolulu Charter, Article XIII, Section 13-116).

Part Two:

# Candidate Filing



## Chapter 5:

# Candidate Filing Process

## Purpose

The candidate filing process enables qualified individuals to have their name appear on the ballot.

## Qualifications for Office

Qualifications vary according to the elective office sought, see *Qualifications for Elective Office* beginning on page 59.

## Residency Requirements

### State Elective Offices

A candidate running for state elective office with a district residency requirement must be a qualified voter of the district from which he/she seeks election.

### County Elective Offices

Candidates running for county offices should refer to the respective charter for county-specific district residency requirements.

## Felons

For state and county offices, under the “Uniform Act on Status of Convicted Persons” a person sentenced for a felony may not become a candidate for or hold public office from the time of the person’s sentence until the person’s final discharge (HRS §831-2). A felon must receive and present his/her final discharge papers before he/she is eligible to file a nomination paper.

## Nomination Paper

All candidates for elective office must file a nomination paper to appear on the ballot (HRS §12-3). The Office of Elections will issue and accept nomination papers for all federal and state elective offices, including the Office of Hawaiian Affairs (OHA). Nomination papers for county offices are only available from the respective county.

The nomination paper is available through the following locations:

- Office of Elections: Nomination paper for federal and state elective offices, including OHA.

- Clerk’s Office of the Counties of Hawaii, Maui, and Kauai: Nomination paper for the respective federal, state, and county elective offices.
- Clerk’s Office of the City and County of Honolulu: Nomination paper for City and County of Honolulu elective offices only.

Candidates may apply for more than one (1) nomination paper if they have not decided which office or party to run for. However, candidates may not file a nomination paper for more than one (1) party or for more than one (1) office; nor shall any person file a nomination paper both as a party candidate and as a nonpartisan candidate (HRS §12-3).

The Office of Elections and the Clerk’s Office will provide candidates assistance. However, it is the candidate’s responsibility to fulfill all of the requirements. Candidates are advised to file their nomination paper early and to allow ample time to comply with all of the requirements.

#### Changes to Nomination Paper

A new nomination paper is required if the candidate desires to change the candidate’s name, the office or district sought, or the party affiliation. Filing requirements and deadlines remain unchanged.

#### Incomplete or Altered Nomination Paper

A nomination paper which is incomplete (does not contain all of the required certifications, signatures, and requirements of HRS §12-3), or contains alterations or changes made by anyone other than the chief election officer or clerk shall be void and will not be accepted for filing.

#### Lost Nomination Paper

Candidates who lose their nomination paper should contact the office of issuance for a replacement set. Candidates are responsible for acquiring the required number of signatures on the reissued nomination paper. Filing requirements and deadlines remain unchanged.

## Signature Requirements

Prior to being filed, the nomination paper must be signed by a specific number of properly registered voters who are qualified to vote for the candidate. The candidate is responsible for ensuring that there are sufficient signatures of qualified voters on his/her nomination paper. The number of required signatures varies according to the office sought. See *Qualifications for Elective Office* beginning on page 59 for specific signature requirements.

To be valid, each signatory:

- Must include the last four digits of his/her social security number, name, signature, residence address, and date of birth for verification (HRS §12-3(a)(5)).

***Note: Mailing addresses will not be accepted in place of a residence address.***

- Must be registered to vote in the district from which the candidate seeks election.

***Note: Voter registration affidavits that have not been entered into the voter register by the clerk shall not be considered or accepted when determining whether a signatory is eligible to sign a candidate’s nomination paper (HRS §12-4(b)).***

- May sign a nomination paper for only one (1) candidate for a particular elective office if there is only one (1) seat available.

**Note: If more than one (1) seat is available for election, a signatory may sign as many nomination papers as there are available seats (HRS §12-4(a)).**

**Candidates are advised to file their nomination paper early and to obtain more signatures than is required in anticipation of invalid or unqualified signatories.** Once the nomination paper is filed and the filing fee is accepted, candidates will not be allowed to add more signatures.

## Withdrawal of Signatures

Voters may withdraw their signature from a candidate's nomination paper by providing written notice to the chief election officer or clerk, in the case of a county office, at any time before the candidate's nomination paper is filed. The written notice must include the voter's name, social security number, residence address, date of birth, the voter's signature, the name of the candidate, and a statement that the voter wishes to remove his/her signature from the candidate's nomination paper. State law also requires that the notice of withdrawal must be received by the chief election officer or clerk no later than 4:30 pm on the fourth business day prior to the close of filing. Any request received after the candidate's nomination paper is filed or after the fourth business day prior to the close of filing will not be accepted (HRS §12-4(c)).

The candidate shall be sent written notice, within 24 hours of receipt of a request, that the voter has withdrawn his/her signature from the candidate's nomination paper and the voter's signature will not be counted (HRS §12-4(d)).

## Filing the Nomination Paper

Candidates are encouraged to file their nomination paper at the office of issuance. The filing deadline for regular federal, state, and county elections is:

**4:30 pm, Tuesday, June 7, 2016**

It is recommended that all candidates file their nomination paper early. State law prohibits exceptions or extensions to the filing deadline.

Candidates requesting media coverage are advised to coordinate with the office of filing prior to sending a press release. This is to ensure the candidate's nomination paper is in order prior to filing and adequate accommodations are set.

## Certification by Candidates

All of the certifications listed below, except for the Oath of Loyalty/Affirmation which must be taken before a notary public or a public officer authorized by law to administer oaths, must be certified by each candidate by self-subscribing oath.

### All Candidates

Pursuant to Section 19-3.5, Hawaii Revised Statutes (HRS), any person who knowingly takes an oath prescribed or authorized by law and willfully makes any false statement of fact while under

oath therein shall be guilty of voter fraud, which is a Class C felony punishable by up to five (5) years imprisonment and/or a \$10,000 fine.

Each candidate must certify, by signing a self-subscribing oath on the nomination paper that he/she:

- Will qualify under the law for the office sought;
- Has determined that all of the information on the nomination paper is true and correct, except for the information provided by the registered voters who signed the nomination paper (signatories); and
- Is in compliance with Section 831-2, Hawaii Revised Statutes (HRS), regarding felons.

***Note: Candidates who have not received final discharge for a felony conviction are ineligible to be a candidate for public elective office in Hawaii (HRS §12-3).***

#### Partisan Candidates

Each partisan candidate must also certify, by signing a self-subscribed oath that he/she is a member of the political party listed on the nomination paper (HRS §12-3).

***Note: Candidates who are not bona fide members of a political party may be challenged and disqualified on that basis.***

#### County Candidates

Each county candidate must also certify, by signing a self-subscribed oath on the nomination paper, that he/she has complied with the relevant provisions of the applicable county charter and county ordinances pertaining to elected officials.

#### Oath of Loyalty/Affirmation

Each candidate must take and subscribe to a prescribed written Oath of Loyalty or Affirmation before a notary public or a public officer authorized by law to administer oaths (HRS §12-7). The Oath of Loyalty or Affirmation is printed on the nomination paper and may be completed before filing; or at the time of filing, depending on location. Check with the location before filing, as to whether a notary public or public officer authorized by law to administer oaths will be available.

Candidates should be prepared to provide a current identification containing the person's picture and signature (e.g., driver's license or state I.D.) when the Oath of Loyalty or Affirmation is subscribed to before the notary public.

#### Resignation from Office

Elected state or county public officials must resign from the office currently held before being eligible as a candidate for another state or county elective office. This applies only if the term presently held is not normally scheduled for election in the same year as the office sought. The candidate must resign from the office currently held before filing the nomination paper (Hawaii State Constitution, Article II, Section 7).

## Filing Fee

The filing fee, which varies with the office sought, must be paid by cash, money order, certified check, or cashier's check. Personal or campaign checks are not accepted. Candidates running for federal or state office and who file their nomination paper with the County of Hawaii, County of Maui, or County of Kauai are encouraged to pay the filing fee by money order, certified check, or cashier's check. Additionally, the filing fee is non-refundable (HRS §11-117). See *Qualifications for Elective Office* beginning on page 59 for the specific filing fees.

Money orders, certified checks, or cashier's checks should be made payable to:

Federal and State Candidates .....Office of Elections  
County of Hawaii Candidates .....Director of Finance  
County of Maui Candidates .....County of Maui  
County of Kauai Candidates .....Director of Finance  
City and County of Honolulu Candidates .....City and County of Honolulu

## Discounted Filing Fee

Candidates for state and county offices that agree to abide by the state's voluntary campaign expenditure limits may receive a discounted filing fee by submitting an *Affidavit to Voluntarily Agree with Campaign Expenditure Limits* to the Campaign Spending Commission prior to filing their nomination paper with the chief election officer or clerk.

To receive the discounted filing fee, the candidate must provide the chief election officer or clerk with a notarized filed copy of the affidavit at the time of filing (HRS §12-6).

## Candidates Who Agree to Comply With but Exceed the Spending Limits

A candidate who agrees to the expenditure limit, but subsequently exceeds the expenditure limit must pay the balance of the full filing fee and notify all opponents, the Office of Elections, and the Campaign Spending Commission by telephone and in writing the day the expenditure limits are exceeded. The candidate must also notify all contributors within 30 days of exceeding the limit that the expenditure limit was exceeded.

## Candidates Who Are Indigent

Candidates who declare themselves indigent via an affidavit may have the filing fee waived. The declaration must be accompanied by a petition signed by registered voters who constitute one-half of one percent (1/2%) of the total voters registered at the last preceding general election in the district from which the indigent person seeks election (HRS §12-6). Indigent candidates must file a nomination paper and comply with other filing requirements.

## Candidate's Ballot Name

Each candidate must designate the name that he/she wants to appear on the ballot at the time of filing. The ballot name may include Hawaiian and/or English equivalents or nicknames.

Each candidate is allowed a maximum of 27 characters on the ballot for his/her name including all letters, blank spaces, and punctuations. Titles and slogans are not permitted as part of the candidate's ballot name (HAR §3-173-4).

All candidates' names will be in the format prescribed by the Office of Elections to ensure the consistency and equality. The chief election officer is authorized to conform all names printed on the ballot to the format prescribed in Section 3-173-4, Hawaii Administrative Rules (HAR).

LASTNAME, Firstname M.I., Jr. (Nickname)

Candidates verify and confirm the correct spelling of their ballot name at the time of filing. Once the nomination paper is filed, the candidate's designated ballot name is not altered except for changes made by the Office of Elections to ensure consistency and equality.

## Audio Ballot

The Help America Vote Act of 2002 requires an audio version of the ballot for individuals with disabilities. Upon filing the nomination paper, the candidate will be asked to record his/her ballot name. This recording will be used to assist the production of the audio ballot ensuring the correct pronunciation of the ballot name. It will not be the actual recording used for the audio ballot.

## Withdrawal of Candidates

Candidates who have filed a nomination paper may withdraw their candidacy for the following reasons:

### For Any Reason

Candidates may withdraw in writing for any reason not later than 4:30 pm on the day immediately following the close of filing (HRS §11-117).

### For Reasons of Ill Health

Candidates may withdraw for reasons of ill health no later than the 50th day prior to the election. To withdraw, the candidate must submit a written notice to the chief election officer for a candidate seeking federal or state office, or the appropriate clerk for a candidate seeking county office. The notice is to be accompanied by a statement from a licensed physician or physician assistant indicating that such ill health may endanger the candidate's life (HRS §11-117).

## Objection to a Candidate's Nomination Paper

An objection to a candidate's nomination paper may be made by the chief election officer, the clerk in county elections, a registered voter, or an officer of a qualified political party. All objections must be received not later than 4:30 pm on the 60th day prior to the primary election (or next earliest working day if that day is a Saturday, Sunday, or holiday).

An objection by a registered voter is to be made to the chief election officer, who will reach a preliminary determination on the objection as to whether it may warrant disqualification. If the preliminary determination is that the objection may warrant disqualification then the chief election officer will file a complaint in the circuit court for a determination of the objection.

An objection by an officer of a qualified party is to be made by the officer directly filing a complaint in the circuit court for a determination of the objection (HRS §12-8).

Candidates will be notified of any challenge by registered or certified mail. Refer to Section 12-8, Hawaii Revised Statutes (HRS) for more specific information on challenges, evidentiary hearings, and decisions.

## Other Requirements

In addition to a nomination paper, candidates are required to file the following:

### Federal Elective Offices

- Campaign finance reports with the Federal Election Commission (see page 31); and
- Personal finance statements with the Clerk’s Office of the U.S. House of Representatives or the Secretary of the U.S. Senate (see page 31).

### State Elective Offices

- Campaign spending reports with the Campaign Spending Commission (see *Campaign Spending Commission* beginning on page 33); and
- Financial disclosure reports with the State Ethics Commission (see *State Ethics Commission* beginning on page 41).

### County Elective Offices

- Campaign spending reports with the Campaign Spending Commission (see *Campaign Spending Commission* beginning on page 33); and
- Financial disclosure reports with the County Board of Ethics and/or the County Clerks (see *State Ethics Commission* beginning on page 41).

***Note: Candidates for County of Kauai offices must file financial disclosure reports directly with the County Board of Ethics in the Office of the Mayor.***



## Chapter 6:

# Federal Elective Office

Federal candidates must comply with the requirements of the Federal Election Campaign Act of 1971 (the Act), as amended. The Act regulates the financing of campaigns for federal office, including candidates for the Office of the President, the United States Senate, and the United States House of Representatives. The Act also regulates any person or political committee that makes a contribution or expenditure to influence a federal election. The Federal Election Commission (FEC) administers the Act, which is codified under Title 2 of the United States Code.

## Federal Election Commission (FEC)

The FEC is an independent regulatory agency established in 1975 to administer and enforce the Federal Election Campaign Act. The FEC is composed of six voting members, appointed by the President and confirmed by the U.S. Senate.

The FEC administers and enforces the Act, which covers three broad areas:

- Disclosure of campaign finance information reported by political committees;
- Contributions and expenditures made to influence Federal elections; and
- Public funding of Presidential Elections.

## Campaign Finance Reports

Federal law defines a candidate for federal office as an individual who seeks nomination or election to that office and who has received contributions or made expenditures in excess of \$5,000, or who has given his or her consent to another person to do so.

An individual exceeding this \$5,000 threshold must, within fifteen (15) days, register as a candidate by filing a Statement of Candidacy (FEC Form 2) authorizing a principal campaign committee to raise and spend funds on his/her behalf. The committee must, within ten (10) days of the filing of the Statement of Candidacy, submit a Statement of Organization (FEC Form 1) and thereafter report its receipts and disbursements on a regular basis. Candidates for U.S. House of Representatives file with the FEC. Candidates for U.S. Senate file with the Secretary of the Senate.

Contact the FEC for more information on the Federal Election Campaign Act or other campaign filing deadlines.

## Personal Financial Statement

In addition to the campaign finance reports, federal candidates are required to file personal financial statements. Candidates for U.S. House of Representatives shall file the statement with

the Clerk's Office of the U.S. House of Representatives. Candidates for U.S. Senate shall file statements with the Secretary of the U.S. Senate. The forms are usually sent to candidates by the respective offices.

### For More Information

Federal Election Commission  
Informational Services  
999 East Street, North West  
Washington, D.C. 20463

Telephone: (800) 424-9530

Website: <http://www.fec.gov>

## Chapter 7:

# Campaign Spending Commission

The State of Hawaii Campaign Spending Commission consists of five members appointed by the Governor from nominees selected by the Judicial Council. The Commission through its executive director and staff are responsible for regulating campaign contributions and expenditures in the state. The campaign spending law is set forth in Chapter 11, Part XIII of Hawaii Revised Statutes (HRS) and the duties of the Commission are provided in HRS §11-314.

The Commission's mission is to maintain the integrity and transparency of the campaign finance process by:

- Enforcing the campaign spending law;
- Educating the public as to available campaign finance information;
- Administering the partial public financing program; and
- Training candidate and noncandidate committees regarding their respective reporting requirements in order to encourage correct reporting and timely compliance.

## Summary of Campaign Spending Law

An individual who seeks nomination or election to office is a candidate under the campaign spending law if the individual does any of the following:

- Files nomination papers for an office;
- Receives contributions, makes expenditures, or incurs financial obligations of more than \$100 to bring about the individual's nomination or election to office;
- Gives consent for any other person to receive contributions, make expenditures, or incur financial obligations to aid the individual's nomination or election office; or
- Is certified to be a candidate by the chief election officer or county clerk.

## Electronic Filing

All candidates and their committees must electronically file reports on the Candidate Filing System ("CFS") which can be accessed on the Commission's website at <http://www.hawaii.gov/campaign>.

## Registering

Candidates must register with the Commission by electronically filing an Organizational Report within ten (10) days from the date the candidate files nomination papers for office or within ten

(10) days from the date the candidate or candidate committee receives contributions or makes or incurs expenditures of more than \$100 in the aggregate during the applicable election period, whichever occurs first.

Candidates must submit the *Candidate Committee Electronic Filing Form* to obtain a username and password from the Commission to electronically file an Organizational Report on the CFS. The electronic filing form is available on the Commission's website.

#### Reporting and Recordkeeping

Once registered with the Commission, candidates must electronically file Disclosure Reports of campaign contributions and expenditures. The reporting schedule is available in this manual or on the Commission's website.

- All reports on campaign contributions must contain the amount and date of deposit of each contribution and the name and address of each contributor who makes contributions aggregating more than \$100 in an election period. The occupation and employer is additionally required of each contributor who makes contributions aggregating \$1,000 or more during an election period. If all the information is not on file, the contribution shall be returned to the contributor within thirty days of deposit. Contributions that aggregate \$100 or less in an election period will be reported as a total on the candidate's disclosure report.
- All reports on expenditures must include the name and address of each payee and the amount, date, and purpose of each expenditure. The candidate's committee must itemize expenditures for consultants, advertising agencies and similar firms, credit card payments, salaries, and candidate reimbursements to permit a reasonable person to determine the ultimate intended recipient of the expenditure and its purpose (HRS §11-333).
- The treasurer of a candidate's committee must establish and maintain itemized records showing the amount of each monetary contribution, the description and value of each nonmonetary contribution, and the name and address of each contributor making a contribution of more than \$25 in value (HRS §11-324(e)).
- Complete and accurate recordkeeping is essential. Obtain the *Treasurer's Guidebook* for assistance with establishing a recordkeeping system. The guidebook is available on the Commission's website.

#### Fundraisers

No fundraiser shall be held unless a *Notice of Intent to Hold a Fundraiser* form (Form CC-8) is filed with the commission setting forth the name and address of the person in charge, the price per person, the date, hour, and place of the fundraiser, and the method thereof.

The person in charge of the fundraiser must file the notice with the commission prior to the fundraiser and only if the function held for the benefit of a candidate or candidate committee is intended or designed, directly or indirectly, to raise contributions for which the price or suggested contribution for attending the function is more than \$25 per person.

#### Contribution Limits

Contributors are subject to limits on contributions to a candidate. The contribution limits vary according to the office that a particular candidate is seeking and is applicable to the election period for that office. No person shall make contributions to:

- A candidate seeking nomination or election to a two-year office or to a candidate committee in an aggregate amount greater than \$2,000 during a two-year election period;
- A candidate seeking nomination or election to a four-year nonstatewide office or to a candidate committee in an aggregate amount greater than \$4,000 during a four-year election period; and
- A candidate seeking nomination or election to a four-year statewide office or to a candidate committee in an aggregate amount greater than \$6,000 during a four-year election period (HRS §11-357).

The candidate and the candidate's immediate family:

- A candidate's immediate family is exempt from the above contribution limitations but shall be limited in the aggregate of \$50,000 in any election period. The aggregate amount of \$50,000 includes contributions and any loans made for campaign purposes to the candidate by immediate family members (HRS §11-359).
- A candidate has no limit on the amount of contributions and loans the candidate can make personally to fund his or her own campaign.
- A contribution by a dependent minor shall be reported in the name of the minor but included in the aggregate contributions of the minor's parent or guardian.

#### Election Period

An election period is defined as the two-year time period between the day after the last general election through the day of the next general election if a candidate is seeking nomination or election to a two-year office, and the four-year time period between the day after the last general election through the next day of the general election if a candidate is seeking nomination or election to a four-year office (HRS §11-302, "Election period").

#### Contributions from Nonresident Persons

Contributions from all persons, except for a member of the candidate's immediate family, who are not residents of the state at the time the contributions are made shall not exceed thirty percent of the total contributions received by a candidate or candidate committee for each election period (HRS §11-362).

#### Anonymous Contributions

No person shall make an anonymous contribution to any candidate or candidate committee. No candidate or candidate committee shall knowingly receive, accept, or retain an anonymous contribution, or report such contribution as an anonymous contribution.

No anonymous contribution received by a candidate or candidate committee shall be used or expended, but shall be returned to the contributor. If the contributor cannot be identified, the contribution shall escheat to the Hawaii election campaign fund.

The prohibition does not apply to amounts that aggregate less than \$100 that are received from ten or more persons at the same political function, which is known as the calabash bowl exception. The receipt of these contributions shall be disclosed in a report filed by a candidate committee (HRS §11-353).

### False Name Contributions

No person shall make a contribution to any candidate or candidate committee in any name other than that of the person who owns the money, property, or service.

All contributions made in the name of a person other than the owner of the money, property, or service shall escheat to the Hawaii election campaign fund (HRS §11-352).

### Advertisements

Any advertisement that is broadcast, televised, circulated, published, distributed, or otherwise communicated, including by electronic means, shall contain the name and address of the candidate, candidate committee, or other person paying for the advertisement.

Advertisements not paid for by a candidate or candidate committee must also contain a notice in a prominent location stating that the advertisement is with or without the approval and authority of the candidate.

Bumper stickers and other sundry items are exempt from the disclaimer requirement (HRS §11-302 "Advertisement").

The fine for violating this section shall not exceed \$25 for each advertisement that lacks the information required and shall not exceed an aggregate amount of \$5,000 (HRS §11-391).

### Withdrawal

The candidate committee and candidate who receives contributions for an election but fails to file nomination papers for that election shall return residual funds to the contributors no later than ninety days after the date on which nominations for that election shall be filed. Funds not returned to contributors shall escheat to the Hawaii election campaign fund.

The candidate committee and candidate who withdraws or ceases to be a candidate for the election because of death, disqualification, or other reasons shall return residual funds to the contributors no later than ninety days after the candidate ceases to be a candidate. Funds not returned to contributors shall escheat to the Hawaii election campaign fund. (HRS §11-384).

## Hawaii Election Campaign Fund & Public Funding Program

The Hawaii Election Campaign Fund was created during the 1978 Constitutional Convention as Article II, Section 5 of the Hawaii State Constitution. The legislature was directed to "establish a campaign fund to be used for partial public financing of campaigns of the State and its political subdivisions." The fund was established by the 1979 legislature and is currently under HRS §11-421.

The fund provides partial public funding to all qualified candidates. Public funding may be used to help defray specific campaign expenditures only. Monies for this fund primarily come from the voluntary \$3 state income tax check-off and interest on the fund's principal.

Candidates who voluntarily agree to abide by the campaign expenditure limits may apply for public funds under the public funding program. To be eligible to receive public funding, a candidate must meet the following requirements:

- File an Organizational Report;

- File nomination papers for an office and be qualified to be on the election ballot in a primary or general election;
- Have at least one (1) other qualified candidate as an opponent for the primary or general election for which public funds are sought;
- Voluntarily agree with the campaign expenditure limits established for that office by filing an *Affidavit to Voluntarily Agree with Campaign Expenditure Limits* with the Commission.

**Note: Candidates must file the Affidavit form with the Commission before filing nomination papers with the chief election officer or the clerk. Once the Affidavit has been filed it cannot be withdrawn.**

- File the *Statement of Intent to Seek Public Funds* with the Commission. A contribution received before the filing of the statement of intent to seek public funds is not a qualifying contribution; and
- Collect the minimum amount of qualifying contributions from individual residents of Hawaii and electronically report the contributor information in the CFS on the *Statement of Qualifying Campaign Contributions* and attach a printed copy of this report with the *Application for Public Funds* which must be filed with the Commission.

#### Campaign Expenditure Limits

Campaign expenditure limits are mandatory for a candidate who voluntarily participates in the public funding program. The limits are calculated by multiplying the following amounts provided below by the number of voters in the last preceding General Election registered to vote in each respective district (HRS §11-423):

|   |        |
|---|--------|
| Governor .....                                      | \$2.50 |
| Lieutenant Governor .....                           | \$1.40 |
| Mayor.....  | \$2.00 |
| State Senator and State Representative.....         | \$1.40 |
| County Councilmember and Prosecuting Attorney ..... | \$1.40 |
| Office of Hawaiian Affairs Trustees.....            | \$0.20 |

The specific expenditure limits for each office can be obtained from the Commission’s website.

The benefits of filing the Affidavit form to voluntarily agree with campaign expenditure limits include a discounted filing fee and eligibility to participate in the public funding program.

A candidate who exceeds their expenditure limit must pay the full filing fee and notify all opponents, the Office of Elections, and the Commission by telephone and in writing the day the expenditure limits are exceeded. The candidate must also notify all contributors within thirty days of exceeding the limit that the expenditure limit was exceeded (HRS §11-426).

#### Qualifying Contributions

As a condition of receiving public funds, a candidate must be in receipt of the following sum of qualifying contributions from individual residents of Hawaii during the matching payment period involved (HRS §11-429):

|  |           |
|--|-----------|
| Governor .....                           | \$100,000 |
| Lieutenant Governor .....                | \$50,000  |
| Mayor, City and County of Honolulu ..... | \$50,000  |

|  |          |
|--|----------|
| Mayor, County of Hawaii .....                          | \$15,000 |
| Mayor, County of Maui .....                            | \$10,000 |
| Mayor, County of Kauai .....                           | \$5,000  |
| Prosecuting Attorney, City and County of Honolulu..... | \$30,000 |
| Prosecuting Attorney, County of Hawaii.....            | \$10,000 |
| Prosecuting Attorney, County of Kauai.....             | \$5,000  |
| City Council, City and County of Honolulu .....        | \$5,000  |
| County Council, County of Hawaii.....                  | \$1,500  |
| County Council, County of Maui .....                   | \$5,000  |
| County Council, County of Kauai .....                  | \$3,000  |
| State Senator.....                                     | \$2,500  |
| State Representative .....                             | \$1,500  |
| Office of Hawaiian Affairs Trustee .....               | \$1,500  |

A qualifying contribution is defined as an aggregate monetary contribution of \$100 or less, by an individual resident of Hawaii during a matching payment period that is received after a candidate files a statement of intent to seek public funds. Qualifying contributions do not include loans, in-kind contributions, or the candidate’s own funds (HRS §11-302).

A candidate shall obtain the minimum amount of qualifying contributions only once for the election period. The candidate is eligible to receive:

- The minimum payment in an amount equal to the qualifying contribution amounts; and
- Payments of \$1 for each \$1 of qualifying contributions in excess of the minimum qualifying contribution amounts;

provided that the candidate shall not receive more than the maximum amount of public funds available to a candidate; provided further that the candidate shall not receive public funds for a primary election if the candidate does not obtain the minimum qualifying contribution amounts before the date of the primary election.

#### Maximum Amount of Public Funds

For candidates running for the Office of Governor, Lieutenant Governor, or Mayor, the maximum amount of public funds available in each election shall not exceed ten percent of the expenditure limit established in HRS §11-423(d) for each election (HRS §11-425(a)).

For candidates running for the Office of State Senator, State Representative, County Councilmember, and Prosecuting Attorney, the maximum amount of public funds available in each election shall not exceed fifteen percent of the expenditure limit established in HRS §11-423(d) for each election (HRS §11-425(b)).

For candidates running for the Office of Hawaiian Affairs, the maximum amount of public funds available to a candidate shall not exceed \$1,500 in any election year (HRS §11-425(c)).

The specific maximum amounts for each office can be obtained from the Commission’s website.

#### Matching Payment Period

The matching payment periods are as follows:

For a primary election, from January 1 of the year of a General Election through the day of the Primary Election; and

For a general election, from January 1 of the year of a General Election through the day of the General Election.

## Fines

The fine for not filing a report by the due date shall not exceed \$50 per day for the first seven days, beginning with the day after the due date of the report, and shall not exceed \$200 per day thereafter, except for the 2nd Preliminary Primary Report and the Preliminary General Report, for which the fine is \$300 per day beginning with the day after the due date of the report. There is a cap on fines and a minimum (HRS §11-340(b) and (c)).

If the Commission determines that a report is substantially defective or deficient, a notice is sent to the candidate committee by first class mail that the report is substantially defective or deficient. If the corrected report is not filed on or before the fourteenth day after the notice was mailed, the fine is \$50 per day for the first seven days, beginning with the fifteenth day after the notice was sent, and shall not exceed \$200 per day thereafter. There is a cap on fines and a minimum (HRS §11-340(d)).

The Commission may also make a decision or issue an order affecting any person violating any campaign finance law and may assess an administrative fine as follows:

1. If an individual, not to exceed \$1,000 for each occurrence or an amount equivalent to three times the amount of an unlawful contribution or expenditure; or
2. If a corporation, organization, association, or labor union, an amount not to exceed \$1,000 for each occurrence;

Provided that whenever a corporation, organization, association, or labor union violates the campaign spending law, the violation may be deemed to be also that of the individual directors, officers, or agents of the corporation, organization, association, or labor union, who have knowingly authorized, ordered, or done any of the acts constituting the violation (HRS §11-410(a)).

## For More Information

State of Hawaii  
Campaign Spending Commission  
Leiopapa A Kamehameha Building  
235 South Beretania Street, Room 300  
Honolulu, Hawaii 96813

Telephone: (808) 586-0285  
Fax: (808) 586-0288  
Website: <http://www.hawaii.gov/campaign>

Neighbor Island residents can reach the Commission by calling the applicable number below and entering extension 60285:

|               |                |
|---------------|----------------|
| Hawaii.....   | 974-4000       |
| Maui.....     | 984-2400       |
| Lanai.....    | 1-800-468-4644 |
| Molokai ..... | 1-800-468-4644 |
| Kauai .....   | 274-3141       |



## Chapter 8:

# State Ethics Commission

The State Ethics Code is a code of conduct for state legislators, state employees (excluding justices and judges), and state board and commission members. It was created to ensure that state officials and employees exhibit the highest standards of ethical conduct. The State Ethics Code is administered by the State Ethics Commission and is set forth in Chapter 84 of the Hawaii Revised Statutes (HRS).

The State Ethics Commission consists of five (5) members appointed by the Governor, who fills each commission position by selecting one (1) of two (2) individuals nominated for each vacancy by the Judicial Council. The Commission, whose primary function is to administer the State Ethics Code, is responsible for:

- Initiating, receiving, and considering charges of alleged violations of the State Ethics Code;
- Issuing advisory opinions to state officials and employees regarding the State Ethics Code's application to specific situations;
- Administering the financial disclosure law (HRS §84-17);
- Administering the gifts disclosure law (HRS §84-11.5);
- Educating state officials, employees, and citizens on matters of governmental ethics; and
- Administering the lobbyist law (Chapter 97, HRS).

## Candidate Financial Disclosure Forms Filing Procedures

### Candidates for State Offices

All candidates for state elective office are required by state law to file a disclosure of financial interests with the State Ethics Commission. These disclosures are public records and are available for public inspection (HRS §84-17).

Financial disclosure forms may be filed electronically on the State Ethics Commission's website. If filed in paper format, forms must be completed, printed, signed, and mailed or delivered to the State Ethics Commission. Candidates may request disclosure forms by contacting the State Ethics Commission at (808) 587-0460. Candidates should file their completed financial disclosure forms with the State Ethics Commission after filing their nomination papers. The State Ethics Commission will send an acknowledgement to candidates upon receipt of their disclosure forms.

## Candidates for County

Candidates for county elective offices must file financial disclosure forms with the appropriate Clerk's Office and/or with the County's Ethics Commission.

***Note: Candidates for County of Kauai contests must file financial disclosure reports directly with the County Board of Ethics in the Office of the Mayor.***

## Deadline for Candidates for State Offices

Financial disclosure forms must be filed with the State Ethics Commission. Do not file disclosure forms with the Office of Elections or the Clerk's Office. Disclosure forms for candidates for state elective office, including Office of Hawaiian Affairs (OHA) candidates, must be filed and received by the State Ethics Commission no later than Friday, July 22, 2016.

No extensions are granted because of the limited time between the filing deadline and the election. Disclosure forms must be received (not simply postmarked) by the State Ethics Commission by the deadline date. Neighbor island candidates are, therefore, advised to file electronically or allow sufficient mailing time to meet the deadline. Candidates may also deliver disclosure forms to the State Ethics Commission in person. As required by statute, the Commission shall release a public list of the names of candidates who have not complied with the applicable filing deadline and shall immediately assess a \$25 late filing penalty fee against those candidates. The Commission may also investigate whether a candidate's financial disclosure statement discloses the interests required to be reported. The Commission may conduct a hearing and issue a public decision as to whether a candidate has complied with the financial disclosure law (HRS §84-17).

## Campaign Ethics

Candidates for state elective offices should be aware that there are ethics laws that apply to the political campaign activities of state legislators, employees, and board and commission members. Copies of the Commission's flyer, *Campaign Restrictions for State Officials and State Employees*, are available from the State Ethics Commission. To avoid inadvertent violations of the State ethics laws, refer to Chapter 84 of the Hawaii Revised Statutes or contact the State Ethics Commission for information and guidance.

## For More Information

Hawaii State Ethics Commission  
1001 Bishop Street, Suite 970  
Honolulu, Hawaii 96813

Telephone: (808) 587-0460  
Fax: (808) 587-0470  
E-mail: [ethics@hawaiiethics.org](mailto:ethics@hawaiiethics.org)  
Website: <http://ethics.hawaii.gov/>

Part Three:

# References



# Frequently Asked Questions

**1. Do I have to pick up my nomination paper in person?**

No. The candidate may authorize someone to pick up his/her nomination paper. The authorized person must be able to provide specific information about the candidate such as, legal name, date of birth, social security number, home and mailing address, telephone numbers, and a contact person's name and phone number.

Once a nomination paper is issued, no alterations or changes will be made. If the information is incorrect, the nomination paper will not be accepted for filing.

**2. Why should I pick up my nomination paper in person?**

When picking up a nomination paper, the person issuing the paper will explain the filing process and answer any questions you may have. As the candidate, you are responsible for complying with the filing requirements and understanding the applicable laws regardless of who picks up the nomination paper. If you are a first time candidate, we strongly recommend that you pick up your nomination paper in person.

**3. What should I do if I lose my nomination paper?**

If you lose your nomination paper, contact the office of issuance immediately. You must still acquire the required signatures and meet the filing deadline and requirements.

**4. What should I do if I decide to run for a different office or under a different political party?**

If you wish to make any change on the nomination paper, you must request a new set. Do not alter any information on the nomination paper. A nomination paper that has been altered in any way will not be accepted for filing.

**5. Can someone other than myself file my nomination paper or can I mail it in?**

Our laws do not prohibit a candidate from having another person file his/her nomination paper or from filing through the mail. However, we strongly recommend that you file your nomination paper in person to ensure that you fulfill all of the requirements. The nomination paper submitted by mail must be received by the candidate filing deadline (not post-marked).

Each candidate is required to sign many documents in the nomination process. If any document is incomplete, the problem can be easily rectified when a candidate files in person.

**6. What do I need when I come in to file my nomination paper?**

You will need the following items when you come in to file your nomination paper:

- Your original nomination paper containing at least the minimum signatures required;
- Your filing fee in the form of cash, money order, certified check, or cashier's check. Personal or campaign checks will not be accepted;

***Note: Candidates for federal or state office filing in the Counties of Hawaii, Maui, or Kauai are encouraged to pay by money order, certified check, or cashier's check.***

- A notarized filed copy of the *Affidavit to Voluntarily Agree with Campaign Expenditure Limits* from the Campaign Spending Commission if you wish to qualify for the discounted filing fee; and
- A current identification containing your picture and signature (such as driver's license or State I.D.) for when you take the Oath of Loyalty/Affirmation.

***Note: Check with the location before filing, as to whether a notary public or public officer authorized by law to administer oaths will be available.***

**7. What happens if some of the people who sign my nomination paper are not registered voters, or do not live within the district I seek to represent?**

Signatures of persons who are not properly registered to vote or who do not reside in the correct district will not be counted. The Office of Elections, or the Clerk's Office, will verify that the people who sign your nomination paper are properly registered and eligible to sign your nomination paper before you file the nomination paper.

We strongly recommend that you obtain more signatures than required and file your nomination paper early to avoid the consequence of insufficient signatures. If you wait until the last day to file your nomination paper and the number of signatures, for any reason, is insufficient, you may not qualify to be a candidate. If you file early, and the number of valid signatures on your nomination paper is insufficient, you will have an opportunity to obtain additional signatures before the deadline.

**8. What happens if my nomination paper does not have the required number of signatures or are incomplete in any way?**

State law prohibits the chief election officer or clerk from accepting or filing any nomination paper that is incomplete or does not have the required number of valid signatures.

**9. If I am running as a partisan candidate, by what date do I have to be a member of the political party?**

You must be a member of the political party from which you seek office before you file your nomination paper. Our state law requires that you sign a certification, by self-subscribing oath, which states that you are a member of the specific party when you file

your nomination paper. If you are not a member of the party when you file your nomination paper, you may be disqualified on that basis.

**10. May I change the way my name will appear on the ballot after I file my nomination paper?**

No. Once the nomination paper is filed you will not be allowed to alter it in any way. This includes changing the way your name will appear on the ballot as designated on your nomination paper. Make sure your name is spelled correctly before you file your nomination paper.

**11. What if I change my residence address after I file my nomination paper?**

Once you file you may not alter your nomination paper in any way. This includes changing the residence address listed on your nomination paper. Although we will not make a change directly on the nomination paper, we will attach your written notification of your change of address to your nomination paper.

If the list of candidates has not been certified, you may request that the information in that list be updated. If the list has already been certified, then we will not make the change to that list. We will, however, retain the change of residence address as part of your record.

**12. May I add additional signatures to my nomination paper after I file them?**

No. Once the nomination paper is filed you will not be allowed to alter it in any way. This includes adding additional signatures to your nomination paper. You are responsible for ensuring that the people who sign your nomination paper are qualified voters and reside in the correct district before they sign your nomination paper. Make sure your nomination paper contains the required number of signatures of qualified voters in the district before you file.

**13. What do I have to do if I change my mind about being a candidate after filing my nomination paper?**

After filing your nomination paper, you must officially withdraw from the election by submitting a request to withdraw to the chief election officer, or to the clerk in the case of county offices, by the withdrawal deadlines (see *2016 Election Calendar* beginning on page 5).

You may withdraw for any reason up to 4:30 p.m. on the day immediately following the close of filing. After this deadline, you have until the fiftieth day prior to the election to withdraw for reasons of ill health only. Requests to withdraw for reasons of ill health must be accompanied by a statement from a licensed physician or physician assistant indicating that such ill health may endanger the candidate's life.

**14. If I run as a nonpartisan candidate in a partisan office, will I automatically go on the general election ballot if I win my primary?**

No. Nonpartisan candidates who seek a partisan office must qualify to appear on the general election ballot. To qualify a nonpartisan candidate must:

- Receive at least ten percent (10%) of the votes cast for the office; or

- Receive a vote equal to or greater than the lowest vote received by the partisan candidate who was nominated.

If more nonpartisan candidates qualify to run in the general election than there are seats available, then the nonpartisan candidate who receives the most votes will appear on the general election ballot.

The nonpartisan qualification provisions listed above do not apply to candidates for Office of Hawaiian Affairs (OHA), County of Hawaii, County of Maui, County of Kauai, and City and County of Honolulu.

**15. When and why must an elected official resign from public office?**

A State or County elected official must resign from public office if he/she is seeking another State or County elective office; and the elected official's current term does not end in the same year as the office sought. The resignation requirements apply only to State and County offices. The candidate must resign from the office currently held before filing his/her nomination paper.

**16. In what order will candidate names appear on the ballot?**

Our laws require that the names of the candidates shall be placed upon the ballot for their respective offices in alphabetical order by the candidate's last name except for those cases listed below.

**Candidate Vacancies**

The name of the replacement candidates shall be printed in an available and appropriate place on the ballot, not necessarily in alphabetical order.

**Vice President or Lieutenant Governor**

In the general election, the name of the candidate for Vice President or Lieutenant Governor shall be placed immediately below the name of the candidate for President or Governor, respectively, of the same political party. The teams are placed on the ballot in alphabetical order by the last name of the candidate for President and Governor, respectively.

**17. How can I get a list of candidates?**

Lists of applicants and candidates are updated and available every Friday after close of business during the candidate filing period on the Office of Elections' website located at <http://www.elections.hawaii.gov>.

The list is also available at the Office of Elections and Clerk's Office. These lists will not be mailed or faxed by any of the offices.

**18. Where can I get preprinted labels?**

Preprinted mailing labels may be obtained for a fee from various service bureaus. The preprinted mailing labels may be obtained and used for election purposes only. Contact the Clerk's Office for a listing of service bureaus.

## Chapter 10:

# County of Hawaii

County of Hawaii  
Office of the County Clerk  
25 Aupuni Street, Room 1502  
Hilo, Hawaii 96720

Telephone: (808) 961-8277  
Fax: (808) 961-8673  
E-mail: [hiloelec@co.hawaii.hi.us](mailto:hiloelec@co.hawaii.hi.us)  
Website: <http://www.hawaiicounty.gov>

## Financial Disclosure Statements

Hawaii County Code, Chapter 2, Article 15, Section 2-91.1, requires that all elected officials and candidates for county office must file financial disclosure statements with the Office of the County Clerk - Elections Division. Candidates for elective county office, including incumbents, shall file statements within ten (10) working days after the deadline for filing for office. Additionally, elected officials must file disclosure statements within twenty (20) working days after taking the oath of office and on/or before January 31 of each year thereafter until the end of the term of office.

## Campaign Sign Regulations

Hawaii County Code, Chapter 3, Section 3-3, Definitions:

(8) "Sign" shall mean any sign, device, figure, painting, picture, drawing, placard, poster, awning, canopy, street clock, light model, notice or bill, including announcement, declaration, display, illustration insignia, or message used to advertise or promote the interests of any person when it is placed outdoors on real property in buildings or structures on real property or buildings in view of the general public.

Hawaii County Code, Chapter 3, Section 3-32(a)(1), Exempt Signs:

(D) Political Campaign Signs: Any sign or poster not exceeding one square foot in area, announcing a candidate seeking political office; provided that the sign or poster is permitted only for a period of 60 days preceding a general or special election and for a period of 10 days following such election. Note: Act 194, signed into law on June 18, 2003 amended HRS Sec. 44-112(1) to remove any durational limits on the posting of political signs. As such, any durational limits on the posting of political campaign signs in the County Code are no longer applicable. Conformance with all other sign requirements addressed by the building and traffic provisions of the County Code will still be required. For further information, please contact the Department of Public Works at 961-8331 or a private attorney.



## Available Election Material

- County Disclosure of Financial Interests Forms
- Purchase of Voter Registration Data File for Election Purposes Only
- County of Hawaii Council District Maps (\$5.50)

## For Use in Clerk's Office

Voter Register for Public Use and Election Purposes Only

## Chapter 11:

# County of Maui

County of Maui  
Office of the County Clerk  
200 South High Street, Room 708  
Wailuku, Hawaii 96793

Telephone: (808) 270-7749  
Fax: (808) 270-7171  
E-mail: [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)  
Website: <http://www.mauicounty.gov/elections>

## Financial Disclosure Statements

Section 10-3 of the Maui County Charter requires that all candidates for elective county office file a financial disclosure statement concurrently with the filing of nomination papers.

## Campaign Sign Regulations

Maui County Code, Chapter 16.12A, Noncommercial Signs:

Section 16.12A.030, Signs Authorized for all districts without a permit: For all districts, signs or posters not exceeding eighteen square feet in display surface, announcing candidates seeking political office are authorized.

## Available Election Material

- County Disclosure of Financial Interests Forms
- Election Maps
- Purchase of Voter Registration Data File for Election Purposes Only

## For Use in Clerk's Office

Voter Register for Public Use and Election Purposes Only



## Chapter 12:

# County of Kauai

Office of the County Clerk  
4386 Rice Street, Room 101  
Lihue, Hawaii 96766

Telephone: (808) 241-4800  
Fax: (808) 241-6207  
E-mail: [elections@kauai.gov](mailto:elections@kauai.gov)  
Website: <http://www.kauai.gov>

## Financial Disclosure Statements

Section 3-1.9 of the Kauai County Code requires that candidates for elective county office shall, within (7) seven days of filing nomination paper, file with the Board of Ethics a financial disclosure statement. Upon assuming office, newly elected officials shall file an amended financial disclosure statement within (30) days of assuming office.

## Campaign Sign Regulations

Section 15-4.6 Signs Not Requiring a Permit.

The following types of signs are exempt from the permit requirements of this Article, but must comply with the requirements of sections 15-4.4 (Prohibited Signs), 15-4.7 (Construction and Location of Signs), and 15-4.10 (Violation and Penalty).

(a) Temporary Signs.

(2) Political Campaign Sign. Any sign which:

(A) Identifies the headquarters of a political candidate, and shall not exceed the size limitation set forth in Section 15-4.5(b).

(B) Identifies and/or provides information about a political candidate or issue to be voted upon. It shall not be posted within the street right-of-way boundary of any public road or highway and shall not block, obstruct or impede, partially or completely, any public sidewalk or pedestrian walkway and shall not exceed the size limitations set forth in Section 15-4.5(b).

Please review Article 4, Section 15 (Outdoor Signs) of the Kauai County Code for more complete and thorough information on campaign sign regulations for the county of Kauai and direct any questions to:



Buildings Division  
Department of Public Works  
4444 Rice Street, Suite 175  
Lihue, Hawaii 96766-1340  
Telephone: (808) 241-4854  
Fax: (808) 241-6806

### Available Election Material

- Certificate of Registration (\$1.00)
- Election Laws of Hawaii Handbook
- Election Maps
- Purchase of Voter Registration Data File for Election Purposes Only
- Purchase of Voter Registration Street Directory

### For Use in the Clerk's Office

Voter Register for Public Purpose

## Chapter 13:

# City and County of Honolulu

Office of the City Clerk  
Honolulu Hale  
530 South King Street, Room 100  
Honolulu, Hawaii 96813

Telephone: (808) 768-3800  
Fax: (808) 768-3835  
E-mail: [clerks@honolulu.gov](mailto:clerks@honolulu.gov)  
Website: <http://www.honoluluelections.us>

## Financial Disclosure Statements

Section 3-8.4 of the Revised Ordinances of Honolulu requires that candidates for City and County of Honolulu elective offices, including incumbents, file financial disclosure statements with the Clerk's Office within (10) working days after the deadline for filing for office. Additionally, elected officials must file financial disclosure statements within (20) working days after taking the oath of office on/or before January 31 of each year thereafter until the end of the term of office.

## Campaign Sign Regulations

### General Regulations

Political campaign signs fixed to the ground or to a structure were prohibited under Section 21-3.90-2(d) of the Land Use Ordinance (LUO). This prohibition, however, was found unconstitutional by the courts and was repealed by the Council. Therefore, no regulation exists at present.

### Campaign Headquarters Sign

Signs identifying the campaign headquarters of a political candidate or issue are permitted, and are regulated as "business signs." Such signs must be located on the premise of the headquarters, and are subject to the LUO sign regulations regarding number, type, and size for the underlying zoning district (see Section 21-3.90-3).

Signs associated with campaign headquarters which are located in the following places are regulated:

- On the lot outside the campaign office; or

- On the exterior face of the building where the campaign headquarters is located; or directly fixed to a window (inside or outside) of the campaign office when they can be seen from a public right-of-way or the parking lot of an adjoining lot.

Before installing a headquarters sign, it is necessary to obtain a sign permit issued by the Planning and Permitting Department located in the Honolulu Municipal Building. Detailed information on such signs and interpretation or clarification of the rules may be obtained over the business counter or by calling the Planning and Permitting Department, Permit Issuance Section, at 768-8000.

#### Bumper Stickers

The LUO does not regulate advertisements fixed to a motor vehicle.

#### Hand Carried Signs

The LUO does not regulate political signs carried by individuals.

#### Aerial Advertisement

No person shall use any type of aircraft or other self-propelled or buoyant airborne object to display in any manner or for any purpose whatsoever any sign or advertising device. For the purpose of this section, a "sign or advertising device" includes, but is not limited to, a poster, banner, writing, picture, painting, light, model, display, emblem, notice, illustrations, insignia, symbol, or any other form of advertising sign or device.

#### Available Election Material

- Certificate of Registration (\$0.50)
- Council District Maps Description Book (\$10.00)
- Election Laws of Hawaii Handbook
- Ethics Commission Forms
- Voter Registration Street Directory (\$5.00)

#### For Use in Clerk's Office

- Results of Votes Cast
- Voter Register for Public and Election Purposes Only

## Chapter 14:

# State of Hawaii

Office of Elections  
State of Hawaii  
802 Lehua Avenue  
Pearl City, Hawaii 96782

Telephone: (808) 453-VOTE (8683)  
Neighbor Islands: (800) 442-VOTE (8683)  
Fax: (808) 453-6006  
E-mail: [elections@hawaii.gov](mailto:elections@hawaii.gov)  
Website: <http://www.elections.hawaii.gov>

### Available Election Material

- FACTSHEETS Containing Election Information
- List of Applicants/Candidates for 2016 Elective Offices
- Political Boundary Maps (\$6.00 each)
- Voter Registration & Permanent Absentee Forms
- Written Description of District and Precinct Boundaries

### For Use in the Office of Elections

- Political Boundary Maps
- Voter Register for Public and Election Purposes



## Chapter 15:

# Qualifications for Elective Office

### Federal Offices

| Office   | Qualifications  | Nomination Requirements  |
|--|---|--|
| <p><b>President/Vice President</b><br/>Elected as one ticket<br/>Statewide<br/>Term: Four years<br/>Jan 2017 – Jan 2021</p>      | <ul style="list-style-type: none"> <li>• Natural born citizen of the U.S.</li> <li>• Resident of the U.S. for 14 years prior to election</li> <li>• At least 35 years of age</li> </ul> | <ul style="list-style-type: none"> <li>• Qualified political party files sworn application with chief election officer by 4:30 pm, September 9, 2016; or</li> <li>• Party or group not qualified to place candidates on ballot, files sworn application and petition with chief election officer by 4:30 pm, August 10, 2016.</li> </ul> |
| <p><b>U.S. Senate</b><br/>One Seat<br/>Statewide<br/>Term: Six years<br/>Jan 2017 – Jan 2023</p>                                 | <ul style="list-style-type: none"> <li>• U.S. citizen for 9 years prior to election</li> <li>• Inhabitant of Hawaii when elected</li> <li>• At least 30 years of age</li> </ul>         | <ul style="list-style-type: none"> <li>• File nomination paper containing not less than 25 signatures of registered voters of Hawaii by 4:30 pm, June 7, 2016.</li> <li>• Submit filing fee: \$75.00</li> </ul>  |
| <p><b>U.S. Representative</b><br/>Two Seats<br/>Congressional Districts I and II<br/>Term: Two years<br/>Jan 2017 – Jan 2019</p> | <ul style="list-style-type: none"> <li>• U.S. citizen for 7 years prior to election</li> <li>• Inhabitant of Hawaii when elected</li> <li>• At least 25 years of age</li> </ul>         | <ul style="list-style-type: none"> <li>• File nomination paper containing not less than 25 signatures of registered voters of Congressional District by 4:30 pm, June 7, 2016.</li> <li>• Submit filing fee: \$75.00</li> </ul>  |

For state and county candidates, a person sentenced for a felony may not become a candidate from the time of the person's sentence until the person's final discharge (HRS §831-2).

## State Offices<sup>7</sup>

| Office   | Qualifications   | Nomination Requirements   |
|--|--|---|
| <p><b>State Senate<sup>8</sup></b><br/>           14 of 25 Seats<br/>           Districts 1<sup>9</sup>, 2, 5, 8, 9, 10, 11, 13, 14, 15, 19, 20, 22, and 25<br/>           Term: Four years<br/>           Nov 2016 – Nov 2020</p>   | <ul style="list-style-type: none"> <li>Resident of Hawaii for not less than 3 years</li> <li>Qualified voter of the appropriate State Senatorial District</li> </ul> | <ul style="list-style-type: none"> <li>File nomination paper containing not less than 15 signatures of registered voters of State Senatorial District by 4:30 pm, June 7, 2016.</li> <li>Submit filing fee: \$250.00 (Discounted fee: \$25.00)</li> </ul> |
| <p><b>State Representative</b><br/>           All 51 Representative District Seats<br/>           Term: Two years<br/>           Nov 2016 – Nov 2018</p>   | <ul style="list-style-type: none"> <li>Resident of Hawaii for not less than 3 years</li> <li>Qualified voter of the appropriate State House District</li> </ul>      | <ul style="list-style-type: none"> <li>File nomination paper containing not less than 15 signatures of registered voters of State House District by 4:30 pm, June 7, 2016.</li> <li>Submit filing fee: \$250.00 (Discounted fee: \$25.00)</li> </ul>      |
| <p><b>Office of Hawaiian Affairs (OHA)<sup>10</sup>, Board of Trustees</b><br/>           4 of 9 Seats, Nonpartisan Offices<br/>           1 – resident of Hawaii<br/>           1 – resident of Molokai<br/>           1 – resident of Kauai<br/>           1 – no island residency required<br/>           Term: Four years<br/>           Nov 2016 – Nov 2020</p> | <ul style="list-style-type: none"> <li>Resident of respective island for seats requiring residency</li> <li>Registered voter of Hawaii</li> </ul>                    | <ul style="list-style-type: none"> <li>File nomination paper containing not less than 25 signatures of registered voters of Hawaii by 4:30 pm, June 7, 2016.</li> <li>Submit filing fee: \$250.00 (Discounted fee: \$25.00)</li> </ul>                    |

<sup>7</sup> The next scheduled election for Governor and Lieutenant Governor will be in 2018.

<sup>8</sup> The next scheduled election for State Senators with terms not expiring in 2016 will be in 2018.

<sup>9</sup> The election for Senate District 1 is to fill the remainder of the term expiring in 2018.

<sup>10</sup> The next scheduled election for OHA Board of Trustees with terms not expiring in 2016 will be in 2018.

## County of Hawaii Offices

| Office  | Qualifications   | Nomination Requirements  |
|---|--|--|
| <p><b>Hawaii Mayor</b><br/>One Seat, Nonpartisan Office<br/>Term: Four years<br/>Dec 2016 – Dec 2020</p>                | <ul style="list-style-type: none"> <li>• Qualified voter of Hawaii County for at least 1 year prior to election</li> </ul>   | <ul style="list-style-type: none"> <li>• File nomination paper containing not less than 15 signatures of registered voters of Hawaii County by 4:30 pm, June 7, 2016.</li> <li>• Submit filing fee: \$500.00 (Discounted fee: \$50.00)</li> </ul>                |
| <p><b>Hawaii Prosecuting Attorney</b><br/>One Seat, Nonpartisan Office<br/>Term: Four years<br/>Dec 2016 – Dec 2020</p> | <ul style="list-style-type: none"> <li>• Qualified voter of Hawaii County for at least 1 year prior to election</li> <li>• Licensed attorney in good standing before the Supreme Court of the State of Hawaii</li> </ul>           | <ul style="list-style-type: none"> <li>• File nomination paper containing not less than 15 signatures of registered voters of Hawaii County by 4:30 pm, June 7, 2016.</li> <li>• Submit filing fee: \$250.00 (Discounted fee: \$25.00)</li> </ul>                |
| <p><b>Hawaii County Council</b><br/>All 9 Seats, Nonpartisan Offices<br/>Term: Two years<br/>Dec 2016 – Dec 2018</p>    | <ul style="list-style-type: none"> <li>• Resident and registered voter of Council District at least 90 days prior to Primary Election</li> <li>• Qualified voter of Hawaii County for at least 1 year prior to election</li> </ul> | <ul style="list-style-type: none"> <li>• File nomination paper containing not less than 15 signatures of registered voters of appropriate Council District by 4:30 pm, June 7, 2016.</li> <li>• Submit filing fee: \$250.00 (Discounted fee: \$25.00)</li> </ul> |

## County of Maui Offices<sup>11</sup>

| Office   | Qualifications  | Nomination Requirements   |
|--|---|---|
| <p><b>Maui County Council</b><br/>                     All 9 Seats, Nonpartisan<br/>                     Offices<br/>                     1 – East Maui<br/>                     1 – West Maui<br/>                     1 – Wailuku-Waihee-Waikapu<br/>                     1 – Kahului<br/>                     1 – South Maui<br/>                     1 – Makawao-Haiku-Paia<br/>                     1 – Upcountry<br/>                     1 – Lanai<br/>                     1 - Molokai<br/>                     Term: Two years<br/>                     Jan 2017 – Jan 2019</p> | <ul style="list-style-type: none"> <li>• Resident in the area of the county from which the person seeks to be elected for a period of 1 year before filing</li> <li>• Qualified voter of Maui County</li> </ul> | <ul style="list-style-type: none"> <li>• File nomination paper containing not less than 15 signatures of registered voters of Maui County by 4:30 pm, June 7, 2016.</li> <li>• Submit filing fee: \$250.00 (Discounted fee: \$25.00)</li> </ul> |

<sup>11</sup> The next scheduled election for the County of Maui Mayor will be in 2018. The Prosecuting Attorney in the County of Maui is appointed by the Mayor with the approval of the County Council.

## County of Kauai<sup>12</sup>

| Office  | Qualifications   | Nomination Requirements  |
|---|--|--|
| <p><b>Kauai Prosecuting Attorney</b><br/>           One Seat, Nonpartisan Office<br/>           Term: Four years<br/>           Dec 2016 – Dec 2020</p>                                 | <ul style="list-style-type: none"> <li>• Qualified voter of Kauai County for at least 1 year prior to election</li> <li>• Licensed attorney in good standing before the Supreme Court of the State of Hawaii</li> <li>• Practiced law for at least 3 years in the State of Hawaii</li> </ul> | <ul style="list-style-type: none"> <li>• File nomination paper containing not less than 15 signatures of registered voters of Kauai County by 4:30 pm, June 7, 2016.</li> <li>• Submit filing fee: \$250.00 (Discounted fee: \$25.00)</li> </ul> |
| <p><b>Kauai County Council</b><br/>           All 7 Seats, Nonpartisan Offices<br/>           At-Large Countywide<br/>           Term: Two years<br/>           Dec 2016 – Dec 2018</p> | <ul style="list-style-type: none"> <li>• Qualified voter of Kauai County at least 2 years prior to election</li> </ul>   | <ul style="list-style-type: none"> <li>• File nomination paper containing not less than 15 signatures of registered voters of Kauai County by 4:30 pm, June 7, 2016.</li> <li>• Submit filing fee: \$250.00 (Discounted fee: \$25.00)</li> </ul> |

<sup>12</sup> The next scheduled election for the County of Kauai Mayor will be in 2018.

## City and County of Honolulu

| Office  | Qualifications  | Nomination Requirements   |
|---|---|---|
| <p><b>Honolulu Mayor</b><br/>One Seat, Nonpartisan Office<br/>Term: Four years<br/>Jan 2017 – Jan 2021</p>  | <ul style="list-style-type: none"> <li>• Qualified voter of the City and County of Honolulu</li> <li>• At least 30 years of age</li> </ul>  | <ul style="list-style-type: none"> <li>• File nomination paper containing not less than 15 signatures of registered voters of the City and County of Honolulu by 4:30 pm, June 7, 2016.</li> <li>• Submit filing fee: \$500.00 (Discounted fee: \$50.00)</li> </ul> |
| <p><b>Honolulu Prosecuting Attorney</b><br/>One Seat, Nonpartisan Office<br/>Term: Four years<br/>Jan 2017 – Jan 2021</p>   | <ul style="list-style-type: none"> <li>• Qualified voter of the City and County of Honolulu</li> <li>• Licensed attorney in good standing before the Supreme Court of the State of Hawaii</li> <li>• Practiced law for 5 years</li> <li>• Actively involved in criminal cases for 3 years within 10 years immediately preceding election</li> </ul> | <ul style="list-style-type: none"> <li>• File nomination paper containing not less than 15 signatures of registered voters of the City and County of Honolulu by 4:30 pm, June 7, 2016.</li> <li>• Submit filing fee: \$250.00 (Discounted fee: \$25.00)</li> </ul> |
| <p><b>Honolulu City Council</b><sup>13</sup><br/>5 of 9 Seats, Nonpartisan Offices<br/>Districts I, III, V, VII and IX<br/>Term: Four years<br/>Jan 2017 – Jan 2021</p> | <ul style="list-style-type: none"> <li>• Resident and registered voter of the appropriate Council District</li> </ul>   | <ul style="list-style-type: none"> <li>• File nomination paper containing not less than 15 signatures of registered voters of appropriate Council District by 4:30 pm, June 7, 2016.</li> <li>• Submit filing fee: \$250.00 (Discounted fee: \$25.00)</li> </ul>    |

<sup>13</sup> The next scheduled election for City and County of Honolulu Councilmembers with terms not expiring in 2016 will be in 2018.

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