



Written Testimony in Opposition to Senate File 1827

27 February 2023

SF1827 is a bill in search of a problem. I would like to start with a quick pop quiz, nothing too strenuous.

- How many raw votes should a statewide candidate receive from Minnesotans to show sufficient support to make that party a “major party”? Think of number, not a percentage, 50,000 votes? 100,000 votes? Some other number?
- How many alternative parties can you name that have run statewide candidates since 2002? I’ll give a hint, Independence and Independence-Alliance are the same party and only count once and Reform was pre-2000.
- In that time period (since 2002), how many candidates have exceeded 5% (i.e. – how many have become a “major party” under the current statute)?

The first question is, clearly, one of personal belief but, it would seem to me that either 50,000 or 100,000 is a threshold that shows significant support for a party’s candidate and could easily be a hurdle to surpass in order to receive “major party” status designation. The State of New York, for example, long held that exceeding 50,000 votes for President or Governor qualified a party for ballot access before recently moving it to 2%. That’s two percent. New York has more than 3x the population of Minnesota and had 50,000 votes as their threshold. The reality is that 5% of the vote, as currently outlined in Minnesota state law, results in the need for support from roughly 125,000 Minnesotans. That is more than enough support for a party to rise up to major party classification. SF1827 is simply a competition crushing attempt. An attempt to maintain two-choice hegemony in Minnesota.

American	Independence-Alliance (Independence)
American Delta	Justice
Better Life	Legal Marijuana Now
Christian Freedom	Libertarian
Constitution	Minnesota Open Progressives
Constitutional Government	Resource
Ecology Democracy	Quit Raising Taxes
For Independent Voters	Socialist and Liberation
Grassroots Legalize Cannabis (Grassroots)	Socialist Equity
Green	Socialist Workers

How many parties did you name? My guess is that the over/under for nearly all of you is 7.5. The above list shows the 20 (twenty) parties that have run a statewide candidate since 2002. These 20 parties ran a total of 101 statewide candidates; 24 by us, 15 by the Greens, 13 Libertarians, 11 Grassroots Legalize Cannabis, 8 each Constitution and Legal Marijuana Now, 7 Socialist Workers and 15 from the other 13

parties. If the threshold was too low many more than 7 or 8 of these 20 parties would be household names; or, at least known well enough that a legislator could have named them without prompting. Certainly, there have been 6 to 8 additional alternative major parties in Minnesota since 2002? Certainly, that is an issue and one that SF1827 will solve, correct? No, it does not.

So, how many alternative candidates have exceeded 5% and how many alternative parties have become a “major party” under the current 5% rules? Nine candidates (of 101) and three parties (of 20) have exceeded the 5% threshold (six of our candidates, 2 Legal Marijuana Now and 1 Grassroots Legalize Cannabis candidate have broken 5%). Since 2002, the largest number of major parties at any given time has been four (Republican, DFL, LMN and GLC in the 2020 and 2022 elections). It has most often been three (as it will again be in the 2024 elections) and there have been two cycles with no additional major parties (2016 and 2018). SF1827 seeks to solve a “problem” that does not exist.

Perhaps, you are harmonizing our qualifications with our neighboring states? After all, New York is a long way away. What do our neighbors do? Wisconsin sets the bar at 1% (of Governor or President) as does South Dakota. Funny thing with South Dakota though – they reduced the threshold from 2.5% to 1% in 2018. Iowa’s threshold is 2% (of Governor or President). North Dakota has 5% of the Secretary of State vote but, you can also gather 7000 signatures which is roughly 1% of the state’s population. SF1827 takes our already highest hurdle in the region and doubles it. That’s fairness for you?

Speaking of petitioning, SF1827 doubles that as well. In over a century, no one had ever accomplished this method of reaching major status under the requirement. The immediately previous language to current law was the same 5% but did not have a time limit in place. Then the language changed to incorporate a rolling 1-year timeframe in which to gather those signatures. Making something that had never been accomplished and putting a tighter time period on it. SF1827 now takes that a step further and doubles that already insurmountable requirement.

The 5% hurdle has been in place in Minnesota in one form or another since 1913. Today, you can take pride in knowing that it is among the top 5 most onerous hurdles in the nation for achieving major party status. Passing SF1827 will double those hurdles and vault us to the top three. I realize 5% sounds “easy”, the reality is that it takes significant support to achieve and much more to maintain. In the 20 years and 11 election cycles since 2002, three alternative parties (of 20) have broken 5%. We have not had more than four major parties total at a given time and are now back down to three. There is no problem with the major party election laws in Minnesota other than they are already too high a burden. Minnesotans deserve better than SF1827. SF1827 is a “solution” in search of a problem.

I would be happy to discuss this further if you desire and can be reached at info@mnip.org or at 651-998-9156.

Sincerely,



Philip Fuehrer
State Chair