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July 23, 1997

News & Review

GUEST COMMENTARY

BY JANINE HANSEN

Try Freedom Instead



Janine Hansen leads northern Nevada's Eagle Forum.

"Congress shall make no law ... abridging the freedom of speech ..."

These sacred words, emblazoned in the First Amendment to the Constitution, are under insidious attack. Under the guise of

"campaign finance reform," our precious right of free speech has been seriously eroded. If our Nevada legislators had been asked to vote for an "incumbent protection bill" or perhaps more accurately a "free-speech restriction bill," how different the nearly unanimous vote on SB 215 might have been.

"Government is inherently untrustworthy when it comes to regulating political speech, and this tendency to use government power to silence political criticism and stifle competition is a major reason why we have the First Amendment," wrote Professor Bradley A. Smith in the Wall Street Journal. The stark reality of Tiananmen Square is a glaring example of government-regulated speech:

So-called campaign finance reform laws allow the wealthy to spend as much as they want to influence public opinion, but if you're of limited means, your participation will be *restricted*, monitored and reported to the government censors.

Individual citizens do not have unlimited resources, so we join together in cooperative and collaborative efforts called campaigns, political parties and political action committees to exercise the right of political free speech. Let's not for-

get that the exercise of free speech in the age of the television takes money.

Interestingly, the powerful, often self-serving media is the No. 1 advocate of limiting the citizens' right to political free speech. They want to clean up the dirty world of politics.

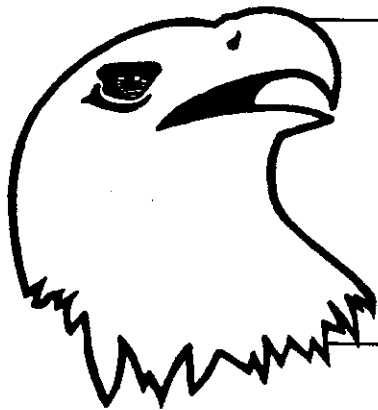
Free speech, no matter how besmirched it might be, comes even before the freedom of the press in the First Amendment. Would the press sit back and allow the same kind of intrusive restrictions on their politicking? Who would dare to require an editorial board to submit a report to the secretary of state estimating the dollar value of an endorsement by the newspaper? What red-blooded reporter would acquiesce to supplying a monetary figure for the per-inch value of stories on each political candidate to the government censors. *None!*

Why does the media want unchallenged supremacy, beyond the rights of citizens to determine who shall govern us? Can this be a power grab by the press to control the election process rather than the *feigned* altruism of cleaning up campaigns?

Campaign finance reform has not worked. It has not made corrupt politicians more honest.

So, let's encourage the maximum participation of citizens by eliminating the government's role in restricting free speech. Let's cut the media's growing political thought monopoly by stimulating competition and debate in the arena of political ideas.

Indeed, politically correct campaign finance reform laws, stripped naked, are nothing more than an insidious threat to our sacred right of freedom of speech. Let's try freedom instead. □



INDEPENDENT AMERICAN PARTY OF NEVADA

April 7, 1997

To: Senator Ann O'Connell and Senate Government Affairs Committee:

From: Janine Hansen

Re: SB 215, Constitutional Challenge on campaign finance reporting for minor parties

U.S. Supreme Court in Buckley v Valeo held, "Minor political parties must be allowed sufficient flexibility in the proof of injury resulting from reporting and disclosure requirements. . . to assure them a fair consideration of their claim for exemption from the requirements; evidence offered need only show a reasonable probability that the compelled disclosure of a party's contributor's names will subject them to threats, harassment or reprisals; proof may include specific evidence of past or present harassment; new parties may offer evidence of reprisals and threats directed against individuals or organizations holding similar views..."

The Independent American Party of Nevada and its members have been subjected to "threats, harassment or reprisals" many times. If SB 215 becomes law in its current form and does not exempt political parties from reporting requirements, the Independent American Party will under Buckley v Valeo challenge reporting requirements for our party and invite the Libertarian party to join with us in challenging the unconstitutional requirements for party reporting in SB 215.

Many Republicans and Democrats have been unhappy about the Nevada statute based on Supreme Court protection of minor parties that allows minor party candidates to file for office at a later date than major parties. If through court challenge the minor parties receive a Constitutional exemption from the political party reporting requirements in SB 215 by the courts, minor parties in Nevada may be exempt from reporting while major parties would not. Many Republicans and Democrats would feel that it was unequal and unfair to impose reporting on major parties while minor parties obtain a constitutional exemption through the courts. With this in mind, I recommend that the reporting requirements for all parties and party committees be removed from SB 215. This will avoid a Constitutional challenge by minor parties and keep the reporting law consistent for all political parties.

A few examples of threats, harassment, etc.

- 1) During the 1994 election the Independent American Party put out a newspaper exposing the homosexual agenda. As a result the

homosexuals picketed Joel Hansen's law office and initiated other reprisals. Joel was asked by his firm to either stop his political activity, he was running for attorney general, or leave the firm. Joel Hansen chose to leave the firm.

- 2) Several years ago in the midst of heated pro-life battles, I came to my office which had recently been picketed by pro-abortionists and found pasted all over my office window front satanic pornography. This occurred several times in the ensuing months along with continuing phone harassment.
- 3) The Progressive Leadership Alliance (PLAN), whose chairman Bob Fulkerson and lobbyist, Jan Gilbert, testified in favor of campaign finance "reform" recently in your committee. The Progressive Leadership Alliance two years ago put out a dossier on "The Far Right in Nevada." This report included of some 15 organizations one of which was the Independent American Party. It contained information on our positions on the issues, addresses, a list of members/candidates of our party. Following one of the hearings on campaign finance one of their representatives suggested to me that I should favor campaign finance so I could use it against those we opposed. I assume that is what PLAN plans on doing. I also would anticipate after seeing their dossier on the Independent American Party that we would be on their "hit" list to use the information filed with the Secretary of State like our list of contributors against us.
- 4) While working at a political booth at the Nevada State Fair I was nearly physically assaulted by a homosexual who reached over the counter and tried to punch me in the face. A security guard was called and the homosexual was escorted out of the fair. I had to have an escort to and from my car for the rest of the State Fair.
- 5) I have to have essentially an unlisted phone number in order to protect my family from the harassing calls including even death threats. My brother, Dan Hansen, is in a similar situation due to the continuing harassment and death threats.

Many of our candidates and members have had similar experiences. I will be collecting them in detail, preparing to challenge SB 215's requirements for political parties to report.

The Independent American Party will challenge in court the requirements of SB 215 if political parties and their committees are not exempted from reporting.

SOCIALIST WORKERS PARTY KEEPS ITS DISCLOSURE EXEMPTION

On April 3, the Federal Election Commission voted 4-2 to exempt the Socialist Workers Party from having to disclose its campaign contributors and expenditures. The party has held this exemption since 1982, when it won a case in the U.S. Supreme Court. The Court said that when a party's members are subject to severe harassment, it need not disclose the names of people who contribute to its candidates. Also, it need not disclose the names of its employees.

The FEC staff had recommended that the SWP keep its exemption at least through 2008, on the grounds that its members are still subject to harassment. FEC Commissioners Ellen Weintraub, Bradley Smith, Scott Thomas, and Michael Toner agreed. Republican Commissioner David Mason and Democratic Commissioner Danny McDonald voted "no".

SENATOR JEFFORDS LIKELY TO RUN FOR RE-ELECTION AS AN INDEPENDENT

U.S. Senator Jim Jeffords of Vermont was re-elected as a Republican in 2000, but in 2001 he became an independent. He has been sending out fund-raising letters that say, "I am confident that with your help, I can continue to serve the people of Vermont and all Americans as an Independent voice in the U.S. Senate". Also, "The divide between my core beliefs and that of Republicans in Washington -- a divide that ultimately grew too wide for me to bridge -- has only grown larger since I left the GOP". Jeffords will have no trouble getting on the ballot in 2006 as an independent; only 1,000 signatures are needed.

SOCIALIST PARTY PRESIDENTIAL MEET

The Socialist Party will hold its presidential nominating convention in Chicago October 11-13. It is always possible that the party will vote not to run a presidential candidate. Eric Chester of Massachusetts and Mary Cal Hollis of Colorado are seeking the nomination. The party's 2000 presidential candidate was on the ballot in seven states.

AMERICA FIRST PARTY CONVENTION

The America First Party holds a national convention July 25-26 in Nashville. However, no presidential candidate will be chosen. The Wisconsin unit of the party recently said that it will not try to qualify for the ballot, and that its members will run in major party primaries.

AMERICAN PARTY

The American Party will hold its presidential nominating convention on July 11-12, 2003, in Newark, Delaware. The party has run a presidential candidate in all elections starting in 1968. However, in 2000, it suffered the embarrassment that its presidential candidate received zero valid votes. The party did not obtain a place on the ballot for its candidate, and he didn't file as a declared write-in candidate in any state.

MINOR PARTY APRIL VICTORIES

Green Party: elected four of its members to non-partisan office in Wisconsin on April 1. Three were to the Madison city council; one was to the Racine common council.

Libertarian Party: elected seven of its members to non-partisan office in Wisconsin on April 1, and also re-elected a city councilman in Troy, Michigan on April 7. The Wisconsin offices were Cornell City Municipal Judge, Cornell City Council, Town of Burns Chairman, Neenah City Council, Cross Plains Town Board Supervisor, Dexter Town Board, and Kewaskum Village Board.

QUEBEC ELECTION MAY BOOST P.R.

On April 14, Quebec voters chose a new Provincial Parliament. The ruling Parti Quebecois polled only 33.2% of the popular vote and lost its majority. The Liberal Party won a majority of the seats, with 45.9% of the popular vote. The Action Democratique Parti won 18.3%, and others polled 2.6%.

The Quebec Liberal Party voted in September 2002 to implement Proportional Representation, should it win control of the Province.

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