

JAN 21 2011

A BILL FOR AN ACT

RELATING TO ELECTIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that in 2008, the
2 nomination process for elective office ended in chaos and
3 controversy. When a last minute candidacy in the Honolulu
4 mayoral campaign was announced, it resulted in an available city
5 council seat. In the race to file nomination papers for the
6 city council seat, a state representative seat was made
7 available just before the filing deadline. News accounts told
8 of people obtaining nomination papers for the state
9 representative seat within thirty minutes of the filing
10 deadline. Candidates scrambled to find signatures for
11 nomination papers and the elections office was in such upheaval
12 that state Democratic party leaders intervened to persuade
13 officials to allow candidates to collect signatures and file
14 nomination papers as the filing deadline was imminent. The
15 State's chief election officer later invalidated the candidacy
16 for the city council seat that was one of the major causes of
17 the confusion. After that candidacy was invalidated, the city
18 clerk felt compelled to seek the advice and counsel of the city



1 ethics commission to improve procedures and ensure that the
2 clerk's office remains in compliance with the applicable laws
3 and standards of conduct.

4 On September 24, 2008, in response to the controversy
5 resulting from this confusing and chaotic nomination period, the
6 Honolulu city council adopted a resolution urging the
7 legislature to require that nomination papers for elective
8 office be obtained at least twenty-four hours prior to the
9 filing deadline.

10 The purpose of this Act is to establish a statutory
11 deadline by which a person seeking candidacy for elective office
12 shall obtain nomination papers in order to ensure that elections
13 proceed in a fair and orderly fashion.

14 SECTION 2. Section 12-2.5, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§12-2.5 Nomination papers; when available.** (a)
17 Nomination papers shall be made available from the first working
18 day of February in every even-numbered year; provided that in
19 the case of a special primary or special election, nomination
20 papers shall be made available at least ten days prior to the
21 close of filing.



1 (b) Nomination papers shall not be made available in the
 2 twenty-four hour period that precedes the close of filing for
 3 any elective office; provided that if the close of filing
 4 deadline falls on a Monday, no nomination papers shall be made
 5 available after the Friday that immediately precedes the Monday
 6 filing deadline."

7 SECTION 3. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.

9

INTRODUCED BY:

Richard J.
Spencer
John Arnold York
Michael

Will Egan
Rosalyn H Baker
Michelle Tidani
Patrick

Erzanne Chun Oakland
James Derodakis

Report Title:

Elections; Candidate Nomination Papers

Description:

Establishes a twenty-four hour cut off of the availability of nomination papers prior to the close of filing for any elective office.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

