Procedures for

Appearing on the Presidential Ballot in Washington State

2008

Washington
Secretary of State
SAM REED

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Forms and Documents

Available for download:

Certificate of Nomination Packet for Minor and Independent Candidates

Presidential Write-in Candidate Forms

Introduction

In Washington we enjoy a tradition of promoting citizen involvement in our political system. The procedures for running for President and Vice President in Washington are grounded in our heritage of encouraging citizens to participate in our political process.

This publication explains the major features of state election law relating to appearing on the presidential ballot. Please note that it is not intended to be a substitute for the statutes governing this process but rather should be read in conjunction with them.

If you have questions or need additional information, please contact your County Elections Department or the Secretary of State's Elections Division. We will be happy to assist you.

Sam Reed
Secretary of State

Definitions

A **Certificate of Nomination** certifies that candidates have been nominated by a party organization, or as independent candidates, for the offices of President and Vice President of the United States.

A **Convention** is an organized assemblage, or multiple assemblages, of registered voters supporting a political party or independent candidate for President and Vice President.

A **Declaration of Candidacy** form is used to file for all elective offices except the offices of President and Vice President of the United States.

The **Filing Officer,** for candidates filing for Federal office, is the Secretary of State.

The **General Election** is a statewide election held on the first Tuesday after the first Monday in November.

An **Independent Candidate** is a candidate for partisan office who does not affiliate with any political organization.

A Major Political Party is a political party that had at least one nominee for President, U.S. Senate, or statewide office in the last General Election in an even-numbered year (2004, 2006) who received at least 5% of the total votes cast.

A **Minor Political Party** is a political organization other than a major political party.

A **Nominating Petition** is a document signed by voters supporting a nomination made at a minor party or independent candidate convention. Multiple petition sheets supporting the same minor party or independent candidate are considered a single nominating petition.

The **Presidential Primary** is the primary held in a Presidential election year to allow voters to express their preferences to the major political parties for nominees for President. The major political parties have the option of using the results of the primary for purposes of allocating delegates to the party national conventions.

The **State Voters' Pamphlet** is a publication of the Office of the Secretary of State that provides information about candidates, ballot measures, and other material related to the General Election. The state voters' pamphlet is distributed to every household in Washington prior to the General Election.

Overview

There are two opportunities to appear on a Presidential ballot in Washington State: the Presidential Primary and the State General Election.

Voters of the state of Washington implemented the Presidential Primary for major political party candidates in 1989 to afford the maximum opportunity to reflect the will of the people, while reserving the political parties' right to conduct their delegate selection for President and Vice President. Parties are not required to use the results of the primary.

Candidate names are placed on the General Election ballot by nomination of the political parties. Political organizations, other than major political parties, nominate candidates for the offices of President and Vice President by following a nominating convention process specific to Washington State.

The Secretary of State processes all applications and candidacy documents for the offices of President and Vice President of the United States.

The Washington State Presidential Primary

The intent of the Presidential Primary is to make the Presidential selection process more open and representative of the will of the people of our state. Political parties reserve the right to conduct their delegate selection as prescribed by party rules. To this end, the parties are not required to use the results of the Presidential Primary for delegate selection.

The Date of the Presidential Primary
The Presidential Primary is set for the fourth Tuesday in May of any year in which a President of the United States is to be nominated and elected. An alternative date for the primary may be adopted by a committee composed of the chairs and vice-chairs of each major political party, the Secretary of State, and the majority leader and minority leader of the House of Representatives. The alternative date for the Presidential Primary must be approved by the first day of October in the year prior to the Presidential Primary. The 2008 Presidential Primary was held February 19, 2008.

Names on the Presidential Primary Ballot
The Presidential Primary is for major political parties only. Independent candidates or political organizations not meeting the definition of a major political party do not participate in the Presidential Primary.

There are only two ways for a candidate's name to appear on the Washington State Presidential Primary ballot:

1. The Secretary of State may determine that a candidacy is generally advocated in national news media.

2. Members of the political party of the candidate may present a petition for nomination of the candidate to the Secretary of State. The petition must contain the names, addresses, precincts, and signatures of at least 1,000 Washington State registered voters who support the inclusion of the candidate's name on the ballot. Petitions must be filed with the Secretary of State at least sixty days before the Presidential Primary.

Names of all candidates complying with either of these two methods are certified by the Secretary of State to appear on the Presidential Primary ballot. Only candidates certified by the Secretary of State may be listed on the ballot. No other manner is provided for participating as a candidate in the Presidential Primary.

The Washington State General Election

In order to appear on the Washington State General Election ballot, major political parties submit the names of nominees selected at their national conventions. Minor party and independent candidates for President and Vice President of the United State must hold a nominating convention.

Candidates for President and Vice President do not submit a Declaration of Candidacy and do not pay a filing fee.

Nominating Process for Minor Party and Independent Candidates

Nomination by Convention
A minor party or independent candidate for President or Vice President must begin the qualification process by holding a nominating convention. Conventions may only be held during the following two periods:

- From the first Saturday in May through the second Saturday in May; and
- From the first Saturday in June through the fourth Saturday in July.

Requirements for a Valid Nominating Convention
To be valid:

- A notice:
    - Must be published in a newspaper of general circulation within the county in which the convention is to be held at least ten days before the date of the convention;
    - Must state the date, hour, and location of the convention; and

    - Must include the mailing address of the person or organization sponsoring the convention.
- A convention must be attended by at least 100 Washington registered voters.
- A convention may not nominate more than one candidate for President or Vice President.

Multiple Nominating Conventions
In order to nominate candidates for President and Vice President, a minor political party or independent candidate must submit the signatures of at least 1,000 registered voters of the state of Washington. Multiple conventions may be held, and the signatures from each convention may be added together to obtain the 1,000 signatures required.

None of the conventions may be attended by fewer than 100 registered voters.

Certificate of Nomination: Content
Certificates of Nomination must:

- Be in writing;
- Identify the political party or independent candidate on whose behalf the convention was held;
- Contain the name of each person nominated, his or her residence, and the office for which he or she is nominated;
- Provide a sworn statement from nominees, both President and Vice President, giving their consent to the nomination;
- Be verified by the oath of the convention presiding officer and secretary;
- Include the nominating petitions bearing the signatures and addresses of at least 1,000 registered voters; and
- Contain proof of publication of the notice calling the convention.

NOTE: A nominating petition must clearly identify the name of the independent or minor party candidate. The petition must also contain a statement that the person signing the petition is a registered voter of the State of Washington, must have a space for the voter to sign his or her name, and print his or her name and address. No person may sign more than one nominating petition for the same office.

Certificate of Nomination: Where Filed
Certificates of Nomination for President and Vice President must be filed with the Office of the Secretary of State not later than one week following adjournment of the last convention.

Presidential Electors
A minor political party or independent candidate convention that nominates candidates for President and Vice President must submit a list of presidential electors to the Office of the Secretary of State no more than ten days after adjournment of the last convention. The list must contain the names and mailing addresses of the persons selected and must be verified by the presiding officer of the convention.

Verification of Signatures
Upon receipt of the Certificate of Nomination, the Office of the Secretary of State must check the certificate and verify that the signatures on the accompanying nominating petition are sufficient. Once the determination has been made, the Office of the Secretary of State must notify the presiding officer of the convention and any other persons who have requested notification.

Any appeal regarding the filing officer's determination must be filed with the Superior Court of the county in which the certificate and petitions were filed not later than five days after the determination is made. Nominating petitions are not available for public inspection or copying.

The Secretary of State must notify County Auditors of the names and designations of all minor party and independent candidates who have filed valid certificates and nominating petitions.

Voters' Pamphlet Information

Nominees for the office of President and Vice President are eligible for inclusion in the official State Voters' Pamphlet published by the Office of the Secretary of State.

Candidate statements and photographs should be submitted to the Office of the Secretary of State with the Certificate of Nomination. Specific information regarding space, photographs, and statement specifications can be found in the brochure "Getting Your Information to Voters in Washington State" on the Secretary of State's website at www.secstate.wa.gov/elections .

The Office of the Secretary of State also provides information through electronic media, including the internet. Information regarding electronic voter guides is available to candidates on the Secretary of State's website at www.secstate.wa.gov/elections .

Candidate inquiries regarding the official state Voters' Pamphlet should be directed to the Elections Division in the Office of the Secretary of State. (See "Information and Assistance" for contact information.)

Write-in Candidates

A person who desires to be a write-in candidate for President or Vice President may file a Declaration of Write-in Candidacy with the Secretary of State. A person already appearing on the ballot as a candidate for another office (except Precinct Committee Officer) may not file as a write in candidate.

The Declaration of Write-in Candidacy must be filed no later than the day before the election.

The names of write-in candidates for President and Vice President will not appear on the general election ballot or in the state voters' pamphlet.

Those who wish to cast a write-in vote for a candidate who filed a Declaration of Write-in Candidacy need only write the name of the candidate in the appropriate location on the ballot in order for that vote to be counted. Write-in votes cast for candidates who have not filed a Declaration of Write-in Candidacy must list the candidate's name correctly and include the political party in order to be counted.

Write-in votes are not tallied unless there are enough votes to change the outcome of the election.

Declarations of Write-in Candidacy are available from the Office of the Secretary of State and the Secretary of State's website at www.secstate.wa.gov/elections .

Information and Assistance

For additional information and assistance, contact the Office of the Secretary of State:

Elections Division
Office of the Secretary of State
520 Union Avenue SE • PO Box 40229
Olympia, Washington 98504-0229
Phone: (360) 902-4180 • Fax: (360) 664-4619
TDD: 1-800-422-8683
E-mail: elections@secstate.wa.gov
Internet: www.secstate.wa.gov

If you need this information in an alternate format, please contact the Office of the Secretary of State at the numbers listed above.

Forms and Documents

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