

On Thu, Apr 28, 2022 at 6:16 PM 'George Phillies' via judicial <judicial@lp.org> wrote:

Two issues: Massachusetts 'ballot access' and 'issue before you'.

Dr. Moulton asked about Massachusetts Ballot Access.

Simple answer: With one exception, no Libertarian state committee has any say in ballot access.

Massachusetts minor parties and major parties. The legal terms of art are "political designation" and "political party".

With one exception, the only way to get on the ballot is to collect signatures on nominating papers. If you are a candidate of a minor party, or made up your own party name and put it on your nominating paper, any registered voter who is otherwise (e.g., right district) eligible can sign your nominating papers.

In Massachusetts, you join (term of art is 'enroll in') a political Party by checking a box on the voter registration form. Voters who do not do that are 'unenrolled' voters (usual term is 'independent').

If you are a candidate of a major party, only voters who joined your party and unenrolled voters can sign your nominating papers. Registration breakdown: the electorate is 3/8 Democratic, under 10% Republican, and almost all the rest is independent. Independents are most not interested in politics and often decline to sign nominating papers.

Practical effect: If "Libertarian" is a minor party, about 80% of the signatures on nominating papers will be valid. If Libertarian is a major party, the validity rate will be about 30%. Those are the experimental numbers as repeatedly determined.

There are two paths to becoming a major party. First, you can persuade 1% of the Registered voters to enroll in your party. Second, your candidate for statewide office (six statewide officers, US Senator) can get 3% of the vote in a November election. The second path is good for two years.

If you become a major party via the 3% route, the body responsible for getting the 3% becomes the Libertarian Party of Massachusetts State Committee. In 2008, that was The Committee to Elect Bob Underwood (US Senate candidate). The LPMA State Committee is legally separate from LAMA. We now advance to the next Presidential Primary, at which the new LPMA State Committee is elected, two persons from each State Senate District, by the voters (Libertarian registrants and unenrolled) who choose to vote in the Libertarian primary. That body informs the Secretary of the Commonwealth as to the list of Presidential electors and the names of the Presidential and Vice Presidential candidates. LAMA has no function here. Your affiliate has no say in MA ballot access.

As a result, MAJOR PARTY STATUS POISONS BALLOT ACCESS for almost every candidate.

LAMA has repeatedly put our Presidential candidate on the ballot via the 3% route in the off-year election. That route, besides wrecking ballot access for the next two years for almost all candidates, has multiple failure points:

- 1) Fail to get 10,000 valid nominating papers for the statewide candidates
- 2) Candidates fail to get 3% of the vote
- 3) Fail at the Presidential Primary to retain control of the LPMA State Committee, which is not the LAMA State Committee, and it is illegal to belong to both.

Remember, the sole issue before you is whether or not Bilyeu's ruling violated the Bylaws. Most discussion this evening should have been ruled out of order as not being germane.