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March 21, 2018

Iowa Secretary of State's Office
First Floor, Lucas Building
321 E. 12th St.
Des Moines, Iowa 50319

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IOWA
SECRETARY OF STATE

Re: Objection to Dale Bolsinger Candidate in House District 56

Dear Secretary of State Pate, Auditor Mosiman, and Attorney General Miller:

Pursuant to Iowa Code section 43.24, I am filing this objection to the candidacy of Dale Bolsinger for State Representative in House District 56. Mr. Bolsinger is holding himself out as the Republican Party of Iowa's candidate. The Primary Election is scheduled for June 5, 2018. As required by law to file an objection, I am a person who has the "right to vote for the candidate for the office in question."

The Objection Panel (Panel) is statutorily charged with hearing this matter. When an objection is filed, the Panel has to weigh the competing interests of ballot access versus the requirements of Iowa's election laws. Historically, the Panel has implemented a balancing test of "substantial compliance" with the applicable laws when weighing these interests. If the potential candidate has "substantially complied" with the law, the Panel has determined that the objection should be denied and the individual's name placed on the ballot.

Without arguing whether "substantial compliance" is the correct standard, the precedent has been set and it is assumed that the Panel will continue to utilize that standard in reviewing this objection. Establishing any other standard to review this particular objection would be unfair to all involved. As such, any conduct that is not in "substantial compliance" with the law has to result in the objection being upheld and the candidate's name not appearing on the ballot.

Mr. Bolsinger is registered as a member of the Iowa Democratic Party. Of critical importance is the fact that during the entire time he was collecting nomination petition signatures, and at the time he signed and filed his affidavit of candidacy, he was registered as a member of the Iowa Democratic Party. However, he collected these signatures and filed his affidavit of candidacy for HD56 to run as a member of the Republican Party of Iowa.

Iowa Code sections 43.14(1)(d) and Iowa Code section 43.18(4) requires a candidate to identify the political party of which the candidate is registered to vote. In addition, the Code does not grant latitude for a potential candidate to switch parties once the appropriate

paperwork has been filed for the primary election. When Mr. Bolsinger filed his affidavit of candidacy and nomination petitions to run for HD56 as a Republican, he violated both of these Code sections. The Code does not permit him to correct these statutory violations by subsequently registering as a Republican. At the time he filed this notarized paperwork with the Government that he was seeking office as a "Republican" he was actually registered as a "Democrat."

This is not merely a failure to "substantially comply" with Iowa's election laws. The very fabric of Iowa's primary election process is for recognized political parties to exercise their 1st Amendment rights to associate with likeminded individuals. As such, primaries are viewed as being "internal party decisions" for selecting persons to be on the General Election ballot.

Iowa Code sections 43.14(1)(d) and 43.18(4) help protect the interests of political parties and individuals registered with a political party to associate with other members of the party. If Mr. Bolsinger truly wanted to be a "Republican," he could have at least taken the minimal step of changing his voter registration prior to filing what amounts to an invalid affidavit of candidacy and nomination petition.

This type of attempt to hijack the election process by failing to properly disclose party affiliation violates two different election laws and is not the type of election tactics that the Panel should permit. This is not the type of inadvertent mistake that has previously been deemed as "substantial compliance." This is a fundamental violation of Iowa's election laws and strikes at the very heart of the primary election process.

As such, I would respectfully request that Mr. Bolsinger's name be stricken from the ballot as a candidate for the Republican Party of Iowa in House District 56.

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