



STATE OF HAWAII
OFFICE OF ELECTIONS
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www.hawaii.gov/elections

FACTSHEET
THE PETITION PROCESS TO PLACE THE NAMES OF CANDIDATES
FOR PRESIDENT AND VICE PRESIDENT ON THE
STATE OF HAWAII 2008 GENERAL ELECTION BALLOT

Refer to Hawaii Revised Statutes (HRS) §11-113 and Chapter 14 for information dealing with presidential elections and candidates.

GENERAL INFORMATION

To run for United States President or United States Vice President, all candidates must be:

1. a natural citizen of the United States (means natural-born citizen);
2. a resident of the United States for 14 years prior to election; and
3. at least 35 years of age.

The State of Hawaii does not have a presidential primary or provisions for write-in voting. There are two ways to gain access to the State of Hawaii general election presidential ballot:

1. By the Presidential Petition Process
2. As the Nominee of a Qualified Political Party

The names of the candidates for president and vice president shall be used on the ballot in place of the names of the presidential electors. The votes cast for president and vice president of each political party shall be counted for the presidential electors and alternates nominated by each political party. Hawaii is entitled to four presidential electors in the 2008 election. (U.S. Constitution, Article II, Section 1 and HRS §11-113 and §14-23)

I. PRESIDENTIAL PETITION PROCESS

A. NOTARIZED STATEMENT OF INTENT (HRS §11-113(c)(2))

Prior to receiving the petition forms, the independent candidate/party shall submit to the chief election officer

1. a completed application form; and
2. a notarized statement

from each candidate of their intent to be a candidate for president and vice president on the general election ballot in the State of Hawaii.

B. PETITION FOR QUALIFICATION (HRS §11-113(c)(2))

Upon receipt of the completed application form and notarized statement of intent, the chief election officer shall issue to the independent candidate the petition forms.

1. The petition shall be filed with the chief election officer not later than 4:30 p.m. on the 60th day prior to the general election.

The deadline to file the petition is **Friday, September 5, 2008.**

2. The petition shall:
 - a. contain 4,317 signatures of currently registered voters in the State of Hawaii which constitute not less than one per cent of the votes cast in the State at the last presidential election (in the 2004 presidential election there were 431,662 votes cast);
 - b. be upon a form prescribed and provided by the chief election officer and shall contain the names of both candidates;
 - c. contain a statement that the persons signing intend to support those candidates;
 - d. contain the residence address of each signatory and the date signed; and
 - e. The Chief Election Officer may require other information as he or she determines appropriate for the petition form.

3. The applicant, and the candidates named, shall be notified in writing of the applicant's or candidate's eligibility or disqualification for placement on the ballot not later than 4:30 p.m. on the 10th business day after filing. The chief election officer may extend the notification period up to an additional five business days if the applicants and candidates are notified.
4. If the applicant, or any other party, individual, or group with a candidate on the presidential ballot, objects to the finding of eligibility or disqualification the person may, not later than 4:30 p.m. on the 5th day after the finding, file a request in writing with the chief election officer for a hearing on the question. A hearing shall be called not later than 4:30 p.m. on the 10th day after receipt of request, and shall be conducted in accord with HRS Chapter 91. A decision shall be issued not later than 4:30 p.m. on the 5th day after the conclusion of the hearing.

C. WITHDRAWAL OF SIGNATURES FROM THE PETITION (HRS §11-6)

A voter who signs a petition and seeks to withdraw his/her signature from the petition may do so if the petition has not yet been filed with the chief election officer.

1. A voter who seeks to withdraw the voter's signature from a petition must submit a notice in writing to the chief election officer any time before the filing of the petition. The notice shall include the voter's:
 - a. name;
 - b. social security number;
 - c. residence address;
 - d. date of birth; and
 - e. signature with the name under which the voter is registered to vote.
2. Upon receipt of that notice containing the information required by HRS §11-6, the chief election officer shall notify the group or individual to whom the petition was issued, and the signature of the individual shall not be counted.

II. NOMINEE OF A QUALIFIED POLITICAL PARTY

A. SWORN APPLICATION (HRS §11-113)

1. The sworn application shall be filed not later than 4:30 p.m. on the 60th day prior to the general election with the chief election officer in the Office of Elections.

The deadline to file the sworn application is **Friday, September 5, 2008.**

2. The sworn application shall include:
 - a. the names and addresses of each of the two candidates;
 - b. a statement that each candidate is legally qualified to serve under the provisions of the United States Constitution; and
 - c. a statement that candidates are duly chosen candidates of both the state and national party, giving time, place, and manner of selection (where applicable).

III. PRESIDENTIAL ELECTORS AND ALTERNATES (HRS Chapter 14)

- A. The party/group shall hold a state party or group convention to nominate as candidates four electors, and a first and second alternate for each elector, of president and vice president as the State is entitled. The electors shall be registered voters of the State. (HRS §14-21)

NOTE: Article II, Section 1 of the U.S. Constitution provides that "Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector."

- B. The names and addresses of the nominees for presidential elector and alternates shall be certified by the chairman and secretary of the convention and submitted to the chief election officer not later than 4:30 p.m. on the 60th 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. (HRS §14-21)

The deadline is **Friday, September 5, 2008.**

- C. The chief election officer shall certify to the governor the names of the elected presidential electors and alternates receiving the highest number of votes as elected as presidential electors and alternates not later than 4:30 p.m. on the last day in the month of the election. (HRS §14-24)
- D. The governor shall in accordance with the laws of the United States, communicate by registered mail under the seal of the State of Hawaii to the administrator of general services of the United States, the certificates of persons elected as presidential electors, setting forth the names of the electors and the total number of votes cast for each elector. The Chief Election Officer shall thereupon, together with a notice of the time and place of the meeting of the electors, cause to issue and transmit to each elector and alternate a certificate of election signed by the governor. (HRS §14-24)
- E. The presidential electors shall assemble at the State Capitol on the first Monday after the second Wednesday in December next following their election, at two o'clock in the afternoon. (HRS §14-26)

The electors shall assemble on **Monday, December 15, 2008.**

IV. ELECTION DATES

The Primary Election will be held on **Saturday, September 20, 2008**

The General election will be held on **Tuesday, November 4, 2008**

V. INSTRUCTIONS FOR CORRECTLY COMPLETING THE PETITION FORM

A. The petition can **only** be verified on the basis of the information contained on it.

1. The information is compared with the information contained in the official voter register.
2. If a voter provides information that is illegible or inconsistent with the information in the official voter register, **this may result in the signature not being counted.**

Examples of this are the voter providing an incorrect address, social security number, or date of birth. This frequently results from illegible handwriting or a voter transposing numbers.

B. Do not separate the petition sets. Use black ink for all signatures.

C. Petition Form

1. Social Security Number – is optional, however, providing the social security number assists with distinguishing among people having identical names and/or addresses.
2. Clearly Print Your Name Here – the name of the voter must be printed in the space provided. If the voter name is illegible or inconsistent with the information in the official voter register, this may result in the signature not being counted.
3. Sign the Name Under Which You Are Registered to Vote - the signature of the voter must match the signature on his/her most recent voter registration affidavit. This same signature will be needed for any necessary signature validity checks.
4. Print the Residence Address at Which You Are Registered to Vote

The **residence address** of the voter where he/she is registered to vote must be recorded.

The voter should not use an address to which the voter has moved subsequent to registering and has failed to make the change of registration as required by law.

Mailing addresses are not acceptable.

5. Birth Date - providing the date of birth assists with distinguishing among people having identical names and/or addresses. If a voter provides information that is inconsistent with the information in the official voter register, this may result in the signature not being counted.

An example of this is the voter providing an incorrect date of birth. This frequently results from a voter transposing numbers.

6. Date Signed - the date on which the signature was recorded must be indicated.
- D. Petitioners should collect more signatures than required because many signatures maybe disallowed either in the certification process or through challenges.
 - E. A voter may only sign one presidential petition. Duplicate signatories within a petition may not be counted. In addition, whichever petition is filed first shall be the petition in which the signatory may be certified.
 - F. If you need additional petition sets, contact the Office of Elections at (808) 453-VOTE (8683).

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 - FSBO123H
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