

# BALLOT ACCESS NEWS

San Francisco, California

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## KANSAS

The February 27, 1989 issue of *Ballot Access News* asked readers to write the House Elections Committee to oppose HB 2428, which increases the number of signatures needed for a statewide independent candidate, from 2,500 to almost 8,000. Unfortunately, on March 8, by a vote of 9-8, the committee passed the bill, and the same day, the House passed it by a vote of 66-58.

The vote in the House was almost entirely a party-line vote. The 66 "Yea" votes included 65 Republicans and one Democrat; the 58 "No" votes included 56 Democrats and two Republicans. In Kansas, at least, Republicans have become the party opposed to free competition in elections. In Kansas, as in most states, Democratic and Republican candidates don't need *any* signatures to get their names on primary ballots.

HB 2428 will receive a hearing in the Senate Elections Committee on March 27. Two Republican State Senators on that Committee, Don Sallee and Eric Yost, have previously indicated that they favor tolerant ballot access laws. If all the Democrats on the Committee, and Senators Sallee and Yost, vote against it, it cannot pass. Nevertheless, partisan pressures are so strong, it seems doubtful that the bill can be stopped in committee. The Senate has 22 Republicans and 18 Democrats.

Kansas Governor Mike Hayden, a Republican, wrote a letter during 1986 saying he favored making ballot access easier. Please write him, 2nd floor, State Capitol, Topeka Ks 66612, and ask him to veto HB 2428 if it reaches his desk unamended. A copy of Governor Hayden's 1986 letter is reproduced on page 3. Feel free to send him pages 3 and 4. If you wish to know what happened to HB 2428 in the Senate before you write, telephone the clerk of the Kansas State Senate at (913) 296-2456, or telephone Richard Winger at (415) 922-9779, day or evening.

## CONGRESS

Congressman John Conyers will introduce the ballot access bill during the first ten days of April. He has been waiting until the first 1,581 bills have been introduced in the House, so that the bill will receive the same number (HR 1582) that it had in the last session. The bill will set a ceiling on the number of signatures that state legislatures can require, for third party and independent candidate ballot access in federal elections.

On March 7, the Elections Subcommittee of the House Administration Committee passed HR 18, which would regulate poll-closing hours in the contiguous 48 states on presidential election days.

## BALLOT ACCESS STUDY

The study of ballot access laws commissioned in 1986 by the Federal Election Commission is now complete and will be published this summer, if the budget permits.

## MISSOURI ELECTORS LOSS

On March 13, the U.S. Court of Appeals, 8th circuit, voted not to rehear *Manifold v Blunt*, the decision which upheld the constitutionality of Missouri law which requires new parties to submit the names of their presidential elector candidates by August 1, even though established political parties need not submit their elector candidates until October. The vote was 5-5. All of the judges appointed by Democratic presidents voted to rehear the case, and one Reagan appointee also voted to rehear the case. However, a tie vote upholds the original decision. The Missouri Libertarian Party, which brought the case, would like to appeal to the U.S. Supreme Court, but lacks the funds needed to print the brief (approximately \$1,000). If you would be willing to contribute to the Missouri Libertarian Party for the appeal, write Mike D'Hooge, 11738 Parish Dr., Bridgeton Mo 63044.

The decision is particularly galling because it states the reason for having an earlier deadline for new parties than for old parties, is that the old parties have a "track record" of dependability, and can be counted on to submit the names of their presidential elector candidates before the November election. In the real world, even the Republicans and Democrats make errors. In 1964 the Iowa Democratic Party failed to certify Lyndon Johnson's name to elections officials by the legal deadline, and in 1988 both the Republicans and Democrats in Indiana failed to certify the names of their elector candidates by the legal deadline. Naturally, these errors were overlooked. The *Manifold* decision fails to mention these incidents, and ignores the U.S. Supreme Court's holding in *Anderson v Celebrezze* that states may not discriminate against third party and independent presidential candidates, in matters relating to deadlines. The Libertarian Party's briefs mentioned the Iowa and Indiana major party errors, but the judges ignored these incidents.

## PETITIONS ARE NOT STATE FORMS

Late in 1988, two U.S. Courts of Appeals ruled that initiative petitions are essentially private forms, not government forms, and that therefore they need not be printed in both Spanish and English, even if they are being circulated in areas in which bi-lingual ballots are mandated. *Delgado v Smith*, decided November 4, 1988 by the 11th circuit, and *Montero v Meyer*, decided November 1, 1988 by the 10th circuit. The decisions should be somewhat useful to other potential lawsuits which argue that legal barriers to the free circulation of petitions are unconstitutional (for example, the new Georgia law which may require 55,000 to 60,000 notarizations for a single petition drive; see the subheading "Georgia" in the article about state legislatures).

## POLITICAL PRIVACY

There will be a hearing in federal district court in San Francisco on March 28 in *Socialist Action Party v Smith*, no. C89-0147-CAL, before Judge Charles A. Legge, a Reagan appointee. The issue is whether Socialist Action Party must reveal the names of its campaign contributors in a San Francisco municipal election. Socialist Action Party is claiming an exemption, based on a 1982 U.S. Supreme Court decision which said that political parties subject to harassment, need not reveal the names of their campaign contributors.

On February 21, 1989, a Washington State Court of Appeals in Seattle handed down a decision in *Snedigar v Hodderson*, no. 21270-2-I, the case over whether the Freedom Socialist Party must make public the minutes of its business meetings. The party is being sued by a disgruntled ex-member who claims that the party defrauded him, by soliciting a large donation from him to pay for a new meeting hall, even though there was no need for the new hall. The court ruled that the First Amendment to the U.S. Constitution does protect political party privacy in general, but that if the person seeking the minutes can establish that there is no alternative to prove his case than to have the minutes subpoenaed, then they must be disclosed. The party has asked for reconsideration. If that is denied, the party will ask the Washington State Supreme Court to review the case.

## WYOMING

Since Wyoming's only congressman, Richard Cheney, has resigned from Congress to become Secretary of Defense, Wyoming will hold a special election to fill his seat on April 26. Wyoming requires 8,000 signatures for a new party to get on the ballot, and 8,883 signatures for a statewide independent candidate to get on the ballot. The Wyoming Libertarian Party wishes to run Craig McCune for congress in the special election, but Wyoming law provides that a special congressional election must be held within 40 days after the vacancy occurs. Only 20 days exist in which to circulate an independent petition, and there is no procedure for a new party to get on the ballot in a special election.

The Secretary of State has ruled that she will place any independent candidate on the ballot who submits 479 valid signatures by April 1. She says there is nothing she can do to create a procedure for a new party to appear. She derived the number 479 by dividing 20 days by 365 days, and multiplying that fraction by the number of signatures normally needed for a statewide independent candidate. The Wyoming Libertarian Party has decided to qualify its candidate as an independent by submitting the necessary 479 signatures, rather than bringing a lawsuit to force the state to print the candidate's name on the ballot with the label "Libertarian". The Secretary of State has promised to ask the legislature to create procedures for new parties to participate in special elections, and to ease ballot access in general, at the next legislative session.

## GREEN PARTY

There is a potential for the formation of a "Green" political party in the United States. There was a Green Party candidate for State Senate from New Haven, Connecticut, who polled 4% in a 3-way race last November, and there was a Green Party candidate for Mayor of Burlington, Vermont, at the March 7, 1989 general election, who polled 3% in a 4-way race (an Independent candidate won the election, defeating the Democratic nominee by 54% to 42%). In California, the Greens as well as the Peace & Freedom Party are working to get an initiative on the state ballot, providing that one house of the legislature should be elected by proportional representation. The Green Party is not now a qualified party in California or in any state, but many Greens feel it isn't even worth qualifying as a political party in California, unless some provision for proportional representation is put into effect first. For more information, contact C. T. Weber, 9616 Caminto Tizona, San Diego Ca 92126, tel. (619) 530-0454. There will be a meeting in Santa Cruz on March 25 to work on writing the proposed initiative.

## COFOE

Readers of *Ballot Access News* are urged to join COFOE, which works to make the public aware of the USA's ballot access problem. Dues of \$10 entitles one to membership with no expiration date; it also includes a one-year subscription to *Ballot Access News* (or a one-year renewal). Political parties which are members of COFOE include the Libertarian, New Alliance, Communist, Socialist and Prohibition Parties. Address: Box 355, Old Chelsea Sta., New York NY 10011.

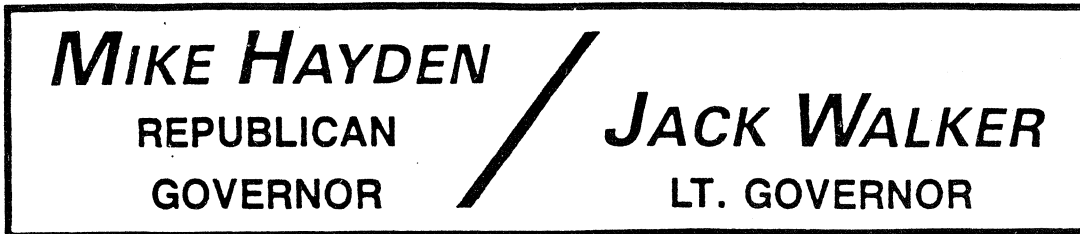
**BALLOT ACCESS NEWS** is published by Richard Winger, Field Representative of the Coalition for Free and Open Elections, \$6 per year, twelve times per year, every 4 weeks, at 3201 Baker St., San Francisco Ca 94123. Telephone (415) 922-9779. Application to mail at Second Class Postage rates pending at San Francisco, Ca.

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**HOW TO USE PAGES 3 & 4:** Pages 3 and 4 are meant to be enclosed in a letter to Governor Mike Hayden, 2nd floor, The Capitol, Topeka KS 66612. Please write Governor Hayden and ask him to veto HB 2428, if it arrives on his desk unamended. HB 2428 would more than triple the number of signatures needed to get a statewide independent on the ballot, even though the old requirement of 2,500 has never resulted in a crowded ballot. Only two statewide candidates appeared on the November 1988 Kansas ballot, and there have never been more than two statewide independent candidates on the ballot for any one office in the history of Kansas. Page 4 contains a copy of a letter Governor Hayden wrote, saying he favors EASIER ballot access.

**NO. OF SIGNATURES. TO QUALIFY A NEW PARTY OR  
INDEPENDENT. PRESIDENTIAL. CANDIDATE IN 1988**

<u>STATE</u>	<u>LEGAL REQUIREMENT</u>	<u>ELECTION CODE REFERENCE</u>	<u>SIGS</u>	<u>%</u>
1 Arkansas	just hold meeting	Attorney General Op 79-102	0	.00
2 Louisiana	just pay \$500	Tit. 18, 465C	0	.00
3 Michigan	just file declaration of candidacy	<i>Fulani v Austin</i> court order	0	.00
4 Tennessee	flat number	Title 2, sec. 2-505	25	.00
5 Washington	.01% of 1984 presidential vote	29.24.030	194	.01
6 New Jersey	flat number	19:13-5	800	.02
7 Utah	flat number	20-3-38	300	.04
8 Delaware	.05% of December, 1987 registration	Title 15, sec. 3001	reg. 142	.05
9 Iowa	flat number	Title 4, sec. 45.1	1,000	.06
10 Mississippi	flat number	23-5-134	1,000	.06
11 Wisconsin	flat number	8.20(4)	2,000	.06
12 New Mexico	flat number	1-7-2, 1-15-3	500	.07
13 Minnesota	flat number	204B.08	2,000	.08
14 Ohio	flat number	3513.257	5,000	.08
15 Rhode Island	flat number	17-16-8	1,000	.18
16 KANSAS EXISTING LAW	flat number	25-303	2,500	.20
17 Alabama	flat number	17-19-2(a)	5,000	.21
18 New York	flat number	Chapter 17, sec. 6-142	20,000	.23
19 Colorado	flat number	1-4-801(b)	5,000	.25
20 Kentucky	flat number	Title 10, sec. 118.315(2)	5,000	.25
21 Nebraska	flat number	32-504(2)(c)	2,500	.28
22 Vermont	flat number	Title 17, sec. 2402(b)	1,000	.29
23 Illinois	flat number	Chapter 46, sec. 10-2	25,000	.39
24 Texas	1% of 1986 gubernatorial vote	Election code sec. 181.005	34,424	.42
25 Maryland	flat number	Attorney General Op. of Jan. 6, 1984	10,000	.43
26 Pennsylvania	2% of winner's vote, statewide judge, 1987	Title 25, sec. 2911	25,568	.44
27 Virginia	one-half of 1% of Jan. 1988 registration	24.1-159	12,963	.45
28 California	flat number	<i>Fulani v Eu</i> , stipulation in fed. court	65,000	.46
29 New Hampshire	flat number	Title 4, sec. 655:42	3,000	.46
30 Maine	flat number	Title 21, sec. 494.5	4,000	.47
31 Arizona	1% of 1986 gubernatorial vote	16.341 E	8,670	.48
KANSAS HB 2428	1% of 1986 secretary of state vote	PROPOSED LAW	7,990	.63
32 South Dakota	1% of 1986 gubernatorial vote	12-7-1	2,945	.67
33 South Carolina	flat number	7-9-10	10,000	.70
34 Alaska	1% of 1984 presidential vote	15.30.025	2,068	.71
35 Idaho	1% of 1984 presidential vote	34-708(A)	4,112	.72
36 West Virginia	1% of 1984 presidential vote	3-5-23	7,358	.76
37 Hawaii	1% of 1986 vote cast	Title 2, sec. 11-113b(2)(B)	3,493	.79
38 North Dakota	flat number	16.1-12-02	4,000	.81
39 Missouri	2% of 1984 gubernatorial vote in 5 cong. dist.	Title 9, sec. 115.315	24,002	.82
40 Connecticut	1% of 1984 vote cast	9-453(d)	14,910	.83
41 Florida	1% of 1986 registration	103.021(3)	56,318	.92
42 Georgia	1% of 1986 registration	21-2-180	25,759	.95
43 Massachusetts	2% of 1986 gubernatorial vote	Chapter 53, sec. 6	33,682	1.03
44 Indiana	2% of 1986 secretary of state vote	3-8-6	30,950	1.08
45 North Carolina	2% of 1984 gubernatorial vote	163-96(2)	44,535	1.30
46 Oklahoma	3% of 1984 presidential vote	Title 26, sec. 10-101.2	37,671	1.71
47 Nevada	3% of 1986 congressional vote	293.1715.2(c)	7,717	1.73
48 Oregon	3% of 1984 presidential vote	Title 23, sec. 249.740	36,695	2.40
49 Montana	5% of winner's vote, governor, 1984	13-10-601	13,329	2.64
50 Wyoming	flat number	22-4-201	8,000	3.54



October 15, 1986

AN OPEN LETTER TO MEMBERS OF THE LIBERTARIAN PARTY OF KANSAS:

I am writing to let you know that I am concerned about the disfranchising of the 27,000 Kansans who are represented by political parties other than the Democrats and Republicans.

It is my understanding that Senator Francis Gordon of Highland, the chairman of the Senate Elections Committee has agreed to introduce legislation in the Kansas Legislature which will make ballot access more available to other political parties. As Governor, I will be supportive of such legislation.

The political process should be an open debate, and I believe that all Kansans deserve to have their views represented and expressed. I would hope that Kansas could lead the Nation towards full participatory democracy, and you have my support to bring this about.

Hopefully you will have ballot access by the next general election.

Sincerely,



Mike Hayden

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**ST. LOUIS POST-DISPATCH**

Founded by JOSEPH PULITZER  
December 12, 1878

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# EDITORIALS

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FRIDAY, MARCH 10, 1989

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## *Easier Access For Third Parties*

Any candidate who does not come from the Republican or Democratic Party has a hard time getting on the ballot for Missouri elections. While the intent of state laws governing elections may not be to discriminate, it surely has the effect of reinforcing the traditional two-party system. Missouri has limited its exposure to new political ideas that could come through third-party campaigns. According to the Missouri Libertarian Party, which has found the door locked shut on occasion, Missouri has allowed the smallest number of candidates on the ballot of any state.

This practice should end. House Bill 632 and Senate Bill 406, identical bills before the Missouri General Assembly, would eliminate the complex requirements for third-party candidates to gather qualified

voters' signatures on petitions from the congressional districts. They would require that 10,000 signatures be obtained to put a candidate on the ballot. That is a reasonable number. Some states adjoining Missouri require far fewer signatures: Kentucky, 5,000; Kansas and Nebraska, 2,500; Iowa, 1,000; and Tennessee, 300. Arkansas requires no signatures at all.

To have third-party candidates on the ballot would bring new people and new ideas into the political process. Voters would have a greater choice while still being able to elect whomever they want. There is nothing in the U.S. or Missouri constitutions that allocates political control to the Democrats and Republicans except tradition. In Missouri, it's time for that tradition to change.

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# AN EDITORIAL

## State should knock down ballot barriers

**T**he lack of adequate choices in recent elections may be the biggest cause of the well-documented voter apathy in St. Louis.

The proliferation of incumbents who run unopposed in election after election leads people to the inescapable conclusion that their votes don't count.

And who can blame them?

In south St. Louis last November, incumbents in all but one of the 11 state representative districts were without challengers.

One-candidate election contests are a guarantee that issues won't be discussed, and voters who want to press their concerns can only hope the unchallenged incumbent will look favorably on their problems.

It's no wonder voters have become cynical and are staying away from the polls in droves.

The depth of the apathy should prod our elected officials to make it easier for candidates and political parties with new ideas to get on the election ballot.

Although many of the "third party" candidates have little chance of becoming elected — at least not right now — the issues they raise are essential to the free flow of ideas that should surround every election.

If nothing else, it would force "comfortable" incumbents out into the open. Who knows? They might even become more responsive to their constituents.

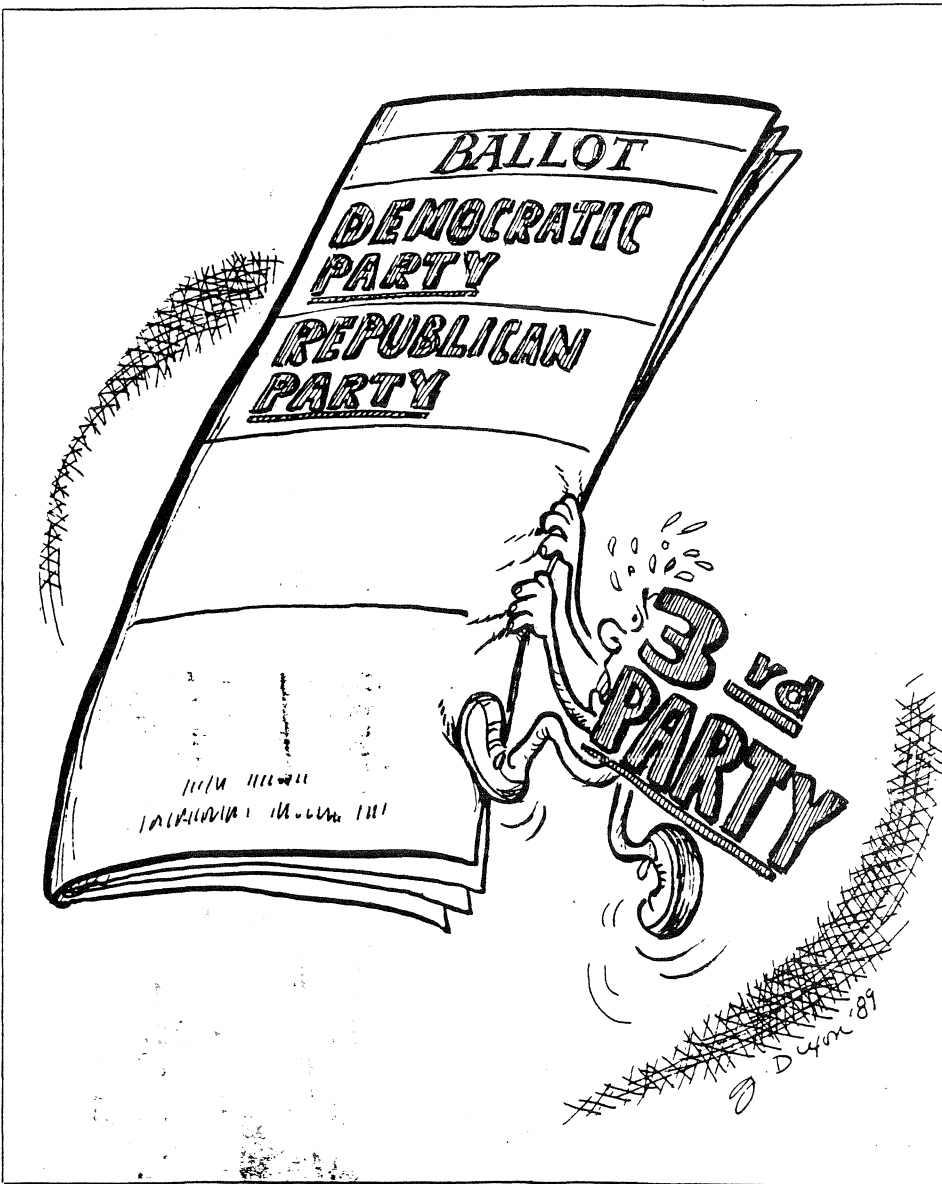
State Rep. Sheila Lumpe, D-University City, and state Sen. Francis F. Flotron, R-Creve Coeur, are sponsoring a proposal in their respective legislative bodies that would make it easier for other political parties to gain access to the Missouri ballot.

As it stands now, the rules for new political parties are far too restrictive and border on discrimination.

Here's how the Missouri election law reads:

"If the new party is to be formed for the entire state, the petition shall be signed by the number of registered voters in each of several congressional districts which is equal to at least 1 percent of the total number of votes cast in the district for governor in the last gubernatorial election, or by the number of registered voters in each of one-half of the several congressional districts which is equal to at least 2 percent of the total number of votes cast in the district for governor at the last gubernatorial election."

After a team of attorneys and election officials decipher the



needlessly complicated law, new parties discover they need about 41,000 signatures on petitions collected throughout the state. It is time-consuming, it is expensive and it is unfair.

About half of the 50 states only require a flat number of signatures statewide for access to the ballot, the average being 10,000. Missouri's neighbors are far more fair. Kentucky requires 5,000 signatures; Kansas and Nebraska, 2,500; Iowa, 1,000; and Arkansas, none.

Under Lumpe and Flotron's proposals, new party candidates would be required to collect 10,000 signatures statewide.

It's a reasonable approach that will prevent candidates with third-party affiliations from disguising themselves as Democrats or Republicans just to obtain ballot status. The law also will keep the Republicans and Democrats from monopolizing the ballot.

Many people needlessly fear

the inclusion of what they consider "fringe" political parties. But the fear is groundless. No one is harmed by the free flow of ideas or by the airing of new political voices.

And those who would stifle new ideas should fear a plan that makes access to voters easier.

The state Legislature should do the right thing — pass the Lump and Flotron proposals to give new political parties a fair shot at making the election ballot.

## STATE LEGISLATURES

Arkansas: House Bill 1525, to change the deadline for independent candidates (for office other than president) passed the legislature and is on the Governor's desk. The bill sets the deadline at May 1. Although this is still unreasonably early, it's far better than the old law, which required independent candidates to submit their petitions on the same day that Republicans and Democrats must pay their filing fees to run in the primaries, which was January 5 in 1988.

The Arkansas legislature also decided to let the date of the primary revert back to May. It had been held in March in 1988 so that the state could participate in "Super Tuesday" presidential primaries in the South.

Independent legislator Jim Lendall hopes to persuade leaders of the Democratic Party to support bills in the next session of the legislature to ease ballot access for new parties. Since 1971, when the first petition requirement for new parties was created, no new party has ever qualified for the ballot in Arkansas (however, for president, Arkansas still doesn't require any petition, and many parties have qualified to have their presidential candidate on the ballot).

California: Assembly Bill 368, which moves the presidential primary from June to March, passed the Assembly Elections Committee on March 15 by a 9-1 vote.

Colorado: House Bill 1181 re-writes sections of the election law on how initiatives get on the ballot. Since the U.S. Supreme Court last year ruled that it is unconstitutional for Colorado to ban the practice of paying people to circulate initiative petitions, the bill deletes the ban. It also provides that initiative petitions must be checked, to make sure that enough signers are registered voters. Formerly, the petitions weren't checked, and were subject to challenges by private individuals or groups instead.

The bill at one point contained several outlandish restrictions on the circulation of initiative petitions, such as a provision that *required* petition circulators to be paid, at the rate of \$5 per signature! After a great deal of adverse publicity, such restrictions were deleted from the bill.

Georgia: House Bill 351 passed the legislature and is on the Governor's desk awaiting his signature. He has until April 24 to either sign or veto the bill. It changes the petition format from a normal petition (a sheet with room for 15 or so signatures, typical of the petition format of almost all states) to the format used by Florida: only one signature per page. Each page is a postcard-sized form. HB 351 also requires that when petitions are submitted, the cards must be in alphabetical order within each county group.

A potential problem with this is that Georgia requires notarization of petitions. It is not clear whether every single petition card must be individually notarized or not. Activists in Georgia are attempting to get a ruling on this, and will ask the Governor to veto the bill if the ruling states that each card must be notarized. Georgia now requires 27,009 valid signatures for statewide office, and

5% of the number of registered voters for district office. Since the rate of registered voters in Georgia is extraordinarily low, it is usually necessary to turn in twice as many signatures in Georgia as are required, to make sure that there are enough valid ones. It would be prohibitively expensive to notarize 55,000 or 60,000 forms.

Senator Culver Kidd has promised to introduce a bill in the 1990 session of the legislature, to reduce the number of petition signatures needed on district petitions, from 5% of the number of registered voters, to 2%. Perhaps his proposed bill can also deal with some of the flaws in HB 351, should the Governor sign it.

Indiana: House Bill 1433 would correct a flaw in the Indiana ballot access laws. Currently, there is no procedure for a third party or independent candidate to get on the ballot in a special election. The bill would establish such procedures, similar to the ones now in existence for regularly-scheduled elections.

Kansas: See the story on page one about House Bill 2428. There are also some good bills pending in Kansas, but they have not made any progress. House Bill 2212 would permit write-ins for all offices in the general election (currently they are banned for president and governor) and Senate Bill 59 would make it easier for new parties to get on the ballot.

Massachusetts: Representative John Businger's bills to improve ballot access will be heard in Businger's Committee on April 3. They are: (1) House Bill 3209 permits petitioners to submit petitions centrally to the state government, rather than to each town clerk; (2) House Bill 3210, lets voters sign more than one petition for the same office; (3) House Bill 3211 reduces the number of signatures from 2% of the last gubernatorial vote, to 1%; (4) House Bill 3212 changes the definition of political party from one which polled 3% for its candidate for Governor, to one which polled 2% of the vote for any statewide office. If you wish to help these bills, contact either Walter Ziobro, 39 Bridge St., #4, Watertown MA 02172, (617) 926-1082, or Bill Shakalis, Bx 774, Cambridge MA 02139, (617) 661-1143.

Missouri: Despite endorsements from the St. Louis *Post-Dispatch* and two other St. Louis newspapers, Senate Bill 406 and House Bill 632 are unlikely to receive a committee vote in this year's legislative session. These are the bills which ease ballot access, introduced by Senator Frank Flotron and Representative Sheila Lumpe. Flotron and Lumpe have said they will continue to introduce the bills until they pass.

New Jersey: AB 2885, which improves the deadline for filing petitions for third party and independent candidates from April, to either late July or early August (depending on the calendar), passed the State Senate on March 2, 1989, and is on the Governor's desk.

New Mexico: House Bill 621 has been amended. It now provides that a new party needs a petition signed by one-half of 1% of the last vote for president or governor. For the 1988 election, this would have been 1,975 signatures. This amended version is an improvement over the original

bill, which required a petition signed by one-half of the number of registered voters, or about 3,000 signatures.

However, the amended bill also requires a vote for a party to remain qualified of one-half of 1% of either the last vote for Governor, or the last vote for President. The bill still isn't clear as to whether any statewide candidate who polls that many votes can retain status for the party, or whether only the party's presidential or gubernatorial candidates can do so. The bill passed the House on March 7 and passed the Senate on March X, and is now on the Governor's desk.

North Carolina: Representative Art Pope has said he will introduce a bill reducing the number of signatures needed for new party ballot access, from 2% of the last vote for Governor, to 1%. The State Board of Elections will meet on Thursday, April 6, to decide what election law changes it will recommend to the legislature, and it may recommend that the legislature pass this proposed bill. In 1988, North Carolina required the third highest number of signatures of any state, to qualify for president.

North Dakota: there are several bills pending which would change the date of the primary from June to August. If this change is made, the deadline to qualify a new party would automatically move from April to June. The legislature is also considering abolishing the state's presidential primary.

Ohio: State Senator Gary Suhadolnik has introduced a bill, SB 137, to permit candidates nominated by petition to choose a partisan label, which would be printed on the petition and on the November ballot. If you wish to help, contact Milt Norris at (216) 533-1210. The bill has four co-sponsors.

Oregon: Rep. Al Young has introduced House Bill 3230, which would (1) reduce the petition for third party candidates from 5% of the last vote, to 2.5% of the number of registered voters; (2) reduce the vote requirement for a party to remain qualified from 5% to 1%; (3) provide that a party which meets the statewide vote requirement to remain qualified, shall be entitled for *all* partisan office in the state (existing law is interpreted to mean that even though a party is qualified statewide, it is not qualified within districts). To help, contact Martin Buchanan at (503) 640-4324. The bill will receive a hearing in the House State and Federal Affairs Committee in April.

Washington: House Bill 1572 passed the House on March 8 and will have a hearing in the Senate Government Operations Committee on March 23. It makes a few minor improvements in the convention procedure by

which a third party qualifies itself for the primary ballot: (1) the convention could be held any time in July, instead of only on the Saturday just before the last Monday in July; (2) the number of attenders would be a flat 200 voters, rather than one-hundredth of 1% of the last presidential vote (that fraction was 194 people in 1988, but in the near future it would have risen above 200); (3) for the purpose of nominating statewide candidates, there could be multiple conventions in different parts of the state, and the numbers of people in attendance could be cumulated, toward the goal of 200.

Unfortunately, the bill does nothing about the major ballot access problem in Washington, the requirement that no third party or independent candidate (except for president) can be placed on the November ballot, unless he or she polls at least 1% of the vote in the primary election. This requirement has existed since 1977 and has kept all third party candidates for Governor and U.S. Senator off the general election ballots since then.

PROGRESS OVERSEAS

On March 9, 1989, Poland announced that its constitution will be changed to provide for an elected Senate, and that any group will be permitted to nominate candidates for the Senate. Any individual candidate who does not have the backing of a group, can still get on the ballot, with the signatures of 5,000 voters. The South Africa Law Commission, a quasi-official body created in 1973 to advise the government on legal issues, issued a report on March 10 saying that a proposed national bill of rights will fail unless it grants the right to vote to all citizens of the Republic. Hong Kong's first political party has been organized, and a two others are being formed. They intend to participate in the colony's first elections in 1991. China's top representative in Hong Kong, Xu Jiatur, has now said that when the colony reverts to China in 1997, the people will have the right to form political parties.

**RENEWALS:** If your mailing label indicates that your subscription to *Ballot Access News* expires on April 1, 1989, please renew. Post office rules do not permit inserts in second class publications, so no envelope is enclosed.

**THANK YOU!** Karen Allard, Henry Haller, Henry Thrasher, Saul Rackauskas, James Handlee, Elmer Kuball, Earnest, for contributions.

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