

LIBERTARIAN PARTY BALLOT ACCESS ACTION REPORT

Libertarian National Committee meeting

Phoenix, Arizona

March 28-29, 2015

Dear Colleagues:

If we lived in a nation with just election laws, we wouldn't have to pursue ballot access. Unfortunately, that is not the case. The following memo addresses petitioning opportunities for the LNC in 2015 and 2016.

I want to thank Richard Winger and Bob Johnston, LP of Maryland Chair and an Independent Contractor to the LNC, for their assistance in updating this report.

We currently have ballot access for our 2016 Presidential ticket in the following 30 states: AK, AZ, CA, CO, DE, FL, GA, HI, ID, IN, KS, LA, MD, MI, MS, MO, MT, NE, NV, NM, NC, ND, OR, SC, TX, UT, VT, WV, WI & WY.

There is one ongoing petition drive: AR. This drive will likely have started by the time of this LNC meeting. 10,000 valid sigs gathered within a 90 days window are necessary. The EC approved an LNC expenditure of \$26,000 for this drive, with the rest of the money and volunteer sigs coming from the LPAR.

I will now address the other 19 states and DC:

AL: The LP can start a party petition anytime (35,413 valid sigs), but I presume that we will do an Independent petition for 5,000 valid sigs in 2016 after the Presidential nomination. I budget \$15,000.

CT: 7,500 valid sigs in 2016 for President. The LPCT is working with the ACLU to possibly litigate the out-of-state petitioner ban in CT. This drive will likely need some subsidization from the LNC. I budget \$25,000.

DC: I estimate a 4,600 valid sig petition drive for President in 2016. I budget \$15,000 from the LNC.

IL: 25,000 valid sig petition drive for President & US Senate in 2016. I will budget \$66,500, which was the budgeted amount for 2014.

IA: 1,500 valid sig petition drive for President. This required subsidization in 2012 from the LNC. Hopefully not in 2016.

KY: 5,000 valid sig petition drive for President can start the day after Election Day 2015. I budget \$7,500 in 2015 and \$7,500 in 2016.

ME: The LPME is working with Scott Kohlhaas in a voter registration drive. The LPME needs 5,000 registered voters to become an officially recognized political party in Maine, which would give the LPME ballot access. This registration drive is about to start. It will have to conclude by December 2015. Scott Kohlhaas anticipates this registration drive will succeed. I am not planning on any LNC subsidization at this time.

MA: We will need to do a 10,000 valid sig petition drive for President after Memorial Day 2016, unless we receive permission from the Secretary of State to list only our Presidential electors. If we got that permission, the petition drive could start in February 2016. Deadline: August 1, 2016.

Please note that if we had party status in MA, we would not have to petition at all to get our Presidential ticket on the ballot there.

MN: A 2,000 valid sig petition drive for President after the Memorial Day 2016 weekend convention. I will plan on this being done by the LPMN.

NH: 1,500 valid sigs in each of two congressional districts (3,000 valid sigs total). I have not seen anything out of the LPNH recently that would indicate that it could handle this petition drive on its own. I budget \$15,000 in 2016.

NJ: 800 valid sigs after Memorial Day 2016. Although the LNC needed to subsidize in 2012, I would hope they could do this on their own in 2016.

NY: We will need 15,000 valid sigs for our Presidential ticket in 2016. I budget \$30,000 from the LNC.

OH: The LPOH is still in court regarding Ohio's ballot access laws. We should see how this litigation plays out before considering what to do with Ohio for 2016.

OK: A party petition would be 41,242 valid sigs. A presidential petition would be 40,047 valid sigs. The cost to do an LPOK petition drive would likely be about \$125,000. NOTE: This dollar amount is not included in the 2015 & 2016 summaries below.

PA: We are looking at probably about a 25,000 valid sig petition drive in PA starting in February 2016. We are probably looking at an expenditure of \$70,000.

RI: A 1,000 valid sig petition drive. I don't think the LPRI can do this themselves. We are probably looking at an LNC expenditure of \$2,500.

SD: The LP lost its party status in SD in November, because the LPSD did not run someone for Governor this year. However, the LPSD has a new Chairman, Emmett Reistroffer, who seems to have a great desire to move the LPSD forward. A party petition for 6,936 valid sigs would get us two elections (2016 & 2018), with a possibility

of retaining ballot status if we get 2.5% for Governor in 2018. I budget \$20,000 of LNC funds in 2015.

TN: 275 valid sig petition drive for President in 2016. The LPTN should handle this itself. The LPTN needs to work to get this done well ahead of the deadline in 2016, not let it go to a last day fire drill, as in 2012.

VA: 5,000 valid sig petition drive for President in 2016. The LPVA should handle this itself.

WA: 1,000 valid sig petition drive for President in 2016. The LPWA should handle this itself.

2015 Summary:

AR \$26,000

KY \$7,500

SD \$20,000

Total: \$53,500 (although \$57,500 is budgeted for 2015).

2016 Summary:

AL \$15,000

CT \$25,000

DC \$15,000

IL \$66,500

KY \$7,500

MA \$25,000

NH \$15,000

NY \$30,000

PA \$70,000

RI \$2,500

Total: \$271,500

BALLOT ACCESS LOBBYING

The following is nearly entirely excerpted from ballot-access.org:

AL

On March 18, the Alabama Senate Constitution, Ethics & Elections Committee passed SB 221, the bill that eases ballot access for newly-qualifying parties and independent candidates. The vote was 4-2. The only Democrat who was present, Linda Coleman, voted for the bill. Five Republican Senators were present, and three of them voted for the

bill. The two Republicans who voted against the bill were Chairman Bill Hightower and Phil Williams. The bill now goes to the Senate Rules Committee.

The bill, SB 221, lowers the number of signatures for independent candidates, and newly-qualifying parties, from 3% of the last gubernatorial vote, to 1.5%. That change affects petitions for Congress and state office. Petitions for partisan county office would continue to be 3%.

The bill also eases the petition deadline for newly-qualifying parties, for Congress and state office, from primary day, to the third Wednesday after the runoff primary. The deadline for petitions for county office, and for independent candidates, would not change.

Ballot access bills have passed this committee in the past. In 2013, SB 265 passed its first committee on April 4, but it didn't advance any further. In 2011, SB 17 passed this committee on March 8, but then it was blocked in the Senate Rules Committee.

CT

HB 5303, sponsored by Rep. Devin R. Carney (R-Old Saybrook), states that if a party gets 1% for any statewide race in the recent past then it is on for all statewide offices. We got over 1% for US Senate in 2012 and there was no US Senate race in 2014, so if this bill passed, we would be on for President, as well as US Senate, in 2016 (we are already on for US Senate).

DC

Some Libertarians are trying to find a city councilmember who will introduce a bill expanding the vote test for party status so that it includes Shadow US Senator and Shadow US House. We met the vote test for both offices in November 2014, so if this proposed bill passed, we would be back on.

NC

A good bill ballot access bill to reduce the number of required signatures is expected to be introduced in the state legislature soon.

OK

On March 10, the Oklahoma House passed HB 2181 by a vote of 90-0. The eleven members who didn't vote were all excused that day, which means that no legislator who

was in the chamber abstained. The bill now goes to the State Senate. It lowers the petition for a newly-qualifying party to 1% of the last gubernatorial vote.

PA

On February 18, Pennsylvania State Senator Mike Folmer re-introduced his [ballot access bill, SB 495](#). It cuts the number of signatures for independent candidates from 2% of the winning candidate's vote in the last election to the smaller numbers that are required for major party candidates to get on a primary ballot. Current law requires 2,000 signatures for statewide primary candidates.

The bill says a party is qualified to nominate by convention if it has registration membership of one-twentieth of 1%, but less than 15%. Current law requires all parties to have registration of 15% in order to avoid having to submit hefty petitions for their nominees. If the bill were to be enacted, the Libertarian and Green Parties would be on the November ballot automatically.

The bill is sponsored by five Republicans and five Democrats. The five Republicans are Senators Folmer, Mario Scavello, Lisa Baker, Kim Ward, and Patricia Vance. The five Democrats are Senators Rob Teplitz, John Yudichak, Anthony Williams, John Blake, and Lisa Boscola. The bill has been introduced in previous sessions and never made any headway. However, this year, Senator Folmer is chair of the committee that has jurisdiction over the bill. Also there are two federal ballot access cases pending, both of which are likely to win.

All other good bills have died in the legislatures.

SD—Bad bill signed into law, however we plan on completing a party petition in SD in 2015.

On March 20, South Dakota Governor Dennis Daugaard signed SB 69, which injures ballot access for newly-qualifying parties and independent candidates. The bill had passed the legislature on a party-line vote, with Republicans supporting the bill and Democrats opposing it.

The bill says members of qualified parties can no longer sign an independent candidate's petition. No other state currently has such a requirement. Arizona passed this restriction in 1993, but it was declared unconstitutional in 1999.

The bill also moves the deadline for a newly-qualifying party from the last Tuesday in March to the first Tuesday in March. For 2016, the deadline moves from March 29 to March 1. South Dakota generally has harsh winters, and the bill requires a new party that

is formed at the beginning of an election year to gather over 7,000 valid signatures in winter weather.

The deadline for a new party was put into April in 1984, and in 2007 moved to late March.

I still think there needs to be greater involvement by a National Office employee, presumably the Political Director, in helping our state parties with ballot access lobbying. I stated this in my report for the December 2014 LNC meeting.

Thanks, Bill Redpath
LNC At-Large Representative