

NOTICE OF INTENTION TO DISQUALIFY POLITICAL PARTIES

Pursuant to Hawaii Revised Statutes (HRS) §11-65, I, SCOTT T. NAGO, Chief Election Officer of the State of Hawaii, hereby provide this notice of intention to disqualify the Aloha Aina Party, Green Party of Hawaii, and Constitution Party of Hawaii. Disqualification of a political party is due to the party failing to satisfy the requirements of HRS §11-61(b). This statute states, in part, the following:

- (1) A party must have had candidates running for election at the last general election for any of the offices listed in paragraph (2) whose terms had expired. This does not include those offices which were vacant because the incumbent had died or resigned before the end of the incumbent's term; and
- (2) The party received at least ten per cent of all votes cast:
 - (A) For any of the offices voted upon by all the voters in the State; or
 - (B) In at least fifty per cent of the congressional districts; or
- (3) The party received at least four per cent of all the votes cast for all the offices of state senator statewide; or
- (4) The party received at least four per cent of all the votes cast for all the offices of state representative statewide; or
- (5) The party received at least two per cent of all the votes cast for all the offices of state senate and all the offices of state representative combined statewide.

The Aloha Aina Party failed to receive the requisite number of votes provided for in HRS §11-61(b) at the last General Election. Given the above, the present notice of intention to disqualify has been issued.

The Green Party of Hawaii failed to receive the requisite number of votes provided for in HRS §11-61(b) at the last General Election. Additionally, the Green Party of Hawaii has reached the end of the ten-year period of being a qualified political party provided for in HRS §11-62(d) for political parties "having been qualified as a political party for three consecutive general elections by petition or pursuant to section 11-61(b)." Pursuant to HRS §11-62(d), "[a]fter 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." Given the above, the present notice of intention to disqualify has been issued.

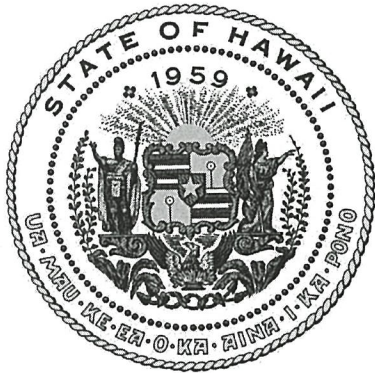
The Constitution Party of Hawaii failed to have "candidates running for election at the last general election for any of the offices listed in paragraph (2) whose terms had expired." HRS §11-61(b)(1). These offices included "any of the offices voted upon by all the voters in the State" or "at least fifty per cent of the congressional districts." HRS § 11-61(b)(2). Please note that the Constitution Party of Hawaii was the beneficiary of the ten-year period provided for in HRS §11-62(d), but it was required to "continue to field candidates for public office during the ten-year period following qualification." Given the above, the present notice of intention to disqualify has been issued.

If an officer of one of these parties whose name is on file with the Chief Election Officer desires a hearing on the notice of intention to disqualify their party, the officer of the party shall, not later than 4:30 p.m. on the tenth day after service by mail of this notice or not later than 4:30

p.m. on the tenth day after the last day upon which this notice is given in any county, whichever is later, file an affidavit with the Chief Election Officer setting forth facts showing the reasons why the party should not be disqualified. HRS §11-65(b).

The Chief Election Officer shall call a hearing not later than twenty days following receipt of the affidavit. The Chief Election Officer shall notify by certified or registered mail the officer of the party who filed the affidavit of the date, time, and place of the hearing. In addition, public notice of the hearing shall be given not later than five days prior to the day of the hearing. The Chief Election Officer shall render the Chief Election Officer's decision not later than 4:30 p.m. on the seventh day following the hearing. Id.

If the party does not file the affidavit within the time specified, this notice of intention to disqualify shall constitute final disqualification. A party thus disqualified shall have the right to requalify as a new party by following the procedures of HRS §11-62. Id.



IN WITNESS WHEREOF, I have hereunto set
my hand and caused the Great Seal of the
State of Hawaii to be affixed.

DONE at the Office of Elections, in Pearl City,
State of Hawaii, this fifteenth day of
February 2023.

A handwritten signature in blue ink, appearing to read "Scott T. Nago". The signature is fluid and cursive, written over a white background.

SCOTT T. NAGO
Chief Election Officer, State of Hawaii