

# BALLOT ACCESS NEWS

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## PARTY LABEL VICTORY IN OHIO

On July 22, the 6th circuit struck down Ohio law which forbids petitioning candidates from having any partisan label on the November ballot. *Rosen v Brown*, 90-4100. The opinion is the first time any U.S. Court of Appeals has ever ruled favorably on the issue.

Ohio says that nominees of fully-qualified parties (generally, only Republicans and Democrats) may have a party label on the November ballot, but no one else may. This means that third party presidential candidates are listed on the Ohio ballot with no party label. Since the independent candidate petition requirement is easy (5,000 signatures for statewide office), there are usually five or six such candidates on the ballot.

The court said, "With respect to political designations on the ballot, a State could wash its hands of such business and leave it to the educational efforts of the candidates themselves. But once a state admits a particular subject to the ballot...it must take into account the provisions of the Constitution regarding freedom of speech and association, together with the provisions assuring equal protection of the laws."

Also, "One of the electoral interests which states may protect by reasonable regulation is the integrity of established and formally recognized major political parties; however, this interest may not extend to the effective exclusion of Independent and new party candidacies...Ohio's claim that by excluding the designation Independent from the ballot, it is producing a more manageable ballot is not substantiated by the facts of this case. By excluding such designations from the ballot, Ohio will not produce a shorter or smaller ballot. To the contrary, Ohio produces a ballot which gives a "voting cue" or "clue" to Democratic and Republican candidates but excludes such a "voting cue" to Independent or third-party candidates.

The decision was written by H. Ted Mulburn, a Reagan appointee from Tennessee who had never before had a case involving ballot access. It was co-signed by Judges Eugene Siler, a Ford appointee, and John W. Peck, a Kennedy appointee.

The case had been filed in 1988 by an independent candidate for the legislature. A new lawsuit will soon be filed by various third party presidential candidates who expect to be on the Ohio ballot this year, asking that each one's party label be printed on the ballot, next to their names. It is not completely clear that the *Rosen* opinion guarantees that the proposed suit will win, since *Rosen* dealt with the word "Independent", not such labels as "Socialist Workers" or "Libertarian". But, it is likely. If the case does not win, all will get the label "Independent".

Cases similar to the *Rosen* case had won in state court in Massachusetts, Maine and Minnesota, but had lost in the U.S. Court of Appeals in the 9th circuit (California, 1978), and in the 5th circuit (Louisiana, 1983).

## NEBRASKA PETITIONING VICTORY

On May 22, 1992, the Nebraska Supreme Court declared unconstitutional a law that no one may circulate an initiative petition outside his or her home county. *State ex rel Stenberg v Beermann*, no. 92-260.

The decision was no surprise, since the court had issued an injunction against enforcing that law in April. It should now be easy to attack the parallel law which says that no one can circulate a petition for a new party outside of one's home county. The law has been a headache for third parties ever since it was passed in 1969.

## IOWA VICTORY

On August 10, federal Judge Ronald Longstaff, a Bush appointee, issued an injunction against Iowa law which requires a third party candidate for Congress to get more signatures than a statewide candidate needs. *Oviatt v Baxter*, no. 4:92-10513. The case was the first ballot lawsuit ever won by the Grassroots Party, which would legalize marijuana and strengthen the Bill of Rights.

Iowa requires 1,000 signatures for statewide office, but candidates for Congress, legislature and county office need a number of signatures equal to 2% of the last vote cast in that area. This has meant that U.S. House candidates need almost 4,000 signatures. The U.S. Supreme Court had said previously that it can't be constitutional to require more signatures for an office in just part of the state, than are required for statewide petitions. Iowa had been the last state with laws which violated this principle.

## FRANKING LAW STRUCK DOWN

On July 30, the U.S. Court of Appeals, D.C. circuit, struck down a federal law which authorizes members of Congress to send mail at government expense to voters who don't live in their own district, but who do live in areas where that member of congress is running for re-election. Such areas commonly exist after reapportionment. *Coalition to End the Permanent Congress v Runyon*, no. 92-5239

The vote was 2-1. Judges A. Raymond Randolph, a Bush appointee, and Laurence H. Silberman, a Reagan appointee, voted that the law is unconstitutional. Judge Patricia Wald, a Carter appointee, felt that the law serves the public interest by letting members of Congress inform voters. The judges issued only a short decision, stating that a more in-depth opinion will be issued later.

Any decision which strikes down an act of Congress on the grounds that the law unfairly disadvantages non-incumbent candidates, is a useful precedent for third party and independent candidates. The decision received widespread praise. Congress moved immediately to comply with the decision; there will be no appeal.

## MASSACHUSETTS LOSS

On July 23, judge Walter Skinner, a Nixon appointee, refused to issue an injunction against Massachusetts law which makes it difficult for a small party to place candidates on its own primary ballot. *IVP v Connolly*, no. 92-11788-S.

The Independent Voters Party wanted to place candidates for the U.S. House on its own primary ballot (the party is fully-qualified; under state law it must nominate all its candidates by primary). However, candidates need 1,000 signatures of party members or of independent voters, in order to get on the party's primary ballot, if the party has fewer than 20,000 members (Republicans and Democrats need 2,000 signatures). Enrolled Republicans and Democrats can't sign for third party candidates.

The party met the requirement in 3 districts. It hoped to place candidates on its own primary ballot in the state's seven other districts, and held a nominating convention to choose preferred candidates.

Judge Skinner refused to order the names of these people onto the primary ballot, ruling that this would be letting the party "bosses" run the party. The ruling is absurd. In the name of protecting the rank-and-file members of the Independent Voters Party, he is refusing to let the party have any candidates in most congressional districts.

Skinner has been bad on ballot access in the past. He refused to rule on a challenge to the old May deadline, filed in 1982, for a year and a half, in *Libertarian Party v Connolly*. Finally, in desperation, the plaintiffs went to state court and won there, bypassing Skinner.

## OHIO REPUBLICAN CASE LOSES

On July 29, the Ohio Supreme Court ruled that the Republican Party can't name a candidate for the U.S. House in the First District, after the primary is over. *State ex rel Ruehlman v Luken*, no. 92-1343.

No one ran in the Republican primary. After the primary, the Democratic incumbent withdrew. With the seat open, Republicans wished to run a candidate, but couldn't do so. The Democrats may replace their nominee, however.

## BOOST FOR DEBATE LAWSUIT

On July 31, the 2nd circuit sent *Fulani v Brady* back to District Court, rebuffing attempts by the government to dismiss the case. The case involves whether the League of Women Voters should lose tax-exempt status for sponsoring a primary season debate which excluded Lenora Fulani. The League did not exclude anyone else from the Democratic debate who had qualified for federal matching funds. The debate had been held for the New Hampshire Democratic primary, which Fulani had contested.

The judges who remanded the case were J. Daniel Mahoney, Frank Altimari and Pierre Leval. The case now goes back to Judge Robert Sweet. Fulani is optimistic, since the controlling precedent on this issue in the 2nd circuit is that she does have standing to sue.

## FLORIDA CONCEDES ON BOND LAW

On July 17, in federal court in Miami, Florida's Secretary of State conceded that he has no right to enforce a law which says that minor parties must file a bond, as a condition of being on the ballot. The admission came in *Socialist Workers Party v Leahy*, no. 92-1451-cv.

Sec. 103.121(3) says the state chairman and treasurer of any party, no matter what its size, must file a bond of at least \$10,000, which will be forfeit if either officer misuses party funds. Furthermore, county chairmen and treasurers must each file \$5,000 bonds. The purpose of the law is to protect party members, but if the party doesn't want this protection, the government has no right to insist on it. In practice, the bond law was one of many hurdles that small parties faced before they could get recognized in Florida.

There is still no decision yet in *Fulani v Krivanek*, the case now pending in the 11th circuit over the requirement that a party pay the government for the cost of checking its petitions for validity.

## MAINE LIBERTARIAN CASE FILED

On August 10, the Maine Libertarian Party filed a lawsuit against Maine law which makes it literally impossible for the party to have any candidates for Congress or statewide office (other than president), even though it is a fully-qualified party. *Libertarian Party of Maine v Diamond*, no. 92-292-P-H. The judge, D. Brock Hornby, a Bush appointee, has never had a case involving third parties.

The Maine Libertarian Party has about 1,100 enrolled members, yet an individual candidate running in the party primary for U.S. House needs 1,000 signatures of party members, and a candidate for statewide office needs 2,000. The party can't nominate candidates any other way than by placing them on its primary ballot. Nomination by convention is not allowed, and write-in candidates in the party's primary need the same high number of votes (2,000 for statewide office, 1,000 for U.S. House).

A similar case was won by the Consumer Party of Pennsylvania in 1985, when it needed 2,000 signatures of party members at a time when it only had 2,800 members. However, after the party won the case, the Pennsylvania legislature "got even" by raising the effective definition of "political party" from one which had polled a little more than 1% of the vote for a statewide office, to one which has 15% of the state's registration.

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## ALABAMA LAWSUIT FILED

On July 23, Gwen Patton, an independent candidate for U.S. Senator, filed a lawsuit against Alabama law which forces non-presidential independent candidates to collect twice as many signatures as new parties. *Patton v Camp*, no. 92-V-885-N, federal court, middle dist. The case went to Judge Robert Varner, a Nixon appointee with a good record on ballot access.

Alabama requires new parties to submit petitions signed by 1% of the last vote cast for Governor, but independent candidates (for all office except President) need petitions signed by 1% of the number of registered voters. The difference is substantial (12,157 versus 26,367). The difference is irrational, since a new party takes up more room on the ballot than a single independent candidate.

## ALASKA PRESIDENTIAL DEADLINE

Normally, the Alaska deadline for a candidate to file for a spot on the primary ballot is June 1, and the primary is the fourth Tuesday in August (this year, August 25).

This year, because legislative reapportionment was so late, Judge Larry Weeks, a state court judge in Juneau, ordered that the primary be held on September 8 and that primary candidates need not file until June 26. *Southeast Conference v Hickel*, no. 1 JU 91-1608.

This is the third time a court has set later deadlines in Alaska during the last four years. In 1988 a Libertarian lawsuit got the June 1 deadline for third party and independent petitions (for non-presidential office) declared unconstitutional. The new deadline, passed by the legislature in 1989, was August 1. In 1990 a Green lawsuit got that new deadline also declared too early, and this year the deadline for non-presidential third party and independent candidates is September 8.

With *three* precedents in state court against early deadlines, the Alaska August 5 presidential petition deadline for third party and independent candidates is senseless. The Director of Elections earlier promised to ask the Attorney General for a ruling on whether the presidential deadline is constitutional, but she has not done so yet and she is enforcing the August 5 deadline. However, if the petitions submitted either by any third party or independent presidential candidate are ruled invalid, that candidate will probably sue to set aside the presidential petition deadline.

## NEVADA DEADLINE CHALLENGED

Three presidential candidates have challenged the Nevada June 10 deadline for turning in third party and independent candidate petitions. *Fulani v Lau*, no. N92-535, federal court, Reno. The plaintiff-candidates are Lenora Fulani, John Hagelin (Natural Law Party), and Bo Gritz. The case is before federal judge Edward C. Reed, a Carter appointee. Fulani and Gritz believe they turned in enough signatures by the deadline, but the state ruled that they didn't. Fulani, Gritz and Hagelin have all turned in additional signatures since then, but the new signatures are too late.

## OTHER DEADLINES TO BE CHALLENGED

1. California: John Hagelin, presidential candidate of the Natural Law Party, is about to challenge the constitutionality of California's August 7 deadline for independent presidential candidates to submit petitions. He submitted 90,000 signatures on the deadline, not enough to qualify. He will continue the petition drive, hoping to submit enough additional signatures by August 18, and then file a lawsuit in federal court asking that the August 7 deadline be declared unconstitutional under *Anderson v Celebrezze*.

2. Colorado: the U.S. Taxpayers Party will file a lawsuit against the Colorado August 4 petition deadline, if the state finds that the party's petition didn't have enough valid signatures.

3. Kansas: the independent candidate deadline of August 3 will be challenged in court by Lenora Fulani, John Hagelin, or Howard Phillips, if any of those candidates is told that his or her petition lacks enough signatures.

4. West Virginia: the Libertarian Party will file a lawsuit in State Supreme Court against the May petition deadline for office other than president. The party almost surely submitted enough valid signatures to place its presidential and gubernatorial candidates on the ballot. These petitions met the August 1 *presidential* deadline but some of the signatures were submitted too late to count for the party's gubernatorial candidate, Karl Hess. The party is especially eager to get on the ballot for Governor, since if Hess polls 1% or more, the party gets qualified status for four years.

## PRESIDENTIAL PRIMARY LAWSUITS

The cases below are still alive because they are constitutional challenges and the issue of declaratory relief was not settled earlier in the year. All four cases are being fought by the ACLU.

1. Connecticut: A hearing was held in the 2nd circuit in *Larouche v Kezer* on June 9, over the law which provides that the Secretary of State should place candidates mentioned by the media on the presidential primary ballot; others must submit a petition signed by one-half of 1% of the party's voters. A decision could come in the next few months.

2. Florida: All briefs have now been filed in the 11th circuit in *Duke v Smith*, no. 92-4093, over whether the Republican Party had a constitutional right to keep David Duke out of its presidential primary. State law gives parties this discretion.

3. Georgia: On June 17, federal Judge Richard C. Freeman ruled that the Republican Party had the right to keep David Duke off its ballot. Duke has appealed to the 11th circuit. *Duke v Cleland*, no. 92-8724.

4. Maryland: there will be a hearing in December in *McCarthy v Kelly*, the lawsuit contesting the constitutionality of Maryland's presidential primary ballot access law. "Recognized" candidates are automatically put on the ballot; all others must petition.



## PRESIDENTIAL CONVENTIONS

National presidential conventions about to be held:

1. New Alliance Party meets in New York August 22-23.
2. U.S. Taxpayers Party meets in New Orleans Sept. 5-6 and will be broadcast on C-SPAN.

The Green Party is on in Alaska, Arizona, California, Hawaii & New Mexico, although there is no nationally organized Green Party. Any state Green Party could still choose to have a presidential candidate. The Green Movement national meeting in Minneapolis on August 9 endorsed Ron Daniels for president.

One-state ballot-qualified party conventions:

1. AMERICAN INDEPENDENT (California) meets in Sacramento August 29-30 and will choose Howard Phillips for president.
2. PEACE & FREEDOM (California) meets in San Diego August 15-16 and may choose Ron Daniels, or Lenora Fulani, or possibly have no nominee.
3. A CONNECTICUT PARTY, the party created by Lowell Weicker when he ran for Governor in 1990, meets in September and will probably cross-endorse the Democratic slate. If it does so, Bill Clinton will be on the ballot twice.
4. INDEPENDENT VOTERS PARTY (Massachusetts) meets August 29 and will almost certainly choose Howard Phillips, since the party promised that whoever won its primary would be its nominee.
5. TISCH INDP. CITIZENS (Michigan) meets in Laingsburg August 29 and will choose Howard Phillips.
5. LIBERAL (of New York) meets in New York city in the second half of September and undoubtedly will cross-endorse the Democratic ticket.
6. CONSERVATIVE PARTY (of New York) meets in New York in the second half of September and will surely cross-endorse the Republican ticket.
7. RIGHT-TO-LIFE PARTY (of New York) meets in Albany on August 29 and may nominate Howard Phillips. The party has never cross-endorsed the Republican ticket. It had no presidential candidate in 1984 and it ran one of its own members for president in 1980 and 1988.

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## MATCHING FUNDS

On August 4, the Treasury mailed to these candidates: Bush \$546,097; Buchanan \$304,744; Clinton \$1,431,599; Tsongas \$129,748; Brown \$171,136; Kerrey \$41,640; Harkin \$28,498; Agran 19,934; Fulani \$141,834. Fulani's total for 1992 is now \$1,455,051.

## OTHER LAWSUIT NEWS

1. California: Earlier, the Green Party won a lawsuit in lower state court, giving the party the right to have a binding "None of the above" in its primary, and also giving it the right to decide before the primary, which races it would contest. On August 4 the state filed a brief with the State Court of Appeals to overturn that decision. *Green Party v Eu*, no. 3-cv-C-013273, Sacramento.

2. Florida: On June 1, the State Supreme Court heard arguments in *Republican Party of Florida v State*, no. 79696, a challenge to a Florida law that taxes all political parties, and uses the money to finance the campaigns of certain candidates for office. The Republican Party charges that it violates the First Amendment to force people to subsidize political ideas they may disagree with.

6. Illinois: On May 13, the Illinois Supreme Court heard arguments in *People v Diguida*, no. 72272, the case over whether the state constitution requires that shopping centers permit expressive activity (such as leafletting or petitioning) on its parking lots.

The Illinois Supreme Court will probably hear another case, *Norman v Reed*, in September or October. This case, on remand from the U.S. Supreme Court, will deal with the law that a new party must submit a complete slate of candidates.

7. Washington: The Libertarian Party filed an appeal to the 9th circuit in *LP of Washington v Munro* on August 4. This is over whether a state may force a new party to choose its nominees, even before the Democratic and Republicans have filed to run in their own primaries.

8. national: The FEC has appealed *Freedom Republicans v FEC* to the D.C. Circuit. The lower court had ordered the FEC to tell the Republican Party to set up an affirmative action program for its own delegates and officers. No. 92-5214.

## PROPORTIONAL REPRESENTATION

The August *Atlantic Monthly* has an article on proportional representation for Congress; and the July 24 *New York Times* has an op-ed piece by John Anderson, advocating preferential voting for president, in which voters can rank candidates, putting a 1 next to their first choice, etc. If no one receives a majority of first choice votes, the lowest candidate is dropped and ballots are redistributed.

PETITIONS NOT ON PAGE 7 CHART: Ron Daniels is on in Wa, Wi & NJ, done in Ia, DC and Tn, and has 500 in Ky, 1,000 in Mn, 8,000 in NY, and 4,500 in Oh. Socialist Worker is on in NJ & Wa, done in Al, De, Il, Ia, Ma, Mn, Ne, ND, and Oh, and has 10,000 in NY. Socialist is on in Vt, done in DC & Ut and has 150 in Ia & 200 in RI. Prohibition is on in NM, done in Tn and has 300 in Mn. Workers League is on in Mi and NJ. Grassroots is on in Mn and is done in Ia. Lyndon LaRouche is on in Wa & NJ, done in Ak, DC, Mn, Oh, RI and Tn, and has 2,000 in ND and 100 in Wi.

1992 PRESIDENTIAL PETITIONING

STATE	REQUIRED	PEROT	MARROU	FULANI	PHILLIPS	GRITZ	HAGELIN	DUE
Alabama	5,000	already on	already on	*8,000	*600	*750	*2,000	Aug 31
Alaska	2,035	already on	finished	*finished	*finished	*finished	*finished	*Aug 5
Arizona	10,555	can't start	already on	already on	*can't start	*can't start	can't start	Sep 18
Arkansas	0	already on	*finished	already on	already on	0	already on	Sep 15
California	134,781	already on	already on	seek nom	seek nom	*too late	*lawsuit	Aug 7
Colorado	5,000	already on	finished	already on	*finished	*too late	*finished	Aug 4
Connecticut	14,620	finished	*finished	*finished	*too late	*too late	*finished	Aug 12
Delaware	(reg.) 144	already on	already on	108	*100	*15	*80	Aug 22
D.C.	*3,072	finished	*100	*finished	0	0	*4,000	Aug 18
Florida	60,312	already on	finished	too late	lawsuit	too late	too late	Jul 15
Georgia	26,955	finished	already on	too late	too late	too late	too late	Jul 14
Hawaii	4,177	*finished	already on	*3,260	*100	*2,000	*2,500	Sep 4
Idaho	4,090	already on	already on	*1,700	500	already on	*2,000	Aug 25
Illinois	25,000	finished	*already on	*finished	*too late	*finished	*finished	Aug 3
Indiana	29,919	*already on	already on	*already on	too late	too late	too late	Jul 15
Iowa	1,000	finished	finished	*finished	*finished	finished	finished	Aug 14
Kansas	5,000	already on	already on	*finished	*finished	*too late	*finished	Aug 3
Kentucky	5,000	already on	already on	*2,200	*5,000	1,650	*1,200	Aug 27
Louisiana	0	finished	0	0	0	0	0	Sep 1
Maine	4,000	already on	already on	*already on	already on	too late	*too late	Jun 2
Maryland	10,000	*already on	already on	finished	*too late	*too late	*finished	Aug 3
Massachsts.	10,000	already on	*finished	*finished	already on	*too late	*finished	Jul 28
Michigan	25,646	*already on	already on	too late	seek nom	too late	*already on	Jul 16
Minnesota	2,000	finished	*400	*2,500	*800	*finished	*finished	Sep 15
Mississippi	1,000	finished	already on	finished	already on	900	*900	Sep 4
Missouri	20,860	finished	*finished	*too late	*too late	*too late	*too late	Aug 3
Montana	9,531	already on	already on	*finished	*too late	*finished	*too late	Jul 29
Nebraska	2,500	already on	already on	*3,600	*700	*500	*1,000	Aug 25
Nevada	9,392	already on	already on	lawsuit	*already on	*lawsuit	*lawsuit	June 10
New Hamp.	3,000	already on	already on	*finished	*finished	*too late	*too late	Aug 5
New Jersey	800	already on	*already on	*already on	*already on	*already on	*already on	Jul 27
New Mexico	2,069	finished	already on	already on	finished	*500	finished	Sep 8
New York	15,000	*25,000	*10,000	*34,000	seek nom	*1,000	*6,000	Aug 27
North Carolina	43,601	already on	already on	too late	too late	too late	too late	Jun 26
North Dakota	4,000	finished	*800	*300	0	*500	*1,300	Sep 4
Ohio	5,000	*already on	*8,000	*3,600	*4,000	*2,800	*5,000	Aug 20
Oklahoma	35,132	already on	*already on	too late	too late	too late	too late	July 15
Oregon	36,092	*already on	already on	*51,000	4,000	20,000	0	Aug 25
Penn.	37,216	finished	*finished	*already on	*too late	*too late	*too late	Aug 3
Rhode Isl.	1,000	finished	*100	*150	*250	0	*550	Sep 4
South Carolina	10,000	finished	already on	already on	already on	*too late	*too late	Aug 3
South Dakota	2,568	*already on	already on	*already on	*too late	*too late	*already on	Aug 4
Tennessee	25	already on	finished	already on	finished	finished	*already on	Aug 20
Texas	38,901	already on	already on	too late	too late	too late	too late	May 11
Utah	300	already on	already on	already on	finished	already on	finished	Sep 1
Vermont	1,000	finished	already on	already on	0	*250	already on	Sep 17
Virginia	13,920	finished	*14,500	*19,000	*3,000	0	*2,000	Aug 21
Washington	200	already on	already on	already on	already on	already on	already on	Jul 25
West Va.	6,534	*already on	finished	*too late	*too late	*too late	*too late	Aug 1
Wisconsin	2,000	*finished	already on	*1,000	*700	*300	already on	Sep 1
Wyoming	7,903	already on	already on	*2,800	0	*1,500	*450	Aug 24

Other qual. nat. parties: Green in Ak, Az, Cal, Hi, NM; Amer in SC, Ut; Proh in NM; Soc Wkrs in NM; Wkrs World in Mi., NM. \* entry changed since last issue. "Req" column shows the easier of the two methods, party or independent. "Due" column is the Indp. deadline, except in Delaware where it is the party deadline. "Seek nom" means a qualified third party in that state may nominate the candidate. "Finished" doesn't necessarily mean the drive isn't still proceeding! See p 4 for other petitions. La. requires \$500 OR 5,000 signatures.

### SOCIALIST V-P CANDIDATE DIES

On August 5, William D. Edwards, Socialist Party vice-presidential candidate, died suddenly at his home in San Francisco. He was 72. The party's national committee will choose a new nominee in a few days. As far as is known, the last time a party nominee for vice-president died before the election was on October 30, 1912, when the Republican nominee, James S. Sherman, died.

### WHAT IS PEROT UP TO?

On July 16, Ross Perot announced that he would not be a candidate. However, he continues to assist his state organizations as they complete the process of getting him on the ballot. He has signed all needed declarations of candidacy, in some cases reaffirming earlier declarations. He continues to pay expenses for the state committees, \$7500 per month per state.

Furthermore, his lawyers continue to be active in the ballot qualification process. They successfully persuaded the California Secretary of State not to omit Perot from the ballot on the grounds that a handful of his elector candidates didn't complete a declaration of candidacy form. Instead, he will be listed if he says by August 27 that he is still a candidate.

The only lawsuit related to ballot access he ever filed, *Perot v Cayetano*, over Hawaii's refusal to let him substitute a different vice-presidential candidate for his stand-in vice-presidential candidate, was dismissed on July 16. However, the Hawaii petition, like all the other petitions, is going forward, with Admiral James Stockdale being listed as the permanent vice-presidential candidate.

Stockdale changed his voter registration to "Independent" (from Republican) on May 21. Idaho had been the only state which was still insisting that it would not print the name of a registered Republican or Democrat on the ballot as an independent candidate, so Stockdale's switch solved that problem.

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Leaders of each state Perot committee have met twice with Perot since he withdrew. The group operates under the name "United We Stand", and is headed by Orson Swindle, an old friend of Perot's who lives in Hawaii.

Perot will publish his economic plan before the end of August. The publisher, Hyperion Books, is known for publishing rapidly. The book will sell for under \$8, indicating Perot is more interested in mass circulation than he is in making a profit on the book.

Perot and the group plan to draw up a list of twenty specific policy recommendations, and will ask George Bush and Bill Clinton to respond. Perhaps Perot is eager to be on the ballot in all states, so that if neither Bush nor Clinton respond very positively to the twenty points, Perot can ask voters to vote against both Clinton and Bush, and to vote for him, to show public support for the plan.

The *San Francisco Chronicle* of August 7 published a story titled "Perot Backers Say He Could Run Again", but the article has no hard news on the subject, just speculation.

Too often, the U.S. media presents the view that a rational voter should be concerned solely with deciding which candidate should fill a particular office. But voting can be more creative than that. Many voters have discovered that a vote has other uses. Since there is no national referendum or initiative procedure, some voters vote for a third party or independent candidate, so that they can make a statement in favor of a particular policy proposal, even though the voter might not really want the person voted for, to hold the office.

If Perot and his supporters eventually decide that they cannot endorse either Clinton or Bush, because neither of them will support Perot's economic plan, Perot may call on voters to vote for him, not to elect him, but to show support for that economic plan. If this does happen, perhaps the media and the opinion-molders will wake up to the fact that voting has purposes other than just deciding which candidate will fill particular offices.

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