

# BALLOT ACCESS NEWS

San Francisco, California

April 5, 1993

Volume 9 Number 1

## HEARING SET FOR MAY 20 ON PENNY DEBATE BILL

### FIRST CONGRESS HEARING EVER ON ANY BILL TO HELP THIRD PARTIES

Congressman Al Swift, chairman of the House Elections Subcommittee, has scheduled a hearing for May 20 on the Penny Debates Bill. This is the first time any congressional hearing has ever been held on a bill designed to help third political parties.

Congressman Timothy Penny of Minnesota hasn't even introduced his debates bill yet. He plans to do so on April 20, the same day he will also introduce his bill to outlaw restrictive ballot access laws in federal elections.

The Penny Debates bill, which was also introduced in the last session of Congress (as HR 791), provides that any third party or independent presidential candidate who gets on the ballot in at least 40 states, and who raises at least \$500,000 in small contributions, must be invited into any general election presidential debates.

Major party presidential candidates who refuse to debate such third party or independent opponents, would lose their general election campaign funding.

The hearings will take testimony on Penny's debates bill, as well as another bill, by Congressman Edward Markey of Massachusetts, which also mandates that major party presidential candidates participate in general election debates, or they lose general election campaign funding. The Markey bill doesn't mention third party or independent presidential candidates.

#### Penny Press Conference Set

Congressman Penny will hold a press conference at the Capitol, House Court 6, on Tuesday, April 20, at 10 a.m., to announce his debates and ballot access bills. For more information, call Penny's office at (202) 225-2472.

## WEST VIRGINIA BILL GAINS

On April 2, HB 2146 passed the West Virginia House by a voice vote. It eliminates the requirement that no one can sign a third party or independent candidate petition and then vote in the primary. The author is Rep. Sharon Spencer, a Democrat from Charleston.

The existing West Virginia restriction is particularly hard on third party and independent candidates for non-presidential office. Such candidates must turn in their petitions *before* the primary. It is almost impossible to get people to sign these petitions, since most people wish to preserve their option to vote in the primary. If HB 2146 becomes law, one of the worst ballot access headaches in the country will be over.

Credit for the bill's progress so far goes to Perot supporters, who complained to state legislators about their inability to sign for Perot and vote in the primary.

### OTHER GOOD BILLS ADVANCE

1. Georgia: on March 22, the Senate passed HB 802. It is now before the Governor. It provides that 75% of the filing fee paid by candidates of small, qualified parties should be rebated back to the political party of that candidate (not 25%, as the last *B.A.N.* stated).

Democrats and Republicans have long enjoyed the use of most of candidate filing fees paid by their candidates, and now other parties will benefit from the same procedure.

2. Missouri: on March 31, the House passed HB 512, by 132-23. It contains all the ballot access improvements that were passed in 1991 and 1992, but then vetoed.

The bill also provides for a presidential primary; but only parties which polled 2% of the last vote for Governor would get one. The Libertarian Party is qualified but didn't have a candidate for Governor on the ballot in 1992, so there will be no Libertarian presidential primary in 1996 even if the bill passes.

2. Virginia: on March 22, the Governor signed HB 1461 into law. It lets petitioners for a statewide third party or independent candidate circulate the petition not just in their home congressional districts, but in neighboring congressional districts as well.

### OKLAHOMA WRITE-IN CASE LOSES

On March 30, federal Judge David L. Russell, a Reagan appointee, upheld Oklahoma law which bans all write-in votes. *COFOE v McElderry*, no. civ-92-465-R.

Plaintiffs had argued that the ban on presidential write-ins is unconstitutional, since Oklahoma requires 41,711 valid signatures for a third party or independent presidential candidate to get on the 1996 ballot. Even though the U.S. Supreme Court upheld Hawaii's ban on write-in votes last year, that Court did not mention presidential write-ins. Furthermore, the Supreme Court seemed to think that Hawaii ballot access is very easy.

Plaintiffs in the Oklahoma case will appeal. Judge Russell made two errors: (1) He wrote that the Oklahoma ballot access provisions had been upheld in a 1988 case called *Rainbow Coalition v Oklahoma Election Board*. But that case did not deal with the requirements for presidential candidates; instead, it dealt with the requirements for other office, which are different. (2) He didn't understand that Oklahoma is free to require a write-in candidate to file a declaration of write-in candidacy, as a condition having the write-ins counted. The judge upheld the ban partly due to the concern that if write-ins were permitted, the state would be required to count write-ins for non-existent persons.

## WHITE'S DEPARTURE IS GOOD NEWS

On March 19, Supreme Court Justice Byron White announced that he will retire at the end of this year's session.

White has been a foe of third party and independent voters and candidates ever since 1968. There have been three unfavorable U.S. Supreme Court ballot access decisions since 1972; White wrote all of them. In addition, he wrote last year's decision that there is no constitutional protection for write-in voting. And, in dissent, he voted to keep George Wallace off the ballot in 1968, Eugene McCarthy off in 1976, and John Anderson off in 1980.

As the author of more Supreme Court ballot access opinions than any other justice, he has exhibited these flaws: (1) Inconsistency; (2) Disinterest in a voter's right to vote for the candidate of his or her choice.

### Inconsistency (1): The Usage Test

White provided two tests by which one can know if a ballot access law is unconstitutional or not, in his 1974 decision, *Storer v Brown*. The first test is by looking to see how often an independent or third party candidate succeeds in getting on the ballot. The Supreme Court even repeated this test, in another ballot access case in 1977, *Mandel v Bradley*, written "per curiam". This showed that the whole Court approved of this method of judging a ballot access law.

Unfortunately, White didn't follow his own usage test in his 1986 opinion, *Munro v Socialist Workers Party*:

In that case, the 9th circuit had declared Washington state ballot access procedures for minor parties unconstitutional, for statewide office, since only one statewide third party candidate had managed to qualify in the 9 years the law had existed. The ballot access requirement was not a petition, but instead was a 1% minimum vote requirement in the primary, before a third party candidate could advance to the general election ballot (to this day, no third party candidate for Governor or U.S. Senator has ever met this hurdle). The Supreme Court reversed, with a decision by White which didn't even acknowledge the usage test which he himself had written and which had been repeated by the Court in the *Mandel* case.

Furthermore, he stated, "To require States to prove actual voter confusion, ballot overcrowding, or the presence of frivolous candidacies as a predicate to the imposition of reasonable ballot access restrictions would invariably lead to endless court battles over the sufficiency of the evidence marshalled by a State to prove the predicate." In other words, if the law sounds reasonable, the evidence be damned!

### Inconsistency (2): the "Percentage of the Pool" Method

White provided a second test in his 1974 *Storer* decision: requirements should be judged according to the number of supporters required, divided by the number of voters eligible to support the candidate or party (i.e., the "pool" of available voters). If the resulting fraction is much more than 5%, the requirement is unconstitutional.

White ignored his "pool" test in *Burdick v Takushi*, the 1992 opinion upholding Hawaii's write-in voting ban. In that case, White justified the ban by writing that Hawaii has constitutional ballot access laws.

Hawaii requires an independent candidate (other than presidential candidates) to persuade 10% of the voters in a primary to abstain from choosing a partisan primary ballot, and instead to choose a Non-Partisan primary ballot, and vote for him or her that way. Since all public offices in Hawaii are partisan, the only purpose of a Non-Partisan primary ballot is to enable voters to vote for an independent candidate (an independent is also permitted to advance to the general election if he or she outpolled one of the winners of the partisan primary).

Hawaii is the only state with a ballot access requirement for independent candidates above 5%. Not surprisingly, it is the only state in which no independent candidate for the legislature has ever appeared on the general election ballot. Yet White declared that Hawaii's 10% law constitutional, contradicting the 5% limit in his *Storer* decision.

### Disinterest in The Voter's Right of Choice

White consistently has shown contempt for a voter's ability to vote for a third party or independent candidate. In *Williams v Rhodes* in 1968 he wrote that Ohio should have been permitted to keep George Wallace off the ballot.

In *American Party of Texas v White*, he wrote that Texas was right to have kept Congressman John G. Schmitz off the ballot as the 1972 presidential candidate of the American Party. Schmitz did poll 1,105,330 votes that year, a vote that has not been exceeded by any third party (as opposed to independent) presidential candidate since.

In *McCarthy v Briscoe*, he voted to keep independent presidential candidate Eugene McCarthy off the Texas ballot.

In *Anderson v Celebrezze*, he voted that Ohio should have been permitted to enforce its March petition deadline, which would have kept independent presidential candidate John B. Anderson off the 1980 ballot. Furthermore, if White had prevailed in this case, it would have been impossible for Ross Perot to have started his 1992 independent campaign for the presidency as late as March.

White's final act of contempt for the right of a voter to decide whom to vote for was his 1992 *Burdick v Takushi* decision, in which he said that a ban on write-in voting is justified because of the state's interest in "stability". Upon analysis, that means that a voter may be prevented from voting for the "wrong" person. The government has the authority to tell a voter whom he or she may vote for, according to White. His conclusion contradicted the conclusion of 22 State Supreme Courts and 5 lower federal courts, all of had spoken reverently of the voter's sovereignty and right to vote for anyone.

Linda Greenhouse, the *New York Times* reporter who covers the U.S. Supreme Court, in analyzing White's years on the court, said he had a "good" record on voting rights. Her remark is a sad example of how little the mainstream press knows or cares about the ballot access problem in most states of the U.S.

## CONNECTICUT PRIMARY LAW UPHELD

On March 31, the 2nd Circuit upheld Connecticut's ballot access law for presidential primary candidates. *LaRouche v Kezer*, no. 92-7263 & 92-7309. The decision is so bad, the ACLU, which brought the challenge, plans to ask for a rehearing before all the judges of the Circuit.

Judge Ralph Winter wrote the decision; it was co-signed by Judges Richard Cardamone and J. Daniel Mahoney. All three are Reagan appointees. Winter recently voted to uphold the post office ban on petitioning on its sidewalks, and Cardemone had upheld New York restrictive ballot access laws in *Unity Party v Wallace* in 1983.

Connecticut is one of the states which puts prominent candidates on the ballot automatically, whereas others must petition. Connecticut required a petition signed by 1% of a party's enrollees, to be completed in only 14 days. No one complied with the petition requirement in 1992, but some of the candidates who were deemed "not prominent" sued, saying the rule was too arbitrary, and that furthermore the petition was too difficult.

A year ago, a different set of three judges of the 2nd circuit, James Oakes, Francis Altimari, and John Walker, granted an injunction putting the plaintiff-candidates (Lyndon LaRouche and Eugene McCarthy) on the Democratic presidential primary. The injunction was issued because these judges believed it likely that the law would be held unconstitutional.

The panel which upheld the law last month, wrote that since it is constitutional to require a petitioning period of only 2 weeks, combined with a 1% petition requirement, there was no need for them to consider the constitutionality of the law that puts prominent candidates on ballot automatically, whereas others must petition. They completely failed to notice that all candidates in the same primary are competitors. Thus, when one candidate must spend valuable resources to petition for a place on the ballot, whereas another need not, the state has placed the former at a disadvantage.

The panel which upheld the law also failed to grapple with the point that the law is arbitrary. For instance, the Connecticut law was interpreted to include David Duke; yet identical laws in other states were interpreted to mean that David Duke was not prominent and should not be put on the ballot automatically. Duke won his case against the Rhode Island law, which was identical to the Connecticut law.

## MICHIGAN OPINION PENDING

The Attorney General of Michigan is about to issue an opinion, to decide whether the Tisch Independent Citizens, Libertarian, and Natural Law Parties, are qualified parties. The law requires a party to poll a number of votes equal to 1% of the winning Secretary of State candidate, for its candidate closest to the top of the ballot. The issue is whether that office is State Education Board, or President. None of the parties polled enough for president, but they all polled enough for Education Board.

## IDAHO GOVERNOR VETOES BAD BILL

On April 1, Idaho Governor Cecil B. Andrus vetoed HB 320, which would have moved the non-presidential independent candidate deadline from late June, to early April. The bill had been sponsored by Representative Mark Stubbs, a Republican from Twin Falls.

The Governor's veto message said, "Often an independent candidacy arises because...the established parties fail to confront issues that a segment of the population deems important. Occasionally it is not clear how a political debate in a given race will unfold until well after a primary election is held and the established parties select their candidates. This bill would sharply restrict independent candidates by not allowing them to file for office after the primary filing date, and in all probability well before the issues and personalities had become ripe for political discourse...for the foregoing reasons, I have disapproved House Bill 320."

## POLITICAL PARTY ENDORSEMENTS

On March 12, the San Francisco County Democratic Party sent a letter to City Attorney Louise Renne, announcing that it intends to start endorsing candidates for city office. Under the California Constitution, such endorsements are illegal, but virtually every county government and the Attorney General have refused to enforce the law, believing it to violate the First Amendment. Renne has been the sole holdout. So far, she has not answered the letter. If she responds, saying she still intends to enforce the law, the Committee will join a lawsuit pending against the law, *LaRiva v Wong*.

## SENATE PASSES REGISTRATION BILL

On March 17, the U.S. Senate passed H.R. 2, the voter registration bill which the House had already passed. The vote was 62-39. Because the Senate changed it, a conference committee will be needed to reconcile the two versions of the bill.

## N.H. MAY END DUAL NOMINATIONS

HB 531 passed the House on February 18 by 210-148. It would make it impossible for any candidate to be the nominee of more than one party. The Senate Executive Departments Committee heard testimony on the bill on March 25, but will not vote before April 8. Currently, a non-member of a party can still win its nomination, if he or she wins the primary by write-in vote.

Four Libertarians and one Independent were elected to the New Hampshire legislature last year, and all five were aided by capturing the nomination of one of the major parties, even though none of them was a member of a major party. New Hampshire has permitted dual nominations for over a century, and if the practice is banned now, it will look as though the change was motivated by a desire to hurt non-major party candidates.

Those who favor the existing system are cautiously optimistic that the Senate will defeat HB 531.

## OTHER LEGISLATIVE NEWS

1. Alabama: SB 218, which changes the petition deadline for new parties and non-presidential independent candidates from April to August, has made no progress since it passed out of Committee. No bill to change the definition of "qualified party" downward from 20% has yet been introduced.

2. Alaska: There are no bills pending to change petition deadlines for third party and independent candidates, even though such deadlines were held unconstitutional in 1990 and again in 1992.

3. Arizona: SB 1046, which changes procedures for independent candidates, passed the Senate February 8 and passed the House Committee of the Whole on March 29. It gets rid of some bad features of the old law, but substitutes some different bad features.

The existing procedure for independents requires that voters equal to 1% of the last vote cast, must sign for an independent candidate; and no one may sign who voted in the primary (except that there is no primary voter restriction for presidential candidates). Petitioning must be completed in just 10 days in September.

Under SB 1046, independent candidates must submit their petitions in June, but they can start almost as early as they wish. No one could sign except voters who are not registered as members of the two biggest parties. The number of signatures would be 3% of the number of such voters. Based on current registration figures, an independent candidate for statewide office would need fewer than 7,000 signatures, compared to the current requirement of 14,870 signatures.

4. California: SB 165, which eliminates the need for candidates to submit petitions to get on a primary ballot, passed the Senate Elections Committee on March 17. Current law requires such candidates to submit 65 signatures for statewide office or 40 signatures for other office.

The bill also does away with the requirement that a write-in candidate must file signatures, in order to qualify to have his or her write-ins counted.

California law would still contain provision for candidates who do not wish to pay the filing fee. It would still be possible for such candidates to collect signatures in lieu of the filing fee. The bill reduces the number of such signatures for Democrats and Republicans, but has no effect on candidates of small parties, or independents.

5. Florida: HB 2201, which eliminates the filing fee for third party and independent candidates, failed to pass before the legislature adjourned.

6. Georgia: HB 606, which would have reduced the number of signatures needed for statewide and congressional candidates (both third party and independent), has been sent to interim study by the Senate Elections Committee. This probably means that hearings will be held in July, after the regular legislative session has been adjourned. Any further action would occur in the 1994 session of the legislature.

7. Hawaii: SB 1685 and SB 427, which would have legalized write-in voting, died in the Senate Judiciary Committee.

8. Iowa: HF 652 has been introduced. It would lower the number of signatures for a third party or independent candidate for U.S. House from 1,000 to 300 signatures, but it increases the number needed for a statewide candidate from 1,000 to 1,500.

9. Louisiana: Last year, the House Government Affairs Committee asked its staffer, Dawn Watson, to write a proposed bill, making it easier for a party to become qualified. Watson has now written a draft, which would permit a party to be recognized upon paying a fee of \$2,500. There would also be a \$50 annual renewal fee.

In Louisiana, all candidates qualify for the ballot by paying a filing fee; the problem is that only candidates who are members of qualified parties may have a party label on the ballot next to their names (except that all presidential candidates may have a label). Existing law says that a qualified party is one which either polled 5% of the presidential vote in the last election, or has registration membership of at least 5% of the state registration total.

10. Maine: LD 748 has been introduced. It would make it possible for a party to be established in just part of the state.

11. Maryland: On March 22, HB 1043 was defeated in committee by a vote of 15-9. It would have let a new party qualify all of its candidates with a single petition signed by 10,000 voters. Currently, a new party needs one petition of 10,000 signatures just to qualify itself, and then additional candidate petitions of up to 70,000 signatures each for its non-presidential candidates.

A similar bill received only 4 votes in the same committee last year, so some progress is being made.

12. Massachusetts: HB 2782, which makes it easier for a party to remain qualified, has a hearing April 5 in the House Election Law Committee.

13. Nevada: SB 250, which eases ballot access and makes many other unrelated changes, will have a hearing in a specially-created subcommittee of the Assembly on April 12 and 14.

14. North Carolina: HB 169, which eases independent candidate petition requirements, has not yet had a hearing in the House Judiciary Committee.

---

**BALLOT ACCESS NEWS** (ISSN 10436898) is published by Richard Winger, Field Representative of the Coalition for Free and Open Elections, \$7 per year, thirteen times per year, every 4 weeks, at Bx 470296, San Francisco CA 94147. Second class postage paid at San Francisco CA. © 1993 by Richard Winger. Permission is freely granted for reprinting *Ballot Access News*, with attribution. PRODIGY address: BBJK79A.

POSTMASTER: Send address changes to *Ballot Access News* at Bx 470296, San Francisco Ca 94147-0296.

## OTHER LEGISLATIVE NEWS (con't.)

15. Ohio: Secretary of State Robert Taft has drafted a bill to permit independent candidates have the label "Independent" next to their names on the ballot (currently, independent candidates have no label whatsoever, a practice held unconstitutional last year). Taft's bill hasn't been introduced yet.

Activists are disappointed that it doesn't also permit other designations, such as the names of unqualified parties (the Ohio procedures to qualify new parties are so difficult, they haven't been used in over a decade, so third party candidates always qualify as independent candidates). Senator Gary Suhadolnik is considering introducing a bill to permit such labels.

16. Oregon: HB 3304, by Rep. Beverly Stein, would reduce the number of signatures needed for a new party from 2.5% of the number of registered voters, to 1% of the last vote cast. No hearing is scheduled yet. Also, HB 3303, by the same author, would permit a candidate to be nominated by more than one political party.

17. Texas: HB 1057, which eases ballot access, has a hearing in the House Elections Committee on April 7.

18. West Virginia: SB 315, which provides that write-in candidates who wish their write-ins counted must file a declaration of candidacy one week before the election, is expected to pass the Senate any day now.

## PATRIOT PARTY TO SUE PENNSYLVANIA

The Patriot Party of Pennsylvania, which is a qualified party due to the high vote received for Ross Perot last year, has decided to bring a lawsuit against Pennsylvania law which inhibits its ability to nominate candidates.

The law, passed in 1986, says that qualified parties with less than 15% of the registration, are treated as though they were not qualified, in the matter of nominating candidates. They must petition to get their nominees on the general election ballot. Although the number of signatures for 1994 is not determined yet, it will probably be about 30,000. Parties with more than 15% of the registration nominate by primary, and need not petition.

The other qualified party with less than 15% of the Pennsylvania registration, the Libertarian Party, may join in the lawsuit.

## SIGN LIMIT STRUCK DOWN

On January 4, the Fourth Circuit struck down a local law which made it illegal for anyone to have more than one temporary political sign on his or her property, in view of passers-by. *Arlington County Republican Committee v Arlington County*, 983 F 2d 587. The local Libertarian Party had initiated the lawsuit and was a co-plaintiff.

The vote was 2-1. Judge Clyde Hamilton (the same Bush appointee who wrote the Virginia voter registration case described above) wrote the opinion, joined by Francis Murnaghan, a Carter appointee. Judge Paul Niemeyer, a Bush appointee, dissented.

## TWO WINS FOR VOTER PRIVACY

1. On March 24, the 4th circuit struck down Virginia law which requires voters to provide their Social Security Number when they register. The court said that Virginia could maintain its requirement, only if it agreed to delete the Social Security number from the list of registered voters which is open to the public.

The decision was written by Judge Clyde Hamilton (a Bush appointee) and co-signed by Judges Donald Russell (an Nixon appointee) and Traxler (a Bush appointee). *Greidinger v Davis*, no. 92-1571.

The case was not based on the federal Privacy Act. Virginia has been requiring the Social Security number since 1971, so there is nothing in the federal Privacy Act to interfere with Virginia's requirement (only if the practice started after 1974 would it apply). Instead, the case was based on the First and Fourteenth Amendment's general protection of voting rights.

The decision will help win a pending Socialist Workers Party case against Delaware law, which requires petitions for independent candidates to include the Social Security numbers of all signers. It will also help to overcome a similar law in Hawaii for new party petitions.

2. On October 23, 1992, a New Jersey state court ruled that a particular voter (who remains anonymous) may register to vote, even though she is not willing to have her address made public. In New Jersey, as in almost all states, the list of registered voters, including addresses, is open to the public. *D.C. v Superintendent of Elections*, 618 A 2d 931.

The voter had been stalked by her ex-husband and was afraid to have her address made public. The Court ruled that, in such exceptional circumstances, the State Constitution requires that special provision must be made to keep a voter's address off the public list.

## CALIFORNIA REGISTRATION DRIVES

The last issue of *Ballot Access News* promised to give the California registration data for the unqualified parties which are intend to carry out a registration drive (in California, any new party which enrolls 78,922 members by the end of 1993, becomes qualified).

The figures (from February, 1993) show that neither the Natural Law Party, nor the California Party (the California affiliate of Governor Lowell Weicker's Independence Party) has started. The Natural Law Party was credited with only 10 registrants in the entire state; the California Party, only 3 registrants.

## POST OFFICE PETITIONING

On March 29, Frank Longo filed his brief with the U.S. Supreme Court, asking that Court to hear his case, over whether it violates the Constitution for the post office to ban petitioning on its sidewalks. *Longo v U.S. Postal Service*. The Court will probably announce in May whether or not it will hear the case.

### PARTY MAY EXPEL MEMBERS

On October 30, 1992, a federal court upheld Connecticut law which gives a party the right to expel members. *Marchitto v Knapp*, 807 F Supp 916. The Republican Party had expelled several voters who formed a local third party to contest a town election. Connecticut election law sec. 9-60 gives parties the right to do this.

### PETITIONING AT THE POLLS

The U.S. Supreme Court upheld a Tennessee law last year which makes it illegal to campaign within 100 feet of the polls. However, litigation continues, because some states have larger "no-politics" zones. On October 28, 1992, federal Judge J. P. Stadtmueller struck down a Wisconsin law which prohibits electioneering within 500 feet of the polls. The case had been brought after police removed a sign from a lawn across the street from the polls. *Calchera v Procarione*, 805 F Supp 716.

Another case is pending against a Louisiana law which bars political activity within 600 feet of a polling place. *Schirmir v Edwards*, no. 92-3900, 5th circuit. Last year the 5th circuit issued an injunction against the law, and the U.S. Supreme Court refused to disturb that injunction, so it appears likely that the law will be struck down.

### BALLOT ACCESS GROUPS

1. **ACLU**, American Civil Liberties Union, has been for fair ballot access since 1940, when it recommended that requirements be no greater than of one-tenth of 1%. 132 W. 43rd St., New York NY 10036, tel. (212) 944-9800.

2. **CENTER FOR A NEW DEMOCRACY** works to permit different parties to nominate the same candidate. The Center is looking for political party-plaintiffs which will challenge such laws in court, and will provide legal representation. 1324 Drake St, Madison Wi 53715, tel. (608) 256-1968.

**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.

3. **COFOE**, Coalition for Free and Open Elections, Dues of \$11 entitles one to membership with no expiration date; this also includes a year subscription to *B.A.N.* (or a one-year renewal). See the coupon below.

4. **COALITION TO END THE PERMANENT CONGRESS**, favors more competitive elections; has a platform which includes easier ballot access. Bx 7309, N. Kansas City, Mo. 64116, tel. (800) 737-0014.

5. **COMMITTEE FOR PARTY RENEWAL**, scholars and party activists who believe that strong parties are needed for popular control of government. \$10 per year. Write Dr. Gerry Pomper, Eagleton Institute of Politics, Rutgers, Woodlawn, Nielson Campus, New Brunswick NJ 08901, tel. (908) 932-9384.

6. **FOUNDATION FOR FREE CAMPAIGNS & ELECTIONS**, Funds lawsuits which attack bad ballot access laws. Donations to it are tax-deductible. 7404 Estaban Dr., Springfield VA 22151, tel. (703) 569-6782.

7. **ROSS-GREEN ASSOCIATES**, organized in 1985, formerly called Rainbow Lobby, initiated the Penny ballot access and debates bills in Congress and maintains a lobbying office at 1010 Vermont, #811, Washington, DC 20036, (202) 638-4858.

### PROPORTIONAL REP. GROUPS

**CITIZENS FOR PROPORTIONAL REPRESENTATION**, promotes the idea of proportional representation for the U.S., for all levels of government. Box 11166, Alexandria Va 22312, (703) 914-0205. Dues are \$30. CPR recently held a national organizational meeting and now has fulltime staff.

**VOTER** is working to get an initiative on the California ballot, to provide that the lower house of the legislature be elected by proportional representation. Write C. T. Weber, 9616 Caminto Tizona, San Diego Ca 92126.

**7. SECOND CLASS PAID AT SAN FRANCISCO CA**

I want to receive **BALLOT ACCESS NEWS**.

I enclose \$7.00 for 1 year (overseas: \$12)  
Make check out to "Ballot Access News".

To receive it by First Class Mail, enclose \$9.00

I want to join the Coalition for Free & Open Elections.  
(includes one-year subscription to this newsletter, or one-year renewal).  
Make check out to "COFOE". Minimum dues are \$11.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_