



Wisconsin Briefs

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2004 WISCONSIN PRESIDENTIAL PREFERENCE PRIMARY

I. INTRODUCTION

On February 17, 2004, Wisconsin voters will have an opportunity to express their preference for the various candidates seeking the presidential nomination. 2003 Wisconsin Act 24 moved Wisconsin's presidential primary from its traditional April date to the 3rd Tuesday in February. The Wisconsin presidential preference primary, in which the voters select the delegates who will attend the national nominating conventions, is advisory and not binding on the respective political parties. It is also an "open" primary, in which voters are not required to declare a party affiliation prior to voting.

This brief describes the procedure for developing the primary ballot, lists the members of the nominating committee and the candidates chosen for the 2004 primary ballot, and describes alternate means for presidential candidates to appear on the ballot.

II. THE NOMINATION PROCESS

Under Act 24, preparation of the presidential preference primary ballot began with the convening of a state nominating committee on the second Tuesday in December of the year prior to the presidential election to determine the candidates who will appear on the ballot. The 2004 committee met on December 9, 2003, at noon in the State Capitol.

Section 8.12 (1) (b), Wisconsin Statutes, requires the committee to place on the ballot

"the names of all candidates whose candidacy is generally advocated or recognized in the national news media throughout the United States . . ." The committee may also place the names of other candidates on the ballot. The committee has the "sole discretion" to determine which candidates fit the statutory criteria.

Establishing the Nominating Committee. Representation on the nominating committee is based on a political party being both "recognized" and "certified" by the state. A "recognized political party" is defined by statute as one that qualifies for a separate ballot or ballot column by receiving a specified number of votes at the last general election or by securing a specified number of petition signatures.

The narrower definition of "certification" is provided in Section 8.12 (1) (a) of the statutes:

[T]he state chairperson of each recognized political party listed on the official ballot at the last gubernatorial election whose candidate for governor received at least 10% of the total votes cast for that office may certify to the [state elections board] that the party will participate in the presidential preference primary.

The standard of 10% of total votes cast for governor is a more stringent requirement, which was enacted by 1985 Wisconsin Act 304 and applied initially to the 1988 presidential preference primary election. Prior to that

change, recognized political parties needed only 1% of votes cast for *any* statewide office to participate on the nominating committee. Limiting the nominating committee's membership to certified parties tends to restrict the committee to representatives of the Democratic and Republican Parties, although this year the Libertarian Party qualified because their candidate for governor in 2002, Ed Thompson, received more than 10% of the vote.

Section 8.12 (1) (b) of the statutes dictates that the nominating committee consists of the following members:

1. For each party filing a certification, the state chairperson (or designee) and one national committeeman and one national committeewoman designated by the chairperson.
2. The president and minority leader of the senate (or designees).
3. The speaker and minority leader of the assembly (or designees).
4. One additional member, selected by the nominating committee, who serves as committee chairperson.

Nominating Committee for the 2004 Presidential Preference Primary

Gordon Myse, State Elections Board, Chairperson

Position	Democratic Party	Republican Party	Libertarian Party
State Party Chairperson	Linda Honold	Richard W. Graber	Ben Masel*
National Party Committeeman	Ken Opin	Brad Courtney	Geoffrey Neale
National Party Committeewoman	Paula Zellner	Mary Buestrin	Bette Rose Ryan
Senate President		Sen. Alan J. Lasee	
Senate Minority Leader	Sen. Jon Erpenbach		
Assembly Speaker		Rep. Phil Montgomery*	
Assembly Minority Leader	Rep. John Richards*		

*Designee

The committee must certify to the Elections Board no later than the Friday following its initial meeting (December 12, 2003), the names of all candidates it has selected to appear on the presidential preference ballot.

Candidate Notification and Disclaimers. After the nominating committee has certified a slate of nominees, the Elections Board notifies each person whose name has been placed in nomination and informs the person that his or her name will appear on the Wisconsin presidential preference ballot unless a disclaimer is filed as required by s. 8.12 (1) (d) of the statutes. The disclaimer must state without qualification that the nominee is not and does not

intend to become a candidate for the office of President of the United States at the forthcoming presidential election. It must be received by the Elections Board no later than 5 p.m. on the first Tuesday in January of the presidential election year (January 6, 2004).

Nomination via the Petition Method. If the nominating committee does not include in the candidate listing the name of a person actively seeking the nomination of one of the parties represented on the committee, that person, or any state group organized on that person's behalf, may still obtain a ballot position by submitting petitions under Section 8.12 (1)(c), Wisconsin Statutes. The petition may be circulated no sooner than the second Tuesday

in December before the presidential election year (December 9, 2003). The deadline for filing petitions with the Elections Board is no later than 5 p.m. on the first Tuesday in January (January 6, 2004). The petition must be signed by at least 1,000, but not more than 1,500, quali-

fied electors in each of Wisconsin's eight congressional districts. An individual petition paper cannot include signers from more than one congressional district, and each petition paper must conform to the requirements of Section 8.40, Wisconsin Statutes.

III. COMMITTEE NOMINATIONS

Candidates Selected for the 2004 Presidential Preference Primary Ballot

Democratic Party	Republican Party	Libertarian Party
Wesley Clark	George W. Bush	Michael Badnarek
Howard Dean		Gary P. Nolan
John Edwards		
Richard Gephardt		
John Kerry		
Dennis Kucinich		
Joseph Lieberman		
Carol Mosely-Braun		
Al Sharpton		