

Documentation in Support of a Presidential Elector Nomination Affidavit

This document is prepared to demonstrate our compliance with the requirements of OCGA 21-2-172(g), for access to the ballot for the General Election scheduled in Georgia for the November 5th, 2024. The Secretary of State has published guidance for how to qualify under this new statute, in a memo published to the website on or about July 1st, and titled: “[Notice Regarding Ballot Access for Presidential Electors under S.B. 189](#)”. References below to the Memo, are intended to refer to this document.

We understand that we are exercising a process for the first time, one which has never been used before and that it is to be expected that we learn things along the way as we do so.

EXECUTIVE SUMMARY

Our Concerns with this Process

(1) the form of the affidavit

*twenty numbered entries labeled
“List of States Where Ballot Access has been Obtained”*

By providing 20 numbered slots, surely the Secretary of State does not intend to limit a political body utilizing this path to the ballot in their ability to claim every qualifying state. For, if limited to filing only twenty states, were a challenge to be advanced under OCGA 21-2-5(b), and one state were lost on such an examination, ballot access for the candidate of choice for voters inclined to support our party would be denied despite other qualifying states waiting in the wings.

Column asking: Date Ballot Access Obtained

This is a vague request which could be answered in any number of ways. ***We have rewritten the column header to make it clear that the dates we provide in this column are the dates by when these candidates must be certified,*** depending on local laws, either by the state parties to the state election administrators, or by the chief elections administrator to the counties, either way making such a determination available as a matter of public record.

A full answer about the date on which ballot access was obtained by a state party would require deep archival research, the collection of oral histories, and answers contextualized by an understanding of the disparate rules around access to the ballot we see from state to state. At any rate, under no circumstances could any such answer be legibly printed in the space provided by the form.

That having been said, most of the state parties listed in the Presidential Elector Nominating Affidavit have long existed, and have had varying forms of ballot access in their states. Regardless of their access to the ballot for their local and state candidates, many or most of the states in our list have consistently offered the party’s national nominees for President and Vice-President of the United States a ballot line every four years since 2000.

(2) a filing deadline which has been set arbitrarily early

Our biggest objection must be to the deadline, which seems to have been arbitrarily chosen without consideration given to the availability of the supporting documents requested by the Secretary’s memo providing guidance for 21-2-172(g) qualification process. See the summary of our findings, below for a better understanding of this issue.

A summary of our findings

We have gathered information on the availability of public records which might certify that our party and its presidential electors are on a state’s ballot, supporting our now nominated slate as our national ticket. Of the twenty-four states we looked at, we have documents which we hope will satisfy your request for documentation for five of them. Three of those states report certification deadlines of August 22nd or 23rd, usually party’s certifying our slate, not the election administrator certifying the ballot. But at any rate, it is difficult to imagine making a filing deadline were we to wait for those three states.

We have been able to collect documents of various types published by the state election administrators for Arizona, Michigan, New Jersey, North Carolina and West Virginia, though in one instance our screen shots are labeled as unofficial, as if the opportunity for challenges is still open.

In the following eighteen states, the deadlines for the documents sought are as much as twenty days later than our deadline for filing for 21-2-172(g) access here in Georgia. And for Arkansas, Montana and Louisiana, their deadlines fall so late in our preparations for this filing as to make their timely inclusion doubtful.

Date Documents Certified	State
2024-August-22	Arkansas
2024-August-22	Montana
2024-August-23	Louisiana
2024-August-24	California
2024-August-24	Florida
2024-August-26	Texas
2024-August-27	New Mexico
2024-August-27	Oregon
2024-August-31	Maine
2024-August-31	Utah
2024-September-03	District of Columbia
2024-September-03	South Carolina
2024-September-03	Wisconsin
2024-September-06	Colorado
2024-September-06	Hawaii
2024-September-06	Idaho
2024-September-06	Mississippi
2024-September-12	Rhode Island

Recommendations

It is clear that in its adoption of OCGA 21-2-172(g), the State Assembly intended to open up participation in Presidential elections to established political bodies that cohere around a national campaign.

As time will soon tell, the Green Party's nominated slate for President and Vice President will soon be on the ballot in nearly every state in the nation. In more of those states than not, that ballot line will be tied to a Green Party in that state, and to the slate of candidates that state party nominated for Presidential Electors.

We are confident that except for this early and arbitrary August 23rd deadline, the Georgia Green Party has or will soon meet the twenty state threshold established in Section 172(g).

We propose the following:

- that we acknowledge that the August 23rd deadline has been met, but that it is not binding with respect to documentation expected;
- that the Secretary make a public certification that the Georgia Green Party's slate in the Presidential election (Stein, Ware and our Presidential Electors) for this year's General Election will appear on the Georgia ballot;
- that we permit any Affiants seeking access under OCGA 21-2-172(g) to supplement their August 23rd filings with electronic filings as documents anticipated in the Secretary's Memo are made available to them, and with a single additional paper filing on Monday, September 16th;
- that we be invited after the election has been resolved to collaborate on recommended revisions to this process to inform future memos on the subject published by the Secretary, or rule making by the State Elections Board or statutory revisions for consideration by the General Assembly.

TABLE OF EXHIBITS

pg ii Executive Summary

A. Comments of Hugh Esco, Secretary, Georgia Green Party for the State Elections Board Meeting August 6th, 2024

B. Roll Call of the States

B-AZ: Arizona

AZ-documentation.pdf
2024_Election_Calendar.pdf
2024_Primary_Election_Official_Canvass_0815b.pdf
AZ-Presidential_Electors--stein-jill-22349-25615.pdf
AZ-Qualified_Presidential_Candidates--apps.arizona.vote.pdf

B-AR: Arkansas

AR--documents_unavailable_until_after_aug_23.pdf
AR--2024_Election_Calendar_Rev._1-2024_.pdf

B-CA: California

CA-documents_unavailable_until_after_aug_23.pdf

B-CO: Colorado

CO-documents_unavailable_until_after_aug_23.pdf

B-DC: District of Columbia

DC--documents_unavailable_until_after_aug_23.pdf
2024-General-Calendar-08052024.pdf
Code_of_the_District_of_Columbia--1-1001.08--Qualifications_of_candidates_and_electors--
nomination_an_--code.dccouncil.gov.pdf
DC_Municipal_Regulations--1500_8.pdf

B-FL: Florida

FL-documents_unavailable_until_after_aug_23.pdf

B-HI: Hawaii

./states/Hawaii/HI-documents_unavailable_until_after_aug_23.pdf

B-ID: Idaho

ID-documents_unavailable_until_after_aug_23.pdf

B-LA: Louisiana

LA-documents_unavailable_until_after_aug_23.pdf
LA—Green_Party_Nominating_Documents.pdf
PresidentialQualifyingInformationForRecognizedPoliticalParties.pdf

B-ME: Maine

ME-additional_documents_unavailable_until_after_aug_23.pdf
Maine_Green_Ballot_Confirmation.pdf

B-MI: Michigan

MI-documentation.pdf
MI--Green_Party_Ballot_Access.pdf
MI--2024_Michigan_Unofficial_General_Candidate_Listing--11_05_2024--mielections.us.pdf

B-MS: Mississippi

MS-documents_unavailable_until_after_aug_23.pdf

B-MT: Montana

MT-documents_unavailable_until_after_aug_23.pdf

B-NV: Nevada

NV-documentation.pdf
730-order-denying-injunctive-relief.pdf

B-NJ: New Jersey

NJ-documentation.pdf
2024-certification-of-general-election-nominees-president.pdf

B-NM: New Mexico

NM-documents_unavailable_until_after_aug_23.pdf
NM_Election_Handbook_SOS-2023.pdf

B-NC: North Carolina

NC-documentation.pdf
2024_general_candidate_list_by_contest_federal_and_state.pdf
North_Carolina_Statutes--GS_163-209--
Names_of_presidential_electors_not_printed_on_ballots; notification.pdf
Raleigh-newsobserver.com--NC_ballots--
When_does_presidential_nominee_need_to_be_chosen.pdf

B-OR: Oregon

OR-documents_unavailable_until_after_aug_23.pdf

B-RI: Rhode Island

RI-documents_unavailable_until_after_aug_23.pdf

APRA_Policy_Approved--060822.pdf

B-SC: South Carolina

SC—documents_unavailable_until_after_aug_23.pdf

024-Election-Calendar-scVOTES-2024-07-23.pdf

7-13-350_Certification_of_candidates_verification_of_qualifications_(1).pdf

Title_7_-_Presidential_Elector_Statutes.pdf

B-TX: Texas

TX-documents_unavailable_until_after_aug_23.pdf

B-UT: Utah

UT-documents_unavailable_until_after_aug_23.pdf

B-WV: West Virginia

WV-documentation.pdf

Jill_Stein.pdf

B-WI: Wisconsin

WS-documents_unavailable_until_after_aug_23.pdf

C. Exhibit R-10, for the respondents in Pigg et al v Carr et al