

Richard Nixon Presidential Library  
 Contested Materials Collection  
 Folder List

<u>Box Number</u>	<u>Folder Number</u>	<u>Document Date</u>	<u>No Date</u>	<u>Subject</u>	<u>Document Type</u>	<u>Document Description</u>
27	9	1/12/1972	<input type="checkbox"/>	Campaign	Memo	From Strachan to Haldeman RE: the use of women as campaign chairmen in various states. Duplicate with handwritten notes attached. 2 pgs.
27	9	1/3/1972	<input type="checkbox"/>	Campaign	Memo	From Magruder to RN RE: female voters and the use of women in the presidential campaign. Handwritten notes added by Haldeman and Higby. 5 pgs.
27	9	1/3/1972	<input type="checkbox"/>	Campaign	Memo	From Magruder to RN RE: female voters and the use of women in the presidential campaign. 5 pgs.
27	9		<input checked="" type="checkbox"/>	Campaign	Other Document	Handwritten notes relating to a meeting of the New Hampshire Committee for the Re-Election of the President. 1 pg.

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27	9	1/3/1972	<input checked="" type="checkbox"/>	Campaign	Photograph	List of the status of Democratic contenders for the presidency in early 1972. 1 pg.
27	9	1/6/1972	<input checked="" type="checkbox"/>	Campaign	Other Document	Handwritten notes relating to various White House officials and key campaign figures. 1 pg.
27	9	1/5/1972	<input checked="" type="checkbox"/>	Campaign	Letter	From RN to New Hampshire CRP Chairman Lane Dwinell RE: presidential primaries. 2 pgs.
27	9	1/5/1972	<input checked="" type="checkbox"/>	Campaign	Letter	From RN to Robert L. Stark, New Hampshire Secretary of State, RE: the presidential primary. 1 pg.
27	9	1/6/1972	<input type="checkbox"/>	Campaign	Other Document	Handwritten notes relating to when RN should announce his role in the New Hampshire primary and his decision to seek a second term to the general public. 1 pg.

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27	9		<input checked="" type="checkbox"/>	Campaign	Photograph	Note suggesting that RN avoid partisan political activities in 1972 until after the Republican National Convention. 1 pg.
27	9	1/5/1972	<input type="checkbox"/>	Campaign	Letter	From Strachan to Butterfield showing the latter a draft of a letter from RN to Robert L. Stark. 1 pg.
27	9	1/3/1972	<input type="checkbox"/>	Campaign	Letter	From Stark to RN RE: the New Hampshire primary and the fact that the President's name will be on that ballot. 1 pg.
27	9	1/5/1972	<input type="checkbox"/>	Campaign	Letter	From Strachan to Butterfield showing the draft of a letter from RN to Dwinell. Handwritten edits added by unknown. 2 pgs.
27	9		<input checked="" type="checkbox"/>	White House Staff	Other Document	Slip of paper detailing when an attached document was received. 1 pg.

<u>Box Number</u>	<u>Folder Number</u>	<u>Document Date</u>	<u>No Date</u>	<u>Subject</u>	<u>Document Type</u>	<u>Document Description</u>
27	9	1/4/1972	<input type="checkbox"/>	Campaign	Memo	From Magruder to the Attorney General RE: RN's announcement of his decision to place his name on the New Hampshire primary ballot. 2 pgs.
27	9	1/5/1972	<input type="checkbox"/>	Campaign	Letter	From Strachan to Butterfield showing the draft of a letter from RN to Dwinell. Handwritten edits added by unknown. 2 pgs.
27	9	1/5/1972	<input type="checkbox"/>	Campaign	Letter	From Strachan to Butterfield showing the latter a draft of a letter from RN to Robert L. Stark. 1 pg.
27	9	1/3/1972	<input type="checkbox"/>	Campaign	Letter	From Stark to RN RE: the fact that the President's name will be on the New Hampshire ballot. 1 pg.
27	9	1/5/1972	<input type="checkbox"/>	Campaign	Letter	Price's copy of a draft of a letter from RN to Dwinell. Handwritten edits added by unknown. 2 pgs.

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27	9	1/5/1972	<input type="checkbox"/>	Campaign	Letter	Price's copy of a draft of a letter from RN to Stark. 1 pg.
27	9	1/3/1972	<input type="checkbox"/>	Campaign	Letter	Copy of a letter from Stark to RN sent to Flemming and Magruder. 1 pg.
27	9		<input checked="" type="checkbox"/>	Campaign	Other Document	Handwritten notes relating to presidential primaries. 1 pg.
27	9		<input checked="" type="checkbox"/>	White House Staff	Other Document	Sheet of paper noting that attached information was received at 12:20 PM. 1 pg.
27	9	1/4/1972	<input type="checkbox"/>	Campaign	Letter	Edited version of a letter from RN to Dwinell. Notes added by Price. 2 pgs.

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27	9	1/4/1972	<input type="checkbox"/>	Campaign	Memo	Price's draft of a letter from RN to Stark. 1 pg.
27	9		<input checked="" type="checkbox"/>	White House Staff	Other Document	Sheet of paper noting that attached information was received at 3:19 PM. 1 pg.
27	9	1/4/1972	<input type="checkbox"/>	Campaign	Letter	A letter from RN to Stark generated by Price. 1 pg.
27	9	1/3/1972	<input type="checkbox"/>	Campaign	Letter	Copy of a letter from Stark to RN sent to Flemming and Magruder. 1 pg.

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27	9	12/23/1971	<input type="checkbox"/>	Campaign	Memo	From Magruder to the Attorney General RE: information from Ted Pierson. 1 pg.
27	9		<input checked="" type="checkbox"/>	Campaign	Memo	Document analyzing the legal statutes affecting the New Hampshire primary. 5 pgs.
27	9	1/3/1971	<input type="checkbox"/>	Campaign	Memo	From Strachan to Haldeman RE: information from Magruder on New Hampshire. Handwritten notes added by Higby and Haldeman. 1 pg.
27	9	1/3/1972	<input type="checkbox"/>	Campaign	Memo	From Magruder to Haldeman RE: an attached calendar laying out a timeline of events relating to the New Hampshire presidential primary. Information on Democrats seeking election to the presidency included. 6 pgs.
27	9		<input checked="" type="checkbox"/>	Campaign	Newspaper	Article titled "McCloskey is First to File." 1 pg.

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27	9	1/3/1972	<input type="checkbox"/>	Campaign	Letter	From Dwinell to RN RE: putting the President's name on the New Hampshire primary ballot. Declaration of Candidacy to the National Convention attached. 2 pgs.
27	9	1/7/1972	<input type="checkbox"/>	Campaign	Other Document	Handwritten notes relating to RN's formal announcement that he will take part in the New Hampshire primary. 1 pg.
27	9	1/4/1972	<input type="checkbox"/>	Campaign	Memo	From Magruder to the Attorney General RE: RN's role in the New Hampshire primary. Handwritten notes added by unknown. 2 pgs.
27	9	1/4/1972	<input type="checkbox"/>	Campaign	Letter	From RN to Stark RE: the New Hampshire presidential primary. 1 pg.
27	9		<input checked="" type="checkbox"/>	Campaign	Letter	From Stark to RN RE: the latter's name on the presidential primary ballot in New Hampshire. 1 pg.

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27	9	1/4/1972	<input type="checkbox"/>	Campaign	Letter	Price's draft of a letter from RN to Dwinell on the New Hampshire primary. 2 pgs.
27	9	1/5/1972	<input type="checkbox"/>	Campaign	Letter	Copy of Price's letter to Stark sent from Strachan to Butterfield. Handwritten note added by unknown. 1 pg.
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27	9	1/5/1972	<input type="checkbox"/>	Campaign	Letter	Copy of Price's letter from RN to Dwinell sent from Strachan to Butterfield. Handwritten notes added by unknown. 2 pgs.
27	9		<input checked="" type="checkbox"/>	Campaign	Other Document	List of dates important to the New Hampshire presidential primary. 1 pg.

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27	9	1/3/1972	<input type="checkbox"/>	Campaign	Memo	From Magruder to Haldeman RE: planned activities relating to the New Hampshire presidential primary. Information on Democratic contenders for the presidency attached. 5 pgs.
27	9		<input checked="" type="checkbox"/>	Campaign	Newspaper	Article titled "McCloskey is First to File." 1 pg.
27	9	1/3/1972	<input type="checkbox"/>	Campaign	Letter	From Dwinell to RN RE: putting the latter's name on the New Hampshire primary ballot. Declaration of Candidacy for Election to the National Convention attached. 2 pgs.
27	9	1/3/1972	<input type="checkbox"/>	Campaign	Memo	From Magruder to Haldeman RE: CRP activities in New Hampshire leading up to the primary. Information on Democratic candidates for the presidency attached. Handwritten notes added by unknown. 5 pgs.

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27	9	1/3/1972	<input type="checkbox"/>	Campaign	Memo	From Dwinell to RN RE: placing the latter's name on the primary ballot in New Hampshire. 1 pg.
27	9	1/3/1972	<input type="checkbox"/>	White House Staff	Other Document	Haldeman's schedule for Monday, January 3, 1972. 1 pg.
27	9		<input checked="" type="checkbox"/>	Campaign	Other Document	Handwritten notes relating to Al Kaupinen and his role in the 1972 campaign. 1 pg.
27	9	1/3/1972	<input type="checkbox"/>	Campaign	Memo	From Magruder to the Attorney General RE: filing RN's name for the New Hampshire primary. 2 pgs.

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27	9	12/22/1971	<input type="checkbox"/>	Campaign	Memo	From Dolores Ulman, on behalf of Flemming, to Strachan RE: updated information on presidential primaries. Extensive list of documents detailing primaries, including delegate figures and legal statutes, attached. 56 pgs.
27	9	11/22/1971	<input type="checkbox"/>	Campaign	Other Document	The State of Tennessee's Presidential Preference Primary Act of 1971. 5 pgs.
27	9		<input checked="" type="checkbox"/>	Campaign	Photograph	Copy of the Presidential Primary Act passed by the General Assembly of North Carolina in 1972. Handwritten notes added by unknown. 7 pgs.
27	9	12/22/1971	<input type="checkbox"/>	Campaign	Memo	From Sedam to unknown RE: primary information on Nebraska. 1 pg.
27	9	12/22/1971	<input type="checkbox"/>	Campaign	Memo	From Sedam to unknown RE: primary information on West Virginia. 3 pgs.

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27	9	12/6/1971	<input type="checkbox"/>	Campaign	Other Document	Election statutes relating to an unidentified state. 6 pgs.
27	9	12/15/1971	<input type="checkbox"/>	Campaign	Memo	From Alexander M. Lankler to members of the Maryland Republican State Central Committee RE: a conflict between the Rules of the Republican National Committee and the laws of the State of Maryland. 2 pgs.
27	9		<input checked="" type="checkbox"/>	Campaign	Photograph	Copy of the State of Oregon Election Laws for 1970 and 1971. 4 pgs.
27	9		<input checked="" type="checkbox"/>	Campaign	Other Document	Copy of the California Election Laws of 1970. 7 pgs.
27	9		<input checked="" type="checkbox"/>	Campaign	Other Document	Document laying out procedures for the presidential primary in New Mexico. 3 pgs.

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27	9		<input checked="" type="checkbox"/>	Campaign	Other Document	Laws relating to the New Jersey primary. 5 pgs.
27	9	12/22/1971	<input type="checkbox"/>	Campaign	Memo	From Sedam to unknown RE: primary information on South Dakota. 1 pg.
27	9	12/31/1971	<input type="checkbox"/>	Campaign	Memo	From Magruder to the Attorney General RE: information on Ashbrook's candidacy. 5 pgs.
27	9		<input checked="" type="checkbox"/>	Campaign	Photograph	Biography of Ohio's Congressman John M. Ashbrook, with comments from New Hampshire governors Dwinell and Walter Peterson attached. 2 pgs.
27	9		<input checked="" type="checkbox"/>	Campaign	Other Document	Political biography of Ohio's Congressman John M. Ashbrook. 1 pg.

THE WHITE HOUSE  
WASHINGTON

January 12, 1972

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR: MR. H. R. HALDEMAN  
FROM: GORDON STRACHAN <sup>G</sup>  
SUBJECT: Women as Nixon State Chairmen

After you read Jeb Magruder's report to the President on the role of women in the Campaign, it was suggested that possibly ten states should have women as their Nixon State Chairmen.

Magruder mentioned this request to the Attorney General who said there would be five women as State Chairmen. The states and Chairmen are:

Wyoming -- Mrs. Barbara Gosman

Oklahoma -- Mrs. Rita Moore

Alabama -- Mrs. Edith Holm

Rhode Island -- Ellen Madeira, possibly

Hawaii -- not yet determined

In addition, Flemming reports that in most states a woman will hold the number two spot in the Campaign.

The Attorney General also said that while he too would like more, this is the number that we are going to have. If there are any questions, he would prefer to discuss this matter directly with the President.

THE WHITE HOUSE

WASHINGTON

Administratively Confidential

January 11, 1972

*retyped by KB*

MEMORANDUM FOR:

H.R. HALDEMAN

FROM:

GORDON STRACHAN **G**

SUBJECT:

Women as Nixon State Chairmen

After you read Jeb Magruder's report to the President on the role of women in the Campaign, it was suggested that possibly ten states should have women as their Nixon State Chairmen.

Magruder mentioned this request to the Attorney General who said there would be five women as State Chairmen. The states and Chairmen are:

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Alabama -- Mrs. Edith Holm

Rhode Island -- Ellen Madeira, possibly

Hawaii -- not yet determined

In addition, Flemming reports that in most states a woman will hold the number two spot in the Campaign.

According to Magruder, the Attorney General would prefer to receive suggestions as to the number of women, youth, and blacks on the State Committees from the President directly.

*The AG does "not want to hear from staff people."*

*The AG also said that while he too would like more, this is the number that we are going to have. If there are any questions he would prefer to discuss them matter directly w/ the President.*

COMMITTEE FOR THE RE-ELECTION OF THE PRESIDENT

1701 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D. C. 20006  
(202) 333-0920

*MS  
Don't refer to  
Loney to write Feb 6  
of the weekly  
report.*

January 3, 1972

*for in 10  
women state  
election  
L.*

CONFIDENTIAL

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Campaign Plans for Women's Vote Area

Background

A change in outlook and self-evaluation of major significance is occurring among American women of every age and socio-economic group. Sensitivity to the new self-awakening is the key to the women voters of all ages.

Among the most important issues relating to the new feminist awareness are: equal access to higher education; equal opportunity for jobs and promotions; access to top posts in management, universities and government; availability of good day care centers for children of working mothers; and elimination of legal discrimination of women.

The feminist movement has an emotional dimension that makes it attractive to coverage in the press, as has been evidenced already. The issue will be pushed increasingly hard, particularly by professional women in the press and politics, who have a verbal interest in progress.

In a close election, a decisive segment of women voters may make their choice on a candidate's attitude toward women as a group and an interest in certain issues common to them.

A dichotomy that will affect voter patterns exists between the liberal woman and the more traditional one. The liberal is pursuing an activist, extreme role that views women's liberation as a vehicle for overturning established institutions and creating a grand coalition of the oppressed. Their aim is to achieve political power by building a bargaining position through an alliance of voter bloc groups that can deliver the

vote to the highest bidder. In particular, this appears to be the strategy of Shirley Chisholm as she prepares to enter the Presidential primaries. The more traditional women's population does not want to abandon established values, but it does seek dignity and equal opportunity within a larger traditional framework. Even among these women, their attitudes are different in 1972 than in 1968.

The comments you made on the CBS program last evening regarding the role of women are the kind of positive statements that will appeal to the more liberated woman, yet not upset the traditional woman.

The campaign strategy of 1972, which is outlined below, reflects the changes which have occurred in the awareness and sensitivity of women toward political issues.

#### Campaign Organization

There are two aspects that we will be concerned with in the women's activities in 1972.

One is the need to recruit a full-scale public relations effort to indicate to the women of America that the President and the campaign understand the new self-awareness of women and that we have set up our campaign structure to relate to this awareness.

Qualified women will be placed in key campaign positions and an all-out effort will be made to integrate women into activities of the campaign.

The second would be to restructure the traditional campaign organization so that there would be no separate women's division in 1972. In its place would be a broader organization to be named "Volunteers to Re-elect the President." This would encompass all persons who wish to volunteer their services during the campaign, including women who want to help in the traditional manner.

Volunteers to re-elect the President would be a national effort to solicit help from the state level down to the individual precinct. Although volunteer recruitment will encompass both men and women, it is clear from the time available to them that the largest portion of volunteers will be women.

Volunteers will be responsible for the headquarters operation -- staffing, hostessing, telephoning, distribution of literature and co-ordination of mailings.

A speakers bureau comprised of outstanding community leaders who support the President will be co-ordinated by the volunteers in local areas.

Door to door canvassing, which will be a national grass roots effort to maximize the potential vote for the re-election of the President in specified target areas of the states, will be conducted by teams of volunteers. This door to door effort will be used for registration as well as to get out the maximum vote on election day.

Get out the vote activities conducted by volunteers will include absentee voter registration, poll watching, ballot security, telephoning, transportation and baby sitting on election day.

Recommended programs to conduct these efforts in a systematic and effective way are being developed under the co-ordination of Harry Flemming. They will be made available to the State Chairmen in the form of an operating manual.

Various fund raising activities to be planned by volunteers will include Kaffee Klatches, cocktail parties and activities at county fairs, shopping centers and factories, and other celebrity-type functions which will maximize the vote for President Nixon.

Volunteers who will work for the re-election of the President will be recruited through the traditional political avenues, as well as on a person to person basis through business and professional groups, newcomers organizations, civic and neighborhood groups, and the key service organizations. Men and women will also be recruited through the door to door effort and from the leadership conferences and other activities.

At the state level, Volunteers for the Re-election of the President will be headed by a woman who will be the key woman in that state. She will be designated as co-chairman of the State Committee for the Re-election of the President and Director of Volunteers to Re-elect the President. She will set up this programmed activity in the counties, cities and local groups.

A campaign manual has been designed as a guide to establishing a volunteer effort in each jurisdiction which will hopefully mobilize the most people to get out the vote to re-elect the President.

#### Staffing

Rita Hauser will concentrate on the overall co-ordination of the public relations aspects of this area, in order to achieve

the maximum support among women for the President.

Pat Hutar, who will have her final interviews this week and represents the more traditional Republican women's groups, will direct these volunteer programs in the states.

Nancy Steorts will administer both these programs here in Washington under the direction of Rita Hauser and Pat Hutar.

As the campaign develops, it is planned to have four or five regional field directors to help co-ordinate the activities in the states.

#### Activities to Date

The integrated concept of women being placed in key positions throughout the campaign commensurate with their talents has been explained by Rita Hauser and Nancy Steorts to each State Chairman of the Committee to Re-elect the President as they have been appointed.

This new concept was well received in New Hampshire by Governor Dwinell and Allan Walker, as well as the leading Republican women of the state. Due to the political factions in New Hampshire, Governor Dwinell appointed as the assistant chairman of the New Hampshire Committee to Re-elect the President a woman not identified with any of the political factions. She is Mrs. Roma Spaulding, a member of the State Legislature in New Hampshire. She is well recognized throughout the state as being most astute and knowledgable. She is now in the process of integrating many women into many aspects of the campaign on the county and local levels.

December 29 she held a conference with the key leadership throughout the state, at which time she presented the volunteer program to them.

In New Hampshire, recruitment of volunteers is of prime importance now and coffees are being scheduled throughout the state to maximize the recruitment efforts. Each of the key women has scheduled a coffee and they will be held between January 9 and February 18. Key Administration speakers will be invited to attend one of the coffees when they are in New Hampshire. Rita Hauser plans to visit New Hampshire again January 12 - 13 and will give them additional guidance in this effort.

In Oregon, Congressman Wyatt was exceedingly receptive to the integrated concept and agreed to appoint some of his key women as city chairmen. As his co-chairman, he feels a woman between the ages of 30 and 45 would best represent the new image of women in Oregon.

John MacIver in Wisconsin, Tom Houser of Illinois, Ed Thomas of Maryland, George Cook of Nebraska and Larry Roos of Missouri were all most enthusiastic about the approach of putting well-qualified women in key campaign positions. Each will appoint a co-chairman.

Hal Byrd of South Carolina feels the Southern women are ready for this change and has a strong candidate in mind. He also has appointed a steering committee which will be comprised of many key women in the state.

Senator Cook, Congressmen Ford, Harvey, Keith, Anderson of Illinois and Brown have also commented that they are most pleased with the approach and have all offered to share with us suggestions and recommendations of good women who were active in their own campaigns.

Anne Armstrong and the Republican Party leadership have reacted positively and were re-assured by Hauser and Steorts they would play an important part in the re-election of the President.

In Florida we will work through L. E. Thomas and will develop activities that will at this time be party oriented.

At the present time, particular effort is being placed on activities relating to the New Hampshire primary campaign. This will be the first opportunity to demonstrate that the concepts outlined above will be effective in building a strong campaign which will gain a large vote for the President. The experiences of the New Hampshire primary will be applied to further refinement of plans in the Women's Vote Area for the general campaign.

  
JEB S. MAERUDER

COMMITTEE FOR THE RE-ELECTION OF THE PRESIDENT

1701 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D. C. 20006  
(202) 333-0920

January 3, 1972

CONFIDENTIAL

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Background

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The feminist movement has an emotional dimension that makes it attractive to coverage in the press, as has been evidenced already. The issue will be pushed increasingly hard, particularly by professional women in the press and politics, who have a verbal interest in progress.

In a close election, a decisive segment of women voters may make their choice on a candidate's attitude toward women as a group and an interest in certain issues common to them.

A dichotomy that will affect voter patterns exists between the liberal woman and the more traditional one. The liberal is pursuing an activist, extreme role that views women's liberation as a vehicle for overturning established institutions and creating a grand coalition of the oppressed. Their aim is to achieve political power by building a bargaining position through an alliance of voter bloc groups that can deliver the

vote to the highest bidder. In particular, this appears to be the strategy of Shirley Chisholm as she prepares to enter the Presidential primaries. The more traditional women's population does not want to abandon established values, but it does seek dignity and equal opportunity within a larger traditional framework. Even among these women, their attitudes are different in 1972 than in 1968.

The comments you made on the CBS program last evening regarding the role of women are the kind of positive statements that will appeal to the more liberated woman, yet not upset the traditional woman.

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As the campaign develops, it is planned to have four or five regional field directors to help co-ordinate the activities in the states.

#### Activities to Date

The integrated concept of women being placed in key positions throughout the campaign commensurate with their talents has been explained by Rita Hauser and Nancy Steorts to each State Chairman of the Committee to Re-elect the President as they have been appointed.

This new concept was well received in New Hampshire by Governor Dwinell and Allan Walker, as well as the leading Republican women of the state. Due to the political factions in New Hampshire, Governor Dwinell appointed as the assistant chairman of the New Hampshire Committee to Re-elect the President a woman not identified with any of the political factions. She is Mrs. Roma Spaulding, a member of the State Legislature in New Hampshire. She is well recognized throughout the state as being most astute and knowledgeable. She is now in the process of integrating many women into many aspects of the campaign on the county and local levels.

December 29 she held a conference with the key leadership throughout the state, at which time she presented the volunteer program to them.

In New Hampshire, recruitment of volunteers is of prime importance now and coffees are being scheduled throughout the state to maximize the recruitment efforts. Each of the key women has scheduled a coffee and they will be held between January 9 and February 18. Key Administration speakers will be invited to attend one of the coffees when they are in New Hampshire. Rita Hauser plans to visit New Hampshire again January 12 - 13 and will give them additional guidance in this effort.

In Oregon, Congressman Wyatt was exceedingly receptive to the integrated concept and agreed to appoint some of his key women as city chairmen. As his co-chairman, he feels a woman between the ages of 30 and 45 would best represent the new image of women in Oregon.

John MacIver in Wisconsin, Tom Houser of Illinois, Ed Thomas of Maryland, George Cook of Nebraska and Larry Roos of Missouri were all most enthusiastic about the approach of putting well-qualified women in key campaign positions. Each will appoint a co-chairman.

Hal Byrd of South Carolina feels the Southern women are ready for this change and has a strong candidate in mind. He also has appointed a steering committee which will be comprised of many key women in the state.

Senator Cook, Congressmen Ford, Harvey, Keith, Anderson of Illinois and Brown have also commented that they are most pleased with the approach and have all offered to share with us suggestions and recommendations of good women who were active in their own campaigns.

Anne Armstrong and the Republican Party leadership have reacted positively and were re-assured by Hauser and Steorts they would play an important part in the re-election of the President.

In Florida we will work through L. E. Thomas and will develop activities that will at this time be party oriented.

At the present time, particular effort is being placed on activities relating to the New Hampshire primary campaign. This will be the first opportunity to demonstrate that the concepts outlined above will be effective in building a strong campaign which will gain a large vote for the President. The experiences of the New Hampshire primary will be applied to further refinement of plans in the Women's Vote Area for the general campaign.

JEB S. MAGRUDER

N.H. Comm for the Re Elec of the P.  
N.H. Hwy Hotel  
Concord, N.H. 03301

Subjects to be covered:

Miller  
H  
in  
California  
Jan 3.

- ① Harry Flemming - field operations problems
- ② J. Magruder - security problem and W.H. Staff second - guessing
- ③ Peter Bailey - advertising theory for lowest common denominator
- ④ Press contact policy at 1,701
- ⑤ Task Force Studies - Magruder holding rather than to AG
- ⑥ Strategy Group sessions -
- ⑦ RNC press policy - Lynn Neff's replacement.

1/3/31

SUMMARY OF THE STATUS OF  
ALL DEMOCRATIC CONTENDERS

<u>Name</u>	<u>Status</u>
Rep. Shirley Chisholm	Expected to formally announce in about two weeks.
Senator Hartke	May file on or before January 6 for New Hampshire
Senator Humphrey	To announce on January 10, in time to qualify for the April 25 Pennsylvania Primary.
Senator Jackson	Already announced as a candidate for the nomination. Expected to enter the Florida primary.
Mayor Lindsay	Already announced as a candidate for the nomination, and for the Florida and Wisconsin Primaries.
Engene McCarthy	Announced an intention to run in Boston two weeks ago. May not seriously campaign until the Wisconsin Primary.
Senator McGovern	Already announced as a candidate for the nomination. Will file on January 4 for New Hampshire.
Rep. Wilbur Mills	Has set up campaign staff. Expected to be active in southern states. Has not yet formally announced.
Senator Muskie	Will announce for the Presidency on January 4. Expected to file in New Hampshire on January 6.
Governor Wallace	Expected to announce sometime in January. May enter the Florida Primary as a Democrat.
Mayor Yorty	Already announced as a candidate for the nomination. Will file on or before January 6 for New Hampshire.

L. 1/6 (NH. Letter) 4 35  
Cabinet letters - Today  
- P's

Go →  
G-58M  
445

Dole  
Dornnick OK  
Wilson  
Colson Per AG plea  
Klein  
Leadership - Hugh Gott  
Ford

Today

Roger ~~Wasson~~ Concert letter  
1/13 or 14 fr/P

The Western White House

January 5, 1972

Dear Lane:

Thank you for your generous letter, and for the petitions you have filed entering my name in the New Hampshire primary.

It was in New Hampshire that I began my campaign for the Presidency four years ago, and I remember well the opportunity that campaign provided to visit so much of the State and to meet so many of its people. I have tried to be true to the trust they expressed, and to carry forward the effort we began in New Hampshire in 1968: to bring peace and progress both abroad and at home, and to give America the leadership it needs for a new era of national greatness.

We have made significant beginnings in these past three years. I want to complete the work that we have begun, and therefore I shall be a candidate for re-nomination and re-election. I deeply appreciate the confidence expressed by those who signed the petitions, and I shall do all in my power to be worthy of that confidence.

In addition to New Hampshire, I shall also permit my name to be entered in the other primaries. As I am

sure you will understand, however, it will not be possible for me to campaign actively and personally in any of the primary elections. I feel it is essential, particularly in this year when events of such importance to the world's future are taking place, that at least until the Republican Convention the President should refrain from public partisan activities in order to conduct the business of government with the minimum intrusion of purely political activity.

On my behalf, therefore, please express to the people of New Hampshire my warm greetings, my gratitude for their past courtesies, and my hope that together we can work toward a national renewal that will make the anniversary year of 1976 as proud a milestone for America as was 1776.

Sincerely,

Mr. Lane Dwinell  
New Hampshire Committee for  
Re-election of the President  
The New Hampshire Highway Hotel  
Concord, New Hampshire 03301

**The Western White House**

**January 5, 1972**

**Dear Mr. Secretary:**

**Thank you for your telegram formally notifying me that petitions have been filed to place my name on the Presidential preference primary ballot in New Hampshire, and giving me the opportunity either to leave my name on the ballot or withdraw it.**

**I shall be a candidate for re-nomination and re-election, and therefore I shall leave my name on the ballot.**

**Sincerely,**

**Honorable Robert L. Stark  
Secretary of State  
State of New Hampshire  
Concord, New Hampshire**

**RN:RKP:pcs**

Letter -

Release 11a - San Clem

not at 4 p

beef / too much delay

for ~~Shuman~~ N.H.

release at 11a. fr/N.H.

Rose memo → # on Cal empl?

RSR - not mailed

JSM against telegram beef  
duplication fr/WH (stationary)

L/JSM

wc-Release Sat? -

JSM - too late; press conf.

wc good weekend story, seen

w/ P's b'day + Mrs Nixon

JSM - won't get coverage in NH.

- NH - always do it at Secy St office

JSM - San Clemente? ~~yes~~

JSM/CWC - Sat - tradition in NH.

- beef w/ol of Secy of St

- AG view - Friday OK

Can't move to Mon beef/notified press

THE WHITE HOUSE

WASHINGTON

          , that at least until  
~~after~~ the Republican Convention  
the President should refrain  
from public partisan activities.

To: Alex Butterfield  
From: Gordon Shachan

PRICE

January 5, 1972

LETTER TO ROBERT L. STARK

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Sincerely,

RN

Honorable Robert L. Stark  
Secretary of State  
State of New Hampshire  
Concord, New Hampshire

WHA109 OLCTA104

DEC064 KC070 K CRA010 PP LONG PDB CONCORD NHAMP 3 1034A, EST  
HONORABLE RICHARD M NIXON, REPORT DELIVERY TIME AND DATE  
THE WHITE HOUSE WUX WASHDC

DEAR SIR: ON TUESDAY, MARCH 7, 1972 , NEW HAMPSHIRE WILL CONDUCT  
A PRESIDENTIAL PREFERENCE PRIMARY , AT WHICH EACH QUALIFIED  
VOTER WILL HAVE THE OPPORTUNITY TO EXPRESS HIS PREFERENCE  
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PARTY AT THIS PRIMARY HAVE BEEN FILED AT THIS OFFICE.

YOU ARE ADVISED THAT YOUR NAME WILL APPEAR ON THE BALLOT  
OF THE REPUBLICAN PARTY AT THIS PRESIDENTIAL PREFERENCE PRIMARY

AS A CANDIDATE FOR PRESIDENT, UNLESS, WITHIN TEN DAYS AFTER  
YOUR RECEIPT OF THIS NOTICE, YOU SIGNIFY TO ME, YOUR DESIRE  
TO WITHDRAW YOUR NAME FROM THE BALLOT

VERY TRULY YOURS

ROBERT L STARK SECRETARY OF STATE.

7 1972.

(1045).

01005

To: Alex Butterfield  
From: Gordon Strachan

PRICE

January 5, 1972

LETTER TO LANE DWINELL

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It was in New Hampshire that I began my campaign for the Presidency four years ago, and I remember well the opportunity that campaign provided to visit so much of the State and to meet so many of its people. I have tried to be true to the trust they expressed, and to carry forward the effort we began in New Hampshire in 1968: to bring peace and progress both abroad and at home, and to give America the leadership it needs for a new era of national greatness.

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In addition to New Hampshire, I shall also permit my name to be entered in the other primaries.)

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elections. I feel it is essential, particularly in this year when events of such importance to the world's future are taking place, that until the last possible minute the President should refrain from partisan campaigning in order to conduct the business of government with the minimum intrusion of <sup>partisan</sup> (purely political activity)

*at least until after the Repeal comes the P should refrain from public par acti*

On my behalf, therefore, please express to the people of New Hampshire my warm greetings, my gratitude for their past courtesies, and my hope that together we can work toward a national renewal that will make the anniversary year of 1976 as proud a milestone for America as was 1776.

Sincerely,

RN

Mr. Lane Dwinell  
 New Hampshire Committee for the Re-election  
 of the President  
 The New Hampshire Highway Hotel  
 Concord, New Hampshire 03301



THE WHITE HOUSE  
WASHINGTON

REC 7:54 P.M.

COMMITTEE FOR THE RE-ELECTION OF THE PRESIDENT

January 4, 1972

1701 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D. C. 20006  
(202) 333-0920

CONFIDENTIAL

MEMORANDUM FOR THE ATTORNEY GENERAL

SUBJECT: Announcement of the President's Decision to  
Run in New Hampshire

The following is the scenario we have worked out for the actions in Concord, New Hampshire, on Friday, January 7. At 10:00 a.m. that morning Governor Dwinell will go to the Secretary of State's office. He will be accompanied by Governor Peterson and Senator Cotton if their schedules permit. Governor Dwinell will release two letters in which the President agrees to be a candidate in the New Hampshire primary. One letter will be addressed to the Secretary of State and will be given to him. The other will be addressed to Dwinell. Copies of these documents and a press release will be provided to reporters. The release will have a New Hampshire dateline, with Dwinell saying he "today received letters from the President stating his willingness to have his name on the New Hampshire primary ballot, etc."

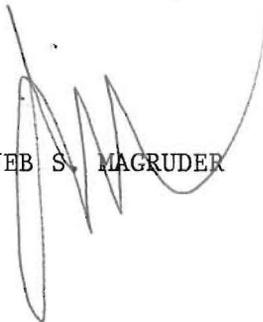
The letters have been written by Ray Price and the press release is being written by our office. On Thursday, January 6, they will be hand carried to New Hampshire by Tom Girard. On that day they will be distributed to the following people: Senator Dole, Lyn Nofziger, Chuck Colson, Herb Klein, Bill Timmons, Clark MacGregor, Senator Peter Dominick, and Congressman Bob Wilson. Harry Flemming will talk to all Nixon State Chairmen and Tom Evans will talk to all Republican Party Officials.

Also on Thursday this material will be transmitted to Jerry Warren in San Clemente. He will give the letters to the White House Press there on Friday after the activities in New Hampshire. We will distribute the release and the letters in Washington to the local press.

CONFIDENTIAL

CONFIDENTIAL

Press coverage in New Hampshire on Friday will be coordinated by Tom Girard on location. He has informed Governor Dwinell, Allan Walker, and John Sias of the new plan. Sias, the press man, is in Los Angeles, and will not be in New Hampshire on Friday. Girard has talked with Sias and is working with him on notification of reporters on Thursday. Contacts will be made with area papers and stations, the wires, and representatives of the networks. Girard will visit Dwinell on Thursday evening to brief him further on the plans and will urge him to emphasize his full backing of the President's position on not campaigning in the primaries because of the great responsibilities of the Presidency. The event will emphasize the local support for the President's candidacy. Girard will accompany Dwinell to the Secretary of State's office and then call me as soon as the events are completed.



JEB S. MAGRUDER

CONFIDENTIAL

To: Alex Butterfield  
From: Gordon Shachan

PRICE

January 5, 1972

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PRICE

January 5, 1972

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Honorable Robert L. Stark  
Secretary of State  
State of New Hampshire  
Concord, New Hampshire

WHA109 0LCTA104

DECO64 KC070 K CRA010 PP LONG PDB CONCORD NHAMP 3 1034A, EST  
HONORABLE RICHARD M NIXON, REPORT DELIVERY TIME AND DATE  
THE WHITE HOUSE WUX WASHDC

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01005

VERY TRULY YOURS

ROBERT L STARK SECRETARY OF STATE.

7 1972.

(1045).

PRICE

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New Hampshire Committee for the Re-election  
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The New Hampshire Highway Hotel  
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RN

Honorable Robert L. Stark  
Secretary of State  
State of New Hampshire  
Concord, New Hampshire



Handwritten scribbles and markings

69

WHA109 0LCTA104

DEC064 KC070 K CRA010 PP LONG PDB CONCORD NHAMP 3 1034A, EST  
HONORABLE RICHARD M NIXON, REPORT DELIVERY TIME AND DATE  
THE WHITE HOUSE WUX WASHDC

DEAR SIR: ON TUESDAY, MARCH 7, 1972 , NEW HAMPSHIRE WILL CONDUCT  
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01005

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VERY TRULY YOURS

ROBERT L STARK SECRETARY OF STATE.

7 1972.

(1045).

G → H re CUC write in camp  
for EMK in NH.

L re H-mty w/K

Devinnel letter

- Friday's date? → P will also permit his name to be entered
  - 1<sup>st</sup> person? → in the other primaries,
  - Merge sign? → but will not camp in any of them
- all other | Ohio.  
some of other

THE WHITE HOUSE  
WASHINGTON

12:20 Pm

PRICE

January 4, 1972

DRAFT LETTER TO LANE DWINELL

Dear Lane:

Thank you for your generous letter, and for the petitions you have filed entering my name in the New Hampshire primary.

It was in New Hampshire that I began my campaign for the Presidency four years ago, and I remember well the opportunity that campaign provided to visit so much of the state and to meet so many of its people. I have tried to be true to the trust they expressed, and to carry forward the effort we began in New Hampshire in 1968; to bring peace and progress both abroad and at home, and to give America the leadership it needs for a new era of national greatness.

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On my behalf, therefore, please express to the people of New Hampshire, <sup>to</sup> my warm greetings, my gratitude for their past courtesies, and my hope that together we can work toward a national renewal that will make the anniversary year of 1976 as proud a milestone for America as <sup>was</sup> 1776. ###

PRICE

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was

PRICE

January 4, 1972

DRAFT OF LETTER TO ROBERT L. STARK

Robert L. Stark  
Secretary of State  
Concord, New Hampshire

Dear Mr. Stark:

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RMN

THE WHITE HOUSE  
WASHINGTON

3:19 PM

PRICE

January 4, 1972

Dear Mr. Stark:

Thank you for your telegram formally notifying me that petitions have been filed to place my name on the Presidential preference primary ballot in New Hampshire, and giving me the opportunity either to leave my name on the ballot or withdraw it.

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Sincerely,

WHA109 OLCTA104

DEC064 KC070 K CRA010 PP LONG PDB CONCORD NHAMP 3 1034A, EST  
HONORABLE RICHARD M NIXON, REPORT DELIVERY TIME AND DATE

THE WHITE HOUSE WUX WASHDC

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04005

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VERY TRULY YOURS

ROBERT L STARK SECRETARY OF STATE.

7 1972.

(1045).

COMMITTEE FOR THE RE-ELECTION OF THE PRESIDENT

1701 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D. C. 20006  
(202) 333-0920

December 23, 1971

CONFIDENTIAL

MEMORANDUM FOR THE ATTORNEY GENERAL

Enclosed for your information is a memorandum prepared by Ted Pierson, a lawyer in Washington, at the request of Chuck Coleson on the equal time provisions of the Communications Act and the New Hampshire Primary.

JEB S. MAGRUDER

CONFIDENTIAL

## MEMORANDUM

### 1. Question Presented

At what point in the New Hampshire primary would §315 of the Communications Act come into play?

### 2. Preliminary Discussion

The New Hampshire primary consists of two parts, a presidential preference poll and an election for delegates to the national conventions. The presidential preference poll is entered by filing petitions on behalf of a candidate. These petitions are due on January 6, 1972. The candidate may request that his name be withdrawn up to January 17, 1972.

With respect to the election of delegates, the delegates may be unpledged, favorable to a candidate or pledged to a candidate; delegates favorable to a candidate require no consent. Pledged delegates must have the written consent of the candidate. Persons seeking delegate positions must file between December 23 and January 24 and consent to pledged delegates must be filed on or before the latter date.

Under the rules the Commission has adopted to implement §315 of the Communications Act, broadcast time must be afforded to all legally qualified candidates for the same nomination whenever time is provided for the appearance of one such candidate. The rules define a legally qualified candidate as one who has 1) publicly announced his candidacy, 2) meets the legal qualifications for office, and 3) is on the ballot or otherwise is shown to be a bona fide candidate.

In dealing with campaigns for the Presidential nomination, the Commission has focused on the public announcement test where incumbents are involved since the latter two criteria may be inferred. The McCarthy case illustrates this point. In January, 1968, Senator McCarthy requested equal time to respond to an interview program featuring President Johnson. Since Johnson had not then made any announcement concerning reelection, the Commission held that he should not be considered a legally qualified candidate. Senator Eugene McCarthy, 11 F.C.C.2d 511 (1968). This determination was upheld by the Court of Appeals. McCarthy v. FCC, 390 F.2d 421 (D.C. Cir. 1968).<sup>1/</sup> For purposes of analyzing the New Hampshire primary, this case appears to be determinative.

### 3. What Constitutes a Public Announcement

Petitions for inclusion on the New Hampshire presidential preference ballot are not filed by the candidate himself and the mere fact of such filing would not, therefore, constitute a public announcement by the candidate. Indeed, there is no way to prevent such filings. By January 17, 1972, a person whose name has been entered may withdraw it from the ballot. However, since the results of the presidential poll are merely advisory and bind no delegates, the failure to withdraw one's name would not be inconsistent with a decision not to run for reelection and thus the absence of a withdrawal would not constitute a "public announcement" to seek reelection.

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<sup>1/</sup> The Court indicated that a mechanical application of the Public Announcement test would be improper where other circumstances established that a campaign was actually being conducted.

With respect to delegate election, so long as no potential delegates receive the President's written consent to run as pledged to him, there would be nothing to imply a public announcement. As we understand it, delegates may, on their own, run as unpledged or as "favorable" to a particular person. But once the President consents to have delegates run pledged to him, he can no longer disavow that he is a candidate for reelection. This affirmative act would constitute a "public announcement."

#### 4. The Effect of a Public Announcement

Once a public announcement of candidacy has occurred, pursuant to §315 of the Act all rival legally qualified candidates for the Republican Presidential nomination would be entitled to equal time. This requirement would not be limited to those states in which there are primary contests but would be nationwide in scope. Thus where the President made a network appearance, his rivals would have to be given a comparable opportunity even though New Hampshire was the only state where there was an active contest.

Of course, to obtain equal time a rival must establish that he is a bona fide candidate and a mere announcement that he will seek the nomination would not suffice in most instances. Moreover, many broadcast appearances by the President would be exempt from §315 since the 1959 amendments to the Act restricted its scope.

#### 5. Presidential Appearances Exempt from the Equal Opportunities Requirements

An appearance by the President, after he has announced his intention to seek reelection, on a 1) bona fide newscast, 2) bona fide news

interview, 3) bona fide news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary) or 4) on-the-spot coverage of bona fide news events (including but not limited to political conventions and activities incidental thereto), would not create equal opportunities rights in his rivals. The purpose of these exemptions is to preserve the broadcasters' journalistic function.

While there is some obvious overlap between these categories, each focuses on and is designed to insulate from §315 a particular type of broadcast. Thus the newscast exemption would protect all regularly scheduled news programs even where direct coverage of the campaigning is presented. It would also cover special newscasts such as the recent programs on the Supreme Court nominations.

The news interview exemption only applies to regularly scheduled programs such as "Meet the Press." It would not cover Presidential press conferences or such programs as the Howard K. Smith interview on ABC.

News documentaries are also exempted where the candidate's appearance is incidental to the subject covered. What constitutes an incidental appearance can only be determined in a specific factual context. Clearly where the appearance is brief and essential to accurately cover the subject, the exemption would be recognized. Where the candidate played a leading role in the subject dealt with and he appeared frequently throughout the program, the exemption would probably not be available.

The final exemption is for on-the-spot coverage of news events. This specifically includes coverage of political conventions. This exemption also covers ceremonial appearances such as welcoming foreign dignitaries, bill signings and other regular newsmaking functions of an incumbent officeholder. Special coverage of such items as the termination of the import surcharge or the President's trips abroad would also fall within this category (and also within the news-cast exemption).

The exemptions all deal with areas which are part of the normal journalistic function of the broadcaster and are under the broadcaster's supervision and control. Where the appearance involves Presidential addresses or press conferences, this element of supervision and control is diminished. Nevertheless, such appearances will still be within the exemption where it is shown that they deal with extraordinary and important events and it is clear that the President is using the time as Chief of State. The two situations where this situation has arisen were the Suez Crisis in 1956, where President Eisenhower addressed the nation, and the 1964 speech by President Johnson concerning Khrushchev's fall and the Chinese explosion of a nuclear bomb. Similar situations in the future, whether discussed in addresses or press conferences, will presumably be afforded similar treatment.

*The 7<sup>th</sup> is  
Bad we're still  
in the safe*

*No it's right.  
This is  
wrong*

*Hold in  
Some things regard*

THE WHITE HOUSE  
WASHINGTON

January 3, 1971

TO:

H. R. HALDEMAN

FROM:

GORDON STRACHAN

Magruder prepared the attached description of the crucial dates in New Hampshire. He also talked with the Attorney General this morning about the possible announcement date by the President. Magruder believes that there should not be a big Western White House story on the announcement on January 8. Dwinnel cannot release the President's letter from the New Hampshire Secretary of State's office January 8 because the office is closed on Saturday. Magruder suggests that Dwinnel release the President's letter in New Hampshire on Friday, January 7. This will be a big local New Hampshire story but would not be big nationally. The Attorney General concurs with Magruder's suggestion.

COMMITTEE FOR THE RE-ELECTION OF THE PRESIDENT

1701 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D. C. 20006  
(202) 333-0920

January 3, 1972

CONFIDENTIAL

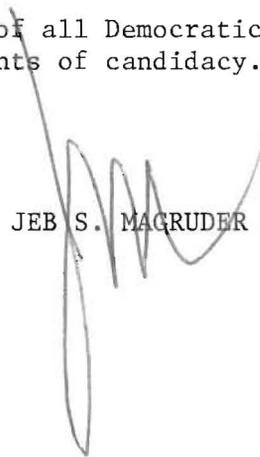
MEMORANDUM FOR MR. HALDEMAN

SUBJECT: Announcements Relating to the New Hampshire Primary

Per your request, the following is a complete listing of our activities relating to the New Hampshire primary, as well as what is known of our opponents' plans, through January 24. That is the final date for candidates to sign off on a pledged slate of delegates for the election.

Also included is a summary of the status of all Democratic contenders, relating to formal announcements of candidacy.

JEB S. MAGRUDER



cc: The Attorney General

SUMMARY OF IMPORTANT DATES RELATING TO THE NEW HAMPSHIRE PRIMARY

<u>Date</u>	<u>Activity</u>	<u>Description</u>
Monday January 3 10:00 A.M.	Governor Dwinell filed petitions for the President	Governor Dwinell held a press conference at the office of the Secretary of State. He released the letter he is sending to the President. UPON RECEIPT OF THE PETITION AND AFTER A BRIEF REVIEW TO ASSURE ENOUGH VALID SIGNATURES, THE SECRETARY OF STATE WILL SEND A TELEGRAM TO THE WHITE HOUSE FORMALLY NOTIFYING THE PRESIDENT OF THE FILING. THE PRESIDENT THEN HAS TEN DAYS (UNTIL JANUARY 13) TO WITHDRAW HIS NAME IF HE SO DESIRES.
(January 13 or before)	The President will declare his candidacy in letters to Governor Dwinell and the New Hampshire Secretary of State.	Governor Dwinell will hand deliver the letter to the Secretary of State. It will be somewhat formal, affirming that the President desires his name to remain on the ballot. The letter to Governor Dwinell will be more personal. In it, the President will set forth the tone of his candidacy: that he seeks a second term to complete the important initiatives now in progress, but that the ongoing responsibilities of the Presidency will prevent him from campaigning actively in the primaries. The letter will make particular mention of the traditional importance of the New Hampshire primary and of the President's appreciation for the support already shown by the people through the efforts of Governor Dwinell's organization. The letters will be made public by Governor Dwinell at a news conference in New Hampshire. Ann Dore, from our staff, will coordinate that conference. Ron Ziegler will release the letters in Washington by placing them on the board in the Press Office. There will be no formal announcement by him of the texts of the communications. Ray Price is now drafting both letters. Drafts will be forwarded by Ray within one or two days.
Monday January 24	LAST DAY FOR DELEGATES TO FILE; LAST DAY FOR CANDIDATES TO SIGN OFF ON PLEDGED DELEGATE SLATE.	The selection of delegates to the Convention is separate from the candidate preference contest. In order to assure that delegates for the President are not defeated by spreading the votes too thinly over a wide field (as happened to LBJ in 1968), a pledged slate will be filed. In order to file as a delegate, an individual must fill out a form and pay \$10.00 filing fee. For a person to run as a "pledged" delegate (instead of "favorable to" a candidate), the candidate must give his consent in writing to the Secretary of State. The letter can arrive on or before January 24. The Re-election Committee will work with Ray Price to draft the letter that the President will send. Governor Dwinell will coordinate the filing of the 14 pledged delegates and the 14 alternates.

IMPORTANT DATES RELATING TO THE NEW HAMPSHIRE PRIMARY

<u>Date</u>	<u>Activity</u>	<u>Description</u>
THURSDAY DECEMBER 23	FIRST DAY THAT PETITIONS CAN BE FILED TO PLACE A CANDIDATE ON THE BALLOT; FIRST DAY FOR DELEGATES TO FILE.	CANDIDATE MUST SUBMIT PETITIONS WITH THE SIGNATURES OF 500 VOTERS FROM EACH CONGRESSIONAL DISTRICT AND \$500 FILING FEE.
December 23	Rep. McCloskey filed petitions.	McCloskey met with newsmen in the office of the Secretary of State (Tab A).
Monday January 3 9:30 A.M.	Rep. Ashbrook filed petitions.	Ashbrook held a press conference in the Senate Chamber of the State Capitol. It was essentially a repeat of his press conference in Washington last week.
10:00 A.M.	Governor Dwinell filed petitions for the President.	Governor Dwinell held a press conference at the office of the Secretary of State. He released the letter he is sending to the President (Tab B). UPON RECEIPT OF THE PETITION AND AFTER A BRIEF REVIEW TO ASSURE ENOUGH VALID SIGNATURES, THE SECRETARY OF STATE WILL SEND A TELEGRAM TO THE WHITE HOUSE FORMALLY NOTIFYING THE PRESIDENT OF THE FILING. THE PRESIDENT THEN HAS TEN DAYS (UNTIL JANUARY 13) TO WITHDRAW HIS NAME IF HE SO DESIRES.
Tuesday January 4	Senator Muskie to announce for the Presidency. (He will probably file in New Hampshire on January 6).	Senator Muskie has reserved ten minutes of network television time, 8:20 - 8:30 P.M. (the last part of the Glen Campbell Show on CBS).
January 4	Senator McGovern will file	

<u>Date</u>	<u>Activity</u>	<u>Description</u>
(January 6 or before)	Senator Hartke may file	A group of Indiana college students is now seeking the required signatures for Hartke's nominating petition.
(January 6 or before)	Mayor Yorty will file	He has declared his candidacy and has already spent several days campaigning in the state.
THURSDAY JANUARY 6	LAST DAY FOR FILING TO PLACE A CANDIDATE ON THE BALLOT	
(January 13 or before)	The President will declare his candidacy in letters to Governor Dwinell and the New Hampshire Secretary of State.	Governor Dwinell will hand deliver the letter to the Secretary of State. It will be somewhat formal, affirming that the President desires his name to remain on the ballot. The letter to Governor Dwinell will be more personal. In it, the President will set forth the tone of his candidacy: that he seeks a second term to complete the important initiatives now in progress, but that the ongoing responsibilities of the Presidency will prevent him from campaigning actively in the primaries. the letter will make particular mention of the traditional importance of the New Hampshire primary and of the President's appreciation for the support already shown by the people through the efforts of Governor Dwinell's organization. The letters will be made public by Governor Dwinell at a news conference in New Hampshire. Ann Dore, from our staff, will coordinate that conference. Ron Ziegler will release the letters in Washington by placing them on the board in the Press Office. There will be no formal announcement by him of the texts of the communications. Ray Price is now drafting both letters. Drafts will be forwarded by Ray within one or two days.

<u>Date</u>	<u>Activity</u>	<u>Description</u>
MONDAY JANUARY 24	LAST DAY FOR DELEGATES TO FILE; LAST DAY FOR CANDIDATES TO SIGN OFF ON PLEDGED DELEGATE SLATE.	The selection of delegates to the Convention is separate from the candidate preference contest. In order to assure that delegates for the President are not defeated by spreading the votes too thinly over a wide field (as happened to Johnson in 1968), a pledged slate will be filed. In order to file as a delegate, an individual must fill out a form (Tab C) and pay a \$10 filing fee. For a person to run as a "pledged" delegate (instead of "favorable to" a candidate), the candidate must give his consent in writing to the Secretary of State. The letter can arrive on or before January 24. The Re-election Committee will work with Ray Price to draft the letter that the President will send. Governor Dwinell will coordinate the filing of the 14 pledged delegates and the 14 alternates.

SUMMARY OF THE STATUS OF  
ALL DEMOCRATIC CONTENDERS

<u>Name</u>	<u>Status</u>
Rep. Shirley Chisholm	Expected to formally announce in about two weeks.
Senator Hartke	May file on or before January 6 for New Hampshire
Senator Humphrey	To announce on January 10, in time to qualify for the April 25 Pennsylvania Primary.
Senator Jackson	Already announced as a candidate for the nomination. Expected to enter the Florida primary.
Mayor Lindsay	Already announced as a candidate for the nomination, and for the Florida and Wisconsin Primaries.
Engene McCarthy	Announced an intention to run in Boston two weeks ago. May not seriously campaign until the Wisconsin Primary.
Senator McGovern	Already announced as a candidate for the nomination. Will file on January 4 for New Hampshire.
Rep. Wilbur Mills	Has set up campaign staff. Expected to be active in southern states. Has not yet formally announced.
Senator Muskie	Will announce for the Presidency on January 4. Expected to file in New Hampshire on January 6.
Governor Wallace	Expected to announce sometime in January. May enter the Florida Primary as a Democrat.
Mayor Yorty	Already announced as a candidate for the nomination. Will file on or before January 6 for New Hampshire.

# McCloskey Is First To File

U.S. Rep. Paul N. McCloskey Jr., R-Calif., challenger to President Nixon, today formally filed for a spot on the Republican presidential preference primary here.

McCloskey forces submitted \$500 and 1,424 signatures with the congressman's filing papers — 711 signatures from the 1st Congressional District and 713 signatures from the 2nd Congressional District.

The nation's first presidential primary in 1972 is held in New Hampshire March 7.

The filing period for presidential and vice-presidential candidates extends from today through Jan. 6.

Candidates for delegates to the national convention have until Jan. 24 to file.

The candidate strode into the office of Secretary of State Robert M. Stark, commenting "we're starting early to give our opposition the opportunity to debate the issues."

McCloskey told newsmen "we intend to engage in debate — such issues as truth in government, the southern strategy..."

He promised his campaign forces would erect "no unsightly signs all over New Hampshire's scenic highways."

Part of his campaign, said

McCloskey, would take the form of citizens town meetings.

McCloskey was asked if he considered himself a "long-shot candidate."

"I think every candidate is a long-shot in this race," the California Republican answered.

New Hampshire Republicans "have a chance to put a stop to the bombing in Cambodia and Laos in this primary," McCloskey said.

The congressman-candidate said he regarded the expected entrance of U.S. Rep. John Ashbrook, R-Ohio, into the primary would "clearly delineate conservative, middle-of-the-road and progressive liberals in the primary."

Ashbrook is a conservative Republican who has indicated

he would enter the primary against Nixon. McCloskey added that Ashbrook's candidacy would create a three-way debate showing how respective philosophies were divided.

Secretary of State Stark informed McCloskey that he had 10 days from today to withdraw his candidacy.

"I won't withdraw," said McCloskey.

The filing period for presidential and vice presidential candidates will extend through Jan. 6. Delegates to national party conventions will have until Jan. 24.

The rules were tightened by the state legislature to prevent frivolous candidates from appearing on the ballot. In the 1968 primary candidates ranging from ice cream salesman to self-proclaimed Indian chiefs got on the ballot.

Other candidates expected to file before the deadline are Sen. Edmund Muskie, D-Maine; Sen. George McGovern, D-S.D.; and Los Angeles Democratic Mayor Sam Yorty.

Others mentioned as possible entries on the ballot, as opposed to write-in candidates, are Nixon, Rep. John Ashbrook, R-Ohio; and Sen. Vance Hartke, D-Ind. There have been no formal announcements yet of their intent.

Delegate candidate fees were \$10. The Democrats will elect 20 delegates and as many alternates for their national convention in Miami while Republicans will send 14 delegates and 14 alternates to their session in San Diego.

Concord, New Hampshire  
January 3, 1972

President Richard Nixon  
The White House  
Washington, D.C.

Dear Mr. President:

It is my great privilege to notify you, formally, that as chairman of the New Hampshire Committee for the Re-Election of the President, I have today filed a petition to place your name on our state's Primary Election ballot.

This action by citizens of our state, which prides itself in having the Nation's first Presidential Preference Primary Election, reflects our sincere sentiment that the nation needs your leadership as its President for another four years.

During three years as our President, you have clearly demonstrated the kind of initiative and keen insight into national and international problems and their solutions that marks your administration as truly historic. You have opened the door to a partnership of nations. You have shown the American people the path toward a national unity, a peaceful new American Revolution in its most positive sense. You have brought a new sense of dignity to our nation's highest office, and provided the inspiration to create a better world for all men for all time.

As citizens of New Hampshire and as dedicated Americans, we urge you to acknowledge our support, thus indicating your approval of our efforts and your determination to complete the task you have started -- to bring a new prosperity to this nation and restore peace in the world.

With our utmost respect,

Sincerely,

Lane Dwinell

for

# Election to the National Convention

To be filed with the fee of \$10 with the Secretary of State.

I, ....., declare that I reside in Ward ....., in the City (or Town of ....., (ward, street and number, if in a city), in the County of ....., and State of New Hampshire, and am a qualified voter therein; that I am a registered member of the ..... party; that I am a candidate for election as delegate, (or as alternate delegate or delegate at large or alternate delegate at large) to the national convention of the ..... party next to be held for the nomination of candidates of said party for president and vice-president of the United States. I request that my name be printed as such candidate on the official ballot of the ..... party to be used at the primary to be held on the first Tuesday of March next. I further declare that if elected as such delegate (or alternate delegate or delegate at large or alternate delegate at large) I will attend such convention unless I shall be prevented by sickness or other occurrence over which I have no control.

*(The candidate may fill in one of the following statements, if he desires to do so.)*

(1) "I am favorable to ..... as the candidate for said party for president, and I request that after my name upon the ballot shall be printed the words I am favorable to the nomination of ..... for president."

(2) "I pledge myself, if elected as such delegate (or alternate delegate or delegate at large or alternate delegate at large) to vote in said convention, whenever I shall vote, for the nomination of ..... as the candidate for said party for president so long as he shall be a candidate before said convention, and I request that after my name upon the ballot shall be printed the words pledged to vote for the nomination of ..... for president."

Signed: .....

(Date) .....

NH

- Event
- Peterson + Cotten (took on McQ) present + good ↑
- 35-40 reporters, nets, wires
- no #'s, G's
- Burinall good job.
- ISM didnt call it

Sandbagged wire

HGK Cant find letter

Price Gergen

ISM - H 1/2 hour

Dole, Evans, Flemming → Nixon  
Reisner, (Mauk), Colson, Timmons

(3p) - Howard

Cal officers

UPI - 4p

RNC people

If HGK → Van: w/info?  
Dont have letter - HGK

Van → tried to talk Klein,  
but hasnt talk w/him 2 days

- Jerry Warren -

TA - NH knew - UPI ← NH, ~~later~~ announced  
a press conf.

G - RM W? - NH Pres

~~CONFIDENTIAL~~

COMMITTEE FOR THE RE-ELECTION OF THE PRESIDENT

January 4, 1972

PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D. C. 20006  
(202) 333-0520

CONFIDENTIAL

MEMORANDUM FOR THE ATTORNEY GENERAL

SUBJECT: Announcement of the President's Decision to  
Run in New Hampshire

The following is the scenario we have worked out for the actions in Concord, New Hampshire, on Friday, January 7. At 10:00 a.m. that morning Governor Dwinell will go to the Secretary of State's office. He will be accompanied by Governor Peterson and Senator Cotton if their schedules permit. Governor Dwinell will release two letters in which the President agrees to be a candidate in the New Hampshire primary. One letter will be addressed to the Secretary of State and will be given to him. The other will be addressed to Dwinell. Copies of these documents and a press release will be provided to reporters. The release will have a New Hampshire dateline, with Dwinell saying he "today received letters from the President stating his willingness to have his name on the New Hampshire primary ballot, etc."

The letters have been written by Ray Price and the press release is being written by our office. On Thursday, January 6, they will be hand carried to New Hampshire by Tom Girard. On that day they will be distributed to the following people: Senator Dole, Lyn Nofziger, Chuck Colson, Herb Klein, Bill Timmons, Clark MacGregor, Senator Peter Dominick, and Congressman Bob Wilson. Harry Flemming will talk to all Nixon State Chairmen and Tom Evans will talk to all Republican Party Officials.

Also on Thursday this material will be transmitted to Jerry Warren in San Clemente. He will give the letters to the White House Press there on Friday after the activities in New Hampshire. We will distribute the release and the letters in Washington to the local press.

CONFIDENTIAL

DETERMINED TO BE AN  
ADMINISTRATIVE MARKING  
E.O. 12958  
By EP 6-102  
9-26-82

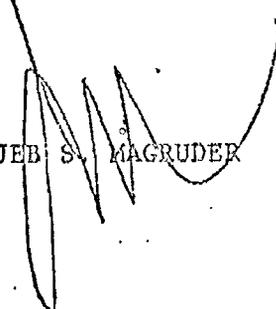
~~CONFIDENTIAL~~

*need line for letter  
Warren re P. will also  
be covered in the  
other primaries  
but will not  
campaign on  
any*

~~CONFIDENTIAL~~

CONFIDENTIAL

Press coverage in New Hampshire on Friday will be coordinated by Tom Girard on location. He has informed Governor Dwinell, Allan Walker, and John Sias of the new plan. Sias, the press man, is in Los Angeles, and will not be in New Hampshire on Friday. Girard has talked with Sias and is working with him on notification of reporters on Thursday. Contacts will be made with area papers and stations, the wires, and representatives of the networks. Girard will visit Dwinell on Thursday evening to brief him further on the plans and will urge him to emphasize his full backing of the President's position on not campaigning in the primaries because of the great responsibilities of the Presidency. The event will emphasize the local support for the President's candidacy. Girard will accompany Dwinell to the Secretary of State's office and then call me as soon as the events are completed.

  
JEB S. MAGRUDER

CONFIDENTIAL

~~CONFIDENTIAL~~

PRICE

January 4, 1972

Dear Mr. Stark:

Thank you for your telegram formally notifying me that petitions have been filed to place my name on the Presidential preference primary ballot in New Hampshire, and giving me the opportunity either to leave my name on the ballot or withdraw it.

I shall be a candidate for re-nomination and re-election, and therefore I shall leave my name on the ballot.

Sincerely,

WHA109·OLCTA104

DECO64·KC070 K CRA010 PP LONG POB CONCORD NHAMP 3 1034A, EST  
HONORABLE RICHARD M NIXON, REPORT DELIVERY TIME AND DATE

THE WHITE HOUSE WUX WASHDC

DEAR SIR: ON TUESDAY, MARCH 7, 1972, NEW HAMPSHIRE WILL CONDUCT  
A PRESIDENTIAL PREFERENCE PRIMARY, AT WHICH EACH QUALIFIED  
VOTER WILL HAVE THE OPPORTUNITY TO EXPRESS HIS PREFERENCE  
FOR ONE PERSON TO BE THE CANDIDATE OF HIS POLITICAL PARTY FOR  
PRESIDENT OF THE UNITED STATES. THE RESULTS OF THIS PRIMARY  
WILL BE ADVISORY IN NATURE FOR THE DELEGATES TO THE REPUBLICAN  
NATIONAL CONVENTION.

PETITIONS WHICH APPEAR TO QUALIFY YOUR NAME AS A CANDIDATE  
FOR PRESIDENT TO BE PLACED ON THE BALLOT OF THE REPUBLICAN  
PARTY AT THIS PRIMARY HAVE BEEN FILED AT THIS OFFICE.

YOU ARE ADVISED THAT YOUR NAME WILL APPEAR ON THE BALLOT  
OF THE REPUBLICAN PARTY AT THIS PRESIDENTIAL PREFERENCE PRIMARY

AS A CANDIDATE FOR PRESIDENT, UNLESS, WITHIN TEN DAYS AFTER  
YOUR RECEIPT OF THIS NOTICE, YOU SIGNIFY TO ME, YOUR DESIRE  
TO WITHDRAW YOUR NAME FROM THE BALLOT

01005

VERY TRULY YOURS

ROBERT L STARK SECRETARY OF STATE.

7 1972.

(1045).

PRICE

January 4, 1972

DRAFT LETTER TO LANE DWINELL

Dear Lane:

Thank you for your generous letter, and for the petitions you have filed entering my name in the New Hampshire primary.

It was in New Hampshire that I began my campaign for the Presidency four years ago, and I remember well the opportunity that campaign provided to visit so much of the state and to meet so many of its people. I have tried to be true to the trust they expressed, and to carry forward the effort we began in New Hampshire in 1968; to bring peace and progress both abroad and at home, and to give America the leadership it needs for a new era of national greatness.

We have made significant beginnings in these past three years. I want to complete the work that we have begun, and therefore I shall be a candidate for re-nomination and re-election. I deeply appreciate the confidence expressed by those who signed the petitions, and I shall do all in my power to be worthy of that confidence.

As I am sure you will understand, it will not be possible for me to campaign actively and personally in the primary elections, either in New Hampshire or elsewhere. I feel it is essential, particularly in this year when events of such importance to the world's future are

taking place, that until the last possible minute the President should refrain from partisan campaigning in order to conduct the business of government with the minimum intrusion of purely political activity.

On my behalf, therefore, please express to the people of New Hampshire, my warm greetings, my gratitude for their past courtesies, and my hope that together we can work toward a national renewal that will make the anniversary year of 1976 as proud a milestone for America as 1776. ###

To: Alex Butterfield  
From: Gordon Fraden

PRICE

January 5, 1972

LETTER TO ROBERT L. STARK

~~Waker W.H.~~

Dear Mr. Secretary:

Thank you for your telegram formally notifying me that petitions have been filed to place my name on the Presidential preference primary ballot in New Hampshire, and giving me the opportunity either to leave my name on the ballot or withdraw it.

I shall be a candidate for re-nomination and re-election, and therefore I shall leave my name on the ballot.

Sincerely,

RN

Honorable Robert L. Stark  
Secretary of State  
State of New Hampshire  
Concord, New Hampshire

Sent to H. Flemming, J. Magruder 1/3/72  
New Hampshire pol

WHA109 OLCTA104

DEC064 KC070 K CRA010 PP LONG POB CONCORD NHAMP 3 1034A, EST  
HONORABLE RICHARD M NIXON, REPORT DELIVERY TIME AND DATE  
THE WHITE HOUSE WUX WASHDC

DEAR SIR: ON TUESDAY, MARCH 7, 1972, NEW HAMPSHIRE WILL CONDUCT  
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YOU ARE ADVISED THAT YOUR NAME WILL APPEAR ON THE BALLOT  
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AS A CANDIDATE FOR PRESIDENT, UNLESS, WITHIN TEN DAYS AFTER  
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TO WITHDRAW YOUR NAME FROM THE BALLOT.

VERY TRULY YOURS

ROBERT L STARK SECRETARY OF STATE.

7 1972.

(1045).

From: Gordon Thatcher

PRICE

January 5, 1972

LETTER TO LANE DWINELL

Dear Lane:

Thank you for your generous letter, and for the petitions you have filed entering my name in the New Hampshire primary.

It was in New Hampshire that I began my campaign for the Presidency four years ago, and I remember well the opportunity that campaign provided to visit so much of the State and to meet so many of its people. I have tried to be true to the trust they expressed, and to carry forward the effort we began in New Hampshire in 1968: to bring peace and progress both abroad and at home, and to give America the leadership it needs for a new era of national greatness.

We have made significant beginnings in these past three years. I want to complete the work that we have begun, and therefore I shall be a candidate for re-nomination and re-election. I deeply appreciate the confidence expressed by those who signed the petitions, and I shall do all in my power to be worthy of that confidence.

In addition to New Hampshire, I shall also permit my name to be entered in the other primaries.

As I am sure you will understand, however, it will not be possible for me to campaign actively and personally in any of the primary

elections. I feel it is essential, particularly in this year when events of such importance to the world's future are taking place, that until the

*The Republican Convention*

~~last possible minute~~ the President should refrain from ~~partisan com-~~

*activity*

~~signing~~ in order to conduct the business of government with the minimum intrusion of purely political activity.

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Sincerely,

RN

Mr. Lane Dwinell  
New Hampshire Committee for the Re-election  
of the President  
The New Hampshire Highway Hotel  
Concord, New Hampshire 03301

SUMMARY OF IMPORTANT DATES RELATING TO THE NEW HAMPSHIRE PRIMARY

<u>Date</u>	<u>Activity</u>	<u>Description</u>
Monday January 3 10:00 A.M.	Governor Dwinell filed petitions for the President	Governor Dwinell held a press conference at the office of the Secretary of State. He released the letter he is sending to the President. UPON RECEIPT OF THE PETITION AND AFTER A BRIEF REVIEW TO ASSURE ENOUGH VALID SIGNATURES, THE SECRETARY OF STATE WILL SEND A TELEGRAM TO THE WHITE HOUSE FORMALLY NOTIFYING THE PRESIDENT OF THE FILING. THE PRESIDENT THEN HAS TEN DAYS (UNTIL JANUARY 13) TO WITHDRAW HIS NAME IF HE SO DESIRES.
(January 13 or before)	The President will declare his candidacy in letters to Governor Dwinell and the New Hampshire Secretary of State.	Governor Dwinell will hand deliver the letter to the Secretary of State. It will be somewhat formal, affirming that the President desires his name to remain on the ballot. The letter to Governor Dwinell will be more personal. In it, the President will set forth the tone of his candidacy: that he seeks a second term to complete the important initiatives now in progress, but that the ongoing responsibilities of the Presidency will prevent him from campaigning actively in the primaries. The letter will make particular mention of the traditional importance of the New Hampshire primary and of the President's appreciation for the support already shown by the people through the efforts of Governor Dwinell's organization. The letters will be made public by Governor Dwinell at a news conference in New Hampshire. Ann Dore, from our staff, will coordinate that conference. Ron Ziegler will release the letters in Washington by placing them on the board in the Press Office. There will be no formal announcement by him of the texts of the communications. Ray Price is now drafting both letters. Drafts will be forwarded by Ray within one or two days.
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*file  
J. Magruder*

THE WHITE HOUSE  
WASHINGTON

January 3, 1971

TO: H.R. HALDEMAN  
FROM: GORDON STRACHAN

Magruder prepared the attached description of the crucial dates in New Hampshire. He also talked with the Attorney General this morning about the possible announcement date by the President. Magruder believes that there should not be a big Western White House story on the announcement on January 8. Dwinell cannot release the President's letter from the New Hampshire Secretary of State's office January 8 because the office is closed on Saturday. Magruder suggests that Dwinell release the President's letter in New Hampshire on Friday, January 7. This will be a big local New Hampshire story but would not be big nationally. The Attorney General concurs with Magruder's suggestion.

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COMMITTEE FOR THE RE-ELECTION OF THE PRESIDENT

1701 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D. C. 20006  
(202) 333-0920

January 3, 1972

CONFIDENTIAL

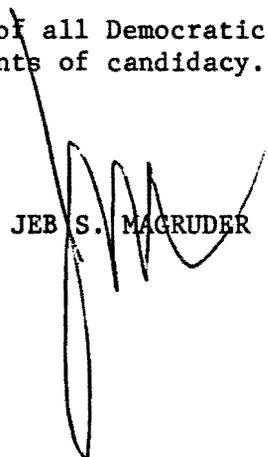
MEMORANDUM FOR MR. HALDEMAN

SUBJECT: Announcements Relating to the New Hampshire Primary

Per your request, the following is a complete listing of our activities relating to the New Hampshire primary, as well as what is known of our opponents' plans, through January 24. That is the final date for candidates to sign off on a pledged slate of delegates for the election.

Also included is a summary of the status of all Democratic contenders, relating to formal announcements of candidacy.

JEB S. MAGRUDER



cc: The Attorney General

IMPORTANT DATES RELATING TO THE NEW HAMPSHIRE PRIMARY

<u>Date</u>	<u>Activity</u>	<u>Description</u>
THURSDAY DECEMBER 23	FIRST DAY THAT PETITIONS CAN BE FILED TO PLACE A CANDIDATE ON THE BALLOT; FIRST DAY FOR DELEGATES TO FILE.	CANDIDATE MUST SUBMIT PETITIONS WITH THE SIGNATURES OF 500 VOTERS FROM EACH CONGRESSIONAL DISTRICT AND \$500 FILING FEE.
December 23	Rep. McCloskey filed petitions.	McCloskey met with newsmen in the office of the Secretary of State (Tab A).
Monday January 3 9:30 A.M.	Rep. Ashbrook filed petitions.	Ashbrook held a press conference in the Senate Chamber of the State Capitol. It was essentially a repeat of his press conference in Washington last week.
10:00 A.M.	Governor Dwinell filed petitions for the President.	Governor Dwinell held a press conference at the office of the Secretary of State. He released the letter he is sending to the President (Tab B). UPON RECEIPT OF THE PETITION AND AFTER A BRIEF REVIEW TO ASSURE ENOUGH VALID SIGNATURES, THE SECRETARY OF STATE WILL SEND A TELEGRAM TO THE WHITE HOUSE FORMALLY NOTIFYING THE PRESIDENT OF THE FILING. THE PRESIDENT THEN HAS TEN DAYS (UNTIL JANUARY 13) TO WITHDRAW HIS NAME IF HE SO DESIRES.
Tuesday January 4	Senator Muskie to announce for the Presidency. (He will probably file in New Hampshire on January 6).	Senator Muskie has reserved ten minutes of network television time, 8:20 - 8:30 P.M. (the last part of the Glen Campbell Show on CBS).
January 4	Senator McGovern will file	

<u>Date</u>	<u>Activity</u>	<u>Description</u>
(January 6 or before)	Senator Hartke may file	A group of Indiana college students is now seeking the required signatures for Hartke's nominating petition.
(January 6 or before)	Mayor Yorty will file	He has declared his candidacy and has already spent several days campaigning in the state.
THURSDAY JANUARY 6	LAST DAY FOR FILING TO PLACE A CANDIDATE ON THE BALLOT	
(January 13 or before)	The President will declare his candidacy in letters to Governor Dwinell and the New Hampshire Secretary of State.	Governor Dwinell will hand deliver the letter to the Secretary of State. It will be somewhat formal, affirming that the President desires his name to remain on the ballot. The letter to Governor Dwinell will be more personal. In it, the President will set forth the tone of his candidacy: that he seeks a second term to complete the important initiatives now in progress, but that the ongoing responsibilities of the Presidency will prevent him from campaigning actively in the primaries. the letter will make particular mention of the traditional importance of the New Hampshire primary and of the President's appreciation for the support already shown by the people through the efforts of Governor Dwinell's organization. The letters will be made public by Governor Dwinell at a news conference in New Hampshire. Ann Dore, from our staff, will coordinate that conference. Ron Ziegler will release the letters in Washington by placing them on the board in the Press Office. There will be no formal announcement by him of the texts of the communications. Ray Price is now drafting both letters. Drafts will be forwarded by Ray within one or two days.

<u>Date</u>	<u>Activity</u>	<u>Description</u>
MONDAY JANUARY 24	LAST DAY FOR DELEGATES TO FILE; LAST DAY FOR CANDIDATES TO SIGN OFF ON PLEDGED DELEGATE SLATE.	The selection of delegates to the Convention is separate from the candidate preference contest. In order to assure that delegates for the President are not defeated by spreading the votes too thinly over a wide field (as happened to Johnson in 1968), a pledged slate will be filed. In order to file as a delegate, an individual must fill out a form (Tab C) and pay a \$10 filing fee. For a person to run as a "pledged" delegate (instead of "favorable to" a candidate), the candidate must give his consent in writing to the Secretary of State. The letter can arrive on or before January 24. The Re-election Committee will work with Ray Price to draft the letter that the President will send. Governor Dwinell will coordinate the filing of the 14 pledged delegates and the 14 alternates.

SUMMARY OF THE STATUS OF  
ALL DEMOCRATIC CONTENDERS

<u>Name</u>	<u>Status</u>
Rep. Shirley Chisholm	Expected to formally announce in about two weeks.
Senator Hartke	May file on or before January 6 for New Hampshire
Senator Humphrey	To announce on January 10, in time to qualify for the April 25 Pennsylvania Primary.
Senator Jackson	Already announced as a candidate for the nomination. Expected to enter the Florida primary.
Mayor Lindsay	Already announced as a candidate for the nomination, and for the Florida and Wisconsin Primaries.
Engene McCarthy	Announced an intention to run in Boston two weeks ago. May not seriously campaign until the Wisconsin Primary.
Senator McGovern	Already announced as a candidate for the nomination. Will file on January 4 for New Hampshire.
Rep. Wilbur Mills	Has set up campaign staff. Expected to be active in southern states. Has not yet formally announced.
Senator Muskie	Will announce for the Presidency on January 4. Expected to file in New Hampshire on January 6.
Governor Wallace	Expected to announce sometime in January. May enter the Florida Primary as a Democrat.
Mayor Yorty	Already announced as a candidate for the nomination. Will file on or before January 6 for New Hampshire.

# McCloskey Is First To File

U.S. Rep. Paul N. McCloskey Jr., R-Calif., challenger to President Nixon, today formally filed for a spot on the Republican presidential preference primary here.

McCloskey forces submitted \$500 and 1,424 signatures with the congressman's filing papers — 711 signatures from the 1st Congressional District and 713 signatures from the 2nd Congressional District.

The nation's first presidential primary in 1972 is held in New Hampshire March 7.

The filing period for presidential and vice-presidential candidates extends from today through Jan. 6.

Candidates for delegates to the national convention have until Jan. 24 to file.

The candidate strode into the office of Secretary of State Robert M. Stark, commenting "we're starting early to give our opposition the opportunity to debate the issues."

McCloskey told newsmen "we intend to engage in debate — such issues as truth in government, the southern strategy. . ."

He promised his campaign forces would erect "no unsightly signs all over New Hampshire's scenic highways."

Part of his campaign, said

McCloskey, would take the form of citizens town meetings.

McCloskey was asked if he considered himself a "long-shot candidate."

"I think every candidate is a long-shot in this race," the California Republican answered.

New Hampshire Republicans "have a chance to put a stop to the bombing in Cambodia and Laos in this primary," McCloskey said.

The congressman-candidate said he regarded the expected entrance of U.S. Rep. John Ashbrook, R-Ohio, into the primary would "clearly delineate conservative, middle-of-the-roads and progressive liberals in the primary."

Ashbrook is a conservative Republican who has indicated

he would enter the primary against Nixon. McCloskey added that Ashbrook's candidacy would create a three-way debate showing how respective philosophies were divided.

Secretary of State Stark informed McCloskey that he had 10 days from today to withdraw his candidacy.

"I won't withdraw," said McCloskey.

The filing period for presidential and vice presidential candidates will extend through Jan. 6. Delegates to national party conventions will have until Jan. 24.

The rules were tightened by the state legislature to prevent frivolous candidates from appearing on the ballot. In the 1968 primary candidates ranging from ice cream salesman to self-proclaimed Indian chiefs got on the ballot.

Other candidates expected to file before the deadline are Sen. Edmund Muskie, D-Maine; Sen. George McGovern, D-S.D.; and Los Angeles Democratic Mayor Sam Yorty.

Others mentioned as possible entries on the ballot, as opposed to write-in candidates, are Nixon, Rep. John Ashbrook, R-Ohio; and Sen. Vance Hartke, D-Ind. There have been no formal announcements yet of their intent.

Delegate candidate fees were \$10. The Democrats will elect 20 delegates and as many alternates for their national convention in Miami while Republicans will send 14 delegates and 14 alternates to their session in San Diego.

Concord, New Hampshire  
January 3, 1972

President Richard Nixon  
The White House  
Washington, D.C.

Dear Mr. President:

It is my great privilege to notify you, formally, that as chairman of the New Hampshire Committee for the Re-Election of the President, I have today filed a petition to place your name on our state's Primary Election ballot.

This action by citizens of our state, which prides itself in having the Nation's first Presidential Preference Primary Election, reflects our sincere sentiment that the nation needs your leadership as its President for another four years.

During three years as our President, you have clearly demonstrated the kind of initiative and keen insight into national and international problems and their solutions that marks your administration as truly historic. You have opened the door to a partnership of nations. You have shown the American people the path toward a national unity, a peaceful new American Revolution in its most positive sense. You have brought a new sense of dignity to our nation's highest office, and provided the inspiration to create a better world for all men for all time.

As citizens of New Hampshire and as dedicated Americans, we urge you to acknowledge our support, thus indicating your approval of our efforts and your determination to complete the task you have started -- to bring a new prosperity to this nation and restore peace in the world.

With our utmost respect,

Sincerely,

Lane Dwinell

*Declaration of Candidacy*

TAB C

for

**Election to the National Convention**

*To be filed with the fee of \$10 with the Secretary of State.*

I, ....., declare that I reside in Ward ....., in the City (or Town of ....., (ward, street and number, if in a city), in the County of ....., and State of New Hampshire, and am a qualified voter therein; that I am a registered member of the ..... party; that I am a candidate for election as delegate, (or as alternate delegate or delegate at large or alternate delegate at large) to the national convention of the ..... party next to be held for the nomination of candidates of said party for president and vice-president of the United States. I request that my name be printed as such candidate on the official ballot of the ..... party to be used at the primary to be held on the first Tuesday of March next. I further declare that if elected as such delegate (or alternate delegate or delegate at large or alternate delegate at large) I will attend such convention unless I shall be prevented by sickness or other occurrence over which I have no control.

*(The candidate may fill in one of the following statements, if he desires to do so.)*

(1) "I am favorable to ..... as the candidate for said party for president and I request that after my name upon the ballot shall be printed the words I am favorable to the nomination of ..... for president."

(2) "I pledge myself, if elected as such delegate (or alternate delegate or delegate at large or alternate delegate at large) to vote in said convention, whenever I shall vote, for the nomination ..... as the candidate for said party for president so long as he shall be a candidate before said convention, and I request that after my name upon the ballot shall be printed the words pledged to vote for the nomination of ..... for president."

Signed: .....

(Date) .....

COMMITTEE FOR THE RE-ELECTION OF THE PRESIDENT

D R A F T

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JEB S. MAGRUDER

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Saturday  
January 8

The President will declare his candidacy in letters to Governor Dwinell and the New Hampshire Secretary of State.

*Can be done any time before Jan 13*

Governor Dwinell will hand deliver the letter to the Secretary of State. It will be somewhat formal, affirming that the President desires his name to remain on the ballot. The letter to Governor Dwinell will be more personal. In it, the President will set forth the tone of his candidacy: that he seeks a second term to complete the important initiatives now in progress, but that the ongoing responsibilities of the Presidency will prevent him from campaigning actively in the primaries. The letter will make particular mention of the traditional importance of the New Hampshire primary and of the President's appreciation for the support already shown by the people through the efforts of Governor Dwinell's organization. The letters will be made public by Governor Dwinell at a news conference in New Hampshire. Ann Dore, from our staff, will coordinate that conference. Ron Ziegler will release the letters in Washington by placing them on the board in the Press Office. There will be no formal announcement by him of the texts of the communications. Ray Price is now drafting both letters. Drafts will be forwarded by Ray within one or two days.

Date  
MONDAY  
JANUARY 24

Activity

LAST DAY FOR DELEGATES TO FILE;  
LAST DAY FOR CANDIDATES TO SIGN  
OFF ON PLEDGED DELEGATE SLATE.

Description

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When?

a- do our delegates file?  
b- do we send letter?

DEMOCRATIC CONTENDERS NOT EXPECTED  
TO ENTER THE NEW HAMPSHIRE PRIMARIES

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With our utmost respect,

Sincerely,

Lane Dwinell

HALDEMAN SCHEDULE  
January 3, 1972  
Monday

10:00 Frank Shakespeare

11:00 Barber

## Re Kaupinen

- ① will file 10a - Mon/3.
- ② 1000 required but 2500 to be filed
- ③ Mc Q - 1523
- ④ ~~Abroad~~ - scheduled  
Press conf at 9am  
on 4/3  
- doubt the has petitions  
done  
- try to piggyback
- ⑤ Secy St → send a telegram  
not  
- 10 days begins when  
USCIN verifies  
receipt at d/H  
- Probably sent at 12n  
- Probably couldn't add  
names  
- So telegram rec'd 4/3  
then 10 days til 1/13
- ⑥ ~~Pat~~ Devinell thinks P.  
should be condid w/ Kaupinen  
th

COMMITTEE FOR THE RE-ELECTION OF THE PRESIDENT

1701 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D. C. 20006  
(202) 333-0920

January 3, 1972

CONFIDENTIAL

MEMORANDUM FOR THE ATTORNEY GENERAL

SUBJECT: New Hampshire Filing

Governor Dwinell filed to put the President's name on the New Hampshire ballot at 10:10 this morning. We received a report on what happened from John Sais, our press representative in that state.

Sais said the filing was done without a problem. The Governor was greeted by 20-25 reporters and seven to eight television crews. Sais was not absolutely certain of whether the networks were there, but he thought so.

Dwinell filed the petition, read the first two paragraphs from his letter to the President and then answered questions for about 10 minutes. He was asked if the President is coming to New Hampshire and responded that he hoped so, but understands that the duties of his office must take precedence. He also referred to the statements the President made about politics in his television interview last night. Asked whether he has had contact with the President about the filing, Dwinell said "No."

Asked about the seriousness of the Ashbrook and McCloskey candidacies, he responded that they were being taken seriously, but Dwinell then emphasized that he believes President Nixon can carry New Hampshire "handily." Asked what handily meant, he said he would not get into figures, but New Hampshire has always been strong Nixon country. Asked whether it would be difficult not to have a candidate campaigning in his state, Dwinell responded by noting that there would be others speaking in the President's behalf. He mentioned there have been requests from leaders around the country who want to come to New Hampshire to speak for the President. He was asked who those are, and answered that he was not at liberty to say at this time.

In sum, Sais indicated that the announcement went well from a press standpoint.

CONFIDENTIAL

As for Ashbrook, he filed at about 9:30 a.m. and Sais received a brief report on what occurred from Don Irwin of the Los Angeles Times who is in New Hampshire for a few days. Irwin told Sais that Ashbrook said nothing more than he had the other day in Washington. Ashbrook did show up with 20 representatives of the YAF, two of them from New Hampshire.

JEB S. MAGRUDER

bcc: ✓ Mr. H. R. Haldeman .

COMMITTEE FOR THE RE-ELECTION OF THE PRESIDENT

December 22, 1971

TO MR. STRACHAN  
FROM DOLORES ULMAN (for Harry Flemming)

Attached is the updated primary list, with an explanatory sheet for each state, and a copy of the latest statute. In those cases where the statute is missing there is an explanation sheet.

Glen Sedam indicates he will have the missing statutes in several days.

X 931-6731  
at camp  
THE WHITE HOUSE  
WASHINGTON  
1333-0455  
1759-3797  
Glen Sedam  
George

Preferential Primary Filing  
12/23/71 - not vote for delegates contact

4/6/72 - least day to file

\$500 + 1000 + signature  
to Secy of St + the  
writes letter to P.  
upon receipt of  
letter, place 10 days  
- then ill to a/bans

Delegation - 14  
15 at large, 2 pr each  
Hq → ① pledged -  
② favorable to  
- 1st day to file state of Ill 12/24  
- 2nd day to file state of Ill 1/24

THE WHITE HOUSE  
WASHINGTON

- P must send  
written doc to  
Secy of St that those  
are the 14

Press means that they  
will be at Secy  
of St office on Mon  
at 10 a

Jan 20 - Fila - selection  
Comm - announce  
- Feb 1 - notifies names  
- Feb 15 - deadline for  
to forward affid.

1972 PRESIDENTIAL PREFERENCE PRIMARIES

<u>State</u>	<u>Primary Date</u>
NEW HAMPSHIRE	March 7
FLORIDA	March 14
ILLINOIS	March 21
WISCONSIN	April 4
RHODE ISLAND	April 11
MASSACHUSETTS	April 25
PENNSYLVANIA	April 25
DISTRICT OF COLUMBIA	May 2
INDIANA	May 2
OHIO	May 2
TENNESSEE	May 4
NORTH CAROLINA	May 6
NEBRASKA	May 9
WEST VIRGINIA	May 9
MARYLAND	May 16
OREGON	May 23
CALIFORNIA	June 6
NEW MEXICO	June 6
SOUTH DAKOTA	June 6
NEW JERSEY	June 6

1972 DELEGATE SELECTION PRIMARIES

(Presidential Candidates Not Indicated on Ballots)

ALABAMA	May 2
NEW YORK	June 20
ARKANSAS	June 27

STATE      NEW HAMPSHIRE

DATE OF PRIMARY      March 7

1. IMPORTANT DATES

January 6 - last day on which petitions can be filed for candidates for President. NOTE: DECEMBER 23 is first day on which petitions can be filed.

January 24 - last day for candidates for delegate to file.

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

By petition - filed by January 6. Filing fee of \$500 also required.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Delegates may file and be elected as "pledged to for so long as a candidate."

4. HOW CANDIDATES FOR DELEGATES QUALIFY

Must file by January 24 and pay fee; petition not required. May file as unpledged, favorable to, or pledged to. "Pledged to" requires written consent of person to whom pledged.

5. APPORTIONMENT OF DELEGATES

Two elected in each of the two Congressional districts. Ten elected at-large.

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

Must approve candidates for delegate who wish to run "pledged to". (NOTE: Any candidate wishing to withdraw his name has to do so within 10 days of notification by Secretary of State that petitions have been filed on his behalf.)

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

Yes, separate line on ballot for any Vice-Presidential candidates.

8. BALLOT FORMAT

Presidential candidates name appears in preferential primary part of ballot, and presidential candidates name appears along side delegates pledged to him in delegate segment of ballot.

9. REMARKS

STATE FLORIDA

DATE OF PRIMARY March 14

1. IMPORTANT DATES

- January 20 - Selection Committee announced candidates
- February 1 - Committee notifies candidates
- February 10 - Deadline for candidate not selected by committee to request committee consideration.
- February 15 - (noon) Deadline for submitting withdrawal affidavit
- March 1 - Deadline for submitting list of delegates

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

Upon direction of presidential candidate selection committee; or request in writing to the chairman of the selection committee.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Delegates and alternates must file a qualification oath pledging support at the convention to the candidate of their party until the candidate is either nominated by the convention or until he receives less than 35% of the votes for nomination, or until released. However, delegates are not required to vote for such candidate after two ballots have been taken.

District delegates are bound to the candidate receiving the highest vote in their districts, and the at-large delegates, and the two elected by the state committee, are bound to the candidate who receives the highest number of statewide votes.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

A candidate may submit to the Department of State a list of delegates and alternates, not later than March 1, 1972. If a candidate fails to submit such a list, delegates and alternates shall be elected from among the candidates supporters according to party rule.

5. APPORTIONMENT OF DELEGATES

Two elected in each of the fifteen Congressional districts.	30
Ten elected at large.	+ 10
Total	<u>40</u>

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

A candidate who has been notified by the Secretary of State that he has been designated by the selection committee will have his name on the ballot unless he submits to the Department of State by noon, February 15, 1972, an affidavit stating without qualification that he is not now, and does not presently intend to become a candidate.

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Names of presidential candidates on ballot. Names of delegates do not appear.

9. REMARKS

STATE            ILLINOIS                            DATE OF PRIMARY            March 21

1. IMPORTANT DATES

January 3 - Deadline for filing petitions (may file as early as December 27)

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

File a petition signed by not less than 3,000 voters affiliated with the same party as the candidate.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Vote is to secure an expression of sentiment and is advisory.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

District delegates are elected in the primary and get on the ballot by petition. At-large delegates are elected at the state convention.

5. APPORTIONMENT OF DELEGATES

Two for each of 24 Congressional districts. Ten at large.

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

None

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Presidential candidates are listed first, followed by state office candidates, and last by candidates for delegate to the National Convention. Opposite delegate's name will be shown his declared preference, or state that he is uncommitted.

9. REMARKS

Legislation pending which would preclude disclaimer by a candidate designated by the Selection Committee

Date Prepared December 17, 1971

STATE            WISCONSIN

DATE OF PRIMARY April 4

1. IMPORTANT DATES

February 1 - Selection Committee convenes

February 4 - Committee certifies candidates to Secretary of State

February 29 - Deadline for filing withdrawal disclaimer

March 7 - Deadline for filing petitions for candidates choosing the petition method

March 14 - Deadline for filing a list of districts and at-large delegates.

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

Designation by Selection Committee of generally advocated candidates; or by petition signed by at least 1,000 voters in each Congressional district (must have candidate's consent).

3. BINDING EFFECT OF PRIMARY ON DELEGATES

No delegate shall be allowed to attend the National Convention unless he files a declaration of acceptance (an affidavit) stating, inter alia, that he is pledged to support the candidate who received the plurality of votes in his district (or in the state for at-large delegates) on the first ballot, and on additional ballots until said candidate fails to receive at least one-third of the votes authorized to be cast.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

Delegates are designated by a candidate, or if candidate fails to do so, by state party organization.

5. APPORTIONMENT OF DELEGATES

2 from each of 9 Congressional districts  
at large - 10

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

None

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Presidential candidates names only; delegates do not appear. Voter can mark "none of the names shown" expressing a preference for an uninstructed delegation.

9. REMARKS

There is no party registration in Wisconsin and cross voting is permitted. A voter receives two ballots - he votes one and throws the other away. Nobody knows which ballot he voted.

STATE            RHODE ISLAND                            DATE OF PRIMARY            April 11

1. IMPORTANT DATES

January 31 - Last day for candidates for President to declare candidacy so that petitions can be prepared and circulated. February 29 - Last day for candidates for delegate to file declaration of candidacy which authorizes preparation of nominating petitions. March 22 - Last day to file nomination petitions for both delegates and candidates for President.

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

By petition. 1000 signatures - at least 25 per county - to be filed by March 22.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Preference Primary has no effect. However, any delegate who runs pledged to a candidate and is elected is bound so long as that person's name is still before the Convention.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

By petition - to be filed by March 22. Can run pledged or unpledged. If pledged, approval of person for whom pledged is not required.

5. APPORTIONMENT OF DELEGATES

Elected state-wide

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

Must declare candidacy and file declaration by January 31.

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None.

8. BALLOT FORMAT

Presidential candidate's name on ballot for preference primary part. If candidate for delegate is pledged, this is noted on ballot.

9. REMARKS

New legislation pending. Date of Primary could be moved to May or June. Possible other changes: (1) Secretary of State may be given authority to place "all nationally recognized candidates" on ballot (2) Delegates who are pledged may be bound for one ballot only (3) Delegates may be listed by slates.

STATE            MASSACHUSETTS            DATE OF PRIMARY            April 25

1. IMPORTANT DATES

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

A presidential candidate's name is placed on the ballot after (a) having been submitted to the Secretary of State by his party state chairman, or (b) by petition signed by 2,500 voters, no more than 500 from any one country.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

4. HOW CANDIDATES FOR DELEGATES QUALIFY

5. APPORTIONMENT OF DELEGATES

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

8. BALLOT FORMAT

9. REMARKS

Legislation Pending -  
Could have new law within next week

Date Prepared December 17, 1971

STATE                      PENNSYLVANIA                      DATE OF PRIMARY                      April 25

1. IMPORTANT DATES

February 15 - Last day to file petitions for candidates for President

February 15 - Last day to file petitions for candidates for delegate

February 22 - Last day for candidate to withdraw

April 3 - Last day for delegates-at-large to be selected by State Committee

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

Petitions must be filed by February 15.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Preference Primary has no effect. Delegates who run as pledged are not bound.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

District candidates file by February 15 and elected at primary. At-large are selected by State Committee.

5. APPORTIONMENT OF DELEGATES

2 each congressional district. Rest at large.

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

None

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Presidential candidate's name on preference primary part. If candidate for delegate is pledged, this is noted on ballot.

9. REMARKS

Legislation pending - passage likely. Depending upon final bill could make primary a binding one on delegates.

STATE            INDIANA                            DATE OF PRIMARY            May 2,

1. IMPORTANT DATES

March 23 - Deadline for filing petitions (they may be filed as early as February 22).

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

By petition containing 500 signatures from each Congressional district.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Results of primary are binding on delegates for the first ballot.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

Selected in State Convention in June.

5. APPORTIONMENT OF DELEGATES

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

Candidate must authorize a representative to file the petition.

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

8. BALLOT FORMAT

9. REMARKS



Legislation pending - to change date to April 20,  
to limit candidate to running in one primary  
and to provide candidate selects his own list  
of delegates.

STATE TENNESSEE

DATE OF PRIMARY May 4

1. IMPORTANT DATES

March 9 - Secretary of State determines candidates  
- (noon) Deadline for filing by petition  
March 20 - Deadline for executive withdrawal affidavit

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

By direction of Secretary of State; or by petition signed by 2500 registered voters.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

The results of the primary are binding on the delegates to the convention as follows: Delegates elected from a congressional district are bound by the election results within that district for the first and second ballots. Delegates elected at large in the state on the first ballot, and so long as the candidate has 20% of the total convention on the second ballot.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

Delegates are selected at State GOP Convention in the spring.

5. APPORTIONMENT OF DELEGATES

Two from each of the eight Congressional districts and ten at large.

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

None

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Presidential candidates names printed; delegates not shown.

9. REMARKS

STATE    NORTH CAROLINA

DATE OF PRIMARY    May 6

1. IMPORTANT DATES

February 21 - State Board of Elections meets to nominate candidates, and mails notification to candidates same day.

March 7 - Deadline for filing petitions for candidates choosing to proceed by petition.

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

By designation of Secretary of State or by petition.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

The results of the primary shall be the official vote for a party and shall be cast by the party at the convention, on the first ballot only, as an automatic vote expressing the will of the people of the state.

The statewide vote will be pro-rated among the candidates. The four candidates receiving the highest number of votes, or all candidates if there are fewer than four (provided a candidate receives at least 15% of the total vote cast) shall share in the total delegates in direct proportion to the total vote received by him of all votes cast.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

Delegates will be chosen at District Conventions in the spring in accordance with the North Carolina Republican Party State Plan of Organization. Additionally, there will be ten at large delegates elected at the State Convention in the spring.

5. APPORTIONMENT OF DELEGATES

Two elected in each of the eleven (11) Congressional districts. Ten elected at large.

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

When notified by the Board of Elections that his name will be printed on the ballot, a candidate must, within 15 days of receipt of such notice, submit a filing fee of \$1,000.00 along with a "Notice of Candidacy Form." Failure to execute the form and pay the fee amounts to a disclaimer and withdrawal.

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Presidential candidate's name is on ballot for preferential primary.

9. REMARKS

STATE        NEBRASKA

DATE OF PRIMARY    May 9

1. IMPORTANT DATES

February 9 - Secretary of State determines who goes on ballot as "generally advocated".

March 10 - last day to file by petition for candidates not placed on ballot by Secretary of State.

- last day to file affidavit for person who wants to take name off ballot.

- last day for candidates for delegate to file.

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

By determination of Secretary of State or by petition signed by 100 electors in each Congressional district. Petition method requires consent of person named. Person put on by Secretary of State can file affidavit to have name removed. If, subsequent to filing affidavit, person becomes candidate in any other state his affidavit in Nebraska will be deemed to have no effect.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Preference Primary has no effect. However, if delegate runs as pledged he is committed for 2 ballots or until candidate receives less than 35% of votes at Convention or until released.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

By filing by March 10. No petition required. Filing fee of \$25 only requirement. Can run pledged or unpledged. If pledged, do not need consent of person for who pledged.

5. APPORTIONMENT OF DELEGATES

Two elected in each of three Congressional districts. Ten elected at-large.

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

None

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Presidential candidate's name appears on preference primary part. If delegate is pledged, this is noted.

9. REMARKS

Method of delegate selection may be changed by legislature. Change could mean fewer delegates elected at Primary and at-large delegates selected by party.

STATE WEST VIRGINIA

Date of Primary May 9, 1971

1. IMPORTANT DATES

February 5 - Deadline for filing certificate of candidacy (file not earlier than January 3, 1972)

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

Candidate files a certificate with Secretary of State stating he is a candidate for his Party's nomination.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

The primary is not binding on delegates.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

Delegates, both district and at large, are elected in the May 9 primary.

5. APPORTIONMENT OF DELEGATES

Two from each of the four districts, and 10 (ten) at large.

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

Candidate must sign the certificate of candidacy.

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Names of presidential candidates are in first column of ballot. Delegates are in a separate part of the ballot. No indication of delegate preference is shown.

9. REMARKS

STATE                      MARYLAND                      DATE OF PRIMARY                      May 16

1. IMPORTANT DATES

March 24 - Deadline for Secretary of State to place candidate's name on ballot (he may do so as early as March 7). Also deadline date for filing of petitions  
April 1 - Deadline for filing withdrawal certificate.

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

By direction of Secretary of State; or by petition containing signatures of not less than 400 registered voters in each Congressional district.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Delegates are bound until the candidate receives less than 35% of the votes for nomination, or until two ballots have been taken.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

There is a conflict between Maryland election law and the Rules of the Republican National Convention which will require a legislative change in the Maryland statute to prevent a challenge to the Maryland delegates. (See attached memo by Maryland State GOP Chairman).

5. APPORTIONMENT OF DELEGATES

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

None

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

8. BALLOT FORMAT

9. REMARKS

STATE      OREGON

DATE OF PRIMARY      May 23

1. IMPORTANT DATES

March 14 - By this date Secretary of State determines who goes on ballot.  
- Last day to file petition for candidate not put on by Secretary of State.  
- Last day for candidate for delegate to file.

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

By designation of Secretary of State or by petition. If put on by Secretary of State no withdrawal is possible.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Primary is binding on delegates for 2 ballots, until candidate receives less than 35% at Convention, or until released. Delegates, even those elected at the district level, are bound by the statewide vote.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

File by March 14. No petition required, just filing fee. Elected at Primary.

5. APPORTIONMENT OF DELEGATES

National Committeeman and Committeewoman and State Chairman and Vice Chairman are automatically delegates. Apportionment determined by the Party, probable apportionment four (4) delegates at large; all others elected at district level.

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

None

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None (this is changed from 1968)

8. BALLOT FORMAT

Presidential candidate's name appears in the preference primary part of ballot. Candidates for delegates appear in delegate part of ballot.

9. REMARKS

STATE      CALIFORNIA

DATE OF PRIMARY      June 6

1. IMPORTANT DATES

February 23 - Last day for Committees intending to propose the nomination of a slate of delegates to file with Sec./State  
March 24 - - Nomination papers (including petitions) must be filed with the Sec./State.

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

Any three voters who are members of a party having a national convention may form a committee to propose the nomination of a slate of candidates for convention delegates. Slates may be pledged to a particular presidential nominee or may be unpledged. Pledged slates must have consent of proposed candidate before nominating petitions can be circulated.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Pledged delegates must sign affidavit stating that he will support the presidential nominee " . . . to the best of my judgment and ability."

4. HOW CANDIDATES FOR DELEGATES QUALIFY

Chosen by the committee. Slates of delegate candidates must circulate and complete petitions. For the 1972 Republican primary 17,199 signatures are required.

5. APPORTIONMENT OF DELEGATES

Required to be distributed approximately equally among congressional districts. (A statutory formula in Sect. 6053 of Election Code.)

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

Potential delegates intending to pledge to a presidential nominee must have the endorsement of the presidential nominee. This endorsement must be filed with Sec./State before nomination papers (petitions) are circulated.

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

The name of the presidential nominee appears for pledged slates; the slate chairman for unpledged slates.

9. REMARKS

- a. The order of listing of slates on the primary ballot is determined by the chronological order of filing of nomination papers; i.e., the first slate to get its petitions in gets the first spot on the ballot.
- b. Petitions may be circulated only between February 23 and March 24.

STATENEW MEXICODATE OF PRIMARY

June 6

1. IMPORTANT DATES

March 8 - Nominating committee certifies generally advocated candidates to Secretary of State.

April 7 - Deadline to file petitions on behalf of a presidential candidates (must have candidate's consent).

April 7 - Secretary of State notifies candidates

April 22 - (approximately) Pay filing fee within 15 days of notice.

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

By nomination by committee; or by petition signed by voters in each Congressional district equal to not less than 2% of total votes for President cast in each district at the last preceding presidential election.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Delegates are allotted to the two candidates receiving the highest number of votes, or to the one candidate and the unpledged category, as the case may be, in the same proportion that the total vote such candidate, or category received bears to the total vote.

Delegates must file a written declaration of acceptance, in the form of an affidavit, pledging himself to support a candidate on the first ballot.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

All delegates are selected at the state convention in July.

5. APPORTIONMENT OF DELEGATES

At large - 14

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

Within 15 days after receipt of notification from Secretary of State (approximately April 22) pay filing fee of \$500.00 to Secretary of State.

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Presidential candidates appear with candidates for other state offices. Voter can vote for "none of the names shown" expressing thereby a preference for an uncommitted delegation.

9. REMARKS

1. IMPORTANT DATES:

April 21 - Deadline for filing petition (may be filed as early as March 23).

April 21 - Deadline for filing written notice selecting group of delegates which candidate desires to appear as preferring him (applicable only if two or more groups file).

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT:

By filing a petition in candidates behalf in office of Secretary of State.

3. BINDING EFFECT OF PRIMARY ON DELEGATES:

A petition for a candidate for delegate shall include a pledge thereon that, if elected, he shall use his best efforts at the convention to obtain the nomination of the person for whom he has indicated a preference until that presidential candidate has received sufficient votes to be declared nominated, or until he has received 35% of the votes for nomination, or until three ballots have been taken (N.B. - There is an Attorney General Opinion stating that this pledge creates a moral obligation only).

4. HOW CANDIDATES FOR DELEGATES QUALIFY:

Candidates for delegates and alternates petition as a group. Petition indicates their collective preference choice for President, or that they have no preference. First group to file occupies left-hand column on the ballot. A voter votes for the entire group.

The first group to file indicating a preference for a given presidential candidate has exclusive right to appear in preference of any one person. However, a presidential candidate designated by two or more groups may, by written notice, select the group he desires.

5. APPORTIONMENT OF DELEGATES

Two for each of the two Congressional districts and ten at large.

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

Endorse the petition of the group of delegate candidates who have designated the presidential nominee as their preference choice.

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Presidential candidate and delegate candidates both appear on the ballot.

9. REMARKS

\*Legislation pending - Legislature reconvenes January 11, 1972. New Jersey has not completed redistricting. Must do so prior to April 27 filing date.

STATE            NEW JERSEY

Date of Primary:    June 6

1. IMPORTANT DATES:

April 27 - Deadline for filing petition with Secretary of State to have name placed on ballot.

May 3    - Deadline to withdraw. Also day Secretary of State certifies names to county clerks.

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

By petition filed by not less than 1000 voters of a party.

Consent of candidate not required to be endorsed on petition.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

Not bound. Candidates for delegate, however, may have the name of the candidate for President whom they favor placed opposite their names, or opposite a group of candidates, if they so request in their petitions, and if the written consent of the candidate for President is endorsed on their petitions.

4. HOW CANDIDATES FOR DELEGATES QUALIFY

Elected at the primary election. Candidates for delegates and alternates nominated by petition signed by not less than 100 voters of party, filed by April 27.

5. APPORTIONMENT OF DELEGATES :

Thirty from Congressional districts, and 10 at large.

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

Endorse petitions of candidates for delegates and alternates who wish his name opposite theirs on the ballot indicating they are favorable to him.

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Presidential candidate's name printed upon ballot of party for the election of delegates and alternates. Candidates for President not permitted with designation following his name. Delegates may have Presidential candidate's name opposite theirs as noted above.

STATE

ALABAMA

DATE OF PRIMARY

May 2

1. IMPORTANT DATES

February 6 - State Central Committee will meet to decide whether to select delegates by primary or not.

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

Not applicable.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

4. HOW CANDIDATES FOR DELEGATES QUALIFY

5. APPORTIONMENT OF DELEGATES

Congressional District - 13      At large      -      4

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

None

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Delegate selection only. Presidential candidate's name does not appear.

9. REMARKS

STATE                    NEW YORK                    DATE OF PRIMARY

1. IMPORTANT DATES

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

Not applicable

3. BINDING EFFECT OF PRIMARY ON DELEGATES

4. HOW CANDIDATES FOR DELEGATES QUALIFY

5. APPORTIONMENT OF DELEGATES

Congressional districts - 78            At large - 10

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

None

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Delegate selection only. Presidential candidate's name does not appear.

9. REMARKS

STATE

ARKANSAS

DATE OF PRIMARY

1. IMPORTANT DATES

2. PROCEDURE TO PUT PRESIDENTIAL NOMINEE ON BALLOT

Not applicable.

3. BINDING EFFECT OF PRIMARY ON DELEGATES

4. HOW CANDIDATES FOR DELEGATES QUALIFY

5. APPORTIONMENT OF DELEGATES

Congressional District - 8      At large - 10

6. DIRECT ACTION REQUIRED BY PRESIDENTIAL NOMINEE

None

7. PROVISION FOR VICE-PRESIDENTIAL CONSIDERATION

None

8. BALLOT FORMAT

Delegate selection only. Presidential candidate's name does not appear.

9. REMARKS

# RULES

Adopted by  
REPUBLICAN NATIONAL CONVENTION

Held at Miami Beach, Florida  
August 5, 1968

## MEMBERSHIP IN THE NEXT NATIONAL CONVENTION

### RULE NO. 30

The membership of the next National Convention shall consist of:

#### A. DELEGATES AT LARGE

1. Four (4) Delegates at Large from each of the fifty (50) States.
2. Two (2) additional Delegates at Large for each Representative at Large in Congress from each State.
3. Nine (9) Delegates at Large for the District of Columbia and three (3) additional Delegates at Large for the District of Columbia if it casts its electoral vote, or a majority thereof, for the Republican Nominee for President in the last preceding Presidential election.
4. Six (6) additional Delegates at Large from each State casting its electoral vote, or a majority thereof, for the Republican nominee for President in the last preceding Presidential election. If any State does not cast its electoral vote or a majority thereof for the Republican nominee in the last preceding Presidential election, but at that election or at a subsequent election held prior to the next Republican National Convention elects a Republican United States Senator or a Republican Governor or a Republican majority of the State's membership in the United States House of Representatives then in such event such State shall be entitled to such additional Delegates at Large.
5. Five (5) Delegates at Large for Puerto Rico, and three (3) Delegates at Large for the Virgin Islands, and three (3) Delegates at Large for Guam.

#### B. DISTRICT DELEGATES

1. One (1) District Delegate from each Congressional District casting four thousand (4,000) votes or more for the Republican nominee for President or for any elector pledged to vote for the Republican nominee for President in the last preceding Presidential election, or for the Republican nominee for Congress in the last preceding Congressional election.
2. One (1) additional District Delegate for each Congressional District casting twelve thousand five hundred (12,500) votes or more for the

Republican nominee for President or for any elector pledged to vote for the Republican nominee for President in the last preceding Presidential election, or for the Republican nominee for Congress in the last preceding Congressional election.

#### C. ALTERNATE DELEGATES

One (1) Alternate Delegate to each Delegate to the National Convention.

#### ELECTION OF DELEGATES TO NATIONAL CONVENTION

##### RULE NO. 31

Delegates at Large to the National Convention and their Alternates and Delegates from Congressional Districts to the National Convention and their Alternates shall be elected in the following manner:

(a) By primary election in accordance with the applicable laws of such States as required by law, the election of Delegates to National Conventions of political parties by direct primary and in the District of Columbia in accordance with its law; provided, that in any of these in which Republican representation upon the Board of Judges or Inspectors of Elections for such primary election is denied by law, Delegates and Alternates shall be elected as hereinafter provided.

(b) By Congressional District or State Conventions, as the case may be, to be called by the Congressional District or State Committees, respectively. Notice of the Call for any such Convention shall be published in a newspaper or newspapers of general circulation in the Congressional District or State, as the case may be, not less than fifteen (15) days prior to the date of said Convention; provided, however, that in selecting Delegates and Alternates to the National Convention, no State law shall be observed which hinders, abridges, or denies to any citizen of the United States, eligible under the Constitution of the United States, to the office of President or Vice President, the right or privilege of being a candidate under such State law for the nomination for the President or Vice President; or which authorizes the election of a number of Delegates or Alternates from any State to the National Convention different from that fixed in these Rules.

(c) By the Republican State Committee or Governing Committee in any State in which the law of such State specifically authorizes the election of Delegates or Alternates in such manner.

(d) In a Congressional District where there is no Republican Congressional Committee, the Republican State Committee shall issue the Call and make said publication.

(e) All Delegates from any State may be

chosen from the State at Large, in the event that the laws of the State in which the election occurs, so provide.

(f) Alternate Delegates shall be elected to said National Convention for each unit of representation equal in number to the number of Delegates elected therein and shall be chosen in the same manner and at the same time the Delegates are chosen; provided, however, that if the law of any State shall prescribe the method of choosing Alternates they shall be chosen in accordance with the provisions of the law of the State in which the election occurs.

(g) The election of Delegates and Alternates from the District of Columbia, Puerto Rico, the Virgin Islands and Guam shall be held under the direction of the respective recognized Republican Governing Committee therein in conformity with the Rules of the Republican National Committee or the laws of the District of Columbia, Puerto Rico, the Virgin Islands and Guam.

(h) Election of Delegates shall be certified in every case where they are elected by Conventions, by the Chairman and Secretary of such Conventions respectively and in case of election by primary, they shall be certified by the proper official, and all certificates shall be forwarded by said duly elected Delegates and Alternates in the manner herein provided.

(i) All Delegates or Alternates shall be elected not later than thirty-five (35) days before the date of the meeting of said National Convention, unless otherwise provided by the laws of the State in which the election occurs.

(j) Delegates and Alternates at Large to the National Convention shall be duly qualified voters of their respective States.

(k) Delegates and Alternates to the National Convention, representing Congressional Districts, shall be residents and qualified voters in said districts respectively.

#### ELECTION OF DELEGATES TO DISTRICT AND STATE CONVENTIONS

Delegates to Congressional District and State Conventions shall be elected under the following rules:

(1) Only legal and qualified voters shall participate in a Republican primary, caucus, mass meeting, or mass convention held for the purpose of selecting Delegates to a County, District, or State Convention, and only such legal and qualified voters shall be elected as Delegates to County, District and State Conventions; provided, however, that in addition to the qualifications provided herein the governing Republican Committee of each State, shall have the authority to prescribe additional qualifications not inconsistent with law. Such additional qualifications shall be adopted and

published in at least one daily newspaper having a general circulation throughout the State, such publication to be at least ninety (90) days before such qualifications shall become effective.

(m) No Delegates shall be deemed eligible to participate in any convention to elect Delegates to the said National Convention, who were elected prior to the date of the issuance of the Call for such National Convention.

(n) District Conventions shall be composed of Delegates who are legal and qualified voters therein, and Delegates to State Conventions shall be qualified voters of the respective districts which they represent in said State Conventions. Such Delegates shall be apportioned among the counties, parishes, and cities of the State or District having regard to the Republican vote therein.

APPORTIONMENT OF DELEGATES  
TO THE  
1972 REPUBLICAN NATIONAL CONVENTION

The membership in the 1972 Republican National Convention is determined by the Rules adopted by the 1968 Republican National Convention. Under Rule No. 30, the following qualifications are listed:

A. DELEGATES AT LARGE

1. Each State shall have four Delegates at Large
2. Each State shall have two additional Delegates at Large for each Representative at Large in Congress
3. The District of Columbia shall have nine Delegates at Large and three additional Delegates at Large if it cast its electoral vote for the Republican Presidential Nominee in 1968
4. Six additional Delegates at Large for each State if one of these three requirements is met --
  - a. Cast its electoral vote, or a majority thereof, for the Republican Presidential Nominee in 1968
  - b. Elected a Republican United States Senator in 1968 or 1970
  - c. Elected a Republican Governor in 1968 or 1970
  - d. Elected a Republican majority of the State's membership in the United States House of Representatives in 1968 or 1970

These six Delegates are sometimes referred to as "bonus" Delegates. Even though more than one qualifying condition is met, only six "bonus" Delegates are allowed.

5. Five Delegates at Large for Puerto Rico and three Delegates at Large for the Virgin Islands, and three Delegates at Large for Guam

B. DISTRICT DELEGATES

1. Each Congressional District shall have one Delegate for casting at least 4,000 votes for --
  - a. The Republican Presidential Nominee in 1968, or
  - b. The Republican Nominee for Congress in 1970
2. Each Congressional District shall have one Delegate for casting at least 12,500 votes for --
  - a. The Republican Presidential Nominee in 1968 or
  - b. The Republican Nominee for Congress in 1970

The apportionment of Delegates to the 1972 Republican National Convention is unofficial until the Committee on Call has met and the Call of the Convention has been drafted and approved by the Republican National Committee.

APPOINTMENT OF DELEGATES  
TO THE

1972 REPUBLICAN NATIONAL CONVENTION

STATE	1968			1972			Gain	Loss	No Chg	**REASON
	At Lge	Dist.	Total	At Lge	Dist.	Total				
Ala.	10	16	26	4	13	17		9		Met no qualif. in 1968 or 1970. Lost 1 Cong. Dist. (1970 Census). Failed to qualify for 1 Dist. Del.
*Alaska	12		12	12		12			X	A, B, F
*Ariz.	10	6	16	10	8	18	2			Gained 1 Cong. Dist. (1970 Census) A, B, C, D, E, F, G
*Ark.	10	8	18	10	8	18			X	D
*Calif.	10	76	86	10	36	96	10			Gained 5 Cong. Dists. (1970 Census) A, E
*Colo.	10	8	18	10	10	20	2			Gained 1 Cong. Dist (1970 Census) A, B, E
Conn.	4	12	16	10	12	22	6			C, E
Del.	12		12	12		12			X	A, C, D, F, G
D. of C.	9		9	9		9			X	Met no qualif. in 1968
*Fla.	10	24	34	10	20	40	6			Gained 3 Cong. Dists. (1970 Census) A, E
Ga.	10	20	30	4	20	24		6		Met no qualif. in 1968 or 1970
Guam	Not represented			3		3	-3			Max. No. set by 1968 Const.
*Hawaii	10		14	10		10			X	C
*Idaho	10	4	24	10	1	11			X	A, F, G
*Ill.	13		31	17	48	51			X	A, B, E
*Ind.	10	23	33	10	21	32	6			A, D, E, G
*Iowa	10		10	10	11	12				Gained 1 Cong. Dist. (1970 Census) A, B, C, D, E, F, G

STATE	1968			1972			Gain	Loss	No Chg	**REASON
	At Lge	Dist.	Total	At Lge	Dist.	Total				
Kans.	10	10	20	10	10	20			X	A, B, F, G
*Ky.	10	14	24	10	14	24			X	A, B
La.	10	16	26	4	16	20		6		Met no qualif. in 1968 or 1970
Maine	10	4	14	4	4	8		6		Met no qualif. in 1968 or 1970
*Md.	10	16	26	10	16	26			X	B, C
*Mass.	10	24	34	10	24	34			X	E
*Mich.	10	38	48	10	38	48			X	E, F, G
*Minn.	10	16	26	10	16	26			X	F
Miss.	10	10	20	4	9	13		7		Failed to qualify for 1 Dist. Del. Met no qualif. in 1968 or 1970
*Mo.	4	20	24	10	20	30	6			A
Mont.	10	4	14	10	4	14			X	A
*Nebr.	10	6	16	10	6	16			X	A, C, F, G
*Nev.	12		12	12		12			X	A
*N. H.	4	4	8	10	4	14	6		X	A, B, D, E, F, G
*N. J.	10	30	40	10	30	40			X	A, D (1969)
*N. M.	14		14	10	4	14			X	A, D, F
*N. Y.	10	82	92	10	78	88		4		Lost 2 Cong. Dists. (1970 Census) B, E
*No. Car.	4	22	26	10	22	32	6			A
*No. Dak.	4	4	8	12		12	4			Lost 1 Cong. Dist. (1970 Census) A, B, F
*Ohio	10	48	58	10	46	56		2		Lost 1 Cong. Dist. (1970 Census) A, B, C, F, G
*Okla.	10	12	22	10	12	22			X	A, B

(MORE)

STATE	1968			1972			Gain	Loss	No Chg	**REASON
	At Lge	Dist.	Total	At Lge	Dist.	Total				
*Oreg.	10	8	18	10	8	18			X	A, B, E
*Pa.	10	54	64	10	50	60		4		Lost 2 Cong. Dists. (1970 Census) B, C
Puerto Rico	5		5	5		5			X	No. set by 1968 Conv.
R. I.	10	4	14	4	4	8		6		Met no qualif. in 1968 or 1970)
*So. Car.	10	12	22	10	12	22			X	A
*So. Dak.	10	4	14	10	4	14			X	A, D, F
*Tenn.	10	18	28	10	16	26		2		Lost 1 Cong. Dist. (1970 Census) A, C, E
*Texas	10	46	56	4	48	52		4		Gained 1 Cong. Dist. (1970 Census). Met no qualif. in 1968 or 1970
*Utah	4	4	8	10	4	14	6			A, B, F
*Vt.	12		12	12		12			X	A, B, C, D, E, F, G
*Va.	4	20	24	10	20	30	6			A, D (1969), G
Virgin Islands	3		3	3		3			X	No. set by 1968 Conv.
*Wash.	10	14	24	10	14	24			X	D
*W. Va.	4	10	14	10	8	18	4			Lost 1 Cong. Dist. (1970 Census) D
*Wis.	10	20	30	10	18	28		2		Lost 1 Cong. Dist. (1970 Census) A, D, F
*Wyo.	12		12	12		12			X	A, E, F
TOTALS	481	852	1,333	490	856	1,346	73	60		

(MORE)

\* Entitled to "bonus" Delegates

\*\* There are seven ways to qualify for "bonus" Delegates. Some States qualify in more than one way; however, no more than six "bonus" Delegates are allowed. All qualifications are shown on this chart as A, B, C, D, E, F, G (see explanation of code below).

- A. The State cast a majority of its electoral votes for the Republican Nominee for President in 1968
- B. Elected a Republican United States Senator in 1968
- C. Elected a Republican United States Senator in 1970
- D. Elected a Republican Governor in 1968
- E. Elected a Republican Governor in 1970
- F. Elected a Republican majority of the State's membership in the United States House of Representatives in 1968
- G. Elected a Republican majority of the State's membership in the United States House of Representatives in 1970



delegate (or alternate or delegate at large or alternate delegate at large) I will attend such convention unless I shall be prevented by sickness or other occurrence over which I have no control."

If the person desires to do so he may add to such declaration either of the following two statements: (1) "I am favorable to (insert the name of any person) as the candidate for said party for president, and I request that after my name upon the ballot shall be printed the words I am favorable to the nomination (naming the same person) for president." (2) "I pledge myself, if elected as such delegate (or alternate delegate or delegate at large or alternate delegate at large), to vote in said convention, whenever I shall vote, for the nomination of (inserting the name of any person) as the candidate for said party for president so long as he shall be a candidate before said convention, and I request that after my name upon the ballot shall be printed the words pledged to vote for the nomination of (naming the same person) for president." The words chosen by the candidate shall be printed upon the primary ballot following the name as requested. In the case of the second option, the pledge shall be printed upon the primary ballot as requested if such candidate for president files his written consent thereto with the secretary of state before the time for the filing of declarations expires, but not otherwise.

Sources: 1913, 167:5. PL 30:6. RL 38:6. 1949, 56:1. 1953, 190:5. 1971, 562:4.

**57:7 Vacancies.** If there is to be a vacancy upon the primary ballot of any party by reason of the failure of as many persons to file as candidates for delegates, alternate delegates, delegates at large, and alternate delegates at large as are to be elected, such vacancies may be filled, after the expiration of the time allowed for filing and forty-one days before the primary, by the state committee of that party, without the payment of any fee, and the secretary of state, upon receipt of proper notice, shall cause the names selected by the state committee to be printed upon the primary ballot to fill such vacancies.

Sources: 1913, 167:6. PL 30:7. 1937, 80:19. RL 38:7. 1971, 572:6.

**57:8 Notice of Result.** After completing the canvass of returns from the primary the secretary of state shall send by mail notice to each person whose name was printed upon the ballot of any party of the names of the delegates at large, alternate delegates at large, delegates and alternate delegates, elected by that party, and shall not be required to advertise the result of said primary.

Sources: 1913, 167:7. PL 30:8. RL 38:8.

**57:9 Recount.** If any person whose name was printed as a candidate upon the ballot of any party is not elected according to the canvass first made by the secretary of state he may obtain a recount by applying in writing therefor to the secretary of state within ten days after he shall have been notified of the result of the primary, and by paying fees as follows: If he has been voted for throughout the state, one hundred dollars. If he has been voted for in a district of less area, fifty dollars.

Sources: 1913, 167:7. PL 30:9. RL 38:9.

**57:10 Provisions Applicable.** The appropriate provisions of RSA chapter 56 shall apply to all primaries held under the provisions of this chapter unless clearly inconsistent herewith.

Sources: 1913, 167:8. PL 30:10. RL 38:10.

## RSA CHAPTER 58

## Presidential Preference Primary

**58:1 Primary.** On the same date and at the same time as the election of delegates to national conventions, as provided in chapter 57, there shall be held in each town and ward a presidential preference primary, as hereinafter provided, for each political party. The secretary of state shall prepare and distribute for use at such primary an official ballot for each political party and shall insert the necessary columns for balloting on the same ballot as is prepared under the provisions of section 4 of chapter 57.

Source: 1949, 186:1.

**58:2 Voting Preference.** Every qualified voter, eligible to vote in the election of his party as provided in chapter 57, shall have opportunity at such presidential preference primary to vote his preference, on the ballot of his party, for his choice for one person to be the candidate of his political party for president of the United States and one person to be the candidate of his political party for vice president of the United States, either by writing the names of such persons in blank spaces to be left in said ballot for that purpose, or by marking a cross opposite the printed names of the persons of his choice, as in the case of other primaries.

Source: 1949, 186:1.

**58:3 Nomination Petition.** The names of any persons to be voted upon for candidates for president and vice president shall be printed on the ballots solely on petition of New Hampshire voters of the same political party as the prospective candidates. The time limits for filing such petitions with the secretary of state shall be not more than seventy-four days nor less than sixty days before the primary. In order to qualify the name of any person to appear on such ballot, a petition in support of his candidacy must be signed by at least five hundred qualified voters from each congressional district of the state. The petitions shall be in such form as may be prescribed by the secretary of state and shall contain an affirmation under the penalties for perjury that each signer is a qualified voter in his congressional district and is a member of the same political party as the proposed candidate. A separate petition shall be presented from each congressional district. The decision of the secretary of state as to the regularity of petitions shall be final.

Sources: 1949, 186:1. 1971, 369:1. 1971, 502:6.

**58:3-a Fees.** No candidate for the office of president or vice president shall be allowed to have his name placed on the ballot unless he shall pay to the secretary of state, at the time of filing his nomination petitions, a fee of five hundred dollars.

Source: 1971, 369:2.

**58:4 Notification of Candidate.** Whenever the secretary of state shall receive petitions which appear to qualify the name of a candidate for president or vice president to be placed on such ballot, he shall forthwith notify the prospective candidate by the most expeditious means of communication and shall advise such prospective candidate that unless he withdraws his name from the ballot within ten days after receipt of such notice, his name will appear on the ballot of his party at such presidential preference pri-

mary. If a candidate appears above time limit

Source: 1949, 186:1.

**58:5 Form of Ballot.** The ballot for each political party for president (or Vice President) shall be headed "Ballot for the office of President of the United States" followed by the name of the office. Below the name of the office shall be left for writing in the name of the candidate.

Source: 1949, 186:1.

**58:6 Effect of Primary.** The primary shall be advisory.

Source: 1949, 186:1.

**58:7 Counting Ballots.** The secretary of state shall count the ballots and the returns in the state.

Source: 1949, 186:1.

**58:8 Provisions of Chapter 58.** The provisions of this chapter, unless otherwise provided, shall apply to the primary.

Source: 1949, 186:1.

**59:1 Application of Chapter 59.** The provisions of this chapter shall apply to the primary and to the election of representatives in congressional, senatorial, and biennial elections (except as otherwise provided).

Sources: 1891, 49:1. 1971, 502:6.  
Note.—The provisions of this chapter shall apply to the primary and to the election of representatives in congressional, senatorial, and biennial elections (except as otherwise provided). The former is one of the different forms of ballot books.

**59:2 Preparation of Ballots.** The ballots shall be printed and delivered to the secretary of state.

Sources: 1891, 49:10. 1971, 502:6.

**59:3 Contents of Ballots.** Each candidate for president or vice president shall file with the secretary of state a list of his names for the ballot. The names shall not be printed on the ballot unless the candidate has filed with the secretary of state a list of his names for the ballot.

mary. If a candidate signifies his desire to withdraw his name within the above time limit, the secretary of state shall not print his name on the ballot.

Source: 1949, 186:1, par. 4.

**58:5 Form of Ballot.** There shall be one column on the ballot of each political party for president and one column for vice president. The column shall be headed "Candidate of the (insert name of party) Party for President (or Vice President) of the United States." Underneath this heading there shall appear the words: "I hereby declare my preference for candidate for the office of President (or Vice President) of the United States to be as follows." Below these words, there shall be printed the names of candidates with the usual boxes at the right. There shall always be one blank space left for writing in the name of a candidate.

Source: 1949, 186:1.

**58:6 Effect of Primary.** The results of the presidential preference primary shall be advisory in nature for the delegates elected under chapter 57.

Source: 1949, 186:1.

**58:7 Counting and Declaration of Result.** The ballots shall be counted and the returns made and canvassed as provided in chapter 56. The secretary of state shall publish the result in some newspaper of general circulation in the state.

Source: 1949, 186:1.

**58:8 Provisions Applicable.** The appropriate provisions of chapter 56 shall apply to presidential preference primaries held under the provisions of this chapter, unless clearly inconsistent herewith.

Source: 1949, 186:1.

## RSA CHAPTER 59

### Manner of Conducting Elections by Official Ballot

**59:1 Application of Chapter.** The provisions of this chapter, except as otherwise specified, shall apply to all elections held for the choice of electors of president and vice-president of the United States, senators and representatives in congress, representatives to the general court, governor, councilors, senators, county officers, and all ward and town officers chosen at biennial elections, to any other election of national or state officers and (except as otherwise provided) to primaries.

Sources: 1891, 49:1. 1897, 78:1. PL 26:1. RL 34:1.

Note.—The provisions are referred to as the Australian ballot system and the nonpartisan ballot system. The former is one of the methods of conducting elections by official ballot, and the latter makes use of a different form of ballot but in other respects incorporates the features of the Australian ballot system.

### Ballots

**59:2 Preparation.** Ballots shall be prepared by the secretary of state, and printed and delivered at the expense of the state.

Sources: 1891, 49:10. 1897, 78:10. 1915, 119:1. PL 26:2. RL 34:2.

**59:3 Contents.** Every ballot shall contain the name and residence of each candidate who has been nominated in accordance with law, except as hereinafter provided, and shall contain no other name except party appellations. The names and addresses of the presidential electors shall not be printed on the ballot, but in lieu thereof the names of a party's candidates for president and vice-president shall be printed thereon under the

*Fla*

103.091 Minority political party.—

(1) A minority political party may provide for the selection of its state executive committee in such manner as it deems proper.

(2) The state executive committee of minority political party may by resolution provide a method of election of national committeemen, national committeewomen and nomination of presidential electors if such party is entitled to a place on the ballot as otherwise provided for presidential electors, and may provide also for the election of delegates and alternates of national conventions.

History.—§11-2A, ch. 22039, 1943; am. §§1-3, ch. 22878, 1945; §7, ch. 26870, 1951.  
Note.—Formerly §102.71.

103.101 Presidential preference primary.—

(1) This act shall be known and may be cited as the Florida presidential preference primary law.

(2) Each political party which had cast for its candidate for president and vice-president in the last election more than ten percent (10%) of the total vote cast for president and vice-president in the state, and with which ten percent (10%) of the total registered electors have registered by February 1, of each general election year, shall elect on the second Tuesday in March in 1972, and on the second Tuesday in March every four (4) years thereafter, one person to be the candidate for nomination by his party for president of the United States. Each elector of such party may vote his preference for one (1) person to be the candidate for nomination by his party for president.

(3) The name of any candidate for a political party nomination for president of the United States shall be printed on the ballots:

(a) Upon the direction of a presidential candidate selection committee composed of a non-voting chairman who shall be the secretary of state, the speaker of the house of representatives, the president of the senate, the minority leaders of both the house and senate, and the chairmen of political parties required to have a presidential preference primary under this act, or their respective designees. The secretary of state, during the second week in January each year a presidential preference primary is held, shall prepare and publish a list of names of presidential candidates who are generally advocated or recognized in news media throughout the United States or in the state. The secretary of state shall submit such list of names of presidential candidates to the selection committee during the second week in January each year a presidential preference primary election is held. Each person designated by the secretary of state as a presidential candidate shall appear on the presidential preference primary ballot unless all committee members of the same political party as the candidate agree to delete such candidate's name from the ballot. The selection committee shall meet in Tallahassee during the third week in January each year a presidential preference primary is held, on a date publicly announced by the chairman. The selection committee

shall publicly announce and submit the names of presidential candidates who shall appear on the presidential primary ballot to the department of state no later than January 20 each year a presidential preference primary election is held. Not later than February 1, the department of state shall notify each presidential candidate designated by the committee. Such notification shall be in writing by registered mail with return receipt requested.

(b) Any presidential candidate whose name is not selected by the secretary of state or whose name is deleted by the selection committee may request in writing to the chairman of the selection committee prior to February 10 each year a presidential preference primary election is held, that his name be placed on the ballot. Not earlier than February 10, nor later than February 15, the secretary of state shall convene the committee to consider such requests. If any member of the selection committee of the same political party as the candidate requests that such candidate's name be placed on the ballot, the committee shall direct the department of state to place the candidate's name on the ballot. Within five (5) days after such meeting, the department of state shall notify the presidential candidate that his name will appear on the ballot.

(4) A candidate's name shall be printed on the Florida presidential preference primary ballot unless he submits to the department of state by noon February 15 in each year a presidential preference primary is held, an affidavit stating without qualification that he is not now, and does not presently intend to become a candidate for president at the upcoming nominating convention. If a candidate withdraws pursuant to this act, the department of state shall notify the state executive committee that the candidate's name will not be placed on the ballot.

(5) The names of candidates for political party nominations for president of the United States shall be printed on official ballots for the presidential preference primary elections and shall be marked, counted, canvassed, returned, and proclaimed in the same manner and under the same conditions, so far as the same are applicable, as are other state elections.

(6) Not later than noon on March 1 each year that a presidential preference primary is held, each presidential candidate whose name has been selected to be placed on the ballot may submit to the department of state a list of delegates and delegate alternates. The state executive committee of each party by rule at least ninety (90) days prior to the presidential preference primary election shall establish procedures to be followed in the selection of delegates and delegate alternates from among each candidates' supporters.

(a) The department of state shall make lists of delegates and delegate alternates available to the public at accessible places within each congressional district and at times as may reasonably be determined.

(b) If a presidential candidate fails to submit a

list of delegates by noon on March 1 and by virtue of the vote of the presidential preference primary becomes entitled to delegates and delegate alternates, such candidates shall have delegates and delegate alternates elected from among the candidates' supporters according to party rule. The state executive committee of each party at least ninety (90) days prior to the primary election shall adopt rules for such contingency.

(7) Any person selected as a delegate or delegate alternate to the national convention shall file a qualification oath with the department of state pledging support at the convention to the candidate of their party for the office of president of the United States for whom they are selected to support. The oath shall state that the delegate or delegate alternate affirms to support such candidate until the candidate is either nominated by such convention, or receives less than thirty-five percent (35%) of the votes for nomination by such convention during any balloting, or until the candidate releases the delegates from such pledge and any other oath as prescribed by the department of state. No delegate shall be required to vote for such candidate after two (2) convention nominating ballots have been taken.

(8) Any delegate to a national convention whose presidential candidate withdraws after being entitled to delegate votes pursuant to this act shall be an unpledged delegate to the national convention.

(9) The state executive committee of each party shall determine when persons interested in becoming a delegate or delegate alternate must file their qualification oath.

(10) The state executive committee of each party shall determine the method and procedures by which delegates and delegate alternates are selected as well as adopt any other rule not inconsistent with the provisions of the presidential preference primary act. A copy of any rule or regulation adopted by the executive committee shall be sent to the department of state within seven (7) days after its adoption to become a public record.

(11) The state executive committee of each party, by rule adopted at least ninety (90) days prior to the presidential preference primary election, shall determine the number of delegates and delegate alternates that may be elected from the state-at-large, by the executive committee of the party and from each congressional district. At least sixty-six and two-thirds percent (66-2/3%) of all delegates shall be elected from congressional districts. At least two (2) delegates shall be elected by the state executive committee of the parties; provided that no more than ten percent (10%) of all delegates may be elected by the state executive committee of the parties. The remainder of the delegates shall be elected from the state-at-large. The presidential candidate receiving the highest number of votes in any congressional district shall receive all delegate votes from such congressional district. The presidential candidate receiving the highest number of statewide votes shall receive all

statewide delegate votes and all votes of delegates chosen by the state executive committee of the candidate's party.

(12) The department of state shall place the candidate's name on the ballot in alphabetical order. The ballot as prescribed in this act shall be used.

(13) The form of the presidential preference primary ballot shall be as follows, the heading, office and candidates shown being sufficient to demonstrate the form required:

OFFICIAL PRESIDENTIAL PREFERENCE  
PRIMARY BALLOT

No. \_\_\_\_\_ Initials of Issuing Official \_\_\_\_\_

\_\_\_\_\_ Party \_\_\_\_\_

Stub No. 1

Signature of elector \_\_\_\_\_

OFFICIAL PRESIDENTIAL PREFERENCE  
PRIMARY BALLOT

No. \_\_\_\_\_ Initials of Issuing Official \_\_\_\_\_

\_\_\_\_\_ Party \_\_\_\_\_

Stub No. 2

OFFICIAL PRESIDENTIAL PREFERENCE  
PRIMARY BALLOT

\_\_\_\_\_ Party \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_ County \_\_\_\_\_

Precinct No. \_\_\_\_\_

Place a cross (X) in the circle beneath the name of the presidential candidate for whom you wish to vote.

JOHN GREEN  
For President

JAMES BROWN  
For President



(14) National committeemen and committee-women of political party required to have a primary under this section shall be elected by the state executive committee according to party rules.

History.—§1, ch. 6469, 1913; RGS 301; CGL 357; §§1-3, ch. 22058, 1943; §1, ch. 22729, 1945; §1, ch. 25235, 1949; §7, ch. 26870, 1951; §1, ch. 29947, 1955; §4, ch. 67-353; §110, 35, ch. 69-106; ch. 71-236.

Note.—Formerly s s 102.03, 102.72.

103.102 Committeemen and committee-women; expenses.—The state executive committee of any political party may defray the expenses for per diem and mileage of the national committeeman and committeewoman of its party, incurred in connection with the official duties of such committeeman and committee-woman as members of the national committee of the party, on the same basis as such expenses of members of said state executive committee are defrayed by such committee for attendance at regularly called meetings and the provisions of §112.061, or any amendment thereof, shall be inapplicable.

History.—§1, ch. 57-31; §7, ch. 63-409.

103.111 State and county executive committees.—

(1) The following committees shall consti-

**Candidate's Name on Petition.**

§ 7-10.2. In the designation of the name of a candidate on a petition for nomination or certificate of nomination the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof, may be used in addition to the candidate's surname. No other designation such as a title or degree or similar information may be used in connection with the candidate's surname, except that the title "Mrs." may be used in the case of a married woman. [Added by Act approved Sept. 15, 1969, S.B. 114, Public Act 76-1223.]

**President—Petition—Advisory Vote.**

§ 7-11. Any candidate for President of the United States may have his name printed upon the primary ballot of his political party by filing in the office of the Secretary of State not more than 85 and not less than 78 days prior to the date of the March primary, in any year in which a Presidential election is to be held, a petition signed by not less than 3000 or more than 5000 primary electors, members of and affiliated with the party of which he is a candidate, and no candidate for President of the United States, who fails to comply with the provisions of this Article, shall have his name printed upon any primary ballot: Provided, that the vote for President of the United States, as herein provided for, shall be for the sole purpose of securing an expression of the sentiment and will of the party voters with respect to candidates for nomination for said office, and the vote of the state at large shall be taken and considered as advisory to the delegates and alternates at large to the national conventions of respective political parties; and the vote of the respective congressional districts shall be taken and considered as advisory to the delegates and alternates of said congressional districts to the national conventions of the respective political parties. [Amended by Act approved August 22, 1969, S.B. 770, Public Act 76-920.]

**Petition—Filing—Withdrawal.**

§ 7-12. All petitions for nomination shall be filed by mail or in person as follows:

1. Where the nomination is to be made for a State, congressional, appellate court office, (except clerk of the Appellate Court of the first district) or for any office a nomination for which is made for a territorial division or district which comprises more than one county or is partly in one county and partly in another county or counties or for delegates or alternate delegates to a national nominating convention, then such petition for nomination shall be filed in the office of the Secretary of State not more than 99 and not less than 92 days prior to the date of the primary.
2. Where the nomination is to be made for a county office.

(3) STATE. A primary shall be held when there are 3 or more candidates for state superintendent, supreme court justice or for judge of the same branch of circuit or county court.

(4) PRIMARY EXCLUSIVE. Those offices for which a primary has been held shall have only the names of candidates nominated at the primary appear on the official spring election ballot.

(5) COUNTY SUPERVISORS. A primary shall be held in an election for county board supervisor whenever 3 or more candidates file nomination papers. In any county supervisory district where 2 or more municipalities are combined for the purpose of electing 2 supervisors at large under s. 59.03 (2) (b), when 5 or more candidates file nomination papers, there shall be a primary.

**8.12 Presidential preference vote.** (1) SELECTION OF NAMES FOR BALLOT. In each year in which electors for president and vice president are to be elected, the voters of this state shall at the spring election be given an opportunity to express their preference for the person to be the presidential candidate of their party.

(a) On the first Tuesday in February of said year, there shall be convened in the capitol a committee consisting of for each political party recognized under s. 5.62 the state chairman of that state party organization which is the state organization recognized by the national organization of the respective political party, the national committeeman and the national committeewoman; the speaker and the minority leader of the assembly, and the president pro tempore and minority leader of the senate. This committee shall organize by selecting an eleventh member who shall be the chairman and shall determine, and certify to the secretary of state no later than on the Friday following the first Tuesday in February, the names of all candidates of the political parties recognized under s. 5.62 for the office of president of the United States. The committee shall have sole discretion that such candidates' candidacy is generally advocated or recognized in the national news media throughout the United States.

(b) No later than 5 p.m. on the first Tuesday in March of said year, any person seeking the indorsement by the national convention of a political party recognized under s. 5.62 for the office of president of the United States, or any group organized in this state on behalf of and with the consent of such person, may submit to the secretary of state a petition to have said person's name printed on the presidential preference ballot. Such petition shall be signed by a number of qualified electors equal in each congressional district to not less than 1,000 signa-

tures nor more than 1,500 signatures. All signers on each separate petition shall reside in the same county.

(c) The secretary of state shall forthwith contact each person whose name has been placed in nomination under par. (a) and notify him that his name will be printed on the Wisconsin presidential preference ballot unless he files, no later than the last day in February of said year, with the secretary of state, a disclaimer stating without qualification that he is not and does not intend to become a candidate for the office of president of the United States at the forthcoming presidential election. The disclaimer may be filed with the secretary of state by registered mail, telegram or in person.

(d) Any proposed presidential candidate who does not file the disclaimer under par. (c) may, no later than 5 p.m. on the 2nd Tuesday in March, file with the secretary of state a full list of district and at-large delegates and alternates according to the number allotted or permitted this state's party organization by the national committee of the political party, but not less than two-thirds of the convention votes shall be allotted on an equal basis to congressional districts.

(2) BALLOTS. (a) The form of the official ballots shall be prescribed by the secretary of state under s. 5.60 (8).

(b) Except as otherwise provided in subs. (1) and (3) and s. 5.60 (8), the presidential preference vote election shall be noticed, held and conducted, and the results canvassed and returned, in the manner provided for judicial elections.

(3) DELEGATES TO NATIONAL CONVENTION. (a) No later than the last Monday in April following the presidential preference vote, the secretary of state shall notify each state party organization chairman under sub. (1) (a) of the results of the presidential preference vote cast within his party.

(b) If the presidential preference vote in any district or in the state at large is won by a write-in candidate or by a candidate who did not file a list of delegates under sub. (1) (d), or if in any district or in the state at large a plurality of the voters cast their ballots for "none of the names shown" or against the single name shown on the ballot, that state party organization which is the state organization recognized by the national organization of the respective political party shall select as many delegates or alternates as are allotted or permitted this state's party organization by the national committee of the political party, the method of selecting the delegates or alternates to be determined by the state party organization, but not less than two-thirds of the convention votes shall be allotted on an equal

Feb-15\*

12/1

basis to congressional districts and these delegates and alternates shall be selected by the party organizations of each respective district. In executing the pledge under par. (c) 5, district delegates and district delegate alternates shall be bound by the outcome of the presidential preference vote in their respective districts, and the delegates and alternates representing the state at large shall be bound by the outcome of the total presidential preference vote in the state at large. The selection of delegates and alternates shall occur no earlier than the Tuesday after the last Monday in April following a presidential preference vote. The names of the suggested delegates and alternates pledged to a particular candidate shall be transmitted to that candidate for his approval no later than June 1, and the candidate shall notify the chairman of the state party organization of his disapproval of any delegate or alternate by June 5, and where the candidate has disapproved his suggested delegates and alternates, he shall file his own list of delegates and alternates, which shall become the official slate of the particular candidates, delegates and alternates to the national presidential convention. No person selected as a delegate or alternate shall qualify to attend the national convention of his political party unless he files with the state central committee of his political party a written declaration of acceptance, signed by himself, on a form prescribed by the secretary of state, and the state central committee deposits this declaration of acceptance in the office of the secretary of state no later than 5 p.m. on June 15.

(c) The declaration of acceptance shall be in the form of an affidavit and shall contain the following information:

1. The name, residence and post-office address of the delegate or alternate delegate.
2. A statement that he is a qualified voter.
3. A statement that he will not withdraw his name before the holding of the national convention of his party.
4. A statement that he is affiliated with the political party which selected him as a delegate or alternate to its national political convention.
5. If a specific candidate for the office of president of the United States received the plurality of the votes cast in the presidential preference vote election, a pledge in the following form:

"As a delegate to the 19... national convention of the ... party I pledge myself to support the candidacy of ... as a candidate for the nomination for president by the ... party; that I will, unless prevented by the death of the candidate, vote for his candidacy on the first ballot; and vote for his candidacy on any additional ballot, unless released by said candidate, until said candidate fails to receive at least one-third of the

votes authorized to be cast; and that, thereafter, I shall have the right to cast my convention vote according to my own judgment."

(d) The secretary of state shall forthwith certify to the credentials committee at the national convention of each party recognized under s. 5.62 a list of the names of the delegates and alternates qualified to represent the party organization of this state by virtue of having complied with pars. (b) and (c).

(e) Any vacancy in an office of delegate or alternate to a national political party convention caused by the death, or inability for any reason to serve, of a delegate or alternate delegate shall be filled by the central committee of the political party organization entitled to make the original selection under par. (b), but no person selected to fill a vacancy under this paragraph shall be qualified to serve unless he executes the affidavit required under par. (c) 5.

**8.13 Commission city primary.** At the first primary after adoption of the commission form of government the 2 candidates for mayor and the 4 candidates for councilmen receiving the highest number of votes shall be nominated. At subsequent primaries the 2 candidates receiving the most votes for either office shall be nominated. Only the names of the nominees shall appear on the spring election ballot.

**8.15 Nominations for September primary.**

(1) Nomination papers shall be circulated not sooner than June 1 preceding the election and shall be filed not later than 5 p.m. on the 2nd Tuesday of July in those years when a September primary is held. Only those candidates for whom nomination papers containing the necessary signatures acquired within the allotted time and filed before the deadline shall have their names printed on the official September primary ballot.

(2) The signer of a nomination paper declares his intent to support the candidate named therein. Only one signature per person for the same office is valid. In addition to his signature, each signer shall list his residence, including the street and number, if any, and the date of signing.

(3) All signers on each separate nomination paper for all state offices, United States senators, congressmen, county offices and state legislators shall reside in the same county and in the district which the candidate named therein will represent, if elected.

(4)(a) The affidavit of a qualified elector stating his residence with street and number, if any, shall appear at the bottom of each nomination paper, stating he is personally acquainted with all the signers; he knows they are electors of the

*Primary Jan. 72*

*P.F.  
Old law  
New bill to be voted  
on in Jan. '72.*

CHAPTER 12.1

Primaries for Election of Delegates to National Conventions and for Presidential Preference

[Added, P. L. 1969, ch. 154.]

17-12.1-1. Date of primaries for election of delegates to national conventions.—A primary election for the election of delegates to the national convention for each political party shall be held in the manner hereinafter provided, on the second Tuesday in April, 1972, and every fourth year thereafter. [Amended, P. L. 1970, ch. 153.]

17-12.1-2. Number of delegates to be elected.—At each such primary there shall be elected such number of delegates and alternates as shall be determined by the national committee of such party and as certified to the secretary of state not later than fifty days preceding the primary by the state committee of such party. The candidates shall be elected at large.

17-12.1-3. Declaration of candidacy.—During the last 10 days in February (Saturdays, Sundays and holidays excluded) preceding a primary for election of delegates to a national convention, each voter desiring to be a delegate at the forthcoming convention shall, on such form as shall be provided by the secretary of state, sign his name as the same appears on the voting list and file not later than 4:30 P.M. of the date of filing with the secretary of state, a declaration of candidacy which shall include the following information:

1. His name as the same appears on the voting list, party designation, place and date of birth, present address and length of residence in the state and in the town or city where he resides.

2. A statement that if elected he would vote for the nomination of a particular person (inserting the name of such person) as the candidate for said party, as president so long as he shall be a candidate before said convention, or, a statement that if elected he would not be pledged to any candidate for president. [Amended, P. L. 1970, ch. 153.]

17-12.1-4. Preparation of nomination papers.—Upon receipt of the declaration referred to in 17-12.1-3 the secretary of state shall prepare nomination papers for each candidate who has qualified, clearly marked with his name and the office he seeks, and shall, after five (5) days of the final date for filing declarations of candidacy, deliver the same to the proper candidate or to such persons as he in writing designates to receive them.

17-12.1-5. Statements appearing on nomination papers.—In addition to the statements required to appear upon the nomination papers as provided in chapter 14 of this title, there shall be printed, typewritten or written in ink a statement to the effect that the candidate is or is not pledged to any person as candidate for nomination for president; and, if so pledged, naming such person.

17-12.1-6. Number of signers required.—The nomination papers of a candidate for delegate or alternate to a national convention shall be signed, in the aggregate, by at least 500 party voters, each county of the state being represented by at least 25 resident signers.

**17-12.1-7. Checking and certification of nomination papers.**—Each such nomination paper shall be submitted on or before five (5) o'clock in the afternoon of the twentieth day before the presidential preference primary to the local board of the city or town where the signers appear to be voters, and the nomination papers shall be checked, processed and certified to the secretary of state in the manner provided in §17-14-1.

**17-12.1-8. Filling of vacancies.**—If sufficient delegates or alternates are not elected and qualified or if there should be a vacancy from any other cause said vacancy shall be filled by vote of the state committee, or the executive committee, or any duly selected sub-committee of the executive committee of such political party.

**17-12.1-9. Presidential preference primary.**—On the same date and at the same time as the election of delegates to national conventions, as provided in section 17-12.1-1, there shall be held a presidential preference primary for each political party at which each party voter shall have the opportunity to vote his preference for his choice for one person to be the candidate of his party for president of the United States.

**17-12.1-10. Presidential candidate.**—Any person desiring to be a candidate for nomination for president to be chosen by the national convention of a political party, notwithstanding he not be a qualified voter of this state, may declare his candidacy by causing to be filed with the secretary of state, on such form as shall be provided by the secretary of state, a declaration, no later than January 31 at 4:30 P.M., which declaration shall be signed by such candidate and shall include the following information:

1. His name, party designation, date and place of birth and present address.

2. Authorization to have nomination petitions circulated and filed in his behalf, and the person or persons to whom the nomination petitions shall be delivered by the secretary of state.

17-12.1-11. Preparation of nomination papers for presidential preference candidates.—Upon receipt of the declarations referred to in §17-12.1-10 the secretary of state shall prepare and deliver nomination papers during the time and in the manner provided in §17-12.1-4.

17-12.1-12. Number of signatures required for presidential candidate petitions.—The nomination papers of a candidate for nomination for president shall be signed, in the aggregate by at least 1000 party voters, each county of the state being represented by at least 25 resident signers. Said nomination papers shall be submitted, checked and certified during the time and in the manner provided in §17-12.1-7.

17-12.1-13. Form of ballot.—The secretary of state shall prepare and arrange the ballot labels for use in the primaries herein provided which shall include as to the candidates for delegates the person to whom such candidates are pledged and such other information and instruction as the secretary of state shall deem necessary.

17-12.1-14. Definitions.—For the purposes of this chapter the following terms shall have the meaning indicated as follows:

A.) "Political party" shall mean any political organization which at the preceding general election nominated a candidate for governor and whose candidate for governor at said election polled at least five (5%) per cent of the entire vote cast in the state for governor.

B.) "At large" shall mean election by the electors of the entire state.

17-12.1-15. Persons applicable.—The appropriate provisions of this title shall apply to the primaries held under the provisions of this chapter unless clearly inconsistent herewith.

17-12.1-16. Effect of presidential preference primary.—The results of the primary for election of delegates to the national convention shall be binding upon the delegates elected thereat, except that the results of the presidential preference primary shall be advisory in nature for the delegates.

## CHAPTER 13

### Primary Voting Lists

17-13-1. Preparation and posting of preliminary lists. — In conformity with the requirements of chapter 10 of this title relating to preliminary lists generally, preceding the primary election of a political party next prior to a general election each local board shall for such party prepare and post in one (1) public place in each of the voting districts in its city or town, a separate list of voters with their addresses, in such districts who are eligible to participate in the primary of the respective party in accordance with the provisions of chapter 15 of this title. Each list shall be plainly marked with the name of the party for which it is prepared.

In the preparation of any such list there shall be stricken therefrom the names of all persons who are ineligible by reason of the provisions of section 17-15-24, and are therefore debarred from participating in such primary.

MASSACHUSETTS

Now that proposed amendments are vetoed, the 1969-70 statute is applicable. We don't have that one - but have requested it.

Information sheet on Massachusetts will be completed later this week (December 24).

Glen Sedam

shall transmit to county board of elections a list of said political parties not later than the thirteenth Tuesday preceding each primary.

Each county board of elections shall determine which organizations are political parties within the county under the provisions above and shall transmit a list of said political parties to the Secretary of the Commonwealth not later than the thirteenth Tuesday preceding each primary.

#### State Committee and County Committees

At the primary election in 1970, each qualified political party is entitled to elect two members of the State Committee in each Senatorial District, one of whom shall be a man and the other a woman, except in districts composed of more than one county, in which case each county shall elect one member who may be of either sex.

In each county such members and officers of County Committees as are provided by party rules also shall be elected.

## Nominational Parties

### Nominations at Primary—1970

At the primary election in 1970, candidates shall be nominated by each qualified political party for the following offices, in which terms are due to expire:

One U. S. Senator

Governor

Lieutenant Governor

27 Representatives in Congress

25 Senators in the General Assembly in even-numbered Districts

203 Representatives in the General Assembly

Members of State Committees

(NOTE: By Constitutional Amendment, May 1967, the Governor and Lieutenant Governor will be elected jointly in the General Election by one vote. Petitions will be circulated separately in the Primary. The Governor and Lieutenant Governor may succeed themselves for one additional term—not applicable to incumbent Governor and Lieutenant Governor.)

#### Loyalty Oath Required of Candidates

The "Pennsylvania Loyalty Act" of 1951 requires every candidate for election to any State, district, county or local public office to take oath or affirmation prescribed therein.

(NOTE: The Loyalty Oath need not be taken by candidates for any Federal or political office.)

(a) Such oath or affirmation must be filed with the nomination petition, nomination paper or nomination certificate of each candidate; and no nomination petition, nomination paper or nomination certificate shall be accepted for filing by any county board of elections or by the Secretary of the Commonwealth without the oath or affirmation attached.

(b) Each person nominated by write-in or sticker votes must also file a loyalty oath or affirmation with the proper county board of elections or with the Secretary of the Commonwealth, as the office for which he has been nominated may require, at least eighty-five (85) days previous to the day of the next general or municipal election or such candidate's name may not appear on the ballot.

(c) The name of NO person who has failed or refused to make the required oath or affirma-

*Primary Services*  
*Dr. Lee*  
*11/19/71*  
*will not do*

tion shall be printed on any ballot or ballot label to be used at any primary, municipal, general or special election.

(NOTE: The Secretary of the Commonwealth has undertaken to furnish to any candidate who files in the Secretary's office under (a) or (b) above a proper oath form.)

#### Petitions for Nomination by Political Parties

The names of candidates for nomination shall be printed upon the official ballot of each designated party if nomination petitions are filed in their behalf, signed by the prescribed number of qualified electors of the Commonwealth or of the political district, as the case may be, within which the nomination is to be made or election is to be held, verified by affidavits of the candidates as provided by law.

#### Petitions—Qualifications of Signers

Each signer of a nomination petition shall sign but one such petition for each office to be filled, and shall declare therein that he is a registered and enrolled member of the party designated in such petitions: Provided, however, That where there are two or more persons to be elected to the same office, each signer may sign petitions for as many candidates for such office as he could vote for at the November Election. He shall also declare therein that he is a qualified elector of the county therein named, and of the political district or division in which nomination is to be made. He shall add his occupation and residence, giving city, borough or township, with street and number, if any, and shall also add the date of signing. **NO NOMINATION PETITION SHALL BE CIRCULATED PRIOR TO THE THIRTEENTH TUESDAY before the primary nor later than the TENTH TUESDAY before the primary. No signature shall be counted unless it bears date within this period.**

A nomination petition may be on one or more sheets, and different sheets must be used for signers resident in different counties. Each sheet shall have appended thereto the affidavit of the circulator of the sheet, setting forth that he or she is a qualified elector duly registered

and enrolled as a member of the designated party of the State and of the political district referred to in said petition; his residence, giving city, borough or township, with street and number, if any; that the signers signed with full knowledge of the contents of the petition; that their respective residences are correctly stated therein; that they all reside in the county named in the affidavit; that each signed on the date set opposite his name; and that to the best of affiant's knowledge and belief, the signers are qualified electors, and registered and enrolled members of the designated party of the State or of the political district, as the case may be.

(NOTE: The circulators of petitions for judicial candidates need not be enrolled members of the designated party.)

#### Blank Forms of Petitions for Nomination

The Secretary of the Commonwealth, although not required by law to do so, will furnish a reasonable supply of blank petitions free of charge to candidates for those offices which require filing of petitions with the Secretary, solely for the purpose of uniformity and to insure compliance with all the provisions of the law relating to the filing of petitions, and to assure that the statements, affidavits, etc., are in proper form.

#### Number of Signatures Required

For the office of United States Senator, petitions must be signed by at least one hundred (100) registered and enrolled members of the proper party in each of at least ten (10) counties.

For the office of Governor and Lieutenant Governor, petitions must be signed by at least one hundred (100) registered and enrolled members of the proper party in each of at least five (5) counties.

For the office of Representative in Congress and Senator in the General Assembly, petitions must be signed by at least two hundred registered and enrolled members of the proper party in the district.

For the office of Representative in the General Assembly, petitions must be signed by at least one hundred registered and enrolled members of the proper party in the legislative district.

For the office of member of the State Committee, petitions must be signed by at least one hundred registered and enrolled members of the proper party from the senatorial district, except where a senatorial district is composed of one or more counties and part of other counties, in which event the petitions must be signed by at least one hundred such electors residing in that portion of the senatorial district which is electing a member.

For an office to be voted for by the electors of an entire county or city, or for district councilman in a city of the first class, petitions must be signed by at least one hundred registered and enrolled members of the proper party.

For the office of inspector of election, petitions must be signed by at least five registered and enrolled members of the proper party.

#### Notice to Candidates with Reference to Filing Petitions for Nomination

All nomination petitions must be filed on or before the TENTH TUESDAY prior to the primary election in the office of the Secretary of the Commonwealth or the county board of elections, as the case may be.

Under the law, nomination petitions filed in the office of the Secretary of the Commonwealth, at Harrisburg, must be received not later than five o'clock P.M., on the first day for filing.

Petitions filed with county boards of elections must be filed not later than the ordinary closing hours for such offices on the last day for filing.

None may be filed after that hour.

For their own protection, candidates are urged to file their petitions as early as possible and then, if the petitions need amendment, there will be ample time for correction, without having to seek Court approval.

#### Where to File Nomination Petitions

Petitions for the offices of President of the United States, U. S. Senators and Representatives in Congress, ALL State-wide offices, Judges, Senators, District Delegates and Alternate Delegates, Representatives in the General Assembly and State Committees of the Political parties are filed with the Secretary of the Commonwealth.

ALL OTHERS are filed with the proper county board of elections.

#### Fees for Filing Nomination Petitions for ALL Offices

All filing fees MUST accompany the nomination petitions and must be in the form of CERTIFIED CHECK or MONEY ORDER ONLY, made payable to the Commonwealth of Pennsylvania when filed with the Secretary of the Commonwealth, and in the form of certified check, money order or cash, payable to the county board when filed with the county board of elections.

The filing fees cannot be refunded in the event of the withdrawal of any candidate named in any petition, or for any other cause whatsoever.

For the office of President of the United States, or for any public office to be filled by the electors of the State at large, the filing fee is fifty dollars (\$50.00).

For the office of Representative in Congress or Judge of a Court of Record, the filing fee is thirty-five dollars (\$35.00).

For the office of Senator or Representative in the General Assembly, the filing fee is twenty-five dollars (\$25.00).

For any other office to be filled by the electors of an entire county, the filing fee is twenty-five dollars (\$25.00), with the following exceptions: jury commissioner, ten dollars (\$10.00); prison inspector, two dollars (\$2.00); County auditor in eighth class counties, five dollars (\$5.00).

For the office of district councilman in a city of the first class, the filing fee is twenty-five dollars (\$25.00).

For any office to be filled by the electors of an entire city, the following sums: a city of the first or second class, twenty-five dollars (\$25.00); a city of the second class A, fifteen dollars (\$15.00); a city of the third class, ten dollars (\$10.00).

For the office of District Delegate or Alternate District Delegate, or member of State Committee, the filing fee is ten dollars (\$10.00).

For the office of alderman, justice of the peace or constable, the filing fee is two dollars (\$2.00).

For any borough, town, township of the first class, school district or poor district office, not

otherwise provided for, the filing fee is two dollars (\$2.00).

For the office of township auditor or road supervisor, the filing fee is one dollar (\$1.00).

There is no filing fee for a nomination petition for any public office for which no compensation is provided by law, nor for any nomination petition for any public office in any township of the second class.

#### **Time and Manner of Withdrawal of Candidates Before Primary**

A candidate for nomination or election at any primary may withdraw his name as a candidate by a request in writing, signed by him and acknowledged before an officer empowered to administer oaths, and filed in the office in which his nomination petition was filed. When required to be filed in the office of the Secretary of the Commonwealth, such withdrawal to be effective, must be received in the office of the Secretary of the Commonwealth, at Harrisburg, not later than five o'clock P.M., on the seventh day next succeeding the last day for filing nomination petitions in that office, and at the regular closing hour in the offices of the county boards.

No candidate may withdraw any withdrawal notice after it has been received and filed, and thereby reinstate his nomination petition.

#### **Manner of Filling Vacancy Caused By Death of Person Named in Nomination Petition**

If the candidate named in a nomination petition dies after such petition has been duly filed for any primary and before the day of the primary election, the original signers of said petition, or the majority of them may sign another petition proposing a new candidate for said office at any time prior to the printing of the ballots or ballot labels. Such petition shall have the same force and effect as the original petition, and the name of the candidate so nominated shall be substituted for that of the deceased candidate.

#### **Withdrawal of Candidates Nominated at Primary**

Any person who has been nominated by any political party may withdraw his name from

nomination by request in writing, signed by him and acknowledged before an officer qualified to take acknowledgment of deeds, and filed in the office of the Secretary of the Commonwealth, or of the county board as the case may be.

Such written withdrawals must be filed at least eighty-five (85) days previous to the day of the general or municipal election and must be received in the office of the Secretary of the Commonwealth not later than five o'clock P.M. on the last day for filing the same, or by the regular closing hour in the county board offices.

No candidate may withdraw any withdrawal notice after it has been received and filed, and thereby reinstate his nomination.

#### **Vacancy in Party Nomination by Failure to Pay Filing Fee**

Every person nominated at the primary election as the candidate of any political party for any office, other than a borough, town, township or school district office, or the office of alderman, justice of the peace, or constable, who has not paid the required fee for filing a nomination petition for such office, shall pay the amount of such fee to the Secretary of the Commonwealth, or to the county board of elections, as the case may be, at least eighty-five (85) days previous to the day of the general or municipal election at which such candidate's name would appear on the ballot. Failure to do so will result in a vacancy in such party nomination, which shall be filled in the manner provided in the case of death or withdrawal of any nominee.

#### **Filling Vacancies Caused by Death or Withdrawal of Candidates Nominated at the Primary**

Any vacancy happening or existing after the date of the primary in any party nomination, by reason of the death or withdrawal of any candidate after nomination, or by reason of the death before or on the day of the primary election of a candidate for nomination who had received a plurality of votes of his party for the office for which he sought nomination, may be filled by a substituted nomination made by such committee as is authorized by the rules of the party to make nominations in the event of vacancies on

or refuse to perform any of the duties prescribed by the laws relating to absentee voting, or shall reveal or divulge any of the details of any ballot cast in accordance with the provisions of law, or shall count an absentee ballot knowing the same to be contrary to the provisions of law, or shall reject an absentee ballot without reason to believe that the same is contrary to the provisions of law, or shall permit an elector to cast his ballot at a polling place knowing that there has been issued to the elector an absentee ballot, he shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding one thousand dollars (\$1000), or be imprisoned for a term of one year, or both, at the discretion of the court.

## Conduct of Elections

### When Elections Are Held

1. The "General Election" is the election which is held in all even-numbered years on the Tuesday next following the first Monday of November.
2. The "Municipal Election" is the election which is held in all odd-numbered years on the Tuesday next following the first Monday of November.
3. The "Primary Election" is the election held on the third Tuesday of May in all years, except in presidential years, when it is held on the fourth Tuesday of April.

### Voting Hours

At all primaries and elections the polls shall be opened at 7 o'clock A.M. Prevailing Time, and shall remain open continuously until 8 o'clock P.M. Prevailing Time.

### Election Officers

The election board in every district consists of a judge of election and two (2) inspectors of election. They are elected at Municipal elections and serve for a term of four years, beginning the first Monday of January following their election. In paper ballot districts each inspector shall appoint one clerk to serve at the election. In voting-machine districts one clerk shall be appointed by the minority inspector to serve at the election. In addition thereto, in each district in which more than one voting machine is used, the county board of elections shall appoint a voting machine inspector for each additional machine to be used in such district.

Each elector may vote for one inspector and the majority inspector in any district is the one who received the highest number of votes at the election. The minority inspector is the one who received the second highest number of votes at the election.

### Preliminary Duties

All election officers are required to be at the polling place at least thirty (30) minutes before 7 o'clock A.M., so that the board may organize and take care of the preliminary details. The

DISTRICT OF COLUMBIA

The law was passed last Wednesday (December 15) establishing a primary for the District on May 2. As soon as we have more facts they will be put together.

Glen Sedam  
December 22

INDIANA

We had the wrong statute in our files. The right one is on the way.

Glen Sedam  
December 22



STATE OF  
TENNESSEE  
195 11/22/71

Chapter 102] PUBLIC ACTS, 1971

CHAPTER NO. 102

HOUSE BILL NO. 29

By Ashe, Holcomb, Bissell, Davis, Copeland, Booker, Krieg, Edgar, Jensen, Bowman, DeFriese, Denton, Bradley, Longley, Anderson, Stafford, Hawks, Gill, Watson, Bragg, Miss Doyle, Pruitt, Murphy (Davidson), Bible, Hinton, Murphy (Shelby), Bates, Love, Lawson, Hopper, Boner, Bowers, Berryhill, Coffey, Good, Robinson (Washington), Hurley

Substituted for: Senate Bill No. 204

By Roberson, Bruce, Neal

AN ACT to provide for the holding of a preferential presidential primary election in Tennessee; to allow party primaries to be held at the same time.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This Act shall be called the "Presidential Preference Primary Act of 1971."

SECTION 2. On the first Thursday in May of each year when a president of the United States is to be elected, a preferential presidential primary shall be held for each political party. Every qualified voter shall have the opportunity to vote for his preference on the ballot of his party.

SECTION 3. The name of any candidate for a major political party nomination for president of the United States shall be printed on the ballot only:

(1) By direction of the secretary of state, who shall place the name of such a candidate for president of the United States upon the ballot when he shall have determined in his sole discretion that such candidates' candidacy is generally advocated or recognized in

national news media throughout the United States unless such candidate shall execute and file with the secretary of state an affidavit stating without qualification that he is not now and does not intend to become a candidate for president in the forthcoming presidential elections.

(2) Upon petition for nomination filed by or on behalf of a candidate not later than 12:00 noon prevailing time on the second Thursday in March of the year when an election is to be held with the authorities herein designated, signed by at least twenty-five hundred (2500) registered voters of the party whose nomination he seeks and signed by the candidate in whose behalf the petition is filed. The nominating petition shall be filed with the respective state chairmen or secretaries of the primary election commissions for the respective parties and with the secretary of state. It shall be the duty of the chairmen of the respective state primary election commissions to certify to the chairmen of the various county primary election commissions the names of all candidates in whose behalf proper nominating petitions have been filed.

*March 9.*

Whenever the chairman or secretary of the respective party shall receive petitions qualifying the name of a candidate for president to be placed on the ballot, he shall forthwith notify the prospective candidate by the most expeditious means and shall advise such prospective candidate that unless he withdraws his name from the ballot within ten (10) days after receipt of such notice his name will appear on the ballot of his party at the presidential preference primary. If a candidate signifies his desire to withdraw from the primary, his name shall not appear on the ballot.

SECTION 4. Ballots for each party shall contain a column for president on the ballot for each political party. The column shall be headed "Candidate of the party for president of the United States."

Underneath this heading shall appear the words, "I hereby declare my preference for candidate for the office of president of the United States to be as follows:" Below these words there shall be printed the names of candidates with the usual boxes at the right.

SECTION 5. Ballots shall be counted and returns made and canvassed as provided in Tennessee Code Annotated 2-813 and other sections relating thereto.

SECTION 6. The results of the preferential presidential primary shall be binding on the delegates to the National Political Nominating Conventions as hereinafter provided. Delegates elected from a Congressional District shall be bound by the election results within said District, and they shall cast their first and second ballot for the candidate winning the primary within said District. Delegates elected on a state at large basis shall be bound by the election results on the state at large basis, and they shall cast their first ballot for the candidate winning the primary in the entire state. The delegates shall thereafter be bound to support such candidate so long as he, not to exceed two (2) ballots, has twenty percent (20%) of the total convention vote or until such time the candidate of their party releases them from the results of the presidential preference primary.

SECTION 7. Any political party may hold county or municipal primary elections for the purpose of nominating candidates for county or municipal offices to be filled at the August regular elections at the same time as the preferential presidential primary is held. Any county or municipality may hold referendums or special elections at the same time the presidential preference primary is held.

SECTION 8. Whenever a political party shall desire to hold such a county or municipal primary at the same time that the preferential presidential primary is held the governing authority of such party shall notify the respective state chairman or secretary of the primary

election commission of such party of the intent of the party to hold such a primary not later than 12 o'clock noon prevailing time the second Thursday in March of the year when the election is to be held.

SECTION 9. The name of no candidate for nomination for any office to be filled by the voters in such local primary election shall be printed upon any official ballot used in such primary unless not later than twelve o'clock (12:00) noon prevailing time on the second Thursday in March of the year when the primary is to be held, a petition, signed by at least twenty-five (25) voters registered to vote in such primary, is filed with the county chairman of the party of which nomination he seeks. The respective county chairmen of the parties shall certify to the respective state chairmen or secretaries the names of the candidates who have qualified for the nomination.

SECTION 10. All laws relating to primary or regular elections shall apply to primaries under the provisions of this Act unless clearly inconsistent with this Act.

SECTION 11. The county election commission of each county shall prepare all ballots used in conducting elections held under the provisions of this Act.

SECTION 12. The first preferential presidential primary shall be held on the first Thursday in May 1972.

SECTION 13. BE IT FURTHER ENACTED, That the provisions of this Act are hereby declared to be severable, and if any of its sections, provisions, clauses, or parts be held unconstitutional or void, then the remainder of this Act shall continue in full force and effect, it being the legislative intent now hereby declared, that this Act would have been adopted even if such unconstitutional or void matter had not been included therein.

SECTION 14. This Act shall take effect on becoming a law, the public welfare requiring it.

PASSED: April 27, 1971

James R. McKinney,  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

John S. Wilder,  
SPEAKER OF THE SENATE

APPROVED: April 28, 1971

Winfield Dunn,  
GOVERNOR

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GENERAL ASSEMBLY OF NORTH CAROLINA

1971 SESSION

RATIFIED BILL

*Approved*

*Transmitted  
5/13/71*

*Act  
at 85*

CHAPTER 225

SENATE BILL 39

AN ACT TO PROVIDE FOR A PRESIDENTIAL PREFERENCE PRIMARY ELECTION.  
PRESCRIBING NOMINATION AND BALLOTING; SPECIFYING SELECTION AND  
OBLIGATIONS OF DELEGATES.

The General Assembly of North Carolina do enact:

Section 1. Chapter 163 of the General Statutes of North Carolina is hereby amended by inserting therein a new article to be designated as Article 18A and to read as follows:

"Article 18A.

Presidential Primary Act.

"G.S. 163-213.1. Short title.--This article may be cited as the "Presidential Primary Act."

"G.S. 163-213.2. Presidential primary, date of election.--Beginning with the primary elections to be conducted in 1972 and every four years thereafter, as directed in G.S. 163-1 (b), the voters of this State shall be given an opportunity to express their preference for the person to be the presidential candidate of their political party.

"G.S. 163-213.3. Conduct of election.--The presidential primary election shall be conducted and canvassed by the same authority and in the manner provided by law for the conduct and canvassing of the primary election for the office of Governor and all other offices enumerated in G.S. 163-187 and under the same provisions stipulated in G.S. 163-188. The State Board of

*right  
file  
prof*

Elections shall have authority to promulgate reasonable rules and regulations, not inconsistent with provisions contained herein, pursuant to the administration of this Act.

1971  
dec  
"G.S. 163-213.4. Nomination by State Board of Elections.--The State Board of Elections shall convene in Raleigh on the date prescribed for the deadline for candidates filing for State and National offices in G.S. 163-106(c). At the meeting required by this section the State Board of Elections shall nominate as presidential primary candidates all of those generally advocated and nationally recognized as candidates of the political parties, qualified under provisions of Article 9 of Chapter 163 of the General Statutes, for the office of President of the United States. Immediately upon completion of this requirement the Board shall release, to the news media, all such nominees selected. Provided, however, nothing shall prohibit the partial selection of nominees prior to the meeting required by this section, if all provisions of G.S. 163-213.6 have been complied with. Upon the completion of the form and the filing fee as required by G.S. 163-213.6, the Board shall release the partial selection of nominees to the news media.

"G.S. 163-213.5. Nomination by petition.--Any person seeking the endorsement by the national political party for the office of President of the United States, or any group organized in this state on behalf of, and with the consent of, such person, may file with the State Board of Elections petitions signed by 10,000 persons who, at the time they sign are registered and qualified voters in this state and are affiliated, by such registration, with the same political party as the candidate for whom the

petitions are filed. Such petitions shall be certified promptly by the chairman of the board of elections of the county in which the signatures were obtained and shall be filed by the petitioners with the State Board of Elections no later than 5:00 p.m. on the fifteenth day following the date on which the State Board of Elections is required to meet as directed by G.S. 163-213.4.

The petitions must state the name of the candidate for nomination, along with a letter of approval signed by such candidate. Said petitions must also state the name and address of the chairman of any such group organized to circulate petitions authorized under this section. The requirement for signers of such petitions shall be the same as now required under provisions of G.S. 163-96(b) (1) and (2). The requirement of the respective chairmen of county boards of elections shall be the same as now required under the provisions of G.S. 163-96(b) (1) and (2) as they relate to the chairman of the county board of elections.

The group of petitioners shall pay to the chairman of the county board of elections a fee of ten cents (10¢) for each signature he is required to examine and verify under the provisions of this section.

The State Board of Elections shall forthwith determine the sufficiency of petitions filed with it and shall immediately communicate its determination to the chairman of such group organized to circulate petitions. The form and style of petition shall be as prescribed by the State Board of Elections.

"G.S. 163-213.6. Notification to candidates; filing fee.--The State Board of Elections shall forthwith contact each person who has been nominated by the Board or by petition and notify him in writing by registered mail with return receipt requested, that his name will be printed as a candidate on the North Carolina presidential primary ballot, provided such candidates as are nominated by the State Board of Elections shall, within 15 days after receipt of the notification submit a filing fee of one thousand dollars (\$1,000) to the State Board of Elections along with a "Notice of Candidacy" form to be supplied by the Board. Candidates nominated by petition under the provisions of this Article shall not be required to submit the filing fee required by this section. Failure of candidates, nominated by the State Board of Elections, to submit such fee and execute such "Notice of Candidacy" shall be a disclaimer and a withdrawal of the name from the primary.

"G.S. 163-213.7. Voting in presidential primary; ballots.--The names of all candidates in the presidential primary shall appear with the names of the candidates for other offices of their respective parties at an appropriate place on the ballot or voting machine. The voter shall be able to cast his ballot for one of the presidential candidates of his party, but shall not be permitted to vote for candidates of a political party different from his registration. Persons registered as "Independents" or "No Party" shall not participate in the presidential primary except upon changing such affiliation in accordance with law. The State Board of Elections shall have authority, in its sole discretion, to print a separate ballot for presidential

candidates or to combine it with some or all of the ballots presently authorized under the provisions of G.S. 163-109(b).

"G.S. 163-213.8. Political parties bound by results of primary; first ballot.--(a) Upon the completion of the official canvass of the results of the primary by the State Board of Elections, the Secretary of State shall certify to the State Chairman of each political party participating in the primary the following:

- (1) the names of the candidates, entitled to delegate votes under provisions of G.S. 163-213.9; and
- (2) the total vote received by each; and
- (3) a declaration that the results of the Presidential Primary, in accordance with the division of votes reflected by the official canvass, shall be the official vote, cast by each political party at its National Convention, on the first ballot only, and shall be designated by this Act as an automatic vote, expressing the will of the people of the State of North Carolina, and
- (4) after the vote on the first ballot by a political party at its National Convention, as required by this Article, all responsibility under this Act shall terminate and further balloting shall be the prerogative of the political parties as might be prescribed by the rules of such political parties.

"G.S. 163-213.9. Number of votes to be cast for candidates participating in primary.--(a) The four candidates receiving the highest number of votes, or all candidates if there are fewer

than four participating in the primary, provided each such candidate receives at least 15% of the total vote cast by his political party, shall be awarded a pro-rata portion of the authorized delegate vote of his political party as follows:

- (1) the total vote received by the candidates qualifying under the provisions of this Article and subsections herein shall, when combined, be equal to 100%; and
- (2) each such candidate shall share in the total percentage in direct proportion to the total vote received by him as is calculated to represent the total vote received by him as it is mathematically determined to be the percentage of the aggregate vote which represents 100%; and
- (3) each political party shall appropriate such percentage, as is determined by this section, to the total number of delegate votes as are allotted by the national committee of each party; and
- (4) each political party shall, on the first ballot at its National Convention, cast this State's vote for the candidates, as determined by the primary and calculated under this section.

Provided, however, in the event of the death or the withdrawal of a candidate receiving votes under this section prior to the tabulation of the first ballot, any delegate votes allocated to such candidate who dies or withdraws shall be considered uncommitted. Withdrawal as it appears in the preceding sentence

shall mean notice in writing by the candidate to the Chairman of the North Carolina delegation prior to the first ballot.

"G.S. 163-213.10. It shall be the responsibility of the State Chairman of each political party, qualified under the laws of this state, to notify his party's National Committee no later than January 30 of each year in which such Presidential Primary shall be conducted of the provisions contained herein relating to the automatic vote on the first ballot as required under this Act."

Sec. 2. This Act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 22nd day of April, 1971.

H. P. TAYLOR, JR.

---

H. P. Taylor, Jr.  
President of the Senate

PHILIP P. GODWIN

---

Philip P. Godwin  
Speaker of the House of Representatives

*165-101 - Given Date*

NEBRASKA

The Statute is on the way

Glen Sedam  
December 22

WEST VIRGINIA

We have only partial sections of the statute. The rest is on the  
way

Glen Sedam  
December 22

W.A.

PRIMARY ELECTIONS AND NOMINATING PROCEDURES § 3-5-2

- | Sec.   | Sec.   |
|--|--|
| 3-5-9. Certification and posting of candidacies.               | 3-5-18. Disposition of certificates of results.  |
| 3-5-10. Publication and printing of ballots; number.           | 3-5-19. Vacancies in nominations; how filled; fees.  |
| 3-5-11. Candidacies not certified; vacancies; stickers.        | 3-5-20. Election contests and court review.  |
| 3-5-12. Official and sample ballots; color.                    | 3-5-21. Party conventions to nominate presidential electors; candidates; organization; duties. |
| 3-5-13. Form and contents of ballots.                          | 3-5-22. Other party and group nominations; procedure.  |
| 3-5-14. General provisions applicable to primary elections.    | 3-5-23. Certificate nominations; requirements and control; penalties.                          |
| 3-5-15. Ascertaining and certifying primary election results.  | 3-5-24. Filing of nomination certificates; time.   |
| 3-5-16. Return of supplies and certificates.                   |  |
| 3-5-17. Canvassing and certifying returns; recount procedures. |  |

**§ 3-5-1. Time and place of holding primary elections; hours polls open.**

Primary elections shall be held at the voting place in each of the voting precincts in the State, for the purposes set forth in this article, on the second Tuesday in May in the year one thousand nine hundred sixty-four and in each second year thereafter.

At such election the polls shall be opened and closed at the hours provided for opening and closing the polls in a general election. (1915, c. 26, 2; 1916, 3rd Ex. Sess., c. 5, § 2; Code 1923, c. 3, § 26a(2); 1959, c. 67; 1963, c. 64.)

ALR references. — Exclusion of persons from participating in primaries, 151 ALR 1121. lar requirements for participation by political parties in primary elections, 70 ALR2d 1162.

Validity of percentage of vote or simi-

**§ 3-5-2. Delegates to national conventions; alternates.**

At the primary election to be held in the year nineteen hundred sixty-four, and in each fourth year thereafter, there shall be elected by the voters of each political party of the State the number of persons to which the party is entitled as delegates-at-large, and by the voters of each political party in each congressional district in the State the number of delegates to which the district is entitled, in the national convention of the party to be next held after the date of such primary. The persons receiving the highest number of votes in the State as delegates-at-large, to the number to which the State is entitled, shall be elected delegates. The persons receiving the highest number of votes as delegates in any congressional district, to the number to which the district is entitled, shall be elected delegates. Each delegate so elected shall then appoint an individual to serve as alternate delegate, and shall by registered letter notify the secretary of state of such appointment within forty days after the primary election. (1915, c. 26, § 30; 1916, 3rd Ex. Sess., c. 5, §§ 1, 30; Code 1923, c. 3, §§ 26a(1), 26a(30); 1957, c. 80; 1959, c. 67; 1963, c. 64.)

**§ 3-5-3. Presidential preference.**

In presidential election years, in addition to the candidates required to be nominated at the primary election, the qualified voters of each political party shall have the opportunity of voting for their choice among those aspiring to be the candidates of their respective parties for president of the United States. The names of such aspirants shall be printed on the official election ballot of their respective parties, as provided in section thirteen [§ 3-5-13] of this article, upon the filing with the secretary of state of the announcement as provided in section seven [§ 3-5-7] of this article, and the ballot shall be marked and the vote shall be counted, canvassed and returned under the same conditions as to names, certificates and other matters, as the names and certificates of the party aspirants for the party nomination for the office of governor. (1915, c. 26; 1916, 3rd Ex. Sess., c. 5, § 31; Code 1923, c. 3, § 26a(31); 1939, c. 58; 1963, c. 64.)

**§ 3-5-4. Nomination of candidates in primary elections.**

At each primary election, the candidate or candidates of each political party for all offices to be filled at the ensuing general election by the voters of the entire State, of each congressional district, of each State senatorial district, of each delegate district, of each judicial circuit of West Virginia, of each county, and of each magisterial district in the State shall be nominated by the voters of the different political parties, except that no presidential elector shall be nominated at a primary election.

In primary elections a plurality of the votes cast shall be sufficient for the nomination of candidates for office. Where only one candidate of a political party for any office in a political division, including party committeemen and delegates to national conventions, is to be chosen, the candidate receiving the highest number of votes therefor in the primary election shall be declared the party nominee for such office. Where two or more such candidates are to be chosen in the primary election, the candidates constituting the proper number to be so chosen who shall receive the highest number of votes cast in the political division in which they are candidates shall be declared the party nominees and choices for such office, except that candidates for the office of commissioner of the county court shall be nominated and elected in accordance with the provisions of section 23 of article VIII of the Constitution of this State and that members of county boards of education shall be elected at primary elections in accordance with the provisions of section six [§ 3-5-6] of this article.

In case of tie votes between candidates for party nominations or elections in primary elections, the choice of the political party shall be determined by lot by the executive committee of the party for the political division in which such persons are candidates. (1915, c. 26; 1916, 3rd Ex. Sess., c. 5, §§ 1, 20, 30; Code 1923, c. 3, §§ 26a(1), (20), (30); 1939, c. 57; 1943, c. 48; 1951, c. 86; 1955, c. 61; 1963, c. 64; 1964, 1st Ex. Sess., c. 2.)

12/6/71

§ 11-3. Authority of State central committee exclusive; incorporation of political parties prohibited.

(a) *Exclusive authority; incorporation of political parties prohibited.*—The governing body of a political party shall be the State central committee for the State, and no other organization, whenever or however incorporated, shall be entitled to any recognition or official status for any purpose contained in this article. Political parties in this State, whether making nominations through primary elections or nominating petitions, are expressly forbidden to incorporate under the general laws of this State providing for the formation of corporations.

(b) *Penalties.*—It shall be unlawful for any organization other than the State central committee for the State to hold itself out as the official organization or governing body of any political party. Violation of this section is punishable by a fine of not more than one thousand (\$1,000) dollars, or by imprisonment in jail for a period of six (6) months, or by both fine and imprisonment, in the discretion of the court. (1967, ch. 392, § 1; 1971, ch. 354.)

*Effect of amendment.*—The 1971 amendment, effective July 1, 1971, substituted "nominating petitions" for "primary meetings" in the second sentence of subsection (a).

*Legislative intent.*—The legislative intent expressed by subsection (b) of this section is to reach the situation where there is a claim by an organization, other than the State central committee, that it is the official party organization. *Cu-*

*lotta v. Raimondi*, 251 Md. 384, 247 A.2d 519 (1968).

Subsection (b) is directed against group action and not that of an individual candidate. *Culotta v. Raimondi*, 251 Md. 384, 247 A.2d 519 (1968).

Applied in *Barnhart v. Mandel*, 311 F. Supp. 814 (D. Md. 1970).

Stated in *Wood v. Putterman*, 316 F. Supp. 646 (D. Md. 1970).

PRESIDENTIAL PRIMARIES AND CONVENTIONS

§ 12-1. Delegates to national conventions.

(a) *Selection of delegates.*—The total number of delegates and alternate delegates to represent the respective political parties at their respective national conventions shall be ascertained and determined by the governing body of each party and certified to the State Administrative Board of Election Laws not later than the first day of March in each year in which national conventions for the nomination of President and Vice-President are held. The selection of delegates shall be as follows:

MARCH 1st

(1) *Election of District Delegates.* Of the number of delegates allotted to Maryland, with the exception of those provided for in paragraph (3) of this subsection, there shall be elected from each congressional district an equal number of district delegates from the list of candidates certified to the boards by the State Administrative Board of Election Laws. In ascertaining the number of delegates to be elected from each congressional district, the State Administrative Board of Election Laws shall determine the highest whole number that can be multiplied by the current number of congressional districts in Maryland to obtain a product closest to but

not greater than 100% of the delegates allotted to Maryland by the respective national party committee. Each delegate may have placed adjacent to his name on the ballot the name of a presidential candidate, provided that the written permission of the presidential candidate has been received by the State Administrative Board of Election Laws at least 53 days prior to the date of the primary election.

(2) Election of At-Large Delegates. After the election of the district delegates in accordance with § 12-1 (a) (1), those elected district delegates from any national political party shall meet in convention not more than 21 days after that election and shall elect, as "At-Large Delegates," the remainder of delegates allotted to Maryland by the respective national party committee and not elected under section 12-1 (a) (2).

(3) Ex Officio Delegates.

(i) The Governor of the State shall be an ex officio delegate to the national party convention of the party upon whose ticket he ran in the last preceding gubernatorial election.

(ii) If provided for in the party constitution, the national committeeman, the national committeewoman and the State party chairman of each party shall be ex officio delegates.

(4) Selection of Alternates for Elected Delegates. The elected delegation to the national party convention shall elect the alternate delegates to the convention.

(5) Filling of Vacancies. The entire delegation to a national party convention shall fill vacancies occurring in the office of delegate or alternate delegate.

(b) *Candidate for whom delegates bound to vote.*—All the district delegates to a national convention shall be bound to vote for the candidate of their party for the office of President of the United States who receives the highest number of votes within their respective congressional district at the primary election, and the ex officio delegates and the at-large delegates elected by the district delegates as herein provided shall be bound to vote for the candidate who receives the highest total number of votes at the primary election in the State. All delegates shall be so bound until the candidate for President of the United States is nominated by the convention, receives less than 35 percent of the votes for nomination by the convention, or releases the delegation, or until two convention nominating ballots have been taken.

(c) *Election at party convention.*—In the case of a political party which is not entitled to nominate candidates for public office by means of primary elections, subsections (a) and (b) of this section shall not apply and in lieu thereof delegates and alternate delegates to represent the said political party at its respective national convention shall be elected at a party convention in accordance with the lawful rules and practices of the said political party. (1957, ch. 739, § 1; 1965, ch. 784; 1967, ch. 392, § 1; 1969, ch. 560; 1970, chs. 103, 440; 1971, chs. 268, 354.)

Effect of amendments.—Chapter 103, "State Administrative Board of Election Laws" for "Secretary of State" in the first paragraph of

Art. 33, § 12-2 REGISTRATION AND ELECTION LAWS

subsection (a) and three times in paragraph (1) of that subsection.

Chapter 440, Acts 1970, added "District" in the catchline for paragraph (1) of subsection (a), added the exception in the first sentence of that paragraph, substituted "but not greater than 100%" for "75%" in the second sentence of that paragraph, rewrote paragraph (2), added present paragraph (3), redesignated former paragraphs (3) and (4) as (4) and (5), respectively, substituted "elect the alternate delegates to the convention" for "select their alternates" at the end of present paragraph (4), substituted "district" for "elected" near the beginning of subsection (b), and substituted "at-large delegates elected by the district delegates" for "delegates elected by a State party convention" near the middle of that subsection.

Neither amendment to subsection (a)

gave effect to the other, but both have been given effect in the subsection as set out above.

Chapter 268, Acts 1971, effective July 1, 1971, divided subsection (b) into two sentences, added "ex officio delegates and the" in the first sentence and added "All delegates shall be so bound" at the beginning of the present second sentence.

Chapter 354, Acts 1971, effective July 1, 1971, added subsection (c).

Editor's note.—Chapter 560, Acts 1969, effective July 1, 1969, repealed former §§ 12-1 and 12-2, comprising the subtitle "Presidential Conventions," and enacted in lieu thereof present §§ 12-1, 12-2 and 12-3, comprising the new subtitle "Presidential Primaries and Conventions." Former § 12-1 also related to delegates to national conventions and former § 12-2 was almost identical to present § 12-3.

§ 12-2. Primary election for candidate for President and delegates to national convention.

(a) *Manner of becoming candidate for nomination for President; withdrawal of candidacy.*—Any person who is a candidate for the nomination of a party which must nominate candidates for State public office by means of primary elections under the provisions of this article, for the office of President of the United States, and who desires to obtain the vote of the delegates from Maryland of the party in its national convention, may become a candidate for nomination in primary elections to be held in accordance with the provisions of this article only :

(1) By direction of the Secretary of State who shall place the name of the candidate upon the ballot no sooner than 70 days nor later than 53 days preceding the date set by law for the primary election when he has determined in his sole discretion that the candidate's candidacy is generally advocated or recognized in national news media throughout the United States, unless the candidate executes and files with the Secretary of State an affidavit stating without qualification that he is not and does not intend to become a candidate for the office at the forthcoming election;

50 days before election

(2) By making the payment required and by filing with the State Administrative Board of Election Laws, a petition in the form prescribed by the State Administrative Board of Election Laws which shall contain the signatures of not less than 400 of the registered voters within each congressional district, at least 53 days preceding the date set by law for the primary election. Nothing in this section shall require compliance with § 7-1.

unless candidate files withdrawal

53 days before

(3) Notwithstanding any other provisions of this article, whenever any person who has been nominated in any presidential primary election, in a writing signed by him and acknowledged before a justice of the peace or notary public, notifies the officer or board with whom the certificate of

45 days can withdraw

subsection (a) and three times in paragraph (1) of that subsection.

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(1) By direction of the Secretary of State who shall place the name of the candidate upon the ballot no sooner than 70 days nor later than 53 days preceding the date set by law for the primary election when he has determined in his sole discretion that the candidate's candidacy is generally advocated or recognized in national news media throughout the United States, unless the candidate executes and files with the Secretary of State an affidavit stating without qualification that he is not and does not intend to become a candidate for the office at the forthcoming election;

(2) By making the payment required and by filing with the State Administrative Board of Election Laws, a petition in the form prescribed by the State Administrative Board of Election Laws which shall contain the signatures of not less than 400 of the registered voters within each congressional district, at least 53 days preceding the date set by law for the primary election. Nothing in this section shall require compliance with § 7-1.

(3) Notwithstanding any other provisions of this article, whenever any person who has been nominated in any presidential primary election, in a writing signed by him and acknowledged before a justice of the peace or notary public, notifies the officer or board with whom the certificate of

candidacy, or petition for nomination, or name is required to be filed by this article, at least forty-five (45) days before the primary that he desires to withdraw as a candidate for the nomination, his name shall be withdrawn and the name of any person so withdrawing shall not be printed upon the ballots to be used at the presidential primary election. The filing of a valid certificate of withdrawal of candidacy is a final act of withdrawal; and a person who files a certificate of withdrawal may not reinstate his candidacy, unless the time limit for the filing of candidacies has not expired. No filing fees shall be refunded to persons who withdraw in accordance with this section, subject, however, to § 4A-7 of this article. Nothing in this section shall apply to a candidate who qualifies under § 12-2 (a) (1).

(b) *Right to have name printed on official primary ballot.*—A candidate qualifying under this section shall be entitled to have his name printed upon the official primary ballot of his party in primary elections held under and in accordance with this article as a candidate for the nomination for President.

(c) *Duty of boards of supervisors of elections to have names printed on ballots.*—The board of supervisors of elections in each county and of Baltimore City shall have printed upon the official primary ballots of each of those political parties in each county of the State, and in each legislative district of Baltimore City at the primary election in each year in which a President of the United States is to be elected, the names of the candidates for President and names of candidates for election as delegates to conventions certified to them by the State Administrative Board of Election Laws in manner and form and in all respects similar to the way in which the names of candidates for nomination for Governor are required to be printed upon official primary ballots by the provisions of § 14-1 of this article.

(d) *Arrangement of names on ballots; preparation and casting of ballots.*—The names of the candidates for the nomination for President of the United States and the names of the candidates for election as delegates to conventions of the several political parties upon the official primary ballots shall be arranged and the ballots shall be prepared and shall be marked and cast by voters in the same manner as is prescribed by the provisions of this article with respect to the nomination in the primary election of candidates for the office of Governor of Maryland.

(e) *Canvass, ascertainment and certification of results.*—The results of the primary elections in the several counties and legislative districts of Baltimore City in presidential years shall be canvassed, ascertained and certified in the same manner as provided by law with respect to the election of delegates from the several counties and legislative districts to State conventions of the respective parties to nominate candidates for State offices. The votes cast in each primary election in each county and legislative district of Baltimore City shall be canvassed and certified by the respective board of supervisor [boards of supervisors] of elections in Balti-

more City and the several counties of the State. The Board of State Canvassers then shall tabulate the votes so canvassed and certified in a manner plainly to indicate for each party which candidate for President and which candidates for election as delegates to a national convention received the highest number of votes in the State as a whole. (1969, ch. 560; 1970, ch. 103; 1971, ch. 354.)

**Cross reference.**—See note to § 12-1 of this article.

**Effect of amendments.** — The 1970 amendment substituted "State Administrative Board of Election Laws" for "Secretary of State" twice in the first sentence of subdivision (2) of subsection (a) and in subsection (c) and substituted "§ 7-1" for "§§ 7-1 and 7-2" at the end of subdivision (2) of subsection (a).

The 1971 amendment, effective July 1, 1971, substituted "which must nominate candidates for State public office by means of primary elections under the provisions of this article" for "subject to the provisions of this subtitle" near the beginning of subsection (a).

### § 12-3. Presidential electors.

(a) *Nomination.*—The State convention of any party shall nominate or provide for the nomination of candidates for presidential electors of the party in such manner as the convention determines.

(b) *Number of electors.*—The State convention shall nominate or provide for the nomination of as many candidates for presidential electors of the party as this State is entitled to appoint.

(c) *Certification of nominees to State Administrative Board of Election Laws.*—The names of persons nominated by the State convention as candidates for presidential electors shall be certified by the presiding officers of the State convention to the State Administrative Board of Election Laws. (1957, ch. 739, § 1; 1965, ch. 784; 1967, ch. 392, § 1; 1969, ch. 560; 1970, ch. 103.)

**Cross reference.**—See note to § 12-1 of this article.

**Effect of amendment.**—The 1970 amend-

ment substituted "State Administrative Board of Election Laws" for "Secretary of State" at the end of subsection (c).

## CONTESTED NOMINATIONS AT PRIMARY ELECTIONS

### § 13-1. Time for petition for recount.

Within ten days after the day of any primary election, or within two days after the results of the canvass are declared official, any candidate for a nomination or for delegate to any convention or for member of a State or local central committee or position who has been defeated on the face of the returns, may petition the board for an appeal from and review of the action and decision of the judges in counting the ballots and for a recanvass and recount of the ballots cast in any or all of the precincts of any county or Baltimore City or ward or legislative district or political division therein. If the candidate was a candidate for a State office or for Congress or for judge he may petition for said recount



# Republican State Central Committee of Maryland

MEMORANDUM

Chairman  
Alexander M. Lankler

FOR: MEMBERS OF THE MARYLAND REPUBLICAN STATE CENTRAL COMMITTEE

FROM: ALEXANDER M. LANKLER

In my recent letter to you dated December 2, 1971, I indicated that there was a conflict between the Maryland election law and the Rules of the Republican National Convention with respect to the election of delegates to the Convention. I also indicated that it appeared that this conflict would have to be resolved by obtaining some change in the Maryland law.

Since writing you, I have again discussed this problem with Fred C. Scribner, Jr., General Counsel to the Republican National Committee, in hopes of finding some way that the Maryland law could be applied consistent with the Rules of the Republican National Convention. However, Mr. Scribner has confirmed that the conflicts are irreconcilable. Moreover, there is no way in which the Rules, which were adopted at the 1968 Convention, could be changed prior to the 1972 Convention.

There are three areas of conflict:

- a. Maryland law provides for the election of at-large delegates by the elected district delegates. The Rules do not provide for such a procedure and Mr. Scribner has advised us that at-large delegates elected by such a procedure would be subject to challenge.
- b. Maryland law provides for ex officio (i.e., automatic) delegates while the Rules do not. Mr. Scribner has advised that such delegates would be subject to challenge.
- c. Under the formula provided by the Maryland law, Maryland would elect more district delegates (and correspondingly fewer at-large delegates) than provided by the Rules. Specifically, under the formula provided by Rule No. 30, Maryland is allocated ten delegates at large and 16 district delegates. Under Maryland law, however, there would be elected three delegates from each district, for a total of 24 district delegates, and only two at-large delegates (assuming there were no ex officio delegates). Mr. Scribner has advised that any district delegates, over and above the 16 provided for by Rule No. 30, would also be subject to challenge.

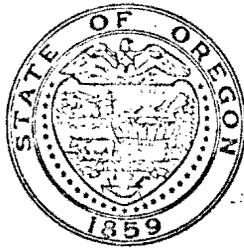
It is, of course, vitally important that Maryland be represented at the 1972 Republican National Convention by a full complement of validly elected delegates. Accordingly, and since there is no possibility of changing the Rules of the Republican National Convention, I have taken steps to seek changes in the Maryland law which would bring it into conformity with the Rules. Senator Mathias, Senator Beall and Douglas Parker, Special Counsel to the State Central Committee, and I met this week with Governor Mandel to seek his cooperation in obtaining remedial legislation. The Governor expressed sympathy for our problem, indicated his belief that remedial legislation would be an appropriate solution and offered the assistance of his office in preparing such legislation.

We are currently drafting, in conjunction with the Legislative Counsel to the Governor, an amendment to the election law which would meet the requirements of the Rules by: (a) providing for the election of at-large delegates by the Republican State Central Committee (as authorized by Rule 31(c)); (b) eliminating any provision for the election of ex officio delegates; and (c) providing that the number of district delegates and at-large delegates, respectively, shall be as provided by the Rules of the Republican National Convention.

We expect that such legislation can be introduced on an emergency basis when the legislature is convened in January.

December 15, 1971

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STATE OF OREGON

# Election Laws

1970-1971

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Secretary of State

**ELECTIONS DIVISION**

*H. B. 4*

(b) Candidates for the office of United States Representative.

(c) Candidates for state offices voted for in the state at large.

(d) Candidates for the office of state senator and the office of state representative.

(e) Members of the state central committee.

(f) Additional delegates may be elected by the county central committee of the party and divided among the respective counties on the basis of one delegate for each state representative which a county is entitled to elect. However, in the case of counties comprising multicounty state representative districts, no county shall have less than one delegate elected by its county central committee.

(3) Delegates to the state party convention by virtue of paragraphs (a) to (c) of subsection (2) of this section shall be delegates at large and shall each have one vote.

(4) Delegates to the state party convention by virtue of paragraphs (d) and (e) of subsection (2) of this section shall vote as part of the county delegation of the county in which they reside.

(5) No proxy votes shall be allowed in the state party convention.

[1961 c.667 §3]

#### DELEGATES TO NATIONAL CONVENTIONS; PRESIDENTIAL ELECTORS

248.310 Election of delegates to national conventions and selection of presidential electors; expressing choice for candidates for President and Vice President of the United States. In the years when a President and Vice President of the United States are to be nominated and elected, the major political parties shall elect delegates to their national conventions and select their candidates for presidential electors. They may also express their choice for candidates for the nominations for President and for Vice President of the United States in the manner provided in ORS 249.368.

[Amended by 1957 c.608 §58]

248.320 Election of delegates to national conventions; apportionment of delegate positions among congressional districts. (1) As soon as possible after the national committees of the major political parties issue their official calls for national nominating conven-

tions, the Secretary of State shall ascertain from the proper officials of the committees the number of delegates allotted to the State of Oregon. The number of delegates allotted shall be elected as provided in subsections (2), (3) and (4) of this section. In the arrangement of the official ballots for the primary election of each party, the Secretary of State shall provide for the election of delegates from each congressional district.

(2) Subject to subsection (3) of this section, all of the delegates allotted to the State of Oregon by the national committee of a major political party shall be elected at the primary election, except:

(a) Those political party officers designated by the national committee of the party as delegates shall be delegates automatically; and

(b) The national committeeman and committeewoman, and the chairman and vice chairman of the state central committee of the party shall be delegates automatically.

(3) If any of the persons named in paragraph (b) of subsection (2) of this section is designated by the national committee as a delegate, the number of delegates allotted to that party who are to be elected shall be reduced by the number of persons so designated.

(4) The delegates to be elected by a major political party shall be elected from the congressional districts by the registered electors of the party. The delegates to be elected shall be apportioned among the several congressional districts by the Secretary of State according to the number of electors of the major political party registered in each congressional district on the date of the previous general election. The ratio of delegates shall be determined by dividing the total number of electors of the major political party registered in the state on the date of the previous general election by the number of delegates to be elected. The number of delegates for each congressional district shall be determined by dividing the total number of such electors in the district by such ratio; and when the computation results in any delegates not being apportioned as a result of fractions, then apportionment of such delegates shall be made, first, to the district with the highest fraction; next, to the district having the next highest fraction; and so forth until all the delegates are apportioned.

[Amended by 1957 c.608 §59; 1969 c.603 §1; subsections (2), (3), (4) enacted as 1969 c.603 §4]

✓ 248.330 Voters express preference for delegates; election by plurality vote. Every registered elector of a major political party may vote his preference on the official nominating ballot of his party for delegates from the congressional district in which he resides. A plurality vote shall be sufficient to elect a delegate to any national convention, and the allotted number of candidates receiving the highest number of votes shall be chosen in each congressional district.

[Amended by 1957 c.608 §60; 1969 c.603 §2]

248.340 [Amended by 1957 c.608 §61; renumbered 248.355]

248.350 How names of delegates are placed on ballot. Candidates for the office of delegate to a national convention may have their names placed on the official ballots for the primary election of their party in the same manner as candidates for nomination for other state and district offices. Whenever a nominating petition is a prerequisite for the appearance of a candidate's name on the ballot of his party, existing laws providing the manner in which the names of candidates for nomination for state and district offices may be printed on the ballots shall govern, except that not more than 500 signatures shall be required on such a petition. [Amended by 1957 c.608 §62]

248.352 Alternate delegates; appointment; pledge. (1) A delegate elected as provided in ORS 248.310 to 248.350 shall, not later than 35 days following his election, name an alternate delegate to the national convention to serve in his absence. Within 35 days following his election each delegate shall file with the Secretary of State the name and address of the alternate delegate he has appointed.

(2) Alternate delegates appointed, as provided in subsection (1) of this section, shall be bound to the same pledge as subscribed to by the delegate in subsection (2) of ORS 249.221.

(3) Alternate delegates to national conventions shall be appointed as provided in this section and ORS 248.354 and not otherwise.

[1965 c.528 §§2, 3, 5]

248.354 Vacancy in office of delegate or alternate. Should a vacancy occur in the office of delegate or alternate delegate, the remaining delegates shall fill such vacancy. [1965 c.528 §4]

248.355 State party convention to select candidates for presidential electors; candidate's pledge. In the years when a President and Vice President of the United States are to be nominated and elected, the state party convention of each major political party described in ORS 248.210 shall select a number of candidates for elector of President and Vice President equal to the whole number of Senators and Representatives to which this state is entitled in Congress. The chairman and secretary of each committee shall certify the names of the candidates so selected to the Secretary of State within 10 days of the final adjournment of the state party convention. Each candidate for presidential elector so selected shall at the time of his selection sign a pledge that, if elected, he will vote in the electoral college for the candidates of his party for President and Vice President. The Secretary of State shall prescribe the form of the pledge. Each presidential elector shall file his pledge with the Secretary of State within 10 days of the final adjournment of the state party convention. [Formerly 248.340; amended by 1961 c.46 §1; 1961 c.667 §4; 1965 c.138 §1]

248.360 Election time and number of presidential electors to be elected. On the Tuesday next following the first Monday in November 1956, and every four years thereafter, the qualified electors of this state shall elect as many electors of President and Vice President as this state is entitled to elect Senators and Representatives in Congress.

248.370 Electors convene, fill vacancies and perform duties. The electors of President and Vice President shall convene at noon at the state capital on the first Monday after the second Wednesday in December next following their election. If there is any vacancy in the office of an elector occasioned by death, refusal to act, neglect to attend or otherwise, the electors present shall immediately fill it by viva voce and plurality of votes. When all the electors have appeared or the vacancies have been filled, the electors shall then perform the duties required of them by the Constitution and laws of the United States.

248.380 Electors' compensation and traveling expenses. Every elector of President and Vice President of the United States who attends at the time and place appointed and votes for President and Vice President

person shall knowingly print, cause or permit to be printed any ballot in any other form, with any other names thereon, with the names spelled or the names of the candidates arranged in any other way than that provided for under the primary election law and directed by such official. No official charged by law with the duty of distributing ballots, nor any persons acting for him, shall knowingly distribute or cause to be distributed any ballots in any other manner than as provided for under the primary election law.

[Formerly 249.580]

**249.366** Major party membership required for voting at a primary election. No elector shall be qualified or permitted to vote at any primary election under the primary election law, and it shall be unlawful for him to offer to do so, unless he is registered as being affiliated with one of the major political parties nominating or electing its candidates for public office under the primary election law at such primary election. Every elector offering to vote at any such primary election shall be given a ballot of the major political party with which he is registered as being affiliated. He shall not be given a ballot of any other political party at that primary election.

[Formerly 249.510]

**249.367** Signature sheets for petitions for presidential candidate under ORS 249.368. (1) A petition for nomination of a candidate under ORS 249.368 shall have attached thereto a sheet or sheets containing the signatures of at least 4,000 registered electors, at least 1,000 of whom reside in each congressional district. The electors in each congressional district shall include electors residing in each of at least one-tenth of the precincts in each of at least one-fourth of the counties in the congressional district.

(2) The signature sheets shall also contain the residence address and name or number of the precinct of each registered elector whose signature appears thereon and shall be certified to in the manner prescribed in ORS 249.055.

[1969 c.101 §3]

**249.368** Electors may vote preference for candidates for President; petitions for nomination; placing of names on ballot. (1) When candidates for the office of President of the United States are to be nominated, every elector of a major political party shall have the opportunity to vote his preference

on his official primary election ballot for a person to be the candidate for nomination by his party for President of the United States. Preference shall be indicated either by writing the name of such person in the blank space left on the ballot for that purpose or by marking with a cross (X) or a check mark (✓) inside a voting square between the number and name of the person of his choice, as in the case of nominations of candidates for state and district offices.

(2) The name of any candidate for a major political party nomination for President of the United States shall be printed on the ballots only:

(a) By direction of the Secretary of State who shall place the name of such a candidate upon the ballot when he shall have determined in his sole discretion that such candidate's candidacy is generally advocated or recognized in national news media throughout the United States.

(b) Upon the petition for nomination presented to the Secretary of State by members of the major political party of the candidate in the form provided by ORS 249.367.

(3) The names of the candidates for major political party nomination for President of the United States shall be printed on the official ballots for the primary elections of their respective parties, and shall be marked, counted, canvassed, returned and proclaimed in the same manner and under the same conditions, so far as the same are applicable, as the names of candidates for nomination for state and district offices.

[Formerly 249.600; amended by 1959 c.390 §1; 1961 c.170 §1; 1969 c.101 §1]

**249.369** Making notations in poll book and on ballots when elector votes. (1) The stub number of each official primary election ballot given an elector to vote shall be recorded in the poll book opposite the name of the elector.

(2) In the case of an elector permitted by law to vote at the primary election in a precinct other than the one in which he is registered as residing, or in the case of a person permitted to vote only for the candidates referred to in ORS 247.410, the chairman of the election board shall determine which candidates the elector is qualified to vote for and shall make a notation of such determination upon the ballot given the elector and in the poll book opposite the name of the elector.

(3) If an elector whose name does not

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*216 1.1.6*

- Other Primary Election.** 2502. Any primary election other than the direct primary or presidential primary shall be held on Tuesday, three weeks next preceding the election for which the primary election is held.
- Presidential Primary.** 2503. The presidential primary shall be held on the first Tuesday after the first Monday in June of each year in which delegations to national party conventions are to be chosen.
- All elections to be held on Tuesday.** 2504. All state, county, municipal, and district elections shall be held on the Tuesday nearest to the date on which they would be held in the absence of this section. The procedural requirements prescribed for any such election shall be construed as if the provisions of this section were specifically set forth in the provisions relating to that election.
- Exceptions.** This section shall not apply to any election called by the Governor or to elections held in chartered cities the charters of which contain provisions inconsistent with the provisions of this section.
- Failure hold district election.** 2505. If the governing body of any special district fails to call or to take any other steps necessary to the holding of the regular district election at which any member or members of the governing body of the district are to be selected, the board of supervisors of the county in which the district is located, upon being notified of this fact by any voter in the district, may call a special election within the district for the selection of the governing board member or members involved. The election shall be held not later than 90 days after it is called by the board of supervisors, and shall be conducted in the same manner as the regular district election. The costs of such special election shall be borne by the district for which the election is held. (Added by Statutes 1965, Chap. 613.)
- When supervisors call.**

#### CHAPTER 2. PROCLAMATIONS AND NOTICES OF ELECTIONS

- May declare Holiday.** 2600. The governing body of any county or city in which a local election is held may declare the election day to be a holiday in that county or city.

## DIVISION 5. NOMINATIONS

## CHAPTER 1. PRESIDENTIAL PRIMARY

## Article 1. General Provisions

6000. The provisions of this code relating to the Presidential Primary apply to the presidential primary insofar as the former do not conflict with the latter.

6001. This chapter applies both to the nomination of a state of delegates pledged to the candidacy of a particular candidate and to the nomination of a slate of delegates not expressing a preference for a particular candidate. (Added by Statutes 1961, Chap. 542.)

## Article 2. Number and Certification of Delegates

6020. The chairman of the state central committee of each of the political parties qualified to participate in the presidential primary shall notify the Secretary of State on or before the first day of March immediately preceding the presidential primary as to the number of delegates to represent the State in the next national convention of his party.

6021. The notification of the number of delegates shall be in substantially the following form:

## STATEMENT OF NUMBER OF DELEGATES TO PARTY NATIONAL CONVENTION

To the Secretary of State  
Sacramento, California

You are hereby notified that the number of delegates to represent the State of California in the next national convention of the \_\_\_\_\_ Party is \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

Chairman of the State Central Committee of the \_\_\_\_\_ Party.

6022. If a chairman of a state central committee fails to file a notice as to the number of delegates, the Secretary of State shall ascertain the number from the call for the national convention issued by the national committee of the party.

Presidential  
Primary.

Application of  
chapter.

Secretary of  
State notified of  
number of  
delegates.

Form of notice.

Action on  
failure to  
notify.

Certification by Secretary of State.

Certify number to County Clerk.

6023. The Secretary of State shall, on or before the 10th day of March of the year of the presidential primary, certify to the county clerk of each county the number of delegates to be elected by each of the political parties qualified to participate in the election.

Form of certificate to Clerk.

6024. The certification to the county clerk of the number of delegates shall be in substantially the following form:

CERTIFICATE OF SECRETARY OF STATE AS TO NUMBER OF DELEGATES TO EACH PARTY NATIONAL CONVENTION To the County Clerk of \_\_\_\_\_ County:

I hereby certify to you that the political parties qualified to participate in the presidential primary to be held in this State on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and the number of delegates to be elected by each political party to represent the State of California in its next national convention is as follows:

Parties	Number of Delegates
_____	_____
_____	_____
_____	_____
_____	_____

Dated at Sacramento, California, this \_\_\_\_\_ day of March, 19\_\_\_\_\_

(SEAL) \_\_\_\_\_ Secretary of State

Article 3. Selection of Candidates

Committee.

6050. Any three or more voters of the State who are registered as intending to affiliate with the same political party may join as a committee in proposing the nomination of a group of candidates for delegates. The committee may elect its officers, select the candidates for delegates, select the chairman of the committee, arrange for the appointment of verification deputies, secure the endorsement of the person, if any, preferred by the committee as candidate for presidential

nominee, appoint alternates, assemble and file all necessary papers, and take all other action which may be necessary for the organization and election of the group. The committee in performing its functions may act through its officers or designated representatives. (Amended by Statutes 1961, Chap. 542.)

6051. The committee, on or before the first day for filing the nomination papers of the group, shall file with the Secretary of State a statement containing the name of the committee and the names of its officers.

File committee name and officers.

6052. The number of candidates for delegates grouped on a nomination paper shall be equal to the total number of delegates to be elected by the party.

Number of candidates.

6053. The names of the grouped candidates shall be so selected that the smallest number of candidates who reside in any one congressional district shall not be less than the integer of the quotient obtained by dividing the number of the names of candidates appearing upon the same nomination paper by the total number of congressional districts of the State, and that the largest number of candidates who reside in any one congressional district shall not be greater than twice that integer. In any county in which are located two or more entire congressional districts the delegates may be selected from the county at large. If the names are not so selected, the names shall not be certified by the county clerk to the Secretary of State.

Candidates by congressional district.

6054. The number of alternates to be selected shall be no greater than one for each delegate, and the alternates shall be selected in the manner prescribed in Section 6053.

Alternates.

6055. Each group of candidates for delegates, which intends to pledge itself to the candidacy of a particular candidate for presidential nominee, shall have the endorsement of the candidate for presidential nominee for whom the members of the group have filed a preference. The endorsement of the candidate for presidential nominee shall be filed with the Secretary of State before the circulation of any nomination papers of a group of can-

Endorsement of presidential candidate.

didates pledged to the support of his candidacy as presidential nominee. (Amended by Statutes 1961, Chap. 542.)

**Disqualification.**

6056. Any candidate whose nomination paper is filed in more than one group is disqualified from running as a member of any group.

**Candidate's affidavit.**

6057. Each candidate for delegate to his national party convention shall file with the Secretary of State, before the circulation of the nomination papers of the group of candidates of which he is a member, an affidavit which shall state:

- (a) His residence, with street and number, if any.
- (b) His election precinct.
- (c) That he is a voter in the precinct in which he resides.
- (d) That he is a candidate for office of delegate.
- (e) That he will not withdraw as a candidate before the presidential primary.
- (f) That he will qualify as a delegate if elected.
- (g) In the case of a candidate for delegate on a slate of delegates pledging itself to the candidacy of a particular candidate for presidential nominee, the following statement: "I personally prefer \_\_\_\_\_ as nominee of my political party for President of the United States, and hereby declare to the voters of my party in the State of California that if elected as delegate to their national party convention, I shall to the best of my judgment and ability, support \_\_\_\_\_ as nominee of my party for President of the United States."
- (h) In the case of a candidate for delegate on a slate of delegates not expressing a preference for a particular candidate the following statement: "I express no preference for a particular candidate. The chairman of my group is \_\_\_\_\_"

The name of a candidate for presidential nominee shall not be placed on the ballot unless this affidavit has been properly filed by each candidate for delegate of the group supporting the candidate. (Amended by Statutes of 1961, Chap. 542.)

6058. The affidavit of a candidate for delegate shall be in substantially the following form: Form of affidavit.

## AFFIDAVIT OF CANDIDATE FOR DELEGATE

State of California }  
County of \_\_\_\_\_ } ss.

I, \_\_\_\_\_, reside at No. \_\_\_\_\_ Street, in the City (or Town) of \_\_\_\_\_, in the County of \_\_\_\_\_ in the \_\_\_\_\_ Congressional District, State of California; my election precinct is \_\_\_\_\_ Assembly District and I reside and am a voter therein, my post office address is \_\_\_\_\_, County of \_\_\_\_\_

I desire to be a candidate, at the presidential primary to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, for delegate to the next national convention of the \_\_\_\_\_ Party, and if elected as delegate I will qualify.

I personally prefer \_\_\_\_\_ as nominee of my political party for President of the United States, and hereby declare to the voters of my party in the State of California that if elected as delegate to their national party convention, I shall to the best of my judgment and ability, support \_\_\_\_\_ as nominee of my party for President of the United States. (This statement of preference shall be omitted where the candidate for delegate is part of a group not expressing a preference for a particular candidate.)

I express no preference for a particular candidate. The chairman of my group is \_\_\_\_\_ (This statement shall be omitted where the candidate for delegate is part of a group expressing a preference for a particular candidate.)

(Signed) \_\_\_\_\_  
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

(SEAL) \_\_\_\_\_  
Notary Public (or other official)  
(Amended by Statutes 1961, Chap. 542.)

## Article 4. Nomination Papers

6080. As used in this article, "basis of percentage" means: Basis of percentage.

(a) If a party's candidate for Governor was the candidate of the party alone, the vote polled for the party's candidate for Governor at the last preceding general election at which a Governor was elected.

(b) If a party's candidate for Governor was not the candidate of that party alone, the vote polled at the last preceding general election by that one of the party's candidates voted on throughout the State who received the greatest number of votes of all of the party's candidates who were the candidates of that party alone.

(c) If a party had no candidate voted on throughout the State who was the candidate of that party alone, the vote polled at the last preceding general election by that one of the party's candidates voted on throughout the State who received the greatest number of votes of all the party's candidates who were the candidates of the party in conjunction with one or more other parties.

When left  
with Clerk.

Names of  
delegates  
not to be  
on ballot.

Number of  
signatures.

Maximum  
number  
signatures.

6081. Nomination papers properly prepared, circulated, signed and verified shall be left, for examination, with the county clerk of the county in which they are circulated, at least 60 days prior to the presidential primary. Upon the filing of nomination papers pursuant to this chapter, the persons named in such papers shall be voted upon as delegates to the respective national conventions of the several political parties, but their names shall not be printed upon the ballots of their respective parties.

Number of signatures.

6082. Nomination papers for candidates for delegates of any party shall be signed by not less than one-half of 1 percent and not more than 2 percent of the vote constituting the basis of percentage.

6083. Upon receipt of a sufficient number of signatures for the nomination of a group of candidates, the Secretary of State shall notify the chairman of the committee of that fact and advise him that no more signatures will be received.

6084. Each signer of a nomination paper may sign only one paper. He shall declare his intention to support the group of candidates for nomination, add his place of residence, and give his street and number if any. His election precinct shall also appear on the paper just preceding his name, and he shall write the date of his signature at the end of the line just after his residence.

6085. Any nomination paper may be presented in sections. Each section shall contain the names of candidates comprising the group and state that they are candidates for delegates, and, if such be the case, that they have expressed a preference for a named person as candidate for presidential nominee of the party. Each section shall bear the name of the county in which it is circulated. Only voters of the county registered as intending to affiliate with the political party by which the nominations are to be made are competent to sign. (Amended by Statutes 1965, Chap. 419.)

6086. Each section shall be prepared with the lines for signatures numbered, and shall have attached the affidavit of the verification deputy who obtained signatures to it, stating that all the signatures to the attached section were made in his presence, and that to the best of his knowledge and belief each signature to the section is the genuine signature of the person whose name it purports to be. No other affidavit is required. The affidavit of any verification deputy shall be verified free of charge by any officer authorized to administer oaths.

6087. A verified nomination paper is prima facie evidence that the signatures are genuine and that the persons signing it are voters, until it is otherwise proved by comparison of the signatures with the affidavits of registration in the office of the county clerk.

Nomination Paper for Group of Delegates.

6088. The nomination paper for a group of candidates shall be in substantially the following form:

Data on  
nomination  
paper.

Presented  
in sections.

Data.

Qualifications.

Affidavit of  
Verification  
Deputy.

Verified  
signatures  
presumed  
genuine.

upon a line should be counted or considered an illegal vote, same to be removed after count is complete.

(m) When paper ballots with the above general format are used and totals posted to summary forms rather than tally sheets a counting group may consist of two board members.

(n) In conjunction with this method of counting votes one extra clerk may be employed who shall commence serving upon the close of the polls and with the other board members canvass the vote. (Amended by Statutes 1965, Chap. 1945.)

#### Article 2. Presidential Primary

##### Form of ballot.

##### Presidential Primary.

10260. The ballot to be used at the presidential primary shall conform to the provisions of this article and to the consistent provisions of Article 3 (commencing at Section 10290) of this chapter.

##### Arrangement of candidates on ballot.

10261. The names of the candidates for delegates of any political party shall not appear upon the ballot. In lieu thereof the names of the persons preferred for President by each group of candidates, or the name of the chairman of each group that has designated no preference, shall be arranged upon the ballot of the party in a column  $2\frac{1}{4}$  inches wide. The person preferred by that group of candidates, or the chairman of a group expressing no preference, which files its nomination paper with the Secretary of State first shall be entitled to the first or top space; the person preferred by the group which next files its nomination paper shall be entitled to the second space; and similarly for all other persons, or chairmen preferred by other groups. (Amended by Statutes 1961, Chap. 542.)

##### Voting square.

10262. At the right of the name of the person preferred for President by each group or the name of the chairman of each group expressing no preference, there shall be a voting square three-eighths of an inch square. (Amended by Statutes 1961, Chap. 542.)

##### Ballot heading.

10263. At the top of the ballot shall be printed "Official presidential primary election ballot," and the



History: Laws 1969, ch. 39, § 5.

**3-8-38. Notification to candidates—Filing fee.**—The secretary of state shall forthwith contact each person who has been nominated by the committee or by petition and notify him in writing by registered mail with return receipt requested, that his name will be printed as a candidate on the New Mexico presidential primary ballot if within fifteen [15] days after receipt of the notification he furnishes a filing fee of five hundred dollars (\$500). The filing fee shall be paid to the secretary of state and deposited with the state treasurer in the same manner as provided for other filing fees by the Primary Election Code [3-8-9 to 3-8-32].

History: Laws 1969, ch. 39, § 6.

**3-8-39. Voting in presidential primary.**—All candidates in the presidential primary shall appear with candidates for other offices of their respective parties at an appropriate place on the ballot or voting machine. The voter shall be able to cast his ballot for one [1] of the presidential candidates of his party or for "None Of The Names Shown." A vote of the latter kind shall express the preference for an uncommitted delegation from New Mexico to the national convention of that voter's party.

History: Laws 1969, ch. 39, § 7.

**3-8-40. Delegates to national convention.**—A. Upon the completion of the state canvass of the results of the presidential primary, the secretary of state shall certify to the state chairman of each political party participating in the primary the following:

(1) the names of the two candidates, or candidate and uncommitted category as the case may be, receiving the highest number of votes; and

(2) the total vote each received.

B. Each political party shall then select, as the party rules may determine, as many delegates and alternates to the national party convention as are allotted to it by the national committee of that party.

C. Such delegates, and each alternate for such delegates, shall be allotted to the two [2] candidates, or to the one [1] candidate and the unpledged category, as the case may be, in the same proportion that the total vote such candidate or category received bears to the total combined vote of both candidates, or of the one [1] candidate and the unpledged category, as the case may be. In computing the number of pledged or unpledged delegates any recipient of five-tenths or more delegate shall be entitled to one [1] additional delegate.

History: Laws 1969, ch. 39, § 8.

**3-8-41. Delegate pledge.**—A. No person selected as a delegate or alternate shall qualify to attend the national convention of his political party unless he files with the state central committee of his political party a written declaration of acceptance, signed by himself, in the

form herein prescribed and the state central committee deposits this declaration of acceptance in the office of the secretary of state no later than thirty [30] days before convening of the applicable national convention.

B. The declaration of acceptance shall be in the form of an affidavit and shall contain the following information:

(1) the name, residence and post-office address of the delegate or alternate delegate;

(2) a statement that he is a registered voter in New Mexico affiliated with the political party for which he is a delegate or alternate, and that he was a registered voter and affiliated with such party as of the date of the last presidential primary election;

(3) a statement that he will not withdraw his name before the holding of the national party convention of his party;

(4) if delegates are pledged to specific candidates for the office of president, a pledge in the following form:

"As a delegate to the 19\_\_\_\_\_ national convention of the \_\_\_\_\_ party, I pledge myself to support the candidacy of \_\_\_\_\_ as a candidate for the nomination of president by the \_\_\_\_\_ party; that I will, unless prevented by his death or unless released prior to the first ballot, vote for his nomination on the first ballot; thereafter, I shall have the right to cast my convention vote according to my own judgment."

History: Laws 1969, ch. 39, § 9.

**Cross-References.**

Vote for uncommitted delegation to national convention, 3-8-39.

**3-8-42. Certification of names to credentials committee.**—The secretary of state shall certify to the credentials committee at the national convention of each political party participating in the presidential primary election the list of names of delegates and alternates qualified to represent the party organizations of this state by virtue of having complied with the provisions of the Presidential Primary Act [3-8-33 to 3-8-43].

History: Laws 1969, ch. 39, § 10.

**3-8-43. Penalty.**—Any delegate or alternate delegate who fails to vote at the national political party convention in accordance with the delegate pledge he signed as required by the Presidential Primary Act [3-8-33 to 3-8-43] is subject to a fine not exceeding one thousand dollars (\$1,000) or imprisonment not exceeding ten [10] days, or both.

History: Laws 1969, ch. 39, § 11.

## ARTICLE 9

### VOTING MACHINES

- |         |        |  |
|---------|--------|--|
| Section | 3-9-1. | State voting machine committee—Creation.           |
|         | 3-9-2. | State voting machine committee—Duties.             |
|         | 3-9-3. | State voting machine committee—Manner of approval. |
|         | 3-9-4. | State voting machine committee—Compensation.       |

3-9-5. Voting  
3-9-6. Requir  
3-9-7. Voting  
3-9-8. Voting  
3-9-9. Board  
3-9-10. Metho  
3-9-11. Machi  
3-9-12. Voting  
3-9-13. Care  
3-9-13.1 to 3-9-2

**3-9-1. State voting machine committee.**—The "state voting machine committee" shall be a committee of the secretary of state, who shall be appointed by the governor. No member of the committee shall be used by the committee in any voting machine contest.

History: C. 1953, § 1-10; Laws 1969, ch. 240, § 1-10.

**Compiler's Notes.**

Former sections 3-9-1 to 3-9-13.1, 1927 ch. 41, §§ 601 to 604; 1929 §§ 41-601 to 41-624; 1931 §§ 601 to 56-624; Laws 1967, ch. 273, § 1-10; 1967, ch. 273, § 1-10. Election contests and regulations repealed by Laws 1969, ch. 240, § 1-10.

**3-9-2. State voting machine committee.**—The machine committee shall be a committee of the secretary of state, who shall be appointed by the governor. No member of the committee shall be used in any voting machine contest.

History: C. 1953, § 1-10; Laws 1969, ch. 240, § 1-10.

**3-9-3. State voting machine committee.**—Any person desiring to use a voting machine in New Mexico shall have the machine examined by the state voting machine committee. At the time of the examination, the secretary of state shall be present.

B. Upon receipt of the report of the state voting machine committee, the secretary of state shall call upon the committee to examine and stamp the machine. The committee shall report by two [2] members. The committee shall file a written report on the machine.

C. Upon completion of the examination, the committee shall file such report with the secretary of state.

hereinafter provided. All vacancies in public offices to be filled by election, except such as are provided by law to be filled at special or municipal elections, shall be filled at the general elections. All public questions to be voted upon by the people of the entire state and all other public questions, except such as are provided by law to be decided at any other elections, shall be voted upon and decided at the general elections.

Amended L. 1948, c. 438.

**19:3-3. Delegates and alternates to national conventions and committee members chosen at primary election.** In each presidential year delegates and alternates to the national conventions of the political parties shall be elected at the primary election to be held on the first Tuesday in June in that year. The members of state, county and municipal committees of the political parties shall be chosen at the primary for the general election as hereinafter provided.

Amended L. 1965, c. 4.

**19:3-4. Basis of election to office.** At every election the person or persons, to the number to be elected therein, who shall by law be qualified for the office or offices to be filled at such election, and for whom the greatest number of votes shall have been given therein for such office or offices, shall be deemed and taken to be elected to such office or offices.

**19:3-5. Holding incompatible offices; qualifications of Presidential and Vice-Presidential electors; qualifications of congressmen.** No person shall hold at the same time more than one of the following offices: Elector of President and Vice-President of the United States, member of the United States Senate, member of the House of Representatives of the United States, member of the Senate or of the General Assembly of this State, county clerk, register, surrogate or sheriff.

No person shall be elected an elector of President and Vice-President of the United States unless he shall possess the qualifications of a legal voter of the State, shall be of the age of twenty-five years or upwards and shall have been a citizen of the United States seven years next preceding such election.

No person shall be elected a member of the House of Representatives, or an elector of President and Vice-President who shall hold any office of trust or profit under the United States.

**19:3-6. Basis of determination of public questions; "legal voter" defined.** Any public question voted upon at an election shall be presented in simple language that can be easily understood by the voter. The printed phrasing of said question on the ballots shall clearly set forth the true purpose of the matter being voted upon. Where the question concerns any amendment to the state constitution, or any act or statute or other legal titles of any nature, the printed phrasing on the ballots shall include a brief statement interpreting same. In event that in any statute the public question to be voted upon is so stated as not clearly to set forth the true purpose of the matter being voted upon and no provision is made in said statute for presenting the same in simple language or printing upon the ballots a brief statement interpreting the same, there may be added on the ballots to be used in voting upon the question, a brief statement interpreting the same and setting forth the true purpose of the matter being voted upon in addition to the statement of the public question required by the statute itself.

The municipal clerk shall within eight days after the primary election certify to the county clerk and also to the county board two copies of the names and post-office addresses of the persons elected as members of the county committee of the several political parties, together with the ward, district or unit which they respectively represent.

19:23-55. **Canvass of votes by county clerks; statement.** The county clerks shall within ten days canvass such statements relating to all officers and positions to be voted for by the voters of the entire state, county, congressional district, municipality or ward, and determine what persons have by the highest number of votes been so elected or nominated by the political parties.

In the case of United States Senator, Governor and member of the House of Representatives the county clerk shall immediately transmit to the secretary of state a statement showing the total number of votes cast for such officers in the county. The secretary of state shall furnish the necessary form.

In the case of members of the county committee the county clerk within nine days after the primary shall mail to the chairman of the state committee and to the chairman of the county committee of the respective parties a list of the names of those elected to the county committee, giving the municipalities, ward and district each represents, together with their post-office addresses.

19:23-56. **Certificates of election of members of state committee.** The county clerk shall issue a certificate to the male receiving the highest number of votes among the male candidates and to the female receiving the highest number of votes among the female candidates for the position of member of the state committee of any political party at the primary as shown by the returns in his office.

19:23-57. **Canvass of votes by secretary of state; certificates of election issued.** The secretary of state shall forthwith canvass such statements of the county clerks and determine by the highest number of votes what persons have been so nominated by the voters of the political parties of the state or portion thereof involving more than a single county or congressional district, and shall issue a certificate of election to each person shown by such canvass and statement to have been nominated.

**Article 11. OTHER PROVISIONS APPLICABLE TO PRIMARY FOR GENERAL ELECTION.**

19:23-58. **Provisions of title applicable.** Any provisions of this title which pertain particularly to any election or to the general election shall apply to the primary election for the general election in so far as they are not inconsistent with the special provisions of this title pertaining to the primary election for the general election.

**Chapter 24. PRIMARY FOR DELEGATES AND ALTERNATES TO NATIONAL CONVENTIONS.**

**Article 1. NOTICE OF ELECTION.**

19:24-1. **State committee to Secretary of State.** In every year in which primary elections are to be held as herein provided for the election of delegates and alternates to the national conventions of political parties, which primary elections are to be held on the first Tuesday in June as hereinbe-

fore provided, the chairman of the state committee of each political party shall notify the Secretary of State, on or before March 1 of that year, of the number of delegates-at-large and the number of alternates-at-large to be elected to the next national convention of such party by the voters of the party throughout the state, and also of the number of delegates and alternates to be chosen to such convention in the respective congressional districts or other territorial subdivisions of the state as mentioned in such notification.

If the state chairmen, or either of them, shall fail to file such notice, the Secretary of State shall ascertain such facts from the call for its national convention issued by the national or state committee.

Amended L. 1965, c. 4.

**19:24-2. Secretary of State to county clerks and county boards.** The Secretary of State shall, on or before March 20 of that year, certify to the county clerk and county board of each county the number of delegates and alternates-at-large to be chosen by each such party and the number of delegates and alternates to be chosen in each congressional district or other territorial subdivision of the state, composed in whole or in part of the county of such county clerk.

Any provisions of this title which pertain particularly to any election or to the general election or to the primary election for the general election shall apply to the primary election for delegates and alternates to national conventions in so far as they are not inconsistent with the special provisions of this title pertaining to the primary election for delegates and alternates to national conventions.

Amended L. 1965, c. 4.

#### Article 2. PROCEDURE.

**19:24-3. Nomination by petition.** Candidates for election as delegates or alternates to the national conventions of political parties shall be nominated by petition in the manner herein provided for the nomination of candidates to be voted for at the primary election for the general election except as herein otherwise provided.

**19:24-4. Delegates and alternates-at-large chosen from entire state or from congressional district.** Not less than one hundred members of each such political party may file with the secretary of state at least forty days prior to the primary election for the general election in any year of a presidential election a petition requesting that the name of a person therein indorsed shall be printed on the primary ticket of such political party as candidate for the position of delegate-at-large or alternate-at-large, to be chosen by the party voters throughout the state to the national convention of that party, or as a delegate or alternate to be chosen to that convention by the voters of any congressional district.

The signers to the petition for any delegate-at-large or alternate-at-large shall be legal voters resident in the state; and the signers for any delegate or alternate from any congressional district shall be voters of such district.

The secretary of state shall within six days thereafter certify to each county clerk and county board such nominations for delegates and alternates-at-large and the nominations for delegates or alternates for any congressional district.

Amended L. 1948, c. 2.

**19:24-4. Note.**

For the purposes of electing delegates-at-large and alternates-at-large to national conventions of the political parties to be held in the year 1964, in counties in which voting machines are used, where the county clerk shall determine that the capacity of the voting machines used in the county makes it impossible to provide for the voting for each candidate for delegate-at-large and alternate-at-large individually, he shall, in prescribing the form of sample ballots and in arranging the names of candidates on the voting machine, provide for voting by a single vote for all such candidates who had requested to be grouped together in accordance with the provisions of R. S. 19:24-5, which vote shall constitute and shall be tallied as a separate vote for each of the candidates listed in the group.

If any individual candidate receives more votes than each candidate in the group, or if, for any other reason, in order to determine which candidates in the group have been elected it is necessary to determine the priority of candidates in the group as to each other, the order in which such candidates are certified to the Secretary of State by the State chairman of their party upon the filing of the petitions shall determine such order of priority.

Added L. 1964, c. 3.

**19:24-4. Note.**

For the purposes of electing delegates-at-large and alternates-at-large and district delegates and alternates to national conventions of the political parties to be held in the year 1964, in counties in which paper ballots are used, the county clerk, in prescribing the form of sample ballots and in arranging the names of candidates on the official ballots, shall so arrange the ballot that each voter may vote for each candidate for delegate-at-large and alternate-at-large and each district delegate and alternate individually, or in the alternative, may vote by a single marking indicating a vote for all such candidates who have requested to be grouped together in accordance with the provisions of R. S. 19:24-5, in which case such vote shall constitute and shall be tallied as a separate vote for each of the candidates listed in the group.

Added L. 1964, c. 4.

**19:24-5. Delegates grouped; choice for president included in petition.** Candidates for the position of delegates or alternates may be grouped together, if they so request in their petitions, and may also have the name of the candidate for President whom they favor placed opposite their individual names or opposite such groups, if they so request in their petitions and if the written consent of such candidate for President is endorsed upon their petitions, under the caption "Choice for President."

Amended L. 1944, c. 8.

**19:24-6. Ballot form to permit voting by single marking for delegates and alternates.** For the purposes of electing delegates-at-large and alternates-at-large and district delegates and alternates to national conventions of the political parties in counties in which paper ballots are used, the county clerk, in prescribing the form of sample ballots and in arranging the names of candidates on the official ballots, shall so arrange the ballot that each voter may vote for each candidate for delegate-at-large and alternate-at-large and each district delegate and alternate individually, or in the alternative, may vote by a single marking indicating a vote for all such

candidates who have requested to be grouped together in accordance with the provisions of Revised Statutes 19:24-5, in which case such vote shall constitute and shall be tallied as a separate vote for each of the candidates listed in the group.

Added L. 1968, c. 28.

**Chapter 25. PETITION INDORSING CANDIDATE FOR PRESIDENT.**

19:25-1, 19:25-2. Repealed, L. 1944, c. 8.

19:25-3. Number of signers; form, preparation and filing petition; consent of candidate not necessary. Not less than one thousand voters of any political party may file a petition with the secretary of state on or before the fortieth day before a primary election in any year in which a President of the United States is to be chosen, requesting that the name of the person indorsed therein as a candidate of such party for the office of President of the United States shall be printed upon the official primary ballot of that party for the then ensuing election for delegates and alternates to the national convention of such party.

The petition shall be prepared and filed in the form and manner herein required for the indorsement of candidates to be voted for at the primary election for the general election, except that the candidate shall not be permitted to have a designation or slogan following his name, and that it shall not be necessary to have the consent of such candidate for President indorsed on the petition.

L. 1952, c. 2.

19:25-4. Certification of names indorsed; candidate may decline. The Secretary of State shall certify the names so indorsed to the county clerk of each county on or before the thirty-fourth day before such primary election; but if any person so indorsed shall on or before such date decline in writing, filed in the office of the Secretary of State, to have his name printed upon the primary election ballot as a candidate for President, the Secretary of State shall not so certify such name.

L. 1952, c. 2.

**Chapter 26. ANY PRIMARY.**

19:26-1. Return of election documents and equipment. At the close of all primary elections held according to the provisions of this title, and after counting the ballots cast at such primary and making the statements thereof as herein provided, each district board shall place all ballots voted at the election and all spoiled and unused ballots inside the ballot boxes used at such election, and after locking and sealing the same, shall forthwith deliver the ballot boxes to the municipal clerk and the keys thereof to the county clerk. The district board in municipalities not having permanent registration shall deliver to the county clerk the party primary poll books of the previous year, together with the primary election registry books and the primary party poll books made up at the current primary election. In all municipalities having a permanent registration, the signature copy register binders and the current primary party poll books shall be returned by the district boards to the commissioner, not later than noon of the day following the primary election for the general election.

The commissioner shall return the primary party poll books to the municipal clerks in municipalities having permanent registration not later than one month preceding the next primary election.

SOUTH DAKOTA

Had only partial section. Rest is on the way.

Glen Sedam  
December 22

COMMITTEE FOR THE RE-ELECTION OF THE PRESIDENT

H  
aware  
& realize  
see  
G 1/15

1701 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D. C. 20006  
(202) 333-0920

December 31, 1971

CONFIDENTIAL

MEMORANDUM FOR THE ATTORNEY GENERAL

SUBJECT: Representative Ashbrook's Announcement

A copy of the release for today's press conference held by Congressman Ashbrook is attached.

Cliff Miller, Pete Dailey, Phil Joanou and Ann Dore attended the conference and have enumerated some of the highlights as follows:

- Ashbrook does not intend to be a Third Party candidate in any way. He would not join Wallace nor accept the nomination of the New York Conservative Party.
- The campaign he will conduct will be an effort to change the course of the Nixon Administration, feeling that it has not followed the platform and promises he supported, when supporting President Nixon as the 1968 candidate.
- Ashbrook indicated that he spoke with the key conservative leaders (national) with the exception of Governor Reagan whom he has not had the opportunity to see in person yet. He expects no endorsement or support from conservative Senators but expects a handful of conservative Representatives to support him during the next weeks.
- There has been no pressure from the White House to dissuade him from his efforts, he stated, even though he has many friends there.

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- Ashbrook firmly stated that he is running within the Republican Party, that he is not "bolting" the party nor is he part of a "dump Nixon" movement.
- He indicated several times that he has no campaign manager at this time nor a finance chairman but believes money will be available for a good campaign.
- Ashbrook intends to run in New Hampshire and Florida primaries and will determine future efforts based on the response he gets in these states.
- He stressed the foreign policy and defense areas as points of deviation from the 1968 platform by President's lack of leadership as a factor in the defense area. It is how the defense money is spent within Congressional guidelines, not the amount budgeted, that he sees as an area devoid of the President's leadership.
- Ashbrook has the endorsement of William Buckley and feels that Senator Buckley's "buts" and "ifs" in statement that President Nixon will be re-elected in '72 are the same as his.
- He would indeed want Vice-President Agnew on his ticket and would like him on any ticket the Republican Party confirms. He would also, most definitely, keep the Attorney General.

JEB S. MAGRUDER

FOR IMMEDIATE RELEASE  
DECEMBER 29, 1971STATEMENT BY REP. JOHN M. ASHBROOK

In 1968 I was a delegate to the Republican Convention in Miami Beach and cast my vote for Richard Nixon. I did this on the basis of Mr. Nixon's record in the Congress, in the Vice Presidency and thereafter on the campaign trail. Above all, I voted for him on the basis of what he said in 1968.

He said that we have to put an end to the huge Federal deficits which fuel inflation and pick the pockets of every American. He warned against the dangers of an increasingly regimented economy. He pledged to oppose any scheme for a guaranteed annual income. He promised to bring the Federal bureaucracy to an accountability that was long past due. He spoke out for more individual initiative in the old American style. He cautioned us to be on our guard against the seductive idea that there never had been a cold war, or that, at any rate, it was now over. He called for military superiority and strategic weapons with which to defend America from the growing might of the Soviet Union.

And on all of these issues he was absolutely right.

Today, three years later, where do we stand? The President has fulfilled his promise to appoint judicial conservatives to the Supreme Court and to pass new anti-crime legislation. His Vietnamization policy, at least thus far, has represented a commendable effort to fulfill our obligations to our allies. But the list pretty well ends there.

The first three budgets planned wholly by the Nixon Administration are expected to show a deficit of 70 billion dollars--the largest, most outrageous string of deficits in American peacetime history. He has continued and in some cases increased the wasteful

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Great Society programs which he rightly questioned in 1968. On top of this, he has called for enactment of a vast Family Assistance Plan (FAP) that would more than double the nation's welfare rolls by means of a guaranteed annual income.

In foreign affairs, the principal impact of the President's cold war conduct has been to confirm and deepen the illusion of detente. This is being done in direct defiance of his statements across the years and many specific pledges made when running for the Presidency three years ago--and at the very time the Soviet Union and Red China are increasing their aggressive activities throughout the world. We have seen him lead the triumphant charge of the Red Chinese into the United Nations. We have seen our ally of thirty years' standing, Nationalist China, cynically expelled from the United Nations while we stood by and did effectively nothing.

Most disturbing of all, his failure to exert the necessary Presidential leadership has endangered our national security. Our military posture has deteriorated to a point where seven members of the President's own Blue Ribbon Defense Panel warned: "It is not too much to say that in the 70's neither the vital interests of the U. S. nor the lives and freedom of its citizens will be secure." This warning has apparently been ignored.

Maybe, though I doubt it, all of this is what the American people want. But it certainly isn't what I voted for in Miami Beach in August, 1968, nor is it the program that Richard Nixon ran on that year. I can't help feeling that many Americans--and certainly many New Hampshire and Florida Republicans, for example--would welcome the opportunity to remind Richard Nixon of the solemn promises he made during that campaign and of the very deep concerns of the people who put him in the White House in the first place.

What if we Republicans had told the public in 1968 that we would promote record domestic spending programs, continue our defense deterioration and promote a guaranteed income? Or if candidate Nixon had said, "I am now a Keynesian"? I feel the voters

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would have stuck to the party with real expertise in these areas, the Democratic party. We offered change and it was to be in the conservative direction. We were elected on that basis.

It is because the promise and hope of the 1968 campaign have been so largely abandoned that I am declaring my candidacy for President of the United States. I know the political perils and difficulties of a challenge to an incumbent president. But it is my firm belief that the Nixon program of 1968 genuinely reflected majority sentiment in the Republican Party, and throughout the nation.

I plan to appeal to that sentiment, beginning in New Hampshire and Florida, and I ask the support of all those who seek a Republican Party dedicated to a strong national defense, a realistic foreign policy, and the growth of free institutions at home.

# # #

BIOGRAPHY OF JOHN M. ASHBROOK, Member of Congress, 17th District, Ohio

**PERSONAL:** John M. Ashbrook, born September 21, 1928 at Johnstown, Ohio, the son of the late Congressman William A. Ashbrook and Mrs. T. D. VanFossen. A Lifelong resident of Johnstown, Ohio. Father of three daughters, Barbara (Mrs. Joseph Robertson), Laura and Madeline.

**EDUCATION:** Graduated from Johnstown High School, 1946; Harvard College in 1952 with Honors; Received Juris Doctor Degree from Ohio State Law School in 1955 and was awarded an Honorary Doctor of Laws (LL.D.) by Ashland College, 1963.

**MILITARY SERVICE:** Joined the U. S. Navy in 1946 after graduation from High School and served until 1948. Member of the Byrd Antarctic Expedition, 1946-47.

**BUSINESS AND PROFESSIONAL:** Publisher of the Johnstown Independent, a weekly newspaper, since 1953. Admitted to the practice of Law in Ohio in 1955 and served as Special Counsel to the Attorney General of Ohio, 1955-57.

**AFFILIATIONS:** Member of the Johnstown Baptist Church where he has served as Moderator, Chairman of the Board of Deacons and Chairman of the Board of Trustees. He is a 32nd Degree Mason, Shriner, Past Chancellor of White Cross Lodge 308, Knights of Pythias and a member of various civic and fraternal organizations. One of founders of the Little League in Johnstown, active in school and alumni affairs.

**PUBLIC SERVICE:** Elected to the 102nd Ohio General Assembly in 1956 and re-elected in 1958, winning renomination with a 64% write-in vote in the May, 1958 Primary, probably an Ohio record. Elected November, 1960 to the U. S. House of Representatives to the 87th Congress and re-elected in 1962, 1964, 1966, 1968 and 1970. Ranking Republican member of the House Internal Securities Committee (former Un-American Activities Committee) and second-ranked member in seniority on the House Education and Labor Committee.

**HONORS:** Selected in 1957 as one of the outstanding freshmen legislators by the Ohio Legislative Correspondents Association. Named as one of the 15 outstanding young men in American politics by special committee composed of former Senators Paul Douglas (Dem., Illinois) and William Knowland (Rep., Calif.) in 1958. Chairman of the American Conservative Union, 1966-71. Recipient of the Freedom Award for Outstanding leadership in combatting communism from the Order of Lafayette on May 16, 1970.

Chairman of the American Delegation of young political leaders to the Atlantic Youth Conference NATO, Paris, France, 1958. American representative at Asian People's Anti-Communist League (APACL) in Phillipines, 1965. Chosen as one of most respected conservative leaders in America in national poll in 1970, ranking in top five out of almost 100 prominent conservatives with Barry Goldwater, Ronald Reagan, John Tower and Bill Buckley.

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REACTION TO CONGRESSMAN ASHBROOK'S ANNOUNCEMENT

Former Governor Lane Dwinell, New Hampshire Committee Chairman:

"Congressman Ashbrook is, of course, a fine Congressman. As we have already said in regards to Congressman McCloskey we welcome Mr. Ashbrook into New Hampshire. It is, of course, his right to enter our primary, but we feel that President Nixon is by far the best man for the nomination of the Republican Party. We feel this will be affirmed if he enters this Primary. The President has set a strong and steady course in leading the nation on both foreign and domestic matters. We hope that when the time comes Representatives Ashbrook and McCloskey will join in renominating President Nixon at the Republican convention next summer and in helping him win re-election in November."

New Hampshire Governor Walter Peterson:

"As the President has said, the Republican Party is the Party of the open door. There is room in our party for various viewpoints, such as those held by Congressman McCloskey and Congressman Ashbrook. Today I welcome Mr. Ashbrook into our first in the nation primary. I look forward to a full exchange of ideas in our state in the coming weeks. I know on March 7th the voters will show their support for President Nixon. I also hope that Congressmen McCloskey and Ashbrook will later join with other Republicans in helping renominate and then re-elect President Nixon."

POLITICAL BIOGRAPHY OF JOHN M. ASHBROOK, Member of Congress, 17th District, Ohio

**YOUNG REPUBLICANS:** Joined the Young Republican Club at Harvard and on return to Ohio following graduation became active in Licking County and Ohio State Law School YRs. Chairman of Licking County YR Club, 1953-55. Chairman, Ohio League of Young Republican Clubs, 1955-56. Chairman Young Republican National Federation, 1957-59, only unopposed candidate for that office in organization's history. Recipient of many awards and citations for leadership in area of working with youth.

**REPUBLICAN ORGANIZATION:** Member of Licking County Republican Central Committee since 1954, having served as precinct committeeman in Johnstown, Ohio since that time. Chairman, Licking County Republican Central Committee, 1956-60. Attended 1956, 1960, 1964 and 1968 Republican National Conventions as a Delegate or Alternate.

**ELECTED OFFICE:** Holds distinction of having defeated three Democrat incumbents in 10 years. In 1956, elected to Ohio General Assembly, defeating incumbent Democrat legislator. In 1960, defeated Democrat congressman in his first bid for national office. After redistricting in 1966, defeated another Democrat congressman, a 20-year veteran, when the two were placed in the same district.

In 1956, he was the next to the youngest legislator in the Ohio General Assembly. When elected to Congress in 1960, of the 535 in the 87th Congress, only one congressman was younger than Rep. Ashbrook.

**POLITICAL ORGANIZATIONS:** He has been active in anti-communist and conservative organizations. On steering committee of Committee of One Million Against the Admission of Red China. One of founders of Draft Goldwater organization in 1963. One of founders of American Conservative Union in 1964 and has served as Chairman (1966-71) and Director (1964-present). Active in Republican Regulars, composed of Congressman of conservative, constitutional philosophy. Recognized national leader for conservative cause.