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"OTHER" VOTE FOR U.S. HOUSE EXCEEDS 3%

BEST SINCE 1942, DESPITE NO 3rd CHOICE IN 40% OF THE DISTRICTS

On November 3, 1992 (October 3 in Louisiana), over 3% of the voters voted for a third party or independent candidate for the House of Representatives. Although this may seem low, it is the highest "Other" vote for U.S. House since 1942, by percentage. The number of votes for "other" House candidates is over 3,200,000 (including third party votes for endorsed major party candidates).

The reason such a small proportion of voters have been voting for third party and independent candidates for the House for the last fifty years, is that in most districts there is no "other" candidate for the House on the ballot. Ballot access for the House, for third party and independent candidates, is far harder than it is for President. Also, traditionally, third parties work harder getting their presidential candidate on the ballot, than they do in getting their Congressional candidates on.

No third party has run candidates for the House in even half the districts, since 1920. Usually, over half the districts have no third party or independent candidate on the ballot. This year, however, there was at least one "other" candidate on the ballot in 267 of the 435 districts.

The reason the "Other" vote for the House was higher in 1942, was that in 1942 (and earlier) the Farmer-Labor Party of Minnesota, and the Progressive Party of Wisconsin, were major parties in those states. They elected many members of Congress. The American Labor Party of New York was also strong, and the combination of these three powerful third parties pushed the national average above 3%.

Details of the 1992 House vote will be in the next *B.A.N.*

PRESIDENTIAL "OTHER" VOTE

See pages 3,4,7 for a breakdown of the third party and independent presidential vote by state. The figures are official, except for Colorado, Ohio and West Virginia, which still haven't finished tabulating. For those states, the Associated Press figures are used. Also, a few other states still haven't finished compiling the write-in vote.

The figures printed in the November 6 *B.A.N.* for the third party presidential candidates were taken from AP's compilation of November 5. The following day, AP revised the figures, with an enormous reduction in Lenora Fulani's vote, from 211,742, to 80,411. The original figure was caused by an AP error in part of New York City, in which Perot votes were miscoded for Fulani.

The latest figures, presented inside, which are almost completely final, show slightly smaller national totals for several of the candidates, and they also show that Howard Phillips narrowly outpolled John Hagelin, a change from the original figures.

SENATE "OTHER" VOTE

The 1992 "Other" vote for the U.S. Senate was 3,990,263 3.9%, the highest percentage for "Other" Senate candidates since 1976. See pages 5 and 6.

NEW MEXICO PLANS HOSTILE CHANGES

Stephanie Gonzales, New Mexico Secretary of State, has issued a press release, decrying the fact that there were ten presidential candidates on the November ballot. She says that she will ask the legislature to make it more difficult for third parties to appear on the ballot. So far, she has not released any details of her proposal.

Three New Mexico Libertarians met with her on November 30. They pointed out that a bill passed in 1990 has already made it more difficult for parties to remain on the ballot, and that if the bill had taken effect before the election, there would only have been 7 candidates on the ballot, not 10. Gonzales acknowledged the truth of this point, but said that the county elections officials are pressing her for action, and that they don't understand that the law has already been toughened. When Maurice McDonald asked her why she just couldn't explain it to them, she didn't respond.

The pre-1990 New Mexico law allowed a new party to get on the ballot with only 500 signatures, and permitted a party to remain qualified simply by running at least one candidate, every four years. The law passed in 1990 raised the signature requirement to over 2,500 signatures, and disqualifies parties unless they poll at least one-half of 1% of the presidential or gubernatorial vote (however, they get two chances). If the new law had been implemented prior to the 1992 election, the Prohibition, Socialist Workers, and Workers World Parties, would not have been on the ballot.

The legislature convenes in January. If you wish to write a polite letter to Secretary of State Gonzales, commenting on her proposed action, the address is Lamy Bldg., 491 Old Santa Fe Trail, Santa Fe NM 87503.

New Mexico is the only state in the western half of the U.S., in which there have been no third party or independent candidates for Governor or U.S. Senator on the ballot, since 1976 (this is because New Mexico requires a party to submit a petition signed by over 2,500 signatures to get a non-presidential statewide candidate on the ballot, even after it is already qualified).

BALLOT BILL COMING NEXT MONTH

Congressman Tim Penny of Minnesota plans to introduce a bill outlawing restrictive ballot access laws for federal office, in January.

NEW PARTY REQUIREMENTS INCREASE

STATE	1992	1994
Alabama	12,157	12,157
Alaska	2,035	2,586
Arizona	14,072	19,827
Arkansas	0	(est) 28,500
California	reg 78,992	reg 78,992
Colorado	5,000	1,000
Connecticut	14,620	11,412
Delaware	reg 144	(est) reg 145
Dist of Columbia	3,072	3,000
Florida	60,312	196,255
Georgia	26,955	31,771
Hawaii	4,177	4,645
Idaho	8,180	9,643
Illinois	25,000	25,000
Indiana	29,890	29,890
Iowa	1,000	1,000
Kansas	15,661	15,661
Kentucky	5,000	5,000
Louisiana	0	(est) reg 110,000
Maine	4,000	4,000
Maryland	10,000	(est) 69,000
Massachusetts	10,000	10,000
Michigan	25,646	25,646
Minnesota	2,000	2,000
Mississippi	0	0
Missouri	20,860	23,442
Montana	9,531	10,471
Nebraska	5,834	5,834
Nevada	9,392	14,759
New Hampshire	3,000	3,000
New Jersey	800	800
New Mexico	2,069	2,850
New York	15,000	15,000
North Carolina	43,601	51,904
North Dakota	7,000	7,000
Ohio	34,777	48,750
Oklahoma	35,132	69,518
Oregon	36,092	(est) 36,500
Pennsylvania	37,216	(est) 30,000
Rhode Island	1,000	1,000
South Carolina	10,000	10,000
South Dakota	6,419	6,419
Tennessee	19,759	19,759
Texas	38,900	38,900
Utah	300	300
Vermont	0	0
Virginia	13,920	(est) 14,000
Washington	200	1% pri vte + 200
West Virginia	6,346	4,044
Wisconsin	2,000	2,000
Wyoming	8,000	8,000
TOTAL SIGNATURES	646,125	932,643
TOTAL REGISTRANTS	79,136	189,137
GRAND TOTAL	725,261	1,121,780

Above is the number of signatures for a new party to qualify a statewide candidate for the ballot.

The 1992 figures are for a president candidate; the 1994 figures are for whatever office is closest to the top of the ballot (usually Governor; otherwise U.S. Senator). All procedures shown permit the party name to be printed on the ballot.

The number of signatures needed in 1994 is about 55% greater than the number needed in 1992. This is because some states have easier requirements to get on for president than for other statewide office, and also because 1992 turnout was so much higher than 1990 turnout.

GEORGIA LEGISLATURE

On December 10, the newly-elected Georgia legislature held a hearing on a proposed bill which would not only abolish run-off elections, but also ease ballot access requirements.

The desire on the part of the majority Democrats in the legislature, to abolish run-offs when no one gets as much as 50% of the vote in a statewide general election, was prompted by the outcome of the Senate race this year. Democratic incumbent Wyche Fowler got the most votes on November 3, but since no one got as much as 50% (the Libertarian got 3%, the Democrat 49% and Republican Paul Coverdell got 48%), a runoff was required. After both the Libertarian candidate and the head of the Perot organization in Georgia endorsed the Republican, he won the runoff on November 24.

It is fairly likely that the run-off abolition bill will also include a provision lowering the number of signatures for statewide third party and independent candidates from almost 30,000 signatures, to 15,000 signatures. The bill probably will not improve the requirements for Congress or the state legislature.

MISSOURI LEGISLATURE

Two Missouri legislators who introduced bills in the past to ease ballot access, will again introduce their bill. Senator Frank Flotron and Representative Sheila Lumpe, have been trying to ease ballot access since 1989. The legislature approved the idea in 1991 and 1992, but each time Governor John Ashcroft vetoed it. This year, fortunately, Missouri has a new Governor. The bill will lower the statewide petition from almost 24,000 signatures, to 10,000 signatures. It will also eliminate the requirement that the signatures be distributed according to Congressional district, and will let a party circulate the petition before it has chosen its candidates.

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PRESIDENTIAL VOTE

<u>STATE</u>	<u>PEROT</u>	<u>MARROU</u>	<u>GRITZ</u>	<u>FULANI</u>	<u>PHILLIPS</u>	<u>HAGELIN</u>	<u>DANIEL</u>	<u>LOUCH</u>	<u>WAREN</u>
Alabama	183,109	5,737	?	2,161	?	495	?	641	831
Alaska	73,481	1,378	1,379	330	377	433	?	469	?
Arizona	353,741	6,759	8,141	923	0	2,267	0	8	0
Arkansas	97,790	1,194	789	1,293	300	818	0	830	0
California	2,292,295	48,035	3,077	0	12,659	836	18,553	180	115
Colorado	340,976	7,801	?	1,409	0	?	0	?	0
Connecticut	348,771	5,391	72	1,363	20	75	0	4	5
Delaware	59,213	935	?	1,105	?	?	?	?	?
D.C.	9,681	467	0	1,459	0	230	1,186	260	105
Florida	1,052,481	15,068	0	0	0	214	0	0	0
Georgia	309,657	7,110	78	44	7	0	0	0	9
Guam	0	116	0	147	0	0	0	0	0
Hawaii	53,003	1,119	1,452	720	0	416	0	0	0
Idaho	130,395	1,167	10,281	613	0	24	0	1	0
Illinois	840,515	9,218	3,577	5,267	0	2,751	0	1	1,361
Indiana	455,934	7,936	1,436	2,583	0	108	0	14	0
Iowa	253,468	1,076	1,177	197	480	3,079	212	238	273
Kansas	312,358	4,314	71	9	28	71	0	0	0
Kentucky	203,944	4,513	47	430	989	695	0	0	0
Louisiana	211,478	3,155	18,545	1,434	1,552	889	1,663	1,136	0
Maine	206,820	1,681	?	519	464	?	?	?	?
Maryland	281,414	4,715	41	2,786	22	196	167	18	25
Massachusetts	630,731	9,021	0	3,172	2,218	1,812	0	1,027	0
Michigan	824,813	10,175	168	21	8,263	2,954	0	14	0
Minnesota	562,506	3,373	3,363	958	733	1,406	0	622	990
Mississippi	85,626	2,154	545	2,625	1,652	1,140	0	?	0
Missouri	518,741	7,497	180	17	0	64	12	13	6
Montana	107,225	986	3,658	8	0	20	0	0	0
Nebraska	174,104	1,340	0	846	0	714	0	0	0
Nevada	132,580	1,835	2,892	483	677	338	0	0	0
New Hamp.	121,337	3,548	?	512	?	292	?	?	?
New Jersey	521,829	6,822	1,867	3,513	2,670	1,353	1,996	2,095	2,011
New Mexico	91,895	1,615	0	369	620	562	0	0	183
New York	1,090,721	13,451	23	11,318	0	4,420	303	17	15,472
North Carolina	357,864	5,171	0	59	0	41	0	0	12
North Dakota	71,084	416	0	143	0	240	0	642	193
Ohio	1,022,066	7,306	4,716	6,364	0	3,493	0	2,772	0
Oklahoma	319,878	4,486	0	0	0	0	0	0	0
Oregon	354,091	4,277	1,470	3,030	0	91	0	0	0
Pennsylvania	890,745	20,527	?	6,685	?	?	?	?	?
Rhode Island	105,045	571	?	1,878	215	262	?	494	?
South Carolina	119,257	2,719	0	1,235	2,680	0	0	0	0
South Dakota	73,295	814	0	110	0	429	0	0	0
Tennessee	199,968	1,847	727	727	579	599	511	460	277
Texas	1,354,781	19,699	505	301	359	217	0	169	0
Utah	203,400	1,900	28,602	414	393	1,319	177	1,089	270
Vermont	65,991	501	?	429	124	315	?	57	82
Virginia	348,639	5,730	0	3,192	0	0	0	11,937	0
Washington	541,780	7,533	4,854	1,776	2,354	2,456	1,171	855	515
West Virginia	106,488	1,799	?	?	?	?	?	?	?
Wisconsin	544,479	2,877	2,311	654	1,772	1,070	1,883	633	390
Wyoming	51,263	844	575	270	3	8	0	0	0
TOTAL	19,662,746	289,719	106,619	75,901	42,210	39,212	27,834	26,696	23,125

Marrou: Libertarian. Gritz: Populist. Fulani: New Alliance. Phillips: Taxpayers. Hagelin: Natural Law. Warren: Socialist Workers. Independents are Ross Perot, Lyndon LaRouche, and Ron Daniels. "?" means that the candidate received a number of write-in votes which is unknown, since no one has yet tallied them. Ar, Co, Oh, WV returns are unofficial.

PRESIDENTIAL VOTE PERCENTAGES

<u>STATE</u>	<u>PEROT</u>	<u>MARROU</u>	<u>GRITZ</u>	<u>FULANI</u>	<u>PHILLIPS</u>	<u>HAGELIN</u>	<u>DANIEL</u>	<u>LROUC</u>	<u>WAREN</u>
Alabama	10.85	.34	0	.13	0	.03	0	.04	.05
Alaska	28.47	.53	.53	.13	.15	.17	0	.18	0
Arizona	23.79	.45	.55	.06	0	.15	0	0	0
Arkansas	10.48	.13	.08	.14	.03	.09	0	.09	0
California	20.64	.43	0	0	.11	0	.17	0	0
Colorado	21.57	.50	0	.09	0	0	0	0	0
Connecticut	21.58	.33	0	.08	0	0	0	0	0
Delaware	20.45	.32	0	.38	0	0	0	0	0
D.C.	4.27	.21	0	.64	0	.10	.52	.11	.05
Florida	19.82	.28	0	0	0	0	0	0	0
Georgia	13.34	.31	0	0	0	0	0	0	0
Guam	.00	.67	0	.85	0	0	0	0	0
Hawaii	14.22	.30	.39	.19	0	.11	0	0	0
Idaho	27.05	.24	2.13	.13	0	0	0	0	0
Illinois	16.64	.18	.07	.10	0	.05	0	0	.03
Indiana	19.77	.34	0	.11	0	0	0	0	0
Iowa	18.72	.08	.09	.01	.04	.23	.02	.02	.02
Kansas	26.99	.37	0	0	0	0	0	0	0
Kentucky	13.66	.30	0	.03	.07	.05	0	0	0
Louisiana	11.81	.18	1.04	.08	.09	.05	.09	.06	0
Maine	30.44	.25	0	.08	.07	0	0	0	0
Maryland	14.18	.24	0	.14	0	0	0	0	0
Massachusetts	22.76	.33	0	.11	.08	.07	0	.04	0
Michigan	19.30	.24	0	0	.19	.07	0	0	0
Minnesota	23.98	.14	.14	.04	.03	.06	0	.03	.04
Mississippi	8.72	.22	.06	.27	.17	.12	0	0	0
Missouri	21.69	.31	0	0	0	0	0	0	0
Montana	26.12	.24	.89	0	0	0	0	0	0
Nebraska	23.61	.18	0	.11	0	.10	0	0	0
Nevada	26.32	.36	.57	.10	.13	.07	0	0	0
New Hampshire	22.59	.66	0	.10	0	.05	0	0	0
New Jersey	15.61	.20	.06	.11	.08	.04	.06	.06	.06
New Mexico	16.12	.28	0	.06	.11	.10	0	0	.03
New York	15.75	.19	0	.16	0	.06	0	0	.22
North Carolina	13.70	.20	0	0	0	0	0	0	0
North Dakota	23.07	.14	0	.05	0	.08	0	.21	.06
Ohio	20.97	.15	.10	.13	0	.07	0	.06	0
Oklahoma	23.01	.32	0	0	0	0	0	0	0
Oregon	24.25	.29	0	.21	0	0	0	0	0
Pennsylvania	18.12	.42	0	.14	0	0	0	0	0
Rhode Island	23.17	.13	0	.41	.05	.06	0	.11	0
South Carolina	10.08	.23	0	.10	.23	0	0	0	0
South Dakota	21.80	.24	0	.03	0	.13	0	0	0
Tennessee	10.09	.09	.04	.04	.03	.03	.03	.02	.01
Texas	22.01	.32	0	0	0	0	0	0	0
Utah	27.34	.26	3.84	.05	.05	.17	.02	.15	.04
Vermont	22.82	.17	0	.03	.04	.11	0	.02	.03
Virginia	13.63	.22	0	.12	0	0	0	.47	0
Washington	23.68	.33	.21	.08	.10	.11	.05	.04	.02
West Virginia	15.79	.27	0	0	0	0	0	0	0
Wisconsin	21.52	.11	.09	.03	.07	.04	.07	.03	.02
Wyoming	25.57	.42	0	.13	0	0	0	0	0
NAT. %	18.86	.28	.10	.07	.04	.04	.03	.03	.02

"0" means that the candidate wasn't on the ballot. WRITE-IN VOTE TOTALS WERE NOT CONVERTED INTO PERCENTAGES.. If they had been, the best showing would have been the Wyoming Gritz write-in vote, .29%. See page seven for information about candidates not on pages two and three, including Bill Clinton and George Bush.

U.S. SENATE VOTE (Regularly-scheduled elections only)

	<u>Libt.</u>	<u>Soc Wkr</u>	<u>Indp.</u>	<u>Nat Law</u>	<u>New Al</u>	<u>Populist</u>	<u>Green</u>	<u>Conserv</u>	<u>Other</u>
Ala.	31,811	?							
Alaska							20,019		
Ariz.	22,613		145,361		6,335				
Ark.	?								
Calif.	235,134	?			371,610 (PFP)				Am Indp 371,766
Colo.			70,019						
Conn.	10,741	?		?					A Ct Pty 304,907
Florida		63		71					C Cit(Ct) 35,315
Georgia	69,878	8							
Hawaii	7,547			0			49,921		
Idaho									
Illinois	34,527	10,056		15,118	12,689	8,656		100,422	
Indiana	35,733				7,474				
Iowa		1,370	19,702	16,403					Grassroots 3,404
Kansas	25,253		45,423	?					
Kentucky	17,366								
Louisiana			74,785						
Maryland	195	84							
Missouri	75,048	3							
Nevada	7,222			7,279		4,429			Ind. Amer. 11,240
N.H.	18,214		14,092	1,284					
N.Y.	108,530	16,724		23,747	56,631		289,258		Liberal 143,199
No. C.	85,948	23		13					RTL(NY) 224,914
No. D.			6,448						
Ohio									Wkr Wrld 331,133
Okla.			42,197						
Ore.									
Pa.	219,307	?							
So. C.	22,962								Amer 11,568
So. D.	4,353			4,314					
Utah	14,341	5,292				17,549			
Vermont			1,708						Lib Union 5,121
Wash.		0							
Wisc.	9,147		19,777			2,733			Grassroots 2,747
TOTAL	1,055,870	33,623	439,512	68,229	454,739	33,367	69,940	389,680	1,445,314

GUBERNATORIAL VOTE

	<u>Libt.</u>	<u>Soc Wkr</u>	<u>Indp.</u>	<u>Nat Law</u>	<u>New Al</u>	<u>Populist</u>	<u>L Union</u>	<u>Del Pty</u>	<u>Amer.</u>	<u>Ind Am</u>
Delaware	3,165							3,779		
Indiana					24,378					
Missouri	66	0								
Montana										
New Hamp.	20,663									
No. Caro.	104,983									
No. Dakota			4,618							
R.I.			16,046			1,698				
Utah		1,158	256,670			3,593			1,492	729
Vermont				2,834			3,120			
Wash.		0		?						
W. Va.	?	?								
TOTAL	128,877	1,158	277,334	2,834	24,378	5,291	3,120	3,779	1,492	729

"?" is write-in candidate whose total is unknown. The Utah Indp. column includes the Indp. Party and an independent.

U.S. SENATE VOTE PERCENTAGES

	<u>Libt.</u>	<u>Soc Wkr</u>	<u>Indp.</u>	<u>Nat Law</u>	<u>New Al</u>	<u>Populist</u>	<u>Green</u>	<u>Conserv</u>	<u>Other</u>
Ala.	2.02	w							
Alaska							8.37		
Ariz.	1.64		10.52		.46				
Ark.	w								
Calif.	2.19	w			3.45 (PFP)				Am Indp 3.45
Colo.			5.10						
Conn.	.72	w		w					A Ct Pty 20.32
Florida		w		w					C Cit(Ct) 2.35
Georgia	3.10	w							
Hawaii	2.08			w			13.73		
Idaho									
Illinois	.70	.20		.31	.26	.18		2.03	
Indiana	1.55				.32				
Iowa		.11	1.52	1.27					Grassroots .26
Kansas	2.24		4.03	w					
Kentucky	1.30								
Louisiana			8.87 (Oct.)						
Maryland	w	w							
Missouri	3.19	w							
Nevada	1.50			1.51		.92			Ind Amer 2.33
N.H.	3.52		2.72	.25					
N.Y.	1.68	.26		.37	.88			4.48	Liberal 2.22
No. C.	3.33	w		w					RTL(NY) 3.48
No. D.			2.12						
Ohio									Wkr Wld 7.08
Okla.			3.26						
Ore.									
Pa.	4.60	w							
So. C.	1.95								American .98
So. D.	1.30			1.29					
Utah	1.89	.70				2.31			
Vermont			.60						Lib Union 1.79
Wash.		w							
Wisc.	.37		.81						Grassroots .11

GUBERNATORIAL VOTE PERCENTAGES

	<u>Libt.</u>	<u>Soc Wkr</u>	<u>Indp.</u>	<u>Nat Law</u>	<u>New Al</u>	<u>Populist</u>	<u>L Union</u>	<u>Del Pty</u>	<u>Amer.</u>	<u>Ind Am</u>
Delaware	1.14							1.36		
Indiana					1.09					
Missouri	w	w								
Montana										
New Hamp.	4.00									
No. Caro.	4.05	w								
No. Dakota			1.51							
R.I.			3.78			.40				
Utah		.15	33.66			.47			.20	.10
Vermont				.99			1.09			
Wash.		w		w						
W. Va.	w	w								

"w" is write-in candidate. Independent column sometimes refers to the sum of two independents (and in Utah, the Indp. Party)

PRESIDENTIAL VOTES NOT ON CHART

In addition to the candidates mentioned on pages 3 & 4, Clinton got 44,879,655 (43.06%); Bush got 39,044,632 (37.46%). The total number of valid votes cast, for all candidates, was 104,237,229. However, as noted on page one, even these figures are not yet final in a handful of states, and will change again slightly.

Drew Bradford, indp., got 4,749 (.14%) in N.J. Jack Herer, Grassroots, got 669 in Ia (.05%), 2,659 (.11%) in Mn, and 547 (.02%) in Wi, total: 3,875. Quinn Brisben, Socialist, got 191 in DC (.08%), 1,356 in Tn (.07%), 151 in Ut (.02%), and 1,211 in Wi (.05%), and these known write-ins: Fl 16, Il 4, In 6, Ma 17, NY 22, Or 4, Tx 78, total 3,056. Helen Halyard, Workers League, got 1,432 (.03%) in Mi and 1,618 in N.J. (.05%), total: 3,050.

John Yiamouyiannis, indp., got 532 in Ar (.06%), 604 (.04%) in Ia, 808 (.05%) in La, and 233 (.01%) in Tn, total 2,177. Jim Boren, indp., got 980 in Ar (.11%). Earl Dodge, Prohibition, got 472 in Ar (.05%), 120 (.02%) in NM, and 343 (.02%) in Tn, and 2 write-ins in Ma and 3 in ND, total 940 (Colorado write-ins not known yet). Delbert Ehlers, indp., got 1,149 (.08%) in Ia. Eugene Hem, indp., got 405 (.02%) in Wi. Isabell Masters, indp., got 345 (.04%) in Ar. Robert Smith, American, got 292 (.04%) in Ut. Gloria LaRiva, Workers World, got 181 (.03%) in NM.

BALLOT PAMPHLET HEARING

On December 8, the California Supreme Court held a hearing in *Clark v Burleigh*, no. S020854. The issue is the constitutionality of a law which says that candidates for Judge may not mention their opponents in their Voters Handbook statements; they may only describe themselves (the Voters Handbook is printed by the government).

The State Court of Appeals had declared the law unconstitutional, on behalf of a candidate who had wanted to say that his opponent was a "Jerry Brown appointee".

The Justices seemed unsure of how to analyze the law. They seemed not to have decided whether the Voters Handbook is a limited public forum or not.

The attorney who argued that the law is unconstitutional, used the analogy to a municipally-owned theater. No one has a First Amendment right to put on a play in such a theater, but once a group wins the right to do so, the city cannot then censor the play. Similarly, no one has a right to place a statement in the Voters Handbook, but once one gets permission to do so (generally, by being on the ballot and by paying a *pro rata* share of the printing cost), the attorney argued, the government should not be able to censor the statement, short of insisting that it be truthful.

Two other California lawsuits on Voter Handbooks have been delayed, waiting for the action in this case: *LaRiva v Wong*, and *Geary v Renne II*. One concerns whether a candidate for non-partisan office may say that she has been endorsed by a particular party, and the other concerns the government's authority to delete misleading statements.

CONNECTICUT VICTORY

On July 22, 1992, U.S. District Court Judge Peter Dorsey, a Reagan appointee, struck down a Connecticut law which said that only the two parties with the greatest number of registrants may nominate candidates for Justice of the Peace. *A Connecticut Party v Kezer*, 2:92cv550 (PCD).

The state had tried to defend the law by saying that people who aren't Republicans or Democrats, can still try to persuade the Democratic and Republican Parties to nominate them, but the judge felt this to be unrealistic. He applied the compelling interest test, found no such interest.

NES FAILS AGAIN

News Election Service, which gathers election returns for election night TV and for newspapers the next day, again failed to predict which "other" candidates would poll large votes. NES ignored some of the strongest third party candidates for the Senate, while reporting other, weaker third party candidates.

NES ignored the Workers World Senate candidate in Ohio, who polled 331,133 votes, 7.1%. Of the 20 Libertarian Senate candidates on the ballot, NES chose to cover 5 and ignore 15. However, the average Libertarian percentage for the 15 unmentioned candidates, 2.08%, was higher than the average percentage (1.94%) for the five candidates who were mentioned!

THIRD PARTIES SPENT BIG AMOUNTS

FEC records as of November 10 reveal that several third party and independent presidential candidates raised and spent fairly large sums of money, although they are still small compared to what Clinton, Bush and Perot spent.

Lenora Fulani	\$4,009,843
John Hagelin	\$742,305
Andre Marrou	\$549,700
Howard Phillips	\$353,570
Bo Gritz	\$239,739

The figures are for disbursements, and are not final. Fulani received \$1,989,966 in primary season federal matching funds; Hagelin received \$276,954.

GOT A COMPLAINT ABOUT ELECTIONS?

The National Association of Secretaries of State (NASS) is holding hearings around the country, to find out what the public thinks about our election process. The first hearing was held in Dallas on December 5. Other hearings, over the next 7 months, will be held in Cleveland, Minneapolis, Portland (Me.), Tallahassee (Fl.), and Portland (Or.).

Secretaries of State on the panel include those of Mississippi, Missouri, Montana, Maine, Minnesota, Connecticut, Nevada and Ohio. Other Commission members include the chairmen of the Democratic and Republican Parties, and political scientist Larry Sabato.

INDEPENDENCE PARTY MEETING

On November 16, several hundred people attended a meeting in Washington, D.C., to launch the Independence Party. This party, whose most prominent supporter is Connecticut Governor Lowell Weicker, intends to become a major party of the center. Other backers include former Republican Congressman John B. Anderson who ran for president as an independent in 1980, and former Democratic Congressman Cecil Heftel, who represented Hawaii from 1976 til 1986.

FREE PRIMARY RETURNS BOOK

The Federal Election Commission has published a book, *Federal Elections, Primaries '92*. It gives totals for all the candidates in each presidential primary of 1992, and can be obtained from the FEC, 999 E St. NW, Washington DC 20463, (800) 424-9530. Unfortunately, although the book tries to include the presidential primaries of all parties which held them, it omits the Nebraska and New Hampshire Libertarian presidential primaries.

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. 1324 Drake St, Madison Wi 53715, tel. (608) 256-1968.
- 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). Box 355, Old Chelsea Sta., New York NY 10011. Membership applications can also be sent to Bx 470296, San Francisco Ca 94147.

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.

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. **RAINBOW LOBBY**, organized in 1985, initiated the Penny and Wellstone "Democracy in Debates" bills in Congress and maintains a lobbying office at 1660 L St., N.W., # 204, Washington, DC 20036, (202) 457-0700.

VOTER REGISTRATION GROUPS

- 1. **HUMAN SERVE** lobbies for laws that provide for registering people to vote whenever they apply for government services. 622 W. 113th St., #410, New York NY 10025, tel. (212) 854-4053.
- 2. **PROJECT VOTE!** shares the same goal, but brings lawsuits to accomplish this end. 1424 16th St., NW, Washington DC 20036, tel. (202) 328-1500.

PROPORTIONAL REP. GROUP

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.

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