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25	2	3/16/1972	Letter	Joe Carr to the President. Re: The Presidents name being placed on the ballot in the Republican Presidential Preference Primary in the State of Tennessee. 4 pages.

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STATE OF TENNESSEE  
THE SECRETARY OF STATE  
NASHVILLE

JOE C. CARR

March 16, 1972

The President  
White House  
Washington, D. C.

MM

Mr. President:

Under the provision of Chapter 102 of the Public Acts of 1971, as amended by Chapter No. 478 of the Public Acts of 1972 for the State of Tennessee, this is to inform you that I have determined as provided by law, that your name should be on the ballot in the Republican Presidential Preference Primary to be held on May 4, 1972 in the State of Tennessee.

If you do not choose to have your name placed on the ballot, then it would be necessary, in order to withdraw your name, for you to execute and file with the Secretary of State an affidavit as required by the said chapter (a copy of which is enclosed) stating that you are not now nor do you intend to become a candidate for President in the forthcoming Presidential election.

This affidavit should be returned to my office by the 26th day of March, 1972.

Sincerely yours,

*Joe C. Carr*  
Joe C. Carr  
Secretary of State

JCC-ec  
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PRESIDENTIAL PREFERENCE PRIMARY  
ACT OF 1971

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Section 2-832. Date of primary--Qualifications of voters.--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. In the event there is no properly qualifying candidate for President in a political party under the provisions of this act no primary election shall be held for that party.

Section 2-833. Placing candidates names on ballot.--Withdrawal.--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 by the third Thursday of March place the name of such candidate for president of the United States 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 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.

Such an affidavit shall be filed no later than ten (10) days after the Secretary of State makes the announcement of his determination in compliance with the provisions of this section. The Secretary of State upon making the determination of candidacy shall thereupon announce his list of candidates and notify each candidate of the same by mailing a registered air mail letter on or before noon prevailing time of the third Thursday of March of the year when the primary is to be held.

When the Secretary of State has determined the candidates entitled to be placed on the ballot, under this provision, he shall certify the names of such candidates to the County Election Commission not later than thirty (30) days before such preferential primary election, and such names shall be placed on the ballot by the county election commission in each county.

The Secretary of State shall notify each county election commission of his determination by the most expeditious means. The county election commissions in turn shall place the names of the candidates so certified on the ballot.

OR

(2) Upon petition for nomination filed by or on behalf of a candidate for president not later than 12:00 noon prevailing time on the third 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 Secretary of State and the State Board of Elections. The Secretary of State shall certify to the chairmen of the various county election commissions not later than thirty (30) days before such presidential primary election the names of all candidates in whose behalf proper nominating petitions have been filed. In each county the primary election shall be considered a regular party election.

PRESIDENTIAL PREFERENCE PRIMARY ACT OF 1971 (continued)

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 qualified by petition signifies his desire to withdraw from the primary, his name shall not appear on the ballot.

Section 2-834. Ballots, contents.--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.

No candidate shall be entitled to enter more than one party primary. In the event a candidate wishes to enter a party primary other than that designated by the Secretary of State, he shall signify his preference to the Secretary of State within ten (10) days after the third Thursday of March and the Secretary of State shall certify him only for that primary preferred.

Section 2-835. Ballots, counting--Returns, canvassing.--Ballots shall be counted and returns made and canvassed as provided in Section 2-813 and other sections relating thereto.

Section 2-836. Results binding on delegates to national political conventions.--The results of the preferential presidential primary shall be binding on the delegates to the national political nominating conventions as hereinafter provided. The delegates to the National Political Nominating Conventions shall be bound by the results of the preferential presidential primary for the first two (2) ballots. 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 per cent (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.

Delegates shall be selected in accordance with the rules and practices of the respective parties.

Section 2-837. County or municipal primary elections authorized at same time.--Any political party may hold county or municipal primary elections for the purpose of electing county executive committee 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.

PRESIDENTIAL PREFERENCE PRIMARY ACT OF 1971 (continued)

Section 2-838. Notice of county and municipal primaries required.--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 county election commission of the intent of the party to hold such a primary not later than 12 o'clock noon prevailing time the fourth Thursday in March of the year when the election is to be held.

Whenever, by private act, a county shall conduct a county primary election on the same date as the presidential preference primary election, the provisions of the controlling private act governing the qualifications of voters for the county primary shall control for purposes of the county primary election only, in the event there is a conflict between those provisions and the provisions of this act.

Section 2-839. County and municipal primary ballots.--Placing candidates names on.--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 fourth 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 local county election commission the names of the candidates who have qualified for the nomination.

Section 2-840. Primary laws applicable.--All laws relating to primary or regular elections shall apply to primaries, referendums or special elections under the provisions of Sections 2-831 through 2-841 unless clearly inconsistent with Sections 2-831 through 2-841.

Where inconsistent, the state primary law shall prevail over the provisions of the Dortch Ballot Law.

Section 2-841. Ballots prepared by county election commission.--The County election commission of each county shall hold such election and shall prepare all ballots, appoint the officers, registrars, and voting machine judges or operators used in conducting elections held under the provisions of Sections 2-831 through 2-841.

In the event a referendum or special election be held ballots shall be counted and returns made and canvassed as provided in Tennessee Code Annotated, Section 2-1809 and sections relating thereto. In the case of county primary elections, each County Primary Board concerned shall appoint three (3) judges and two (2) clerks to hold its primary elections at each polling place. The judges shall also act as assistant registrars to supervise ballot applications for their respective parties.