



New Jersey Libertarian

Volume XXXVI, Issue 3

July-October 2011

NJ Libertarian Party To Hold Post Election General Meeting

By Emerson Ellett

ATTENTION NJLP Members: an NJLP General Membership Meeting is planned for Sunday November 13th starting at 2:00 PM at Tumultys.

NJLP members are needed to help us decide the future direction of our party.

In addition to our General Meeting, Bill Still, will be speaking to us about his desire to run for U.S. President under the Libertarian banner. Other candidates will be asked to join us as well.

Tumultys is at 361 George Street in New Brunswick. Our meeting will occur downstairs. Free parking is available at the Church Street Parking Garage (enter via Patterson Street).

Members and guests are welcome to join us at our meeting.

2012 Libertarian National Convention Planned for Las Vegas

By Jay Edgar

The 2012 Libertarian National Convention, in which delegates of the Libertarian Party will choose the party's nominees for President of the United States and Vice President of the United States in the 2012 national election, is scheduled to be held May 4-6, 2012 in Las Vegas.

The New Jersey Libertarian Party will be eligible to send a number of delegates to the convention. The number of delegates is based on the number of national Libertarian Sustaining members in November. If you wish to be a delegate (or an alternate delegate) you must be a dues paid member of the NJ Libertarian Party on the first of the month prior to the convention and be approved prior to the convention.

This is the first presidential nominating convention ever scheduled to be held in Las Vegas.

If you are interested in joining our delegation please notify NJLP chair, Jay Edgar.

NJ Libertarian Party Endorses Bill Decriminalizing Possession of Marijuana

by Jay Edgar

At our summer General Meeting, the members present, voted to officially support Assembly Bill A-4252. This bill decriminalizes the possession of 15 grams or less of marijuana. This bi-partisan bill was sponsored by Reed Gusciora (D) and Michael Carroll (R). As of this date 15 co-sponsors have signed onto the bill.

This bill is not perfect. The limit of 15 grams (approximately 1/2 ounce) is too low and "offenders" will still face \$150 fine. It is a huge improvement to the current law. Offenders today face a criminal conviction with up to a \$1,000 fine and six months in jail.

The NJLP Board urges you to contact your State Assemblyperson and ask them to sign on as a co-sponsor. Also contact your State Senate and urge them to Sponsor a companion bill in the Senate. The easiest method of contacting your state representatives is to use the New Jersey State Assembly online contact form at <http://www.njleg.state.nj.us/SelectMun.asp>

A similar bill, HR 2306, has been introduced at the federal level by former Libertarian Presidential nominee, Congressman Ron Paul and Congressman Barney Frank.

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Future Meetings & Events

Sunday, November 13th 2:00 PM - NJLP General Meeting, Tumultys Pub in New Brunswick, NJ

Sunday, December 11 2:00 - Steering Committee Meeting via conference call. Join by calling (218)339-2222 and using a conference Code of 901478

Saturday, March 17 - NJLP State Convention, Hightstown NJ (tentative)

NJLP Returns to Warped Tour

by Jay Edgar .

The NJ Libertarian Party has returned to the Warped Tour Concert. We were last there in 2009. Warped Tour is a touring concert series featuring over sixty bands.

At both the Camden and the Oceanport venues we set up booth up alongside the Campaign For Liberty and the Ron Paul for President tables. We worked together to steer attendees to each others' booths.

Again we administered the Advocate's for Small Government's World's Smallest Political Quiz to those who visited our booth.



Of the 278 people who took the quiz:

- the average personal liberty score was 76.1
- the average economic liberty score was 72.9
- 164 were fully in the Libertarian quadrant!

- 42 were on the boundary of Libertarian and another quadrant (either liberal, centrist, or conservative)
- 22 were Liberal (or on the boundary between centrist and liberal or statist and liberal)
- 12 were conservative (or on the boundary between centrist and conservative or statist and conservative)
- 35 were fully in the Centrist quadrant
- 3 were statist (or on the boundary between statist and centrist)

In comparison to 2009, there was a shift towards liberty. The average personal liberty score increased by 2.7 and the average economic liberty score increased by 6.8. The percentage of those taking the quiz who ended up fully in the libertarian quadrant increased from 51% in 2009 to 59% in 2011.

Much thanks go out to Bill Sihr, Kevin Ferrizzi, Melissa Edgar, Eric Hafner, Mike Pannone, Rob Pepe, Dan Maiullo, and Joe Baratelli for their assistance.



NJLP members John Paff and Nena Carroll participate in an anti-war protest in Highland Park

Minutes of NJLP September Steering Committee Meeting

by Emerson Ellett, NJLP Secretary

The September 18, 2011 Steering Committee Meeting was held via teleconference. These minutes were approved at our October Board meeting.

Jay Edgar called the conference call meeting to order at 1:39 pm. Steering Committee members present: Jay, Joe Siano, Ken Kaplan, Emerson Ellett. Absent: Kevin Ferrizzi, Bill Howcott, Bill Sihr. Also attending was NJLP member Frank Doosey.

Secretary's Report

The minutes of the July 9 General Meeting were approved. Lacking a quorum there was no August meeting.

Treasurer's report

The balance of the General, State and Federal fund accounts total \$6500, \$2633 and \$455 respectively.

On-going business

Membership committee

Joe Denise has resigned, a new chair is needed. At the end of August membership stood at 160, vice 161 and 180 at the end of the corresponding period in 2010 and 2009 respectively. The LP has provided us with a list of voters registered as Libertarian in New Jersey, 1400 names in all, 1200 of which are not in our database.

Campaign reports

Darren Young, 21st Assembly District, is involved in so many activities that he is not running an active campaign.

David Schneck, 30th AD, has two web sites, and is leafleting. Julian Heicklen, 37th AD, is out of jail (for leafleting at a court house). His website is vote4julian. Vinko Grskovic, 38th AD, is obtaining a list of voters in his district and is reaching out to select registrants.

LGBT outreach

The event was held September 11 in Collingswood; about 60 people attended.

Newsletter status

The editor position is open. Jay is working on the current issue.

Website status

Jay will add candidate links to the NJLP site.

Loitering with intent laws in Camden

Two people have contacted Jay about being arrested for allegedly loitering for the purpose of soliciting prostitution or illegal drugs. Perhaps another video interview session is in order. Joe will contact a man who may be interested in pursuing the issue.

Outreach pamphlet/news tabloid

Jersey-oriented outreach material is needed

New business

2012 convention planning

Planning need to be nailed down now, by a program chair and a site chair. LP presidential candidates will be invited.

2012 elections

Federal candidates are needed, including a U.S. Senate candidate.

County committee activity

County organizations need to become more active. Jay will send the names of registered Libertarians to organized counties.

Outreach event

The Tenth Amendment Center (www.nullifynow.com), having reached its fundraising goal of \$5000 for its "Nullify Now" event, will set a date soon.

Meet-up.com account

A motion that the NJLP pay for the account. (which Joe Denise has previously generously paid for), for the quarter starting October 1 carried.

Marijuana Legalization Project

John Paff has been contacting people charged with marijuana possession. Ken, the point of contact for the project, reported that to date no one has responded.

Proposed future meetings

- October 16, Board Meeting, Tumultys Pub, New Brunswick, 1 pm
- November 13, General Meeting
- December 11, Steering Committee Meeting

The meeting adjourned at 2:46 pm.

Nullify Now Philadelphia Planned for January 14th

by Brenda Poland, Tenth Amendment Center

The New Jersey Libertarian Party is in the process of partnering with the Tenth Amendment Center for the Philadelphia Nullify Now event.

Thomas Jefferson: "Whensoever the general government assumes undelegated powers....a nullification of the act is the rightful remedy."

But what IS nullification? How does it happen and work? Since September 2010, the Tenth Amendment Center has been hosting a national tour to educate and activate people on this topic. People are learning the constitutional basis, when it's been used in history, and how it is happening around the country and how YOU can stop DC right in your own state.

Through historical writings, case studies, and speeches by the Founding Fathers, our speakers will give you a logical, moral, and constitutionally sound case for nullification, revealing:

- How we can roll back unconstitutional expansions of federal power through nullification
- Why the Founding Fathers believed that nullification was the "moderate middle ground"
- Why the Tenth Amendment to the Constitution gives the states the power to nullify unconstitutional laws

– Why states – not the Supreme Court – should arbitrate disputes between the states and the federal government over the constitutionality of the federal government's actions.

– How Nullification is being implemented around the country right now to protect your liberty – and what you can do to make it happen in your own state.

At Nullify Now! Philadelphia, you will learn:

1. **The Constitutional history of Nullification.** Jefferson and Madison's basis for states rejecting, nullifying and interposing against unconstitutional federal acts.

2. **How Nullification was used in early American history** - against attacks on freedom of speech and more.

3. **Nullification vs Slavery.** The mainstream wants you to believe that Nullification was used to support slavery. This is either ignorance or a lie. Hear the heroic story of nullification being used to reject federal slave laws in the 1850s.

4. **How Nullification is being used today.** right now, across the country, dozens of states are implementing nullification bills. They've already been very successful pushing back against the feds and you can use this lesson as a blueprint in your own state, on issues important to you.

5. **Protecting civil liberties.** Nullification as a tool for localism can and should be used to stand up against rights-violating acts like FDA raw milk raids, warrantless TSA searches, the Patriot Act and more. Find out how states are already taking action, and what you can do for state and local liberty today.

6. **Agenda 21, Nullification can stop it.** Counting on the federal government to stop this international plan is nothing short of absurd. But, for the first time anywhere, learn about a plan to stop the anti-freedom Agenda 21 right on your own doorstep. Get model legislation to use in your area, plus action steps to take right now.

7. **Ending the Fed from the Bottom up.** Congress seems to do whatever possible to avoid even auditing the federal reserve. But, what if there was a way, a constitutional method, to stop the Fed whether Congress wants us to or not? Guess what, there is! It's called nullification and states are already taking action to nullify the fiat currency that's been foisted upon us.

8. **What YOU can do right now** – you won't leave Nullify Now! with just a bunch of great information. You'll also be provided with a practical, actionable plan to do something today.

See <http://www.nullifynow.com/philadelphia/> for more information on this event.

Alloway Repeals Loitering Ordinance

by John Paff

At its July 21, 2011 meeting, the Alloway Township Committee (Salem County) introduced an ordinance that will repeal the Township's loitering code. The repeal was scheduled to be voted upon at the Township Committee's August 18, 2011 7 p.m. meeting. The repeal was made in response to the New Jersey Libertarian Party's June 29, 2011 letter of request to Mayor Joseph F. Fedora. As of the publication date of this newsletter, the minutes for the August 18th meeting were not published on the Alloway Township website.

If Alloway has voted to repeal the ordinance, this brings the count of successes of the NJLP Preempted Ordinance Repeal Project to 34 towns that have repealed ordinances.

For more information on the work of this project see <http://njlp.org/loitering>.



Dave Schneck campaigning for the 30th district NJ Assembly seat in Belmar. Visit Dave's campaign website: <http://commonsensefornj.com>

Serving as an Appointed Public Official

by John Paff

A good way for Libertarians to embark on getting involved in local government is to serve as a member of an appointed board. In order to find out what boards have vacancies, submit the following OPRA request to your municipal clerk:

OPRA request

I would like the following government records in accordance with the Open Public Records Act (OPRA) and the common law right of access.

1. The municipality's up-to-date directory of local authorities, boards and commissions, as required by N.J.S.A. 40A:9-9.2
2. The municipality's "Citizen Leadership Form" as required by the same statute.

I submitted such a request to Penns Grove Borough in Salem County and the responsive documents are on-line at <http://ogtf.lpcnj.org/2011199yX//PennsGroveLeadershiip.pdf>

As of the date of the response, the following vacancies currently exist in Penns Grove: two positions as Planning Board Alternate; one position on the Redevelopment Agency; two vacancies on the Recreation Board and one position on the Shade Tree Commission.

In addition, the following URL on the state's web page contains a listing of boards, commissions and authorities: <http://www.nj.gov/governor/admin/search.html>

There are many, many boards that cover a wide variety of topics. For example, there's an "Advisory Council on Youth Camp Safety"--a legislative creation--that is tasked with "discussing the need for health and safety measures to address contemporary problems experienced by youth in camp environments" and advising and consulting the Commissioner of Health and Senior Services.

Also--somewhat ironically--there's a "Red Tape Review Commission" that "reviews existing administrative rules and regulations to analyze their impact on job creation, economic growth, and investment in New Jersey."

Many of these boards, including "Advisory Council on Youth Camp Safety," have vacancies and feature an on-line invitation for interested citizens to submit their resumes.

Do Two OPRA Requests Constitute "Harassment"

by John Paff, Open Government Advocacy Project

At the May 10, 2011 Runnemede (Camden County) Board of Education executive session, Board Attorney Philip E. Stern, Esq. said that he would contact me and another citizen "requesting that [we] cease and desist [filing OPRA requests] under possible charges of harassment." The minutes of the closed meeting, which I learned about just today, were available on the Board's site.

According to the minutes, I and two other citizens were filing Open Public Records Act (OPRA) requests "in an effort to find some information to support [a] suspicion . . . that some fraud or unethical events occurred." Board attorney Phillip Stern opined that "the volume and nature [of the OPRA requests] has been expanding and interferes with the ability to administer the district."

I confess that I am guilty as charged. I filed two OPRA requests with the Board--on April 7, 2011 and May 7, 2011--in an attempt to find out why the Board entered into a settlement agreement with its former business administrator and gave her a seven-month paid leave of absence at her annual salary of \$99,465. The Board's responses to my two OPRA requests resulted in my June 3, 2011 lawsuit against the Board. For unknown reasons, Stern never followed through on his promise to send me a "cease and desist" letter.

Later, an "Important Notice" was posted on the Runnemede Board of Education website. The notice stated that they "inadvertently published on its website" this unredacted version of its May 10, 2011 executive session minutes.

NJLP Rulemaking Petition Published In New Jersey Register

by John Paff, Open Government Advocacy Project

Prompted by recent Star Ledger articles regarding police officers' habitual failure to enforce drunk driving laws against State Trooper Sheila McKaig, the New Jersey Libertarian Party (NJLP) has formally petitioned the New Jersey Attorney General to take corrective action.

On May 16, 2011, the NJLP State Board unanimously voted to send a "petition for rulemaking" to Attorney General Paula Dow asking for "some rules that genuinely and substantially address the problem of police showing favoritism to fellow officers."

The NJLP submitted its petition in accordance with the New Jersey Administrative Procedures Act (APA) which gives any person the power to petition an agency to adopt a new rule, or amend or repeal any existing rule (See N.J.S.A. 52:14B-4(f)). The APA requires the Attorney General, within 60 days, to either grant the petition or "deny the petition and provide a written statement of [her] reasons to the petitioner" (quoted from N.J.A.C. § 13:1D-1.3). Whatever action the Attorney General takes must be published in the New Jersey Register.

As a result this request the following has been published in the New Jersey Register:

NEW JERSEY REGISTER, VOLUME 43, ISSUE 18
ISSUE DATE: SEPTEMBER 19, 2011
PUBLIC NOTICES

LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE
Notice of Receipt of Petition for Rulemaking

Restricting the Ability of or Providing Discipline for New Jersey Police Officers Who "Cut Breaks" to Fellow Police Officers or their Family Members

Petitioner: New Jersey Libertarian Party

Take notice that, on August 23, 2011, the Attorney General referred to the Director of the Division of Criminal Justice a petition for rulemaking from the Libertarian Party of New Jersey requesting that the Attorney General issue a rule restricting the ability of or providing discipline for New Jersey police officers who "cut breaks" to fellow police officers or their family members. Petitioner requested the rule under the Attorney General's authority pursuant to the Criminal Justice Act of 1970, N.J.S.A. 52:17B-97 to 117.

In accordance with the provisions of N.J.A.C. 1:30-4.2, the Division will subsequently mail to the petitioners and file with the Office of Administrative Law a notice of action on the petition.

Woodcliff Lake Ordered to Stop Using Personal Emails

by John Paff, Open Government Advocacy Project

In an August 4, 2011 decision, Bergen County Superior Assignment Court Judge Peter E. Doyne considered, among other issues, the question of Woodcliff Lake public officials using private e-mails to discuss public business. Judge Doyne ultimately concluded that using personal e-mail accounts for public business "appears highly questionable" and "order[ed] counsel for [the municipality] to circulate a memorandum among all pertinent Borough employees directing they use only their public e-mail accounts, rather than private accounts, when conducting town business."

This is the first such holding of which I'm aware and it may be useful in convincing other government officials to sent official e-mail communications solely through their governmental e-mail accounts. Judge Doyne's decision is on-line at <http://ogtf.lpcnj.org/2011216T8//DoyneWoodcliffLake.pdf>.

Many thanks to Kevin M. O'Brien, who filed and prosecuted this lawsuit without the aid of an attorney.

John Paff, chairman of the New Jersey Libertarian Party Open Government Advocacy Project, said the state Division of Archives and Records Management has issued a circular that requires public bodies to keep records of e-mail communications.

Many municipalities, however, do not abide by that rule, he said.

"There is no way public bodies can do that if their employees use their personal e-mails for public business," Paff said.

- North Jersey Record Article on Woodcliff Lake Ruling

Press Release from Bill Still for President

For IMMEDIATE RELEASE

For more info CONTACT: Bill Still

540.664.4224

Mail: thesecretofoz@gmail.com

Website: www.secretofOz.com

Journalist, author and award-winning documentary film director, Bill Still, announced today on radio station KTKK out of Salt Lake City, Utah that he will seek the nomination of the Libertarian Party for President of the United States. He says he is currently in discussions with potential running mates. "My platform centered like a laser beam on the monetary reform issue," said Still. "This is the root cause of all our economic problems today and until this is addressed, no amount of stimulus

or austerity will fix the U.S. economy. The Republicans and Democrats are barking up the wrong trees. As the great populist of the 1896 Presidential election campaign, William Jennings Bryan, put it in his famous "Cross of Gold" speech:

"We say in our platform that we believe that the right to coin money and issue money is a function of government. We believe it. We believe it is a part of sovereignty...."Those who are opposed to this proposition tell us that the issue of paper money is a function of the bank and that the government ought to go out of the banking business. I stand with Jefferson rather than with them, and tell them, as he did, that the issue of money is a function of the government and that the banks should go out of the governing business."When we have restored the money of the Constitution, all other necessary reforms will be possible, and that until that is done there is no reform that can be accomplished."

Still has already picked up support amongst the Libertarian delegations in Pennsylvania, Massachusetts, and Utah. "We may well be the front-runners going into the Libertarian Party National Nominating Convention on May 2-6, 2012 in Las Vegas."According to Still, who wrote and directed the 1996 classic, *The Money Masters*, the 2010 award winning documentary *The Secret of Oz*, and the 2011 book, *No More National Debt*, "Simply ending the Fed, won't fix this. As Prof. Milton Friedman told me, 'If you end the Fed and do nothing about fractional reserve lending, you've done nothing.'" "My proposal is very simple," said Still. "It is really nothing new – just rediscovered at this critical juncture in U.S. history. As Professor Irving Fisher of Yale University explained it in his 1936 book, *100% Money* "Nationalize money, but do not nationalize banking."

"Here are the two inviolable pillars upon which any true reform of our economic system must rest," said Still:

Pillar #1

- End government borrowing. A sovereign nation does not have to borrow, in fact, being debt-free is the very definition of sovereignty. Pay off the existing bonds -- which is our National Debt -- as they come due, but pay them off with debt free U.S. Notes (or their electronic equivalents) instead of Federal Reserve Notes, which are all borrowed into existence.

Pillar #2

- Banks should only be able to lend money they actually have. This is called "full-reserve" banking. Before the crash, commercial banks were lending out between 10 and 300times the amount of money they actually had. Therefore, they are in complete control of the American money supply, instead of we, the people being in control as is called for in Article 8:

"The Congress shall have Power To ... coin Money, [and] regulate the Value thereof...."



NJLP Activist and Assembly Candidate Arrested

by Jay Edgar

On August 22nd, NJ Libertarian Candidate for NJ Assembly (district 37) and longtime freedom activist Julian Heicklen was arrested in Florida for defying Judge Perry's Administrative Order banning pamphleting in or around the Orange or Osceola court houses.

On September 1, 2011, Judge Belvin Perry, in effect acting as both prosecutor and judge, sentenced Julian to 141 days in jail.

On September 12th he was released on a \$12,000 bond pending an appeal of his sentence.

This is a result of Julian's actions protesting Chief Judge Belvin Perry administrative order barring anyone from distributing literature near or around Orange and Osceola county courthouses. The order prohibits "dissemination of all leaflets and other materials to summoned jurors containing written or pictorial information tending to influence summoned jurors, as well as approaching a summoned juror for the purpose of displaying a sign to, or engaging in oral protest, education or counseling with information tending to influence summoned jurors on any matter, question, cause, or proceeding which may be pending, or which may by law be brought, before him or her as such juror" on or around the county courthouses in both Orange and Osceola counties.

For more information on Julian Heicklen's campaign for Assembly see <http://vote4julian.com>.

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From The Archives – October 1976 Tea Party at Trenton

by Editor Bob Ryley

Repeal the Income Tax Now! That was the cry as thousands rallied at the State House in Trenton to demand the repeal of the recently enacted N.J. State Income Tax.

Ralph Fucetola, NJLP member played a significant role in organizing the demonstration which took place Sept. 18th.

In presenting the NJLP view against the tax, Senate candidate Hal Cundari told the people that Libertarians all over the state were in total agreement with the movement for repeal.

Active members of the NJLP arrived on the scene early to set up 3 tables chuck full of LP literature. In addition, many flyers for the Cundari Senate campaign were distributed along with the 'Libertarianism' position paper.

One interesting feature about the rally was the number of politicians who have appeared on the scene now that the people are irate about the never-ending growth in taxes. It would seem that everybody wants to hop on the bandwagon.

The rally resulted in massive press and TV coverage which included segments of Ralph Fucetola's brilliant speech which rallied the crowd to continued action on the tax issue.

Indications out of Trenton are that with continued effort and pressure against those who supported the tax, a bill to repeal may pass one or both houses after this year's elections.

Another interesting development was the indictment of Dr. Edmund Matzal on Monday, Sept. 20th – two days after the rally.

Matzal is well known as a long time opponent of the N.J. income tax. He delivered a ringing message at the rally, urging everyone to get involved where there is still time. Matzal is being charged with violations of the federal income tax law.

Editor Note: in May 1977 Dr. Matzal was convicted of federal tax evasion.

NJL Advertising Rates

Full page	\$60
Half Page	\$30
Quarter page	\$20
Eighth page (business card)	\$10

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NEW JERSEY LIBERTARIAN PARTY

P.O. BOX 56
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I want to become a member of the Libertarian Party! I have checked the level at which I want to join and have enclosed the corresponding dues. I certify that I do not believe in or advocate the initiation of force to achieve social or political goals. (Signature required for membership only) X _____

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Enclosed in my additional contribution of \$_____ to help the NJLP in its efforts to expand individual liberty.

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I have a friend who might be interested in the NJLP. Please send a complimentary copy of the *New Jersey Libertarian* to:

Don't send the newsletter, I'll read it on line.

You can also join the NJLP on-line at <http://njlp.org/joinus>



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