

February 27, 1950

**LAW LIBRARY
ARIZONA ATTORNEY GENERAL**

Wesley Bolin
Secretary of State
Phoenix, Arizona

Dear Mr. Bolin:

Wilson

We have your letter of February 9, in reference to the number of signatures required for candidates under subdivision 1, Section 55-1005, ACA 1939, as amended by Chapter 92, Laws of 1943, which subdivision is as follows:

"If for a candidate for the office of presidential elector, United States senator, representative in congress, or for any state office, excepting members of the legislature and superior court judges, by a number of qualified electors equal to at least one (1) per cent of the votes of the party of such candidate in at least three (3) counties in the state, but not less than one (1) per cent nor more than ten (10) per cent of the total vote of his party in the state." (Emphasis supplied)

You then ask for an opinion on the following question:

"In your opinion does this section require a candidate to only obtain signatures from three counties equal to one per cent of the party's vote for the entire state? Or must he in addition to the above requirements obtain these signatures in such a manner that the total for each of the aforementioned counties is equal to at least one per cent of the party vote in that county?"

We interpret the subdivision to mean that before one may qualify as a candidate for any of the offices mentioned in the subdivision he must in any event have a number of signatures equal to at least one per cent (1%) of the total vote of his party in the state. This does not require that he have signatures from all counties of the state; if the number of signers from three counties of the state are equal in number to at least one per cent of the total vote of his party in the entire state, the petition is sufficient.

We trust this answers your question.

Very truly yours,

FRED O. WILSON
Attorney General

EARL ANDERSON
Assistant Attorney General

EA:f