

# BALLOT ACCESS NEWS

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## MIXED WEST VIRGINIA DECISION

On November 29, the Fourth Circuit upheld three West Virginia ballot access restrictions, but struck down a fourth one. *Socialist Workers Party v Hechler*, 88-2199. The court upheld a filing deadline (for office other than president) of the day before the May primary. The Court also upheld a law which mandates that all petitioners must say to anyone who is approached, that if the voter signs the petition, then the voter cannot vote in the primary. If a circulator refuses to orally make this statement, he or she is guilty of a misdemeanor. Finally, the court upheld a law which says that third party or independent candidates who are unwilling to pay filing fees must submit a completely separate petition, in addition to the regular ballot access petition.

The law which was struck down required the ballot access petitions to state that the signers "desire to vote" for the candidates named in the petition.

The portion of the decision upholding the restrictions described in the first paragraph was signed by Judges Kenneth K. Hall, Glen M. Williams, and James H. Wilkinson. Hall and Williams are Ford appointees; Wilkinson is a Reagan appointee. The portion of the decision striking down the "desire to vote" language was 2-1, with a dissent by Judge Hall. Hall had upheld all West Virginia ballot access laws in a 1976 case filed by an independent candidate, when Hall was a District Court judge.

The only other states which require that either independent or third party candidate petitions say that the signers "desire to vote" for the candidates named in the petition are Indiana and New Jersey. Hawaii, Idaho, South Dakota and Wisconsin require independent candidate petitions to state that the signers "intend to support" the candidates named on the petition. All other states recognize that a voter probably doesn't know whom he or she is going to vote for, during the petitioning period, which can be as much as a year or more before the election. Furthermore, most states recognize that secret ballot principles forbid petition wording which forces signers to reveal whom they support.

The Socialist Workers Party filed a petition for rehearing on December 12 on the portion of the decision which upholds the law requiring petitioners to tell potential signers that the signers can't vote in the primary if they sign the petition. While the U.S. Supreme Court upheld a Texas law in 1974 which states that no one who voted in the primary can sign a third party petition, Texas permitted the petition to be circulated after the primary. It's obviously much easier to get a signature after the primary from someone who didn't already vote in the primary, than it is to get one from someone before the primary. Many people will be embarrassed to say that the don't plan to vote in the primary, and will say "No", even though they really don't plan to vote in the primary. Furthermore, in West Virginia, voter turnout in the primary is almost as

high as it is in the general election, since most counties are either highly Democratic, or highly Republican, and the real contests to determine who will hold local office are in the primaries of the dominant party. Since the law was enacted in 1986, and while a similar law was in effect 1970-1982, no third party or independent candidates got on the ballot in West Virginia for any office (excepting only John B. Anderson and Ed Clark for president in 1980). As noted above, the law now in effect does not apply to third party and independent candidates for president; presidential petitions can be circulated after the primary. All third party and independent candidate petitions in West Virginia require signatures of 1% of the last vote cast.

## HR 1582 GAINS CO-SPONSOR

HR 1582, the John Conyers' ballot access bill, has gained another co-sponsor during the last month, Congressman Sidney Yates of the Chicago lakefront. Yates, 80, is a well-respected liberal Democrat who was first elected to the House in 1948. (see complete list of sponsors, p. 6).

Congressman Wayne Owens of Utah has formally become a co-sponsor (his decision to become a co-sponsor was reported last month). Utah is the first state with a majority of its House delegation co-sponsoring HR 1582.

## MASSACHUSETTS INITIATIVE

The Massachusetts Committee for Fair Ballot Access has been told that only 49,938 of its initiative petition signatures are valid. 50,495 are required. The Committee feels it can prove that at least 557 additional signatures are valid, and is preparing a lawsuit. The initiative would lower the number of signatures needed to qualify a third party or independent candidate to one-fourth of the existing level, from 2% of the last gubernatorial vote, to one-half of 1% (from about 40,000 signatures, to about 10,000). The Committee urgently needs contributions to pay for the lawsuit. Its address is Box 2557, Boston Ma 02208.

## NEWS ELECTION SERVICE

Pedro Espada, New Alliance Party candidate for New York city council in November 1989 who polled 42% of the vote but whose vote has never been mentioned in any daily newspaper, has decided to sue the News Election Service (see the November 27 *B.A.N.* for a more complete account of NES behavior in that election). Also, an article exposing News Elections Service censorship, by Margaret Friese, appeared in the December 1-7 issue of *The Washington City Paper*, a Washington, D.C. weekly.

## DAVID DUKE

David Duke, former Populist Party presidential candidate and now a Republican member of the Louisiana legislature, has announced his intention to run for the U.S. Senate in 1990 as a Republican.

## STATE LEGISLATIVE NEWS

**California:** On December 20, the Rainbow Lobby met with an aide to State Senator Quentin Kopp, to see if he will introduce a bill to ease the statewide independent petition requirement. Kopp hasn't decided yet.

**Colorado:** On May 9, 1989, Senate Bill 129 became law, increasing the number of signatures needed for a third party or independent candidate for the legislature from 300 to 1,000 signatures. The bill passed without third party activists being aware of it. Colorado had only four third party or independent candidates for the legislature on the ballot in 1988, so there was no need for the increase. 1,000 signatures in a Colorado Senate district is about 3% of the number of votes cast; in a state House district, about 5%. Colorado now requires twice as many signatures to get a third party candidate for the legislature on the ballot, as it does for a third party candidate for Congress. This is absurd, since a congressional district is ten times as populous as a state house district.

**Georgia:** there will be a legislative hearing on January 3 to hear testimony about reducing the number of signatures needed for third party and independent candidates for congress, the legislature and county office.

**New Mexico:** The Libertarian Party hopes to persuade the 1990 session of the legislature to change the wording on the petition needed for third party candidates (other than president) from "we endorse the principles of the political party named above or will designate such party affiliation on our affidavits of registration" to something less binding. In 1988, a federal court ruled unconstitutional similar wording on the New Mexico petition to qualify a new party for the ballot (which is a different petition).

**Missouri:** Representative Sheila Lumpe and Senator Frank Flotron are both planning to re-introduce bills to ease ballot access requirements in the 1990 session.

**Virginia:** Richard Gardiner, a Virginia attorney, has written a proposed bill which would permit Virginia voters to cast a write-in vote for president, and is seeking a sponsor in the legislature.

**Wyoming:** the Secretary of State of Wyoming believes that the 1990 session of the legislature will take up her proposed election code revision, which eases ballot access for new parties and independent candidates.

## LIBERTARIAN PETITIONING

Project '51-92, a Libertarian PAC headed by former vice-presidential candidate Andre Marrou, has accepted the responsibility for finishing the petition to get the Libertarian Party on the ballot in Nevada. The petition was formerly the responsibility of the national Libertarian Party's ballot access committee. In addition, '51-92 is confident that it will soon win its lawsuit in North Carolina to allow it to fund a petition to get the Libertarian Party on the ballot there.

The Libertarian Party national ballot access committee has not yet replaced its fulltime employee, Paul Jacob.

## RARE EQUAL PROTECTION VICTORY

On September 28, 1989, federal judge Richard L. Williams of Virginia ruled that it is unconstitutional for a state to deny unqualified political parties, or independent candidates, the right to substitute candidates to fill vacancies, as long as the state gives the same right to fully qualified political parties. *El-Amin v State Board of Elections*, 721 F. Supp. 770. Williams is a Carter appointee. Virginia is not appealing the decision, which was brought by an independent candidate who had been disqualified from the ballot because he had missed a deadline for filing a financial disclosure form.

Virginia defines "Political party" to be one which polled at least 10% of the vote in a statewide race. In Virginia, if a Democratic or Republican nominee withdraws, or is disqualified, the party may substitute a new nominee (or even the original nominee, unless his original nomination had somehow been tainted with fraud). If such a substitution occurs, independent candidates, or candidates of nonqualified parties, are permitted to enter the race also, if they hadn't already done so. But if the candidate of an unqualified party withdraws or is disqualified, there is no provision in the law for it to nominate someone new. The decision requires the state to change this disparity.

It is rare for a case involving small political parties to be won on the basis of the Equal Protection portion of the 14th amendment to the U.S. Constitution, as this one was. Most judicial decisions striking down restrictive ballot access laws have been won solely on the basis of the First Amendment. A few other equal protection decisions have been *Socialist Workers Party v Rockefeller*, 314 F Supp 984 (1970), affirmed by the U.S. Supreme Court, 400 U.S. 806 (1970), that if the qualified parties are given the right to obtain free lists of registered voters, then unqualified parties must be given the same right; *Madole v Barnes*, 229 NE 2d 23 (1967, New York) that if qualified political parties are given the right to meet in publicly-owned buildings, then unqualified parties may also enjoy this right; and *Greenberg v Bolger*, that if the Democrats and Republicans are given non-profit third class postage rates, than other political parties and independent candidates must also be given such rates.

## WRITE-IN CANDIDATE ELECTED TO VIRGINIA LEGISLATURE

Virginia elects all its legislators in November of odd years. At the November 7, 1989 legislative elections, a write-in candidate was elected to the Virginia House of Delegates, 4th district, defeating the only candidate whose name was on the ballot. The write-in candidate, Jackie Stump, a miner's union official, polled 7,981 votes, to only 3,812 votes for Democratic nominee Donald McGlothlin. McGlothlin had been a member of the legislature for over twenty years. Stump entered the race only three weeks before the election. The fourth district is in the westernmost portion of Virginia, where a bitter miner's strike is stirring political passions.

## U.S. SUPREME COURT

1. The hearing in *U.S. v Kokinda*, no. 88-2031, will be in February or March. At stake is the constitutionality of a post office regulation banning all First Amendment activity on post office sidewalks. The case is important to all organizations which carry out petitioning activity. *Amicus curiae* briefs have been filed on Kokinda's side by the American Civil Liberties Union, the Libertarian Party, the New Alliance Party, and several other organizations.

2. On October 31, the Supreme Court heard arguments in *Austin v Michigan State Chamber of Commerce*, no. 88-1569, over whether a chamber of commerce may make independent expenditures to aid the campaign of a candidate for public office. Generally, corporations have no First Amendment rights to assist candidates for public office directly out of the corporation's funds (this is why corporations set up Political Action Committees, which receive their contributions from employees of the corporation, rather than from the corporation itself). However, the Chamber of Commerce argues that corporations which don't exist to make a profit should be able to spend their own money to assist a candidate's campaign for public office.

## POLITICAL PRIVACY

On October 11, 1989, Federal Judge Thomas J. McAvoy struck down a New York state law which requires the state chairman of any qualified political party to publicly reveal his or her financial data. *New York State Republican Committee v New York State Ethics Commission*, no. 89-cv-1064. Six months ago, Judge McAvoy had struck down a similar law governing certain county chairmen of political parties, in *Igneri v Moore*, 721 F Supp 406.

New York has appealed both decisions. The hearing in the 2nd circuit in *Igneri* was on December 6, before Judges Jon Newman, Ralph Winter and J. Edward Lumbard. The judges seemed sympathetic to the state's argument that political party chairman exercise considerable influence over government, and that the same reasons for mandating that public officials must disclose their assets and business connections, apply to political party leaders. The case may be remanded back to the District Court for a trial. No state other than New York requires disclosure from political party officers.

## POPULIST PARTY

The Populist Party has launched a petition to qualify itself for the Tennessee ballot, which requires 30,259 signatures. If it succeeds, the Populist Party will be the first party to have qualified for the Tennessee ballot since 1968, when the American Party qualified. The party is using the name "Conservative-Populist". Tennessee is the only state in the nation in which no third party has appeared on the ballot for any office during the last sixteen years (however, third party candidates have qualified as independent candidates in Tennessee frequently since then).

## FREE ELECTIONS OVERSEAS

Yugoslavia, Czechoslovakia, East Germany, South Yemen and Bulgaria have stated that their constitutions will be changed to permit citizens to form new political parties which may compete with the ruling political parties. Hong Kong's first political party has been organized. Chile held its first presidential election since 1970, and Burma says it will hold its first free, multi-party election since 1959, on May 27, 1990.

## DAN WALTERS SLAMS 2- PARTY SYSTEM

Dan Walters, California's leading political columnist, wrote a column for Sunday, December 3, suggesting that a multi-party system would work better than California's existing party system. Walters' column appears in *The Sacramento Bee*, *The Fresno Bee*, *The Modesto Bee*, and other newspapers. Walters doesn't supply the title of his column, so each newspaper writes its own. *The Sacramento Bee* called it, "Two Big Parties Can't Function". *The Fresno Bee* called it "Time for Multiparty System?". *The Times-Advocate* of Escondido called it "New multiparty system would be more representative". Walters said that some environmentalists are working toward the creation of a Green Party; suggested that conservatives may wish to form their own party rather than support moderate Republican Pete Wilson for Governor; and wrote that ethnic minorities might have more clout in California politics if they formed their own parties. Walters said that the range of social values has widened dramatically during the last few decades, and that the Democrats and Republicans find it increasingly difficult to accommodate that diversity. He said, "The alienation from politics that afflicts a growing number of Americans, as demonstrated by declining voting rates, is an indication that the two parties simply cannot be all things to all people."

Walters didn't mention the initiative which would establish proportional representation for one house of the legislature. He did discuss the idea, but unfortunately he garbled it, labelling it a "parliamentary system", rather than its true name, which is "proportional representation". "Parliamentary system" means one in which the voters don't elect the executive directly. Instead, voters choose the legislative body, and then it picks the executive.

Generally, political scientists agree that a multi-party system only exists when a nation uses proportional representation. If there is no proportional representation, a two-party system invariably exists.

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## REPUBLICAN PARTY FIGHTS NEW HAMPSHIRE BALLOT ACCESS LAW

The Republican Party is working to overturn a restrictive 1989 New Hampshire ballot access law. The law states that primary candidates who refuse to voluntarily limit their campaign spending, must comply with extremely onerous ballot access requirements and high filing fees, including a requirement that each signature on a petition be individually notarized. The Republican Party asked the Federal Election Commission whether a state may have such a law, and on November 30, the FEC ruled that the law conflicts with federal law, at least relative to contributions from a political party to one of its own federal candidates. An FEC opinion cannot be used to void a state law, but the opinion is will be influential when the Republican Party challenges the law in court. There will be a lawsuit, since New Hampshire plans to enforce the law despite the FEC ruling.

### JUDGE ROBERT S. VANCE

*Ballot Access News* condemns and deplores the assassination of Judge Robert S. Vance of the 11th circuit, who died December 16. Vance had been elected chair of the Alabama Democratic Party at the age of 36, and had held that post for eleven years, until President Carter appointed him to the federal bench. However, as a federal judge, he did not uphold voting rights.

Vance played a leading role in upholding the Florida ballot access laws, which are the most restrictive in the nation. In 1980 he upheld the petition requirement for statewide independent candidates, 3% of the number of registered voters (*Wilson v Askew*, 623 F 2d 345). The plaintiff, Lori Wilson, an independent candidate for U.S. Senator, had argued that since Florida only required a petition of 1% to qualify an independent candidate for president, there could be no compelling need to require three times as many signatures for U.S. Senator. Vance not only upheld the requirement, he wrote, "There is a logical reason for Florida's requiring fewer signatures on the petition of an independent candidate for President of the United States than for an independent candidate for a statewide office." Having said that, he then failed to say what that logical reason was, anywhere in the decision! Wilson had been elected to the Florida legislature as an independent candidate and had considerable support; she was a serious candidate with the potential to be elected, yet the ballot access laws kept her off the ballot. Her legal challenge to the law was sound and rational, yet Judge Vance shrugged it off with a perfunctory opinion of only four paragraphs. In 1985, when Michael Geison, another independent candidate, brought a lawsuit also challenging the law (but on different grounds), Vance heard that case also, and dismissed it with a 3-paragraph opinion, merely stating that the *Wilson* case foreclosed any additional challenges.

### GREEN PARTY

The Green Party plans to petition for ballot status in Michigan starting in late January, 1990.

## ILLINOIS SOLIDARITY PARTY

No candidates filed to be on the primary ballot of the Illinois Solidarity Party for 1990 for statewide office. Consequently, it will be impossible for the party to run anyone for Governor, and the party will lose its status as a qualified party after November 6, 1990. In Illinois, a "qualified party" is one which polled at least 5% of the vote for Governor. The party came into existence in 1986 when Adlai Stevenson resigned as the Democratic Party nominee for Governor and formed the Illinois Solidarity Party. Stevenson took this drastic action to avoid being paired with a candidate for Lieutenant Governor who was a Lyndon LaRouche supporter and who had won the Democratic nomination for that office.

In 1988, the New Alliance Party's presidential candidate, Lenora Fulani, won the Illinois Solidarity presidential primary, and NAP members were elected to party office in its primary. This year, NAP activists decided there was little likelihood that the party could poll as much as 5% of the vote for Governor in 1990, and decided not to try. The Illinois Solidarity Party is the only third party that has had statewide qualified status in Illinois since 1926.

The party has a right to nominate candidates for Trustee of the University of Illinois by convention, so it still may have candidates for that statewide office. If the party polls at least 5% of the vote for Trustee, it would presumably still retain ballot status for statewide office only, for 1992. But it wouldn't be a qualified party for purposes of congressional, legislative and county offices.

## TWO NEW PUBLICATIONS AVAILABLE

1. Readers of *Ballot Access News* can purchase a fascinating history of the American Independent Party for \$15 by requesting it from William Shearer, 8160 Palm St., Lemon Grove, Ca 92045. The history currently covers the years 1967-1972, and relates the story of the George Wallace campaign in 1968, the struggles to build a permanent third party on the fruits of the campaign, and the troubles the party faced in 1972 when members of President Richard Nixon's campaign committee tried to maneuver the party into nominating George Wallace for President, knowing full well that Wallace would refuse to run (thus leaving the party with no candidate). The history also covers the legal battles for control of the American Independent Party in California, which lasted for three years and saw the first attempt to incorporate a political party. The history now consists of 132 pages, in 33 chapters of four pages each. Each chapter is a separate publication, and the series is continuing. Shearer's special \$15 offer is only good as long as supplies last.

2. The Conference on Governmental Ethics Laws has published *1989 Campaign Finance Update*, 71 pages, showing 1989 changes in the laws of all 50 states and changes in federal law, regarding campaign finance. The report is published yearly. A copy of the 1989 edition can be obtained from C.O.G.E.L., c/o Joyce Bullock, Council on State Governments, Bx 11910, Lexington, Ky 40578, free of charge, as long as supplies last.

1990 PETITIONING

STATE	REQUIRED	SIGNATURES COLLECTED					DEADLINE
		LIBT	NAP	POP	WWP	OTHER	
Alabama	12,345	300	0	0	0	—	Apr 6
Alaska	2,032	0	0	0	0	AK IN	Jun 1
Arizona	23,438	1,200	0	0	0	—	May 19
Arkansas	24,833	can't start	can't start	can't start	can't start	—	May 1
California	(reg) 76,172	already on	0	263	0	PFP,AIP	Jan 2
Colorado	1,000	can't start	can't start	can't start	can't start	—	Aug 7
Connecticut	9,937	can't start	can't start	can't start	can't start	—	Aug 10
Delaware	(reg.) 145	already on	already on	0	0	—	Aug 18
Dist of Col.	(est.) 3,000	can't start	can't start	can't start	can't start	STATEH	Aug 29
Florida	181,421	can't start	can't start	can't start	can't start	—	Jul 17
Georgia	29,414	already on	3,800	2,200	0	—	Aug 7
Hawaii	4,438	already on	0	0	0	—	Apr 25
Idaho	8,180	already on	0	0	0	—	Aug 30
Illinois	25,000	can't start	already on	can't start	can't start	—	Aug 6
Indiana	30,950	1,408	0	0	0	—	Jul 15
Iowa	1,000	0	0	0	0	—	Aug 17
Kansas	16,813	0	0	0	0	—	Apr 12
Kentucky	5,000	0	0	0	0	—	Jan 29
Louisiana	(reg) 108,000	200	0	50	0	—	Jun 30
Maine	4,000	can't start	can't start	can't start	can't start	—	Jun 5
Maryland	(est) 69,500	0	0	0	0	—	Aug 6
Massachusetts	33,682	can't start	can't start	can't start	can't start	—	Jul 31
Michigan	23,953	already on	0	0	19,000	TISCH	Jul 19
Minnesota	2,000	can't start	can't start	can't start	can't start	—	Jul 17
Mississippi	just be org.	already on	organizing	0	0	—	Apr 1
Missouri	20,860	0	0	0	0	—	Aug 6
Montana	9,531	already on	0	0	0	—	Apr 16
Nebraska	5,635	0	0	0	0	—	Aug 1
Nevada	10,326	6,200	0	0	0	—	Aug 14
New Hampshire	3,000	0	0	0	0	—	Aug 22
New Jersey	800	0	0	0	0	—	Apr 12
New Mexico	2,475	already on	already on	0	already on	SW,PRH	Jul 10
New York	20,000	can't start	can't start	can't start	can't start	C,L,RTL	Aug 21
North Carolina	43,601	0	4,800	0	0	—	May 17
North Dakota	7,000	0	0	0	0	—	Apr 13
Ohio	43,934	0	0	0	0	—	Jan 8
Oklahoma	58,552	0	0	0	0	—	May 31
Oregon	35,000	already on	0	0	0	—	Aug 28
Pennsylvania	(est) 24,000	can't start	can't start	can't start	can't start	—	Aug 1
Rhode Island	1,000	can't start	can't start	can't start	can't start	—	Jul 19
South Carolina	10,000	already on	already on	0	0	AMER	May 6
South Dakota	2,945	can't start	can't start	can't start	can't start	—	Aug 7
Tennessee	30,259	0	0	500	0	—	May 1
Texas	34,424	already on	can't start	can't start	can't start	—	May 27
Utah	500	already on	0	0	0	—	Mar 15
Vermont	1,000	already on	already on	0	0	LUP	Sep 20
Virginia	(est) 14,000	can't start	can't start	can't start	can't start	—	Jun 12
Washington	200	can't start	can't start	can't start	can't start	—	Jul 28
West Virginia	6,346	0	0	0	0	—	May 7
Wisconsin	2,000	can't start	can't start	can't start	can't start	LFP	Jul 10
Wyoming	8,000	0	0	0	0	—	May 1

This chart shows the petitioning progress of various third parties for 1990 ballots. LIBT is Libertarian; NAP is New Alliance; POP is Populist; WWP is Workers World. The "Other" column lists other third parties which are already qualified statewide in any state (Alaska Independence, Peace & Freedom, American Independent, Statehood, Tisch Indp. Cit, Socialist Workers, Prohibition, Conservative, Liberal, Right to Life, American, Liberty Union, Labor-Farm). Although the Maryland Libertarian Party has completed a petition drive, this petition will be used for 1992, not 1990.

**MORE NOVEMBER 7 ELECTION RESULTS**

1. Official election returns for Mayor of New York city were released on December 4. The results are:

Dinkins, Democrat	917,544	50.42%
Giuliani, Republican	815,387	44.81%
Giuliani, Liberal	55,077	3.03%
Hewes, Right-to-Life	17,460	.96%
Lauder, Conservative	9,271	.51%
Fulani, New Alliance	1,732	.10%
Harris, Socialist Workers	1,671	.09%
Raum, Libertarian	1,118	.06%
Mazelis, Workers League	435	.02%

The Liberal, Right-to-Life, Conservative, New Alliance, and Libertarian Parties, each received the lowest share of the vote in each party's history for Mayor of New York. The SWP received its lowest percentage for Mayor of New York since 1953. The Workers League had never before entered the race. When the contest between the major party candidates is perceived to be very close, and most voters care a great deal who wins, the vote for third parties shrinks. Lenora Fulani had endorsed Democrat David Dinkins, but she had remained on the ballot.

2. For President of the New York City Council, the vote was NAP 20,672; SWP 6,547; Libertarian 3,028.

3. In Bigwater, Utah, all three Libertarian Party city councilmen were re-elected in a partisan election.

4. In Riverton, Utah, Libertarian Brent Richardson was elected to the city council in a non-partisan election.

5. In the special election to fill Mickey Leland's seat in the 18th congressional district of Texas, Libertarian Gary Johnson polled 829 votes, 1.3%. The election was non-partisan and there were eleven candidates on the ballot.

6. In Laconia, New Hampshire, in a partisan election, the Straight Arrow Party, an anti-tax party, defeated Republican and Democratic candidates for the Mayoralty and six of the nine city council seats.

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**NONPARTISAN BALLOT ACCESS GROUPS**

1. **COFOE**, the Coalition for Free and Open Elections. Dues of \$10 entitles one to membership with no expiration date; this also includes a one-year subscription to *Ballot Access News* (or a one-year renewal). Address: Box 355, Old Chelsea Sta., New York NY 10011. Membership applications can also be sent to 3201 Baker St., San Francisco Ca 94123.

2. **RAINBOW LOBBY**, organized in 1985, initiated the Conyers ballot access bill in Congress and maintains a lobbying office at 1660 L St., N.W., Suite 204, Washington, D.C. 20036, tel. (202) 457-0700. The Lobby also lobbies in certain state capitols.

3. **FOUNDATION FOR FREE CAMPAIGNS & ELECTIONS**, has non-profit status from the IRS. Consequently, it cannot lobby, but deductions to it are tax-deductible. The Foundation was organized to fund lawsuits which attack restrictive ballot access laws. 7404 Estaban Dr., Springfield VA 22151, tel. (703) 569-6782.

4. **ACLU**, American Civil Liberties Union, has been fighting for fairer ballot access ever since 1940, when it published recommendations for a model ballot access law, including petition requirements of one-tenth of 1% of the number of voters. National ACLU headquarters is at 132 W. 43rd St., New York NY 10036, tel. (212) 944-9800.

**HR 1582 SPONSORS LISTED**

California: Bates, Dellums, Dixon, Dymally, Hawkins, Roybal. DC: Fauntroy. Florida: Bennett. Georgia: Lewis. Illinois: Collins, Hayes, Savage, Yates. Maryland: Mfume. Massachusetts: Markey. Michigan: Conyers, Crockett. New Jersey: Payne. New York: Flake, Owens, Rangel, Towns. Ohio: Stokes. Tennessee: Ford. Utah: Nielson, Owens. Wisconsin: Kastenmeier. Leland of Texas, killed in 1989, and Garcia of New York, who resigned in 1989, had also been co-sponsors.

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