

BALLOT ACCESS NEWS

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HR 1582

Although no hearing date has been set for any hearings on HR 1582 (the bill to require the states to provide for fairly easy ballot access for third party and independent candidates in federal elections), Congressman Al Swift's letters about HR 1582 now say, "I am willing to take a look at the issue when the opportunity arises. Recently, the Elections Subcommittee has been busy on a number of other matters, including campaign finance reform, uniform poll closing legislation, and voter registration. Hopefully, when we have some of this work behind us, we will be able to focus on other bills that have been referred to us, like H. R. 1582."

Congressman Byron Dorgan of North Dakota says in a letter of February 10 that he has discussed HR 1582 with Congressman Swift and "hearings have not been ruled out."

NORTH CAROLINA VICTORY

On April 8, the North Carolina Board of Elections voted to allow new political party petitions to be submitted as late as July 12, even though state law requires that they be submitted on May 17. The Board hopes to avoid a lawsuit, and knew that the New Alliance Party would bring such a lawsuit if the Board refused to act.

PAID PETITIONING

The U. S. Supreme Court hearing in *Grant v Meyer* will be April 26. *Grant v Meyer* concerns whether a state may ban the practice of paying people to circulate initiative petitions. The Republican Party of California, the ACLU of Colorado, and the Washington Legal Foundation, all filed amicus briefs against the Colorado law.

TEXAS

The Attorney General of Texas is appealing the decision in *Pilcher v Rains* to the U. S. Court of Appeals, 5th circuit. This case involves whether Texas may require petitioners to add the voter registration affidavit number of all signers of the petition, before it is submitted.

MICHIGAN

As of April 19, the Michigan legislature still has not passed H 4090, the bill to establish procedures for independent candidates, to increase the number of signatures needed for new parties, and to give parties a later deadline to submit their petitions and to nominate.

TOP COURT TAKES POLITICAL PARTY CASE

On April 18, 1988, the U. S. Supreme Court announced it will hear the California Attorney General's appeal in *San Francisco County Central Committee v Eu*, case no. 87-1269. The case will probably be argued in October or November 1988. Earlier the Supreme Court refused to issue a stay of the lower court decision. The lower court decision ruled that it is unconstitutional for a state to tell a political party that it may not endorse candidates in its own primaries, and ruled that it is unconstitutional for a state to dictate how a political party should be organized.

In a related case, U. S. District Court Judge Alfonso J. Zirpoli, a semi-retired Kennedy appointee, ruled on April 15 that it is unconstitutional for California to tell political parties that they may not endorse candidates in non-partisan elections, and that if a candidate wishes to mention the fact that he was endorsed in his statement of qualifications (printed in the voters handbook), the statement may not be censored out. *Geary v Renne*, #C87-4724-AJZ.

On April 13, the California Assembly Elections Committee passed AB 4187 at the request of the statewide Republican Party. It gives the state convention or state central committee of a political party to authority to adopt rules or bylaws relating to endorsements, and also gives the statewide party the authority to seek an injunction against any unit of the party which does not follow the state party rules. Currently, the statewide Republican Party does not wish to endorse candidates in most Republican primaries and doesn't want county units of the party to endorse in most primaries either.

FINAL VICTORY IN SWP CASE

On March 17, the U. S. Attorney General announced that the government will not appeal the Socialist Workers Party's victory in *SWP v Attorney General*, 642 F Supp 1347 (1986). In that decision, U. S. District Court Judge Thomas Griesa had ruled that it is unconstitutional for agencies of the government to play dirty tricks on a political party, and to plant informers inside a political party, in the absence of firm evidence that the party in question is itself breaking the law. Griesa also awarded \$264,000 in damages to the SWP, including \$42,500 in damages caused by "dirty tricks", \$96,500 in damages for burglaries of party offices, and \$25,000 for damage caused by government informants. The SWP victory sets a precedent that will benefit all political parties in the future.

ARIZONA

On April 12, the Arizona Supreme Court cancelled the gubernatorial recall election.