

STATE OF **HAWAII**  
OFFICE OF ELECTIONS  
802 LEHUA AVENUE  
PEARL CITY, **HAWAII** 96782  
www.**hawaii**.gov/elections  
FACTSHEET  
**2008 ELECTION CALENDAR**

New Political **Parties**

File petition to form political party with Office of  
Elections (HRS §11-62)

Thurs., April 3, **2008**

**§11-62 Qualification of political parties; petition.** (a) Any group of persons hereafter desiring to qualify as a political party for election ballot purposes in the State shall file with the chief election officer a petition as provided in this section. The petition for qualification as a political party shall:

- (1) Be filed not later than 4:30 p.m. on the one hundred seventieth day prior to the next primary;
- (2) Declare as concisely as may be the intention of signers thereof to qualify as a statewide political party in the State and state the name of the new party;
- (3) Contain the name, signature, residence address, date of birth, and other information as determined by the chief election officer of currently registered voters comprising not less than one-tenth of one per cent of the total registered voters of the State as of the last preceding general election;
- (4) Be accompanied by the names and addresses of the officers of the central committee and of the respective county committees of the political party and by the party rules; and
- (5) Be upon the form prescribed and provided by the chief election officer.

(b) The petition shall be subject to hearing under chapter 91, if any objections are raised by the chief election officer or any other political party. All objections shall be made not later than 4:30 p.m. on the twentieth business day after the petition has been filed. The chief election officer may extend the objection period up to an additional ten business days, if the group of persons desiring to qualify as a political party is provided with notice of extension and the reasons therefor. If no objections are raised by 4:30 p.m. on the twentieth business day, or the extension thereof, the petition shall be approved. If an objection is raised, a decision shall be rendered not later than 4:30 p.m. on the thirtieth day after filing of the objection or not later than 4:30 p.m. on the one hundredth day prior to the primary, whichever shall first occur. [See May 1 below.]

(c) The chief election officer may check the names of any persons on the petition to see that they are registered voters and may check the validity of their signatures. The petition shall be public information upon filing.

(d) Each group of persons desiring to qualify as a political party, having first qualified as a political party by petition under this section, and having been qualified as a political party for three consecutive general elections by petition or pursuant to section 11-61(b), shall be deemed a political party for the following ten-year period. The ten-year period shall begin with the next regularly scheduled general election; provided that each party qualified under this section shall continue to field candidates for public office during the ten-year period following qualification. After each ten-year period, the party qualified under this section shall either remain qualified under the standards set forth in section 11-61, or requalify under this section 11-62. [L 1970, c 26, pt of §2; am L 1973, c 217, §1(p); am L 1983, c 34, §4; am L 1986, c 323, §2; am L 1993, c 304, §4; am L 1997, c 287, §2; am L 1998, c 33, §1; am L 1999, c 205, §2]

Political **Parties**

File party rules with Office of Elections

(HRS §11-63)

Wed., April 23, **2008**

**§11-63 Party rules, amendments to be filed.** All parties must file their rules with the chief election officer not later than 4:30 p.m. on the one hundred fiftieth day prior to the next primary. All amendments shall be filed with the chief election officer not later than 4:30 p.m. on the thirtieth day after their adoption. The rules and amendments shall be duly certified to by an authorized officer of the party and upon filing, the rules and amendments thereto shall be a public record. [L 1970, c 26, pt of §2; am L 1973, c 217, §1(q); am L 1983, c 34, §5; am L 1986, c 323, §3]

Political **Parties**

Deadline to file political party objections with

Office of Elections (HRS §11-62)

Thu., May 1, **2008**

[SEE April 3 ABOVE]

Political **Parties**

Submit names of precinct officials to the Chief

**Election** Officer (HRS §11-72)

Fri., May 23, **2008**

**§11-72 Precinct officials; submission of names and assignment; vacancies.** (a) All qualified political parties shall submit names for precinct officials to the chief election officer not later than 4:30 p.m. on the sixtieth day prior to the close of filing for any primary, special primary, or special election. All precinct officials shall be able to read and write the English language. If any party fails to submit the required names by the above deadline, or names sufficient to fill the positions to which it would be entitled,

assignment of positions to which the party would otherwise be entitled pursuant to subsection (b), may be made without regard to party affiliation.

(b) In assigning the precinct officials, the following criteria shall be followed:

- (1) The precinct officials shall be registered voters of the precinct in which they serve; but if qualified persons in the precinct or representative district are not readily available to serve, they may be chosen from without the precinct or representative district, or if qualified persons either in or without the precinct or representative district are not available to serve, the chief election officer may designate precinct officials who are not registered voters if the persons so designated are otherwise qualified and shall have attained the age of sixteen years on or before June 30, of the year of the election in which they are appointed to work;
- (2) The chief election officer may designate more precinct officials than are needed in order to create a pool of qualified precinct officials who may be assigned to fill vacancies or to perform their duties as needed in any precinct;
- (3) No parent, spouse, reciprocal beneficiary, child, or sibling of a candidate shall be eligible to serve as a precinct official in any precinct in which votes may be cast for the candidate; nor shall any candidate for any elective office be eligible to serve as a precinct official in the same election in which the person is a candidate. No candidate who failed to be nominated in the primary or special primary election shall be eligible to serve as a precinct official in the general election next following; and
- (4) The chairperson of the precinct officials shall be the first named precinct official on the list prepared by the chief election officer. The remainder of the precinct officials shall be apportioned as follows:
  - (A) The total votes cast, except those cast for nonpartisan candidates, for all of the following offices that were on the ballot in the next preceding general election shall be divided into the total votes cast for all the candidates of each party for these offices: president and vice-president, United States senator, United States representative, governor and lieutenant governor, state senator, and state representative;
  - (B) If a party's proportion of votes cast exceeds fifty per cent, its share shall be one-half of the precinct officials. The remaining one-half shall be divided among the remaining parties in proportion to their respective total of votes cast for the offices set forth in subparagraph (A);
  - (C) In the case of the above division resulting in parties having fractional positions, a whole position shall go to the party with the larger number of votes cast; and
  - (D) Newly qualified parties may be assigned up to ten per cent of the total positions available at the discretion of the chief election officer.

(c) In the recruitment and placement of precinct officials, any or all of the requirements of subsection (b) may be waived by the chief election officer if it is determined that minority language assistance or other special needs warrant such waiver, except as provided in subsection (b)(3).

(d) In case of inability, failure, or refusal of any person so assigned to serve as a precinct official, the chief election officer shall appoint a person to fill the vacancy. [L 1970, c 26, pt of §2; am L 1972, c 77, §4; am L 1973, c 217, §1(u); am L 1977, c 189, §1(5); am L 1979, c 125, §3(2) and c 139, §5; am L 1987, c 209, §1; am L 1988, c 141, §1; am L 1989, c 261, §24; am L 1990, c 124, §2; gen ch 1992; am L 1995, c 71, §2; am L 2005, c 14, §2 and c 201, §3] [NONE SUBMITTED – Physically Impossible for our party at this time]

### Political **Parties**

File party officers with Office of Elections

(HRS §11-64)

Fri., June 20, 2008

**§11-64 Names of party officers to be filed.** All parties shall submit to the chief election officer and the respective county clerks not later than 4:30 p.m. on the ninetieth day prior to the next primary, a list of names and addresses of officers of the central committee and of the respective county committees. [L 1970, c 26, pt of §2; am L 1973, c 217, §1(r); am L 1983, c 34, §6] [CONSIDERED DONE WITH THE SUBMISSION OF THE PETITION TO QUALIFY THE GREEN PARTY FOR BALLOT ACCESS]

Candidates, **Parties**,  
and Voters

File written objections to nomination papers for

Primary **Election** and OHA candidates with

Office of Elections or City/County Clerk

(HRS §12-8)

Thurs., Aug. 21, **2008**

**[Deadline]**

**§12-8 Nomination papers; challenge; evidentiary hearings and decisions.** (a) All nomination papers filed in conformity with section 12-3 shall be deemed valid unless objection is made thereto by a registered voter, an officer of a political party whose name is on file with the chief election officer, the chief election officer, or the county clerk in the case of a county office. All objections shall be filed in writing not later than 4:30 p.m. on the thirtieth day or the next earliest working day prior to the primary or special election.

(b) If an objection is made by a registered voter, the candidate objected thereto shall be notified of the objection by the chief election officer or the clerk in the case of county offices by registered or certified mail.

(c) If an objection is filed by an officer of a political party with the circuit court, the candidate objected thereto shall be notified of the objection by an officer of the political party by registered or certified mail.

(d) Except for objections by an officer of a political party filed directly with the circuit court, the chief election officer or the clerk in the case of county offices shall have

the necessary powers and authority to reach a preliminary decision on the merits of the objection; provided that nothing in this subsection shall be construed to extend to the candidate a right to an administrative contested case hearing as defined in section 91-1(5). The chief election officer or the clerk in the case of county offices shall render a preliminary decision not later than five working days after the objection is filed.

(e) If the chief election officer or clerk in the case of county offices determines that the objection may warrant the disqualification of the candidate, the chief election officer or clerk shall file a complaint in the circuit court for a determination of the objection; provided that such complaint shall be filed with the clerk of the circuit court not later than 4:30 p.m. on the seventh working day after the objection was filed.

(f) If a political party objects to the nomination paper filed by a candidate because the candidate is not a member of the party pursuant to the party's rules filed in conformance with section 11-63, an officer of the party whose name appears on file with the chief election officer shall file a complaint in the circuit court for a prompt determination of the objection; provided that the complaint shall be filed with the clerk of the circuit court not later than 4:30 p.m. on the thirtieth working day or the next earliest working day prior to that election day.

(g) If an officer of a political party whose name appears on file with the chief election officer, the chief election officer, or clerk in the case of county offices files a complaint in the circuit court, the circuit court clerk shall issue to the defendants named in the complaint a summons to appear before the court not later than 4:30 p.m. on the fifth day after service thereof.

(h) The circuit court shall hear the complaint in a summary manner and at the hearing the court shall cause the evidence to be reduced to writing and shall not later than 4:30 p.m. on the fourth day after the return give judgment fully stating all findings of fact and of law. The judgment shall decide the objection presented in the complaint, and a certified copy of the judgment shall forthwith be served on the chief election officer or the clerk, as the case may be.

(i) If the judgment disqualifies the candidate, the chief election officer or the clerk shall follow the procedures set forth in sections 11-117 and 11-118 regarding the disqualifications of candidates. [L 1970, c 26, pt of §2; am L 1973, c 217, §2(d); am L 1975, c 36, §2(4); am L 1977, c 189, §2(2); am L 1990, c 125, §1; am L Sp 1995, c 27, §§8, 15; am L 1997, c 288, §3; am L 1999, c 141, §3]

### **Attorney General Opinions**

Nomination papers of a party candidate may be challenged if candidate is not a party member. Att. Gen. Op. 72-1.

### **Parties**

Last day to submit names and addresses of  
nominees for presidential elector and alternates  
(HRS §14-21)  
Fri., Sept. 5, **2008**

**§14-21 Nomination of presidential electors and alternates; certification; notification of nominees.** In each year when electors of president and vice president of the United States are to be chosen, each of the political parties or parties or groups qualified under section 11-113 shall hold a state party or group convention pursuant to the constitution, bylaws, and rules of the party or group; and nominate as candidates for its party or group as many electors, and a first and second alternate for each elector, of president and vice president of the United States as the State is then entitled. The electors and alternates shall be registered voters of the State. The names and addresses of the nominees shall be certified by the chairperson and secretary of the convention of the respective parties or groups and submitted to the chief election officer not later than 4:30 p.m. on the sixtieth day prior to the general election of the same year. The chief election officer upon receipt thereof, shall immediately notify each of the nominees for elector and alternate elector of the nomination. [L 1970, c 26, pt of §2; am L 1973, c 217, §4(b); am L 1981, c 100, §2(1); gen ch 1993]

### **Parties**

Last day to certify nominees for presidential elector and alternates (HRS §14-21)  
Fri., Sept. 5, **2008**

### **[SEE ABOVE]**

### Political **Parties**

Submit names of poll watchers for the Primary **Election** to Office of Elections or County Clerk (HRS §11-77)  
Wed., Sept. 10, **2008**

**§11-77 Appointment of watchers; service.** (a) Each qualified political party shall be entitled to appoint no more than one watcher who may be present at any time in each precinct and absentee polling place in which the candidates of that political party are on the ballot. Each party shall submit its list of watchers not later than 4:30 p.m. on the tenth day prior to any election to the chief election officer or to the clerk in county elections. All watchers shall serve without expense to the State or county. All watchers so appointed shall be registered voters. No person shall serve as a watcher who could not qualify to serve as a precinct official under section [11-72(b)(3)].

(b) Each watcher shall be provided with identification from the chief election officer, or by the clerk in the case of county elections, stating the watcher's name and the name of the party the watcher represents. On election day the watcher shall present identification to the chairperson of precinct officials of the precinct or precincts where the watcher is to serve.

(c) All watchers for precincts shall be permitted to observe the conduct of the election in the precinct. The watchers may remain in the precinct as long as the precinct is in

operation subject to section 19-6. Watchers may review the polling book pursuant to section 11-97.

(d) The watcher shall call the attention of the chairperson to any violations of the election laws that the watcher observes. After the chairperson's attention is called to the violation the chairperson shall make an attempt to correct such violation. If the chairperson fails to correct the violation, the watcher may appeal to the clerk of the county.

(e) The watchers shall be permitted to observe the operations of the absentee polling place. Any violation of the election laws shall be reported to the clerk. [L 1970, c 26, pt of §2; am L 1973, c 217, §1(z); am L 1977, c 189, §1(6); am L 1983, c 34, §7; am L 2005, c 201, §4]

### Case Notes

Under authority to observe the conduct of the election, poll watchers may record the names of those who have voted. 54 H. 254, 506 P.2d 13.

PRIMARY ELECTION DAY – Saturday, September 20  
7 a.m. – 6 p.m.

Candidates, **Parties**,  
and Voters

File complaint on contests for cause in Primary

**Election** with **Hawaii** State Supreme Court

(HRS §11-173.5)

Fri., Sep. 26, 2008

**§11-173.5 Contests for cause in primary, special primary elections, and county elections held concurrently with a regularly scheduled primary or special primary election.** (a) In primary and special primary election contests, and county election contests held concurrently with a regularly scheduled primary or special primary election, the complaint shall be filed in the office of the clerk of the supreme court not later than 4:30 p.m. on the sixth day after a primary or special primary election, or county election contests held concurrently with a regularly scheduled primary or special primary election, and shall be accompanied by a deposit for costs of court as established by rules of the supreme court. The clerk shall issue to the defendants named in the complaint a summons to appear before the supreme court not later than 4:30 p.m. on the fifth day after service thereof.

(b) In primary and special primary election contests, and county election contests held concurrently with a regularly scheduled primary or special primary election, the court shall hear the contest in a summary manner and at the hearing the court shall cause the evidence to be reduced to writing and shall not later than 4:30 p.m. on the fourth day after the return give judgment fully stating all findings of fact and of law. The judgment shall

decide what candidate was nominated or elected, as the case may be, in the manner presented by the petition, and a certified copy of the judgment shall forthwith be served on the chief election officer or the county clerk, as the case may be, who shall place the name of the candidate declared to be nominated on the ballot for the forthcoming general, special general, or runoff election. The judgment shall be conclusive of the right of the candidate so declared to be nominated; provided that this subsection shall not operate to amend or repeal section 12-41. [L 1973, c 217, §1(aaa); am L 1974, c 34, §1(c); am L 1979, c 133, §5; am L 1998, c 22, §2]

### **Rules of Court**

Collection of costs and fees by appellate clerk, see HRAP rule 45(e).

#### **Political Parties**

Submit names of poll watchers for General  
**Election** to Office of Elections or County Clerk  
(HRS §11-77)  
Fri., Oct. 24, **2008**

[SEE ABOVE]

GENERAL ELECTION DAY – Tuesday, November 4  
7 a.m. – 6 p.m.

#### Candidates, **Parties**, and Voters

File complaint on contest for cause in General  
and/or OHA Elections with **Hawaii** State  
Supreme Court (HRS §11-174.5)  
Mon., Nov. 24, **2008**

**§11-174.5 Contests for cause in general, special general, special, and runoff elections.** (a) In general, special general, special, or runoff elections, the complaint shall be filed in the office of the clerk of the supreme court not later than 4:30 p.m. on the twentieth day following the general, special general, special, or runoff election and shall be accompanied by a deposit for costs of court as established by rules of the supreme court. The clerk shall issue to the defendants named in the complaint a summons to appear before the supreme court not later than 4:30 p.m. on the tenth day after service thereof.

(b) In cases involving general, special general, special, or runoff elections the complaint shall be heard by the supreme court in which the complaint was filed as soon as it reasonably may be heard. On the return day, the court, upon its motion or otherwise,



may direct summons to be issued to any person who may be interested in the result of the proceedings.

At the hearing, the court shall cause the evidence to be reduced to writing and shall give judgment, stating all findings of fact and of law. The judgment may invalidate the general, special general, special, or runoff election on the grounds that a correct result cannot be ascertained because of a mistake or fraud on the part of the precinct officials; or decide that a certain candidate, or certain candidates, received a majority or plurality of votes cast and were elected. If the judgment should be that the general, special general, special, or runoff election was invalid, a certified copy thereof shall be filed with the governor, and the governor shall duly call a new election to be held not later than one hundred twenty days after the judgment is filed. If the court shall decide which candidate or candidates have been elected, a copy of that judgment shall be served on the chief election officer or county clerk, who shall sign and deliver to the candidate or candidates certificates of election, and the same shall be conclusive of the right of the candidate or candidates to the offices. [L 1973, c 217, §1(bbb); am L 1979, c 133, §6; gen ch 1985; am L 1998, c 22, §3 and c 123, §1]

### **Rules of Court**

Costs, see HRAP rule 39; collection of costs and fees by appellate clerk, see HRAP rule 45(e).

### **Case Notes**

Where plaintiffs had opportunity to correct irregularities in ballot prior to the election, they cannot complain afterward. 61 H. 179, 599 P.2d 286.

Plaintiffs failed to meet burden of demonstrating that irregularities in voting procedures for OHA trustees either could have caused a difference in election outcome or could have precluded the correct result from being ascertained. 84 H. 383, 935 P.2d 98.

This Fact Sheet is intended for informational purposes only and should not be used as an authority on the **Hawaii election** law and candidate deadlines.

Requirements and/or deadlines may change pending changes in legislation. Consult the **Hawaii** Revised Statutes and other sources for more detailed and accurate requirements.

Office of Elections  
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Pearl City, **Hawaii** 96782  
Phone: 808-453-VOTE(8683)  
Neighbor Island Toll Free: 1-800-442-VOTE(8683)  
Office of Elections - FSBO100I  
R – 09/14/07

HRS = **Hawaii** Revised Statutes  
ROH = Revised Ordinances of Honolulu  
OHA = Office of Hawaiian Affairs

§ = Section