

OFFICE OF HAWAIIAN AFFAIRS
BOARD OF TRUSTEES ELECTION

FACT SHEET

On November 4, 1980, there will be a Special Election held in conjunction with the General Election. At this election registered voters who are of Hawaiian ancestry will choose nine persons to serve on the Board of Trustees of the Office of Hawaiian Affairs (OHA). A special drive is being conducted by the Office of the Lieutenant Governor in cooperation with the County Clerks to encourage all Hawaiians of voting age to register in order to vote in the OHA Election.

This Fact Sheet provides detailed information for Deputy Registrars and others particularly concerned with registering voters for the OHA Election. If there are further questions, please call the Office of the Lieutenant Governor or your County Clerk's office, at the numbers listed on the last page of this Fact Sheet.

ORIGIN OF OFFICE OF HAWAIIAN AFFAIRS

WHAT IS THE OFFICE OF HAWAIIAN AFFAIRS?

The Office of Hawaiian Affairs, or OHA, is a newly established office which will be operational after the 1980 General Election and will coordinate services and programs for all Hawaiian people. A special Office of Hawaiian Affairs Election will be held on November 4, 1980 in conjunction with the 1980 General Election, to elect a Board of Trustees which will govern the Office of Hawaiian Affairs.

HOW WAS THE OFFICE OF HAWAIIAN AFFAIRS ESTABLISHED?

The 1978 Constitutional Convention wrote a new Article XII for the Hawaii State Constitution entitled "Hawaiian Affairs". Sections 4, 5 and 6 of Article XII concern the establishment of the Office of Hawaiian Affairs. In the 1978 General Election, the voters approved the amendment.

The 1979 Legislature implemented the new Constitutional provisions through the passage of House Bill 890 (H.D. 1, S.D. 3, C.D. 1) which was signed into law by Governor George Ariyoshi on June 7, 1979, and became Act 196.

PURPOSE OF OHA

WHAT IS THE PURPOSE OF THE OFFICE OF HAWAIIAN AFFAIRS?

As described in House Bill 890, which provides for the powers, duties and functions of the Office, OHA will promote "the betterment of conditions" for all Hawaiian people.

Other established purposes of OHA include:

- . serving as the principal State agency responsible for the performance, development and coordination of programs and activities relating to native Hawaiians and Hawaiians, with the exception of the programs of the Hawaiian Homes Commission, which will remain separate;
- . assessing the policies and practices of other agencies affecting Hawaiians and native Hawaiians, and conducting advocacy efforts for them;
- . applying for, receiving, and disbursing grants and donations for Hawaiian programs and services; and
- . serving as a receptacle for possible reparations from the Federal Government.

DEFINITION OF "HAWAIIAN"

WHAT IS THE DIFFERENCE BETWEEN "NATIVE HAWAIIAN" AND "HAWAIIAN"?

House Bill 890 includes the definitions of "Native Hawaiian" and "Hawaiian" which the Constitutional Convention adopted, but which the Senate Supreme Court ruled not validly ratified by the voters.

"Native Hawaiian" remains as defined in the Hawaiian Homes Commission Act, 1920, as amended, meaning "a descendant of not less than one-half part of the races inhabiting the Hawaiian Islands previous to 1778". "Native Hawaiians", being those of 50% or more Hawaiian blood, are thus eligible for Hawaiian Homes Commission benefits.

"Hawaiian" is defined as "any descendant of the aboriginal peoples inhabiting the Hawaiian Islands which exercised sovereignty and subsisted in the Hawaiian Islands in 1778, and which peoples thereafter have continued to reside in Hawaii".

In accordance with the law, the Hawaiian Homes Commission serves the concerns of "Native Hawaiians", (those with 50% or more Hawaiian blood), whereas the Office of Hawaiian Affairs is mandated to work for the benefit of anyone of Hawaiian ancestry.

FUNDING OF OHA

HOW WILL THE OFFICE OF HAWAIIAN AFFAIRS BE FUNDED?

A pro rata portion of all the funds and revenues derived from the public land trust will be appropriated in an amount determined by the Legislature and held and used solely by the Office of Hawaiian Affairs. If land or money should come from the Federal Government as reparations for the loss of Hawaiian sovereignty, it would become part of the trust administered by OHA.

Out of the general revenues of the State of Hawaii, the Legislature has appropriated the sum of \$125,000 to be used in the fiscal year 1980-81 by OHA for operating expenses.

OHA BOARD OF TRUSTEES

HOW WILL THE OFFICE OF HAWAIIAN AFFAIRS BE ADMINISTERED?

The Office of Hawaiian Affairs will be governed by a nine-member Board of Trustees, which will appoint an Administrator to execute Board policy.

HOW WILL THE BOARD OF TRUSTEES BE ELECTED?

Nine persons of Hawaiian ancestry will be elected statewide by registered Hawaiian voters. At least one Board member will reside on each of the islands of Hawaii, Maui, Molokai, Kauai and Oahu. The remaining four at-large members may reside on any island.

The four Board members receiving the highest number of votes in the 1980 election will serve for four years and the remaining five members will serve for two years. In 1982, five members will be elected. Every two years thereafter, an OHA Election will be held for candidates who will serve four year terms.

The Board, at its first meeting after the election, will elect from its membership, a chairperson and a vice-chairperson who will serve a term of two years.

HOW OFTEN WILL THE BOARD OF TRUSTEES MEET?

Meetings will be called and held as often as may be necessary for transaction of the Board's business. The Board will meet at least once annually on each of the islands of Hawaii, Maui, Molokai, Kauai and Oahu.

HOW MUCH WILL THE BOARD OF TRUSTEES BE PAID?

The Administrator, who will be appointed by the Board will receive an annual salary of \$30,000. Members of the Board of Trustees will receive compensation at the rate of \$50 per day while at meetings. They will also receive transportation costs between the islands and per diem for personal expenses.

HOW LONG A TERM WILL THE ADMINISTRATOR SERVE?

The Administrator will serve a term determined by the Board. The Board, by a two-thirds majority vote may remove the Administrator for cause at any time.

WHAT ARE SOME OF THE POWERS OF THE BOARD OF TRUSTEES OF OHA?

OHA will be a separate entity independent of the executive branch, whose powers under the Board of trustees will include:

- . formulating of policy relating to the affairs of Hawaiians;*
- . providing grants for pilot projects and demonstrations, and giving financial and technical assistance to agencies and private organizations conducting programs;*

- . developing and implementing a comprehensive master plan;
- . compiling demographic data;
- . identifying physical, sociological, psychological and economic needs;
- . conducting research;
- . assisting in development of state and county agency plans for Hawaiian programs and services;
- . acting as a clearinghouse and referral services for Hawaiians and for application for federal or state assistance; and
- . promoting and assisting in the establishment of agencies to serve all Hawaiians.

WHO WILL CARRY OUT THE OFFICE FUNCTIONS OF OHA?

The Administrator is authorized to employ and retain the officers and employees who will be necessary to carry out the functions of the office; subject to approval of the Board of Trustees.

OHA BOARD OF TRUSTEES ELECTION

WHO IS RESPONSIBLE FOR CONDUCTING THE OHA BOARD OF TRUSTEES ELECTION?

The law says that the OHA Election will be held as a Special Election in conjunction with the General Election. It is the responsibility of the Office of the Lieutenant Governor to run the election, and with the County Clerks, to provide information and register Hawaiian voters.

WHEN WILL THE FIRST OHA ELECTION BE HELD?

The first OHA election will be held together with the General Election on Tuesday, November 4, 1980.

WHO CAN VOTE?

To vote, Hawaiians must first register with the Clerk of the county in which they reside, or at designated locations throughout the state.

WHO CAN REGISTER?

A person who registers to vote in the OHA Election must be all of the following:

- . of Hawaiian ancestry
- . a resident of the State of Hawaii
- . a citizen of the United States, and
- . 18 years of age by November 5, 1980

Persons not already registered to vote for the regular elections may register for both the regular elections and the OHA Election; or register for only the OHA Election.

All persons who are now registered to vote for the regular Primary and General Elections **MUST ALSO REGISTER** in order to vote in the OHA Election.

MUST A PERSON BE ABLE TO PROVE HE/SHE IS HAWAIIAN IN ORDER TO REGISTER?

Registrants should be able to provide proof of Hawaiian ancestry if challenged. When registering to vote in the OHA Election, applicants must sign an affidavit swearing that they are of Hawaiian ancestry.

WILL THERE BE REGISTRATION BY MAIL FOR THE OHA ELECTION?

If a qualified voter cannot register in person for the Office of Hawaiian Affairs Election, he/she may request a registration application from a Clerk's Office. An application must be filled out and sworn to before a Notary Public or commissioned officer authorized to administer oaths, and returned to the Clerk's Office before October 6, 1980.

THE OHA BALLOT

WHAT SHOULD I KNOW ABOUT THE OHA BALLOT?

The OHA ballot will be issued only to persons of Hawaiian ancestry who live in Hawaii and who have registered to vote in the OHA Election.

The ballot will be prepared so that every voter has the opportunity to vote for candidates from all the islands.

Each voter may vote for the number of seats available.

A candidate may choose to run for a seat that requires residency on a particular island, or as an at-large candidate. The ballot will be arranged according to islands, and will include a category for the at-large candidates. Candidates names will be arranged alphabetically within each group.

ABSENTEE VOTING

You may vote by absentee ballot in the OHA Election if:

- . you have registered to vote in the Office of Hawaiian Affairs Board of Trustees Election; and*
- . you are absent from the island, county, or district in which you are registered on the day of election; or*
- . you are confined in a hospital or a public institution for the care of indigents or aged persons; or*
- . you are confined in a penal institution for a misdemeanor or as a pretrial detainee; or*
- . you are confined at home because of illness or physical disability; or*
- . you are prevented from attending the polls because of religious beliefs; or*
- . you live in a remote area more than 10 miles from your polling place; or*

- . you have other legitimate reasons not mentioned above for not being able to attend the polls, subject to approval by the Clerk's Office.

VOTING IN PERSON

You may vote in person at the Absentee Polling Place located at the Clerk's Office during the 10-day period prior to Election Day, from 8:00 a.m. to 4:30 p.m. on weekdays and from 8:00 a.m. to 12 noon on Saturdays.

VOTING BY MAIL

You may vote by mail if your absence or confinement prevents you from voting in person at the Absentee Polling Place.

You should submit a written request to the Clerk's Office no earlier than 60 days and no later than 7 days before an election. Ballots for the Office of Hawaiian Affairs Board of Trustees Election, and the Primary and General Elections may be requested at the same time.

Voters who are confined at home, a hospital or an institution may request a ballot to be forwarded to them or picked up by an authorized representative up to and including Election Day. The ballot, however, must be returned to the Clerk's Office by the closing of the polls at 6:00 p.m.

CANDIDATES FOR OHA BOARD OF TRUSTEES

WHO CAN BE A CANDIDATE IN THE OHA ELECTION?

To be a candidate one must be registered to vote in the OHA Election. If seeking a seat where residency on a particular island is a requirement, the candidate must be a resident of that island.

WHEN WILL NOMINATION PAPERS BE AVAILABLE?

Nomination papers will be available after February 1, 1980, and may be picked up and filed at the Office of the Lieutenant Governor, or the County Clerks' Offices in the neighbor island counties by September 5, 1980. Nomination papers must be signed by not less than 25 persons who are registered for the OHA Election, and filed with a filing fee of \$250. The fee may be discounted to \$25 if the candidate files an affidavit with the Campaign Spending Commission agreeing to abide by established State spending limits.

HOW CAN I CONTACT THE CAMPAIGN SPENDING COMMISSION?

The Campaign Spending Commission is in the State Capitol, Room 436. For information on spending limits and reduction of filing fees, telephone them at 548-5411. From the neighbor islands, call toll-free number, Enterprise 5406.

FURTHER INFORMATION ON THE OHA ELECTION

WHERE MAY I CALL FOR MORE INFORMATION ON OHA?

Information is available by calling the Office of the Lieutenant Governor, Elections Division at 548-2517, or the County Clerks.

County Clerks' Offices may be reached at these numbers:

- City and County of Honolulu.....523-4293
- Hawaii County.....961-8277
- Kauai County.....245-4785
- Maui County.....244-7825

REMEMBER, YOU MUST REGISTER IN ORDER TO VOTE IN THE OHA ELECTION, EVEN THOUGH YOU ARE CURRENTLY A REGISTERED VOTER FOR THE REGULAR ELECTION!

OFFICE OF THE LIEUTENANT GOVERNOR
VOTER EDUCATION
July 1979