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FOR IMMEDIATE RELEASE

**Attorney General Candidate Files Action to Have Parts of NY Election Law Declared
Unconstitutional under 1st Amendment and for Injunction Ordering the NYS Board of
Elections to Place Candidate and Green Party on November Ballot without Requiring 15,000
Signatures on Nominating Petitions**

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New York, NY - Carl Person, independent candidate for New York Attorney General, filed a federal action today to get himself and the Green Party on the New York ballot in November by court injunction rather than by obtaining, by August 22, at least 15,000 valid signatures on nominating petitions.

"I cannot get 15,000 signatures on nominating petitions and have given up," states Person. He explains, "The prohibition in § 17-122 against paying petition circulators and the further prohibition against paying petition circulators on a per-signature basis make it impossible for me, as an independent candidate without any party backing, to meet the requirement of getting at least 15,000 valid signatures within the 43-day period allowed for this purpose." In 1988, the U.S. Supreme Court declared a similar payment prohibition unconstitutional.

See Person's complaint at www.carlperson4NYAG.com/EL_comp1FINAL.doc.

Also, Person is challenging the definition of "party" in § 1-104(3) of the NY Election Law. This section requires that, for a political party to be put on the ballot, it must have had a candidate for Governor for the 2002 elections, and that such candidate have received at least 50,000 votes. The Green Party's gubernatorial candidate in 2002 obtained fewer than 50,000 votes, and the Election Law does not allow a political group to obtain "party" status by getting 50,000 (or even 2,000,000) votes for any of its other statewide candidates. Person claims that the definition of "party" should include 50,000 or more votes for any statewide candidate. In 2002, the Green Party's candidate for Attorney General obtained more than 50,000 votes. "But for this definition, I would have been entitled to a primary contest next month without getting any signatures."

Person seeks an order declaring these statutory provisions an infringement of his and the Green Party's 1st Amendment rights. And, as a remedy for depriving them of such rights, Person seeks an injunction ordering the NYS Board of Elections to place him and the Green Party on the November ballot, without having to meet the statutory 15,000 signature requirement.