

BALLOT ACCESS NEWS

San Francisco, California

October 14, 1991

Volume 7 Number 8

MAJOR KENTUCKY VICTORY

On September 30, federal Judge Karl Forester, a Bush appointee, declared three Kentucky ballot laws void. *Libertarian Party of Ky. v Ehrler*, no. 91-231. Struck down were: (1) a 1990 law which required signers of petitions to include their Social Security number; (2) another 1990 law which said that no voter could sign a third party or independent candidate's petition, unless that voter is a member of the same political party as the group circulating the petition; (3) the January deadline for non-presidential third party and independent candidates to submit petitions (the presidential petition deadline is much later and wasn't challenged in this case).

Before Judge Forester could rule on point two (see above), he first had to interpret the law concerning who could sign the petition. The state had argued that what the law really means is that any registered independent voter is free to sign a third party petition, and that only registered Democrats and Republicans are barred from signing.

Judge Forester rejected that notion, saying he had to deal with the law as it is written, and it plainly says only a registered Libertarian, for example, can sign a petition to get a Libertarian Party candidate on the November ballot. Consequently, there is still a danger that the legislature could amend the law to say explicitly that all independent voters are free to sign third party ballot access petitions, but that voters registered Democrats and Republicans cannot. If that happens, a new lawsuit would be needed. Since only 8% of Kentucky voters are registered "Independent" or as members of unqualified parties, it would be very tough to complete petitions if only those voters could sign. The only state which ever had a requirement that Democrats and Republicans couldn't sign a petition to get a third party candidate on the general election ballot was Louisiana, which had it between 1919 and 1948.

Kentucky does not plan to appeal. Next year's legislature must set a new deadline for non-presidential third party and independent candidate petitions.

FISHKIN PLAN DIES

The Fishkin Plan, also known as the National Issues Convention, will not proceed in 1992 because funding couldn't be found for it. This was the plan in which 600 randomly selected voters would have been flown free to Austin, Texas, in January, to hear the Democratic candidates for president, and members of the Bush cabinet. Then the voters would have broken into Democratic and Republican caucuses and the Democratic caucus would have voted for its choice for the Democratic nomination. Public television would have carried the proceedings. Presidential candidates other than Democrats and Republicans would not have been invited to address the voters, and voters there would not have been permitted to caucus as anything other than Democrats or Republicans.

SUPREME COURT HEARINGS GO WELL

In its first week, the U.S. Supreme Court heard two election law cases, a ballot access case from Illinois and a First Amendment case from Tennessee. Both hearings went well. See page 3.

NOW BOARD ENDORSES NEW PARTY

On September 15, the Commission for Responsive Democracy (established by the National Organization for Women) voted to recommend that N.O.W. set up a new political party. On September 21, the national N.O.W. Board voted to endorse the commission's conclusion. The Commission has now ceased to exist. The working group for the new party has six co-conveners:

1. Dolores Huerta, co-founder of the United Farm Workers of America, 4619 Joan Ave., Bakersfield Ca 93309.
2. Patricia Ireland, executive vice-president of N.O.W., 1000 16th St., NW #700, Washington DC 20036.
3. Mel King, former Massachusetts legislator and one of the originators of the Rainbow Coalition, c/o M.I.T., Rm. 341, Bldg. 7, Cambridge Ma 02139.
4. Sara Nelson, Director of the Christic Institute, 1324 N. Capitol Ave NW, Washington DC 20002.
5. Ellie Smeal, President of the Fund for the Feminist Majority, 1600 Wilson Blvd. #704, Arlington Va 22209.
6. Monica Faith Stewart, former Illinois legislator, 7956 S. Elizabeth St., Chicago Il 60640.

The decision by the Commission came on a vote of 22-4. Voting "No" were Leon Shull, Toney Anaya, Arvonne Fraser and Molly Yard. William Wimpisinger abstained. The Commission took the vote shortly after conducting its final hearing, in Washington, D.C. The Commission had previously conducted hearings in New York, Atlanta, Tampa, Houston, Minneapolis, and San Francisco.

NOW's national convention will be June 27-28, 1992, and the decision to form a new party is tentative until then. Nevertheless, the co-conveners are proceeding under the assumption that the new party will run a presidential candidate next year. NOW has 250,000 members.

There are 33 states in which it is now possible for any new party to begin petitioning for 1992, even though it hasn't chosen its candidates. But the proposed new NOW party can't begin petitioning anywhere until it has chosen a name. The party still has no name and the six co-conveners have no authority to choose one.

BALLOT ACCESS BILL

According to Congressman Bernie Sanders of Vermont, Congressman John Conyers will introduce the federal ballot access bill sometime in October. Conyers also introduced it in 1985, 1987 and 1989. It would outlaw restrictive ballot access laws in federal elections.

COLORADO LOSS

On October 7, the Colorado Supreme Court ruled 6-1 that a new or unqualified political party has no constitutional right to nominate a candidate who has not been registered as a member of that party for a full year. *Colorado Libertarian Party v Secretary of State*, no. 90SA382.

Colorado defines "political party" to be an organization whose candidate for Governor at the last election polled 10% of the vote. This definition is so strict, no third party has met it since 1914.

Nevertheless, the Court ruled that the Libertarian Party is not a political party since it hasn't met that definition. And then they ruled that since it isn't a political party, it doesn't have the same First Amendment protection that "real" political parties have. The U.S. Supreme Court stated in 1986 that it would be a violation of the First Amendment for any state to tell a political party that it may not nominate a non-member, in *Tashjian v Republican Party of Connecticut*.

Justice Joseph Quinn was the dissenting vote. He argued that the majority gave too little attention to the plaintiffs' rights of association.

This is the third time in four years that the Colorado Supreme Court has ruled against the rights of political parties other than the Democratic and Republican Parties.

PENNSYLVANIA LOSS

The September 16 *B.A.N.* reported that the U.S. Taxpayers Party had filed a lawsuit in federal court against Pennsylvania law which requires a third party candidate for U.S. Senate this year to submit 41,306 signatures. *Perry v Grant*, no. 1:91-1193, Middle District.

On September 20, a hearing was held in the case. The Taxpayers Party argued that since the normal petitioning period was disrupted, the 12,500 signatures they submitted should be sufficient. However, on October 8, Judge James McClure, a Bush appointee, ruled against the party. He ignored many precedents which have held that when the normal petitioning period is shortened for some reason, the deadline should be extended or the number of signatures should be reduced. He said that the party should have continued petitioning, even though for two months there was so much doubt as to whether the special election would be held, U.S. Attorney General Richard Thornburgh (who was intending to be the Republican candidate) postponed resigning as Attorney General. (The doubt about the special election was because another federal court had ruled the procedures by which the major parties nominated candidates unconstitutional).

The Taxpayers Party does not expect to appeal. Two other federal lawsuits, brought by other candidates who wished to be on the ballot in the special election, also lost, but they never were expected to win because they were filed by individuals who did not collect any signatures. They were *White v Commonwealth of Pennsylvania* and *Sagan v Commonwealth of Pennsylvania*; they are being appealed.

CALIFORNIA TERM LIMITS UPHELD

On October 10, the California Supreme Court upheld the term limits initiative passed last year. *Legislature v Eu*. The legislature will appeal to the U.S. Supreme Court on the issue of whether a lifetime ban on serving more than two terms, violates the right to be a candidate.

REPUBLICANS SUE FLORIDA

On September 18, the Republican Party of Florida filed a lawsuit to overturn a tax on political party revenue which was passed by the Florida legislature this year. *Republican Party of Florida v State of Florida*, 2nd judicial district, Leon Co., no. 91-3775. The tax applies whether the party is ballot-qualified or not.

OTHER LAWSUIT NEWS

1. On September 25, federal Judge Robert J. Ward ruled that if the New Alliance Party wishes to pursue its lawsuit about the arrangement of the New York state ballot, it must submit evidence and prepare for a trial. The issue is the order in which political parties appear on the November ballot. *New Alliance Party v New York State Board of Elections*, no. 90 Civ 6226 (RJW), Southern District. The New Alliance Party hasn't decided whether to proceed or not. The case was filed in 1990.

2. The California lawsuit over whether political parties have a First Amendment right to endorse or oppose non-partisan candidates, *LaRiva v Wong*, will have a hearing on November 8. That case was filed by the Peace & Freedom Party. In the meantime, the Democratic Party of Santa Clara County and the Libertarian Party of San Francisco have also endorsed non-partisan candidates, in defiance of the law. No government enforcement agency has paid the slightest bit of attention, despite publicity about these endorsements.

3. On October 7, the U.S. Supreme Court refused to hear *Chandler v Georgia Public Telecommunications*, the lawsuit over whether Public Television is constitutionally barred from giving preference to the campaigns of major party candidates. The 11th circuit had ruled 2-1 that public television is free to hold debates which exclude all candidates other than the Democratic and Republican nominees.

4. On September 27, the national ACLU asked the U.S. Supreme Court to review *Burdick v Takushi*, the Hawaii case over whether voters have a constitutional right to cast a write-in ballot. The Court probably won't decide whether or not to take the case until December. 91-535.

5. Herb Silverman has decided not to ask the U.S. Supreme Court to review his case, in which the 4th circuit refused to strike down a South Carolina law which makes an atheist ineligible to be Governor. *Silverman v Ellis*.

6. The New Alliance Party will be filing a lawsuit in Illinois state court within the next few weeks to reverse a ruling by state officials that the party's Illinois branch, the Illinois Solidarity Party, is no longer a qualified party.

SUPREME COURT BALLOT LAW HEARING

On October 7, the U.S. Supreme Court heard arguments in *Norman v Reed*, the case from Illinois over whether the Harold Washington Party should have been on the ballot for Cook County office last year.

The justices were most interested in the Illinois law which forces new political parties to submit a full slate of candidates for all office. Illinois law does not impose such a rule on parties which are already qualified. Chief Justice Rehnquist asked the attorney for the Democratic Party (which is defending the Illinois election laws in question), "What is the state interest in requiring new parties to submit a full slate of candidates, when already established parties need not do so?"

The attorney, Gregory Adamski, responded that under previous Supreme Court precedents, states have a right to impose burdens on new parties which are not imposed on old parties. He said that Illinois law is very generous to new and small parties already, because it allows them to petition as a "slate" (i.e., to qualify an entire list of one candidates on a single petition). He said that Illinois would be free to require every single candidate to submit his or her own petition, and that in return for the benefit of having to circulate only one petition, the party had to pay the price and accept the full slate requirement.

This answer didn't seem to satisfy the justices. Justice Byron White and John Paul Stevens continued to ask him what the state interest is. Stevens said it is obvious that sometimes even the major parties choose not to contest an office, because they know they can't win it and they don't wish to waste their resources. He asked why new or previously unqualified parties should be treated any differently. Finally, in exasperation, Adamski retorted "There is no state interest!"

The issue of the party name fascinated Justice Scalia. One reason the Illinois Supreme Court had kept the party off the ballot was on the grounds that since the party was already ballot-qualified within the city of Chicago, it could not file a petition to appear on the ballot for Cook County office, since the law forbids a new party from using the name of an already-established party. However, all of the evidence was that the Harold Washington Party in Cook County was the same party as the one already established in Chicago.

Scalia asked how a new party could ever expand from one geographical area to the next, under the Illinois Supreme Court's interpretation. Adamski responded by claiming that the Harold Washington Party in Cook County is not the same party as the one in Chicago. Twice he buttressed this assertion by pointing out that the party's Cook County petition stated at the top "Petition to Form New Political Party". Of course, this language is legally required on a such petitions; it doesn't literally mean that the party is "new", just that it isn't fully-qualified yet.

The justices had the most difficulty wrestling with the third issue in the case, the number of signatures that could be required.

Illinois law requires 25,000 signatures to put a slate of statewide candidates on the ballot; and petitions signed by 5% of the last vote cast, for office in just part of the state. Due to a 1979 U.S. Supreme Court decision, the legislature amended the law to provide that if the 5% calculation should ever be higher than 25,000, then only 25,000 would be required.

In this case, the Illinois Supreme Court held that the party needed 25,000 signatures from the city of Chicago and another 25,000 signatures from the suburban portion of Cook County, since the county is divided into those two districts for the purpose of electing county commissioners. Of course that adds up to 50,000, a requirement which contradicts the 1979 U.S. Supreme Court ruling.

The party had turned in 44,000 signatures from Chicago but only 7,800 from the suburbs. The attorney for the party, Robert E. Pincham Jr., conceded that the party could be required to obtain a substantial number of signatures in the suburbs, in order to qualify its candidates there, but pointed out that the state never told the party how many signatures that would be, other than the claim that it needed 25,000 in each of the two portions of the county. It's difficult to know how the Court will settle this issue. A decision is likely by mid-December.

POLL HEARING IN HIGH COURT

The U.S. Supreme Court heard arguments in *Burson v Freeman* on October 8, over whether it violates the First Amendment for a state to outlaw campaigning on election day within 100 feet of a polling place.

Only Justice Antonin Scalia seemed to defend the law. He made the point that since bans on campaigning near polling places are traditional, they should be upheld. He expressed concern for voters who may not wish to come in contact with campaigners, referring to such voters as a "captive audience".

Justice Sandra O'Connor asked if the law would prohibit a car from driving down the street with a bumper sticker on it, if the street happened to be within 100 feet of a polling place. The Tennessee Attorney General replied that there is no exception in the law for passing automobiles.

Justice Anthony Kennedy asked about individuals who enter the zone while wearing a campaign button. The Attorney General answered that such individuals are asked to remove such buttons.

Justice John Paul Stevens asked if it's legal for someone to stand outside a polling place handing out flyers which say "Abortion is Murder!" or some other statement. The Tennessee Attorney General replied that there is no prohibition on such flyers, as long as they don't refer to candidates in that day's election. His answer was an admission that the ban on campaign is a content-based prohibition. Laws which outlaw certain kinds of speech, depending on the content of that speech, are generally held to violate the First Amendment. It seems fairly likely that the Court will agree with the lower court that the ban is unconstitutional. Everyone in the case agrees that a ban on activity within the polling place is constitutional.

ARIZONA ACTION UNCERTAIN

The September 16 *B.A.N.* stated that the Arizona legislature would go into special session in mid-October and would consider several bills which improve ballot access. Unfortunately, the Governor may not call a special session this year. If he doesn't, the bill will be heard next year, too late for the 1992 election.

INDIANA LOBBYING GETS HELP

Secretary of State Joseph Hogsett has stated he will ask the legislature to change the retention law from a vote of 2% for Secretary of State, to 2% for any statewide office.

3 STATES SET NEW DEADLINES

Arkansas, North Carolina and Tennessee recently made decisions about deadlines for ballot access. In Arkansas, the Secretary of State decided that the deadline for a minor party or independent presidential candidate to get on the ballot in 1992 will be September 15. There is no provision in the Arkansas election law for independent candidates for president to get on the ballot, so the Attorney General created one administratively.

In North Carolina, the State Board of Elections ruled that the deadline for new political parties to submit petitions for the 1992 election will be July 9. The law says that the deadline should be in June but the Attorney General ruled in 1988 that this is unconstitutionally early, so each year the Board has to set the deadline on its own.

In Tennessee, Senate Bill 230 was signed into law on April 3. It changes the independent presidential candidate deadline from early September to late August.

The Alabama Secretary of State hasn't decided when the petition deadline for new parties will be in 1992. The old April deadline was ruled unconstitutional by the 11th circuit, so the Secretary of State must choose a new date.

CALIFORNIA GOVERNOR SIGNS BILL

On September 30, California Governor Pete Wilson signed SB 608 into law. It eases ballot access for independent candidates. The old law prohibited anyone from being an independent candidate if he or she was a member of a qualified political party at any time during the year before the date of the primary. The bill changes this to a year before the date of the general election.

BATTLE OF THE DEBATE TITANS

The national television networks have declared war on the Commission on Presidential Debates. The Commission hosted the 1988 presidential debates and expects to do so again in 1992. But the networks, emboldened by the favorable publicity for Harvard's "Nine Sundays" idea, have declared that they can do it better. They propose a plan somewhat similar to the Harvard plan, under which the networks themselves would sponsor the debates, pay for them with commercial advertising, and require the candidates to actually debate each other, rather than answering questions posed by a panel of reporters.

FULANI CHANGES STRATEGY

Lenora Fulani, likely candidate of the New Alliance Party, has decided not to qualify for the ballot in all 50 states in 1992, as she did in 1988. She will aim for 40 states. She feels that the extra money spent on getting on the ballot in some of the most difficult states will be better spent on campaigning. She has raised \$500,000 so far.

RON PAUL TO RUN IN PRIMARIES

Ron Paul, Libertarian Party presidential candidate in 1988, will run for president in 1992 in Republican primaries. He has sent a fund-raising letter to the 12,000 people who donated to his 1988 campaign. His goal is to win some delegates and get some publicity for his ideas at the Republican national convention in August.

The plan irks the Libertarian Party's 1992 presidential candidate, Andre Marrou, because it means extra competition for votes in the New Hampshire presidential primary. Marrou is running in the Libertarian New Hampshire presidential primary and appealing to Republicans and Democrats (who are entitled to vote in the Libertarian primary) to vote for him. A poll, announced in the October 8 *Manchester Union-Leader*, asking readers to name their preference for president next year, attracted 415 responses. Bush was first with 114 votes; Marrou was second with 75, ahead of all Democrats.

MORE MARXIST DISCLOSURE FIGHTS

The September 16 *B.A.N.* reported that Marxist political parties in Des Moines and Seattle had won exemptions from having to report the names of campaign contributors, even though the elections involved are technically non-partisan. The issue has just arisen in San Francisco, another city with non-partisan elections. Both Socialist Action and the Workers World Party have candidates for Mayor of San Francisco who are refusing to release the names of their campaign contributors. The city has not decided whether to take legal action against them. In 1988 San Francisco let Socialist Action avoid disclosure, but now the city says that was a one-time only exemption.

CONSUMER PARTY IN CONGRESS RACE

There will be a special election in Pennsylvania's Second District on November 5, to fill the vacancy created when Congressman William Gray resigned. The Consumer Party will have a candidate on the ballot, since it is a qualified party within Philadelphia. The party hasn't decided yet who its candidate will be.

BALLOT ACCESS NEWS (ISSN 10436898) is published by Richard Winger, Field Representative of the Coalition for Free and Open Elections, \$6 per year, thirteen times per year, every 4 weeks, at 3201 Baker St., San Francisco Ca 94123. Second class postage paid at San Francisco CA. © 1991 by Richard Winger. Permission is freely granted for reprinting *Ballot Access News*.

POSTMASTER: Send address changes to *Ballot Access News* at 3201 Baker St., San Francisco Ca 94123.

1992 PETITIONING

STATE	REQUIREMENTS		SIGNATURES COLLECTED				DEADLINES	
	FULL PARTY	CAND.	LIBT	NAP	GREEN	POPULIST	PARTY	CAND.
Alabama	12,157	5,000	finished	2,700	0	0	law void	Aug 31
Alaska	2,035	2,035	finished	0	already on	0	Aug 25	Aug 25
Arizona	21,109	10,555	*15,500	*6,000	*3,300	0	May 16	Sep 18
Arkansas	20,890	0	*0	*0	*0	*0	Jan 2	*Sep 15
California	(reg) 79,188	134,781	already on	0	*44,500	0	Dec 31, 91	Aug 7
Colorado	no procedure	5,000	*1,200	0	0	0	-	Aug 4
Connecticut	no procedure	14,620	can't start	can't start	can't start	can't start	-	Aug 14
Delaware	(reg.) 145	(es) 2,900	already on	141	0	0	Aug 22	Jul 15
D.C.	no procedure	(es) 2,600	can't start	can't start	can't start	can't start	-	Aug 18
Florida	180,935	60,312	*100	0	0	0	Jul 10	Jul 15
Georgia	26,955	27,009	already on	0	0	*3,300	Aug 4	Aug 4
Hawaii	4,534	4,177	already on	0	3,100	0	Apr 22	Sep 4
Idaho	8,180	4,090	already on	0	*300	0	Aug 31	Aug 25
Illinois	no procedure	25,000	can't start	can't start	can't start	can't start	-	Aug 3
Indiana	no procedure	29,909	*16,000	0	0	0	-	Jul 15
Iowa	no procedure	1,000	0	0	0	0	-	Aug 14
Kansas	15,661	5,000	already on	0	0	0	Apr 11	Aug 4
Kentucky	no procedure	5,000	0	0	0	0	-	Aug 27
Louisiana	(reg) 110,000	0	approx 150	0	0	0	Jun 30	Sep 1
Maine	26,139	4,000	already on	0	0	0	Dec 12,91	Jun 2
Maryland	10,000	(es) 70,000	already on	4,100	0	*1,000	Aug 3	Aug 3
Massachs.	(reg) 33,000	11,715	can't start	can't start	can't start	can't start	Jul 1	Jul 28
Michigan	25,646	25,646	already on	0	0	0	Jul 16	Jul 16
Minnesota	92,156	2,000	can't start	can't start	can't start	can't start	ap. May 1	Sep 15
Mississippi	just be org.	1,000	already on	0	0	0	ap. Jan. 2	Sep 4
Missouri	no procedure	20,860	0	0	0	0	-	Aug 3
Montana	9,531	9,531	already on	0	0	0	Mar 12	Jul 29
Nebraska	5,834	2,500	7,300	0	0	0	Aug 1	Aug 25
Nevada	9,392	9,392	already on	0	0	0	Aug 11	Sep 1
New Hamp.	no procedure	3,000	already on	0	0	0	-	Aug 5
New Jersey	no procedure	800	0	0	0	0	-	Jul 27
New Mexico	2,069	12,409	already on	already on	0	0	Jul 14	Sep 8
New York	no procedure	20,000	can't start	can't start	can't start	can't start	-	Aug 18
North Carolina	43,601	(es) 65,000	finished	1,000	0	0	*Jul 9	Jun 26
North Dakota	7,000	4,000	0	0	0	0	Apr 10	Sep 4
Ohio	34,777	5,000	0	0	0	0	Jan 6	Aug 20
Oklahoma	45,566	35,132	0	0	0	0	Jun 1	July 15
Oregon	(es) 36,000	(att.) 1,000	already on	0	8,000	0	Aug 25	Aug 25
Penn.	no procedure	(es) 27,000	can't start	can't start	can't start	can't start	-	Aug 1
Rhode Isl.	no procedure	1,000	can't start	can't start	can't start	can't start	-	Sep. 4
South Carolina	10,000	10,000	already on	already on	0	0	May 2	Aug 1
South Dakota	6,419	2,568	*2,200	0	0	0	Apr 7	Aug 4
Tennessee	19,759	25	0	0	0	0	ap. May 1	*Aug 20
Texas	38,900	54,269	already on	can't start	can't start	can't start	May 25	May 11
Utah	500	300	already on	0	0	0	Mar 16	Sep 1
Vermont	just be org.	1,000	*organizing	organizing	0	0	Sep 17	Sep 17
Virginia	no procedure	(es) 14,500	can't start	can't start	can't start	can't start	-	Aug 21
Washington	no procedure	200	can't start	can't start	can't start	can't start	-	Jul 25
West Va.	no procedure	6,534	0	0	0	0	-	Aug 1
Wisconsin	10,000	2,000	already on	can't start	can't start	can't start	Jun 1	Sep 1
Wyoming	8,000	7,903	*already on	0	0	0	May 1	Aug 25

LIBT is Libertarian; NAP is New Alliance; POP is Populist. Other qualified national parties are American in S.C., Prohibition in N. M., Soc. Workers in N. M., and Workers World in Mich. and N.M. "FULL PARTY REQ." means a procedure by which a new party can qualify itself before it knows who its candidates are. Not every state has such a procedure. "CANDIDATE REQ." means a procedure whereby a petition names a particular candidate. * entry has changed since the last issue. The Pacific Party in Oregon has 6,000. In New Jersey there is no law against petitioning now, but the Secretary of State won't release the forms til January.

RECENT ELECTIONS

- 1. On October 1, a non-partisan election was held to elect the Mayor of Cordova, Alaska. Green Party candidate Charles K. Weaverling won the election with 27.6% of the vote. He received 204 votes and his closest rival polled 153. There were five candidates in the race. Weaverling was well-known in town for heading the campaign to deal with the oil spill a few years ago.
- 2. On September 17, a special election was held to fill a California legislative vacancy northeast of Sacramento. The vote was Collins, Republican, 19,785; McCann, Libertarian, 12,091 (37.9%). No Democrat was in the race. This was the highest percentage for a third party candidate in California, in a partisan election, since 1936.
- 3. On October 8, a special election was held to fill a legislative vacancy in Milford, New Hampshire. There were two candidates on the ballot, a Republican and a Libertarian, and a strong write-in Democratic candidate. The results were Carpenter, Republican, 48.6%; Groupe, Libertarian, 28.8%; Westin, Democrat, 22.5%. The Republican candidate's entire campaign was spent in attacking her Libertarian opponent, including distributing a flyer to all voters mentioning the most controversial portions of the Libertarian platform.
- 4. On September 17, Seattle held non-partisan city elections for city council. New Alliance Party candidate Patrick Haggerty received 11.9% in a three-person race. Freedom Socialist Party candidates Yolanda Alaniz and Heidi Durham received, respectively, 9.0% and 5.5%. Since Alaniz placed second in her race, she qualified for the run-off. Opposing Alaniz and Durham were two Socialist Workers Party candidates, Stuart Krome and Kathleen Wheeler, who received 3.9% and 4.7%.
- 5. On October 8, a non-partisan election for Mayor of Durham, North Carolina, was held. Bernard Obie, New Alliance Party candidate, placed third in a field of four, with 4.4%.

RENEWALS: If this block is marked, your subscription is about to expire. Please renew. Post office rules do not permit inserts in second class publications, so no envelope is enclosed. Use the coupon below.

BALLOT ACCESS GROUPS

- 1. **ACLU**, American Civil Liberties Union, has been for fair ballot access ever since 1940, when it recommended that requirements be no greater than of one-tenth of 1%. 132 W. 43rd St., New York NY 10036, (212) 944-9800.
- 2. **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.
- 3. **COALITION TO END THE PERMANENT CONGRESS**, works for reforms to make congressional elections more competitive; has a 9-point platform which includes easier ballot access for independent and minor party candidates. P.O. Box 7309, North Kansas City, Mo. 64116. Membership is \$25 per year.
- 4. **COMMITTEE FOR PARTY RENEWAL**, a group of political scientists, party leaders, and elected officials who believe that strong political parties are needed for popular control of government. Membership is \$10 per year. Write John K. White, Dept. of Politics, Catholic Univ. of America, Washington DC 20064. The Committee filed a brief in support of fairer ballot access laws with the Supreme Court in 1991 in *Norman v Reed*.
- 5. **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.
- 6. **RAINBOW LOBBY**, organized in 1985, initiated the Penny "Democracy in Debates" bill in Congress and maintains a lobbying office at 1660 L St., N.W., Suite 204, Washington, D.C. 20036, tel. (202) 457-0700. It also works on other issues relating to free elections.

SECOND CLASS PAID AT SAN FRANCISCO CA

I want to receive **BALLOT ACCESS NEWS**.
 I enclose \$6.00 for 1 year (overseas: \$10)
 Make check out to "Ballot Access News".
 To receive it by First Class Mail, enclose \$8.00

I want to join **COFOE**. Enclosed is \$_____
 (includes one-year subscription to this newsletter, or one-year renewal).
 Make check out to "COFOE". Minimum dues are \$10.

Name _____
 Address _____
 City _____ State _____ Zip _____