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Don't Stop Treating Third Parties Fairly

*by Kevin Featherly
and Tim Penny*

This, as it turns out, is old news -- but it's good news.

On April 1, Minnesota Senate File 1249 was "stricken and returned to author" by general orders of the Minnesota State Senate. In plain language, the bill is killed. The demise of this bill is a very good thing. Authored by Sen. Linda Higgins, the bill was a classic attempt by a major-party politician to further consolidate power in the hands of the two-party duopoly.

The essential purpose of the bill was to make it more difficult for minor parties (often called third parties), like the Greens and the Independence Party, to achieve major-party status, thereby depriving them of public financing. It also would have forced candidates to wait until after the November elections to collect public financing dollars owed them, rather than collecting the cash after the September primary -- in time to use the money to conduct campaigns.

The bill would have negated reforms enacted after Gov. Jesse Ventura's 1998 election victory. Ventura was unable to collect public financing during that campaign. Instead, he had to take out a loan in anticipation of the modest amount of money that public financing provided after election day. As we all recall, it was only by securing that cash that Ventura was able to air the "Jesse Ventura Action Figure" ads that many believe allowed him to win. Once in the governor's office, Ventura insisted on changing the law so that eligible candidates could access public financing before -- not after -- the election.

Given the inherent advantages enjoyed by the Democrats and Republicans, it hardly seems necessary that they should attempt to stack the deck in this way. Higgins explained to the Star Tribune that her motives were all about shepherding public dollars. "We want to make sure that we're not financing candidates who aren't really viable," she said.

Of course, making sure third-party candidates can't access the funding that allows them to compete is a very efficient way of achieving that goal.

Higgins' justification might have carried more weight had her bill stopped there, but it didn't. The bill also contained provisions that would have forced parties to get 5 percent of the vote in statewide elections every two years, instead of every four years, as is now the law. The Independence Party garnered 370,000 votes in the 2002 gubernatorial race -- more than three times the number needed to meet the 5 percent threshold. The strength of that showing certainly qualifies the party for ballot status and public financing in the 2006 election cycle, when the governorship and the U.S. Senate are again on the ballot.

Under the provisions of Higgin's bill, the Independence and Green parties -- currently the state's two legal alternative "major parties" -- would be forced to run candidates for the presidential contest this fall, because it is the only statewide election this year. It is an unfair requirement that these two parties should be forced to field a candidate for president -- simply to retain their status as a major party under Minnesota law.

Throughout our nation's history, third parties and third party movements have been largely responsible for such political innovations as Social Security, the eight-hour workday, child labor laws, women's suffrage and many other reforms. Minnesota is part of a proud tradition of third party politics. Our state cast its popular and electoral votes for Teddy Roosevelt when he ran as a "Bull Moose" Progressive in 1912. Before electing Ventura, our state once elected an even more successful third-party governor, Farmer-Laborite Floyd B. Olson in the 1930s.

Signaling discontent with the two major parties, Ross Perot carried 19 percent of the vote nationally and fully 24 percent of the vote in Minnesota in 1992. Certainly, no one would deny that his balanced budget message framed that election, and the Clinton presidency.

In short, third parties, whether successful in terms of electing candidates or not, have often been highly effective in shaping the issues upon which campaigns are run and upon which elected officials are later obligated to make policy. Accordingly, Minnesota should celebrate the fact that its election laws are generally fair to third party candidates. Let's keep it that way.

Kevin Featherly is a Bloomington reporter and columnist who writes about politics and technology. Tim Penny is a senior fellow at the Humphrey Institute and 2002 Independence Party candidate for governor.

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