

“We have to follow the law, which clearly states that candidates have 10 days after the primary to withdraw. See 17 V.S.A. § 2412(a). That is this Friday. Upon the withdrawal of a candidate, the party committee has 7 days from the date of withdrawal to nominate a candidate for that office. See § 2386(b). Federal law requires our office to deliver General Election ballots to all town clerks no later than 45 days before the General Election.

We have received letters from Mr. Paige, but they do not constitute an effective withdrawal of his candidacy under the law.

The letters are entitled “Conditional Notice of the Candidates Withdrawal . . .” Our office does not consider these filings to be an effective withdrawal of Mr. Paige’s candidacy for the offices referenced in the letters. He has not, by these letters and at this time, withdrawn from any of the offices. As such, the state committee does not have authority at this time to nominate candidates for the offices for which Mr. Paige won the primary, as he is still the candidate validly nominated for those offices. See 17 V.S.A. § 2381(a)(1).

The law does not allow for conditional withdrawals of candidacy. A candidate either withdraws, or they do not.

The Secretary of State has some discretion under the law to allow a candidate to withdraw even if the request is made after the ten day deadline. See § 2412(b). Even then, the law, in recognition of the tight timelines involved, requires that in no event may a party nominate a candidate less than 60 days before the general election.

This year, in light of the timeline for producing General election ballots, the Secretary of State does not intend to remove any names of statewide office candidates from the General Election ballot after the deadline at 5:00 p.m. on Friday, August 24. By the next Monday, the 27th, our office will begin producing and sending General Election ballots to the printers. Given the timeline for producing and distributing ballots, it will not be possible to withdraw any statewide candidates from the ballot following the Friday deadline.

Meeting these deadlines ensures that we fulfill our Federal requirement to have ballots ready to be sent to overseas and military voters by the deadline. Delaying the production of ballots past these important deadlines would negatively impact our overseas voters and military service members, and risk putting us out of compliance with Federal law.

We have explained the law and process to Mr. Paige and to the state Republican Party.

If Mr. Paige interprets the law differently he is welcome to pursue a legal challenge to the law as it is written. If he is unhappy with the law as written he can seek changes through the Legislature.”