



# New Jersey Libertarian

## October 2006

One of the greatest delusions in the world is the hope that the evils in this world are to be cured by legislation – *Thomas B. Reed (1886)*

### Across the Nation, Libertarian Candidates are Polling Six Percent Higher than Previous Election Cycles

Polling Data Suggests Voter Disconnect May Boost Election Day Performance for Libertarians

(Washington, D.C.) As a result of a higher-than-normal level of voter discontent, Libertarian candidates are benefiting from the dissatisfaction voters are feeling for both major parties. Two recent Zogby surveys show Libertarian Party gubernatorial candidates currently faring significantly better than they have in previous election returns for the same offices.

A Wall Street Journal/Zogby International survey of Georgia's gubernatorial race indicates that that Republican incumbent Sunny Perdue is currently polling at 47.4 percent, Democrat Mark Taylor at 36.4 percent while Libertarian Garrett Michael Hayes is polling at 8.1 percent. According to Richard Winger of Ballot Access News, the best showing in the past for a Georgia Libertarian gubernatorial candidate was in 1998, when the party polled 3.43 percent and the worst showing was 2002, at 2.36 percent.

A different Wall Street Journal/Zogby International survey

shows Libertarian Party gubernatorial candidate Dawn Winkler polling at 7.8 percent in Colorado, with the Republican Bob Beauprez at 34.1 percent and the Democrat Bill Ritter at 44.4 percent. In 2002, the Libertarian candidate received one percent of the vote.

In Arizona, Libertarian congressional candidate Warren Severin polled at 6 percent in a Public Opinion Strategies survey for the 5th Congressional District. The previous LP candidate in Arizona CD-5 earned one percent of the vote.

Similar polling results are beginning to surface around the country. Last month, SurveyUSA showed Libertarian Greg Creswell polling at 6 percent in Michigan's gubernatorial race. Democratic Incumbent Jennifer Granholm polled at 42 percent and Republican challenger Dick DeVos polled at 50 percent. A different SurveyUSA poll showed Libertarian U.S. Senate candidate Leonard Schwartz polling at 8 or 9 percent, depending on who was opposing him on the survey.

"America is no longer willing to waste its vote on the lesser of two evils. Both major parties have reneged on their promises to the voters and neither party reflects the values of most voters," said Shane Cory, executive director of the Libertarian Party. "As a result, we are anticipating that a record

amount of Americans will decide to vote on principle this year, as opposed to voting for the lesser of two evils."

There are over 600 Libertarian candidates running for public office throughout the country. The Libertarian Party has released its Candidate Tracker project online at <http://www.lp.org/candidates>. Candidate Tracker allows voters to view candidates by state or by their placement in the LP's candidate ranking system.

### Former Libertarian Party of Indiana Executive Director Sara Chambers Elected to Juneau Assembly

Sara Chambers has been elected to the Juneau Assembly! Read more about it in the Juneau Empire article titled "Chambers wins District 2 seat".

Sara was the first Executive Director of the Libertarian Party of Indiana (1998 - 99). Previous to her role as Executive Director, she was Chair of the Libertarian Party of Vandeburgh County. She also was the Libertarian candidate in 2000 for the Indiana 9th Congressional District race.

Congratulations Sara!!  
posted by Mark W. Rutherford

# Meetings and Announcements

The Libertarian Party of Mercer County held an outreach meeting Sunday, October 1, 2006 at the Main Library in Lawrenceville, NJ.

The MCLP previewed the movie, "The White Rose". This film, in German with English sub-titles, is about courageous German students who opposed Hitler and the Nazis in 1943 Munich, during WWII. Its story won an European Academy award. Over 15 members and guests attended the viewing.

(For more info, see <http://www.jlrweb.com/whiterose/>).

After the film, Dr. Leonard Flynn, Libertarian candidate for US Senate, offered some remarks regarding his campaign. Dr. Flynn had recently visited the "White Rose" memorial in Germany, and drew eerie parallels between events depicted in the movie, and today's current political climate.



David Trend (pointing), Vice Chair of the Libertarian Party of Mercer County, introduces their film program, "The White Rose", at their outreach meeting on October 1.

## LPCNJ



(l-r) Howard Schoen, Darian Worden, John Paff, Brenda Bell, and Frank Warren enjoy dinner and discussion at their monthly meeting September 24th.

The Libertarian Party of Central NJ usually meets on the 4th Sunday of the month at Marita's Cantina. Marita's is a great, inexpensive Mexican restaurant in the heart of New Brunswick, just opposite the train station. Parking is free on Sundays in the Ferren Mall Parking Deck. Our next meeting will be on Oct. 22. Why not come out and join us?

## NOTICE

On November 12, 2006, we are holding a general meeting at Tumulty's Pub in New Brunswick.

Jay Boucher proposed a bylaws change, which will be voted on at the meeting. The text of the change appears on the inside back cover of this newsletter.

Tumulty's Pub  
361 George Street  
New Brunswick 08901  
(732) 545-6205

# Recent House Votes - On The Record

## Private Property Rights Implementation Act of 2006

*This House bill is intended to give homeowners the right to challenge eminent domain decisions in federal courts.*

### **A note from the Chair:**

*The property rights bill is a direct result of the actions taken by The Institute for Justice, a Libertarian law firm who represented Susan Kelo in the now famous Kelo Decision.*

## Military Commissions Act

*By 65 yeas to 34 nays (Vote No. 259), Senate passed S. 3930, to authorize trial by military commission for violations of the law of war.*

Sen. Frank Lautenberg YES  
Sen. Robert Menendez YES

## U.S. House from New Jersey Private Property Rights Implementation Act of 2006

- Rep. Robert Andrews (D-1) N
- Rep. Michael Ferguson (R-7) N
- Rep. R. Frelinghuysen (R-11) N
- Rep. Scott Garrett (R-5) Y
- Rep. Rush Holt (D-12) N
- Rep. Frank LoBiondo (R-2) N
- Rep. Frank Pallone, Jr. (D-6) N
- Rep. Bill Pascrell, Jr. (D-8) N
- Rep. Donald Payne (D-10) N
- Rep. Steven Rothman (D-9) N
- Rep. Jim Saxton (R-3) N
- Rep. Christopher Smith (R-4) Y

*I am proud of the work that Libertarians have done on this issue, and often cite the Kelo decision to illustrate that Libertarians can and do make a difference.*

*For the record, earlier in the year the NJLP worked to prohibit the use of eminent domain in Belmar. We asked for, but did not receive, support from the Democrat or Republican parties.*

*At the time, I assumed their lack of support was because they did not want to add credibility to the NJLP.*

*I was mistaken.*

*The vote on the "Private Property Rights Implementation Act" clearly shows that neither party believes in your right to private property or the right to challenge your government.*

## U.S. House from New Jersey Military Commission Act

- Rep. Robert Andrews (D-1) Y
- Rep. Michael Ferguson (R-7) Y
- Rep. R. Frelinghuysen (R-11) Y
- Rep. Scott Garrett (R-5) Y
- Rep. Rush Holt (D-12) N
- Rep. Frank LoBiondo (R-2) Y
- Rep. Frank Pallone, Jr. (D-6) N
- Rep. Bill Pascrell, Jr. (D-8) N
- Rep. Donald Payne (D-10) N
- Rep. Steven Rothman (D-9) N
- Rep. Jim Saxton (R-3) Y
- Rep. Christopher Smith (R-4) Y

On Passage 09/29/2006  
House Roll Call No. 508

109th Congress, 2nd Session

*The House passed S. 3930, to authorize trial by military commission for violations of the law of war, by a yea-and-nay vote of 250 yeas to 170 nays, Roll No. 508--clearing the measure for the President.*

On Passage 09/30/2006  
House Roll Call No. 511  
109th Congress, 2nd Session

Passed: 231-181 Nation Wide  
Failed: 2-11 in New Jersey

I do not challenge the dedication and sincerity of those who disagree with the freedom philosophy and confidently promote government solutions for all our ills. I am just absolutely convinced that the best formula for giving us peace and preserving the American way of life is freedom, limited government, and minding our own business overseas.

- Ron Paul

# From Our Members

## Switch from mob rule to republicanism

*Originally Published in the Home News Tribune newspaper 09/22/06*

There is an old saying: "Don't ask for things that you truly don't want." If only Mr. Bush and Mr. Blair had known their mistake in calling for a democratic form of government in Iraq, they would have thought twice about it.

The American Founding Fathers had, and today's Iraqi people have an extensive knowledge of classic world history. They knew that the Greek word "democratic" meant "rule by the mob."

As we watch and read the daily reports from Iraq, we are reminded of this fact as we see that the mob is in charge of the streets of Baghdad, not the citizens.

If only the American and British administrations had insisted on a republican form of government, separating the church from the state and giving representation to the smallest citizen precincts, the outcome in Iraq would have been much different.

Mr. Bush and Mr. Blair, your mission has been accomplished. Under your orders, the mob is in control of Iraq! Even if you now call for a citizen-ruled republican form of government to replace the mob, the opportune moment has been lost.

Haven't both the United States and England learned from too many past experiences that democratic nation building doesn't work?

Mr. Bush and Mr. Blair, bring the troops home now!

John C. Latsko  
METUCHEN, NJ

*John Latsko is a libertarian activist who lives in Metuchen in Middlesex County. In 2005, John was a contributor for the Pawlowski-For-Governor Campaign (thanks, John).*

## Sixties generation went overboard

*Originally published in The Times – Trenton September 2006*

Members of the Sixties generation regard that period of time well. They say that they were successful. If one were to talk about civil rights and landing men on the moon, I agree. However, they

fail to recognize the errors. Here is where that generation failed:

The embrace of treason: There were many who were against the war in Vietnam. However, there were those who actively rooted for the U.S. to lose. They now root for history to repeat itself in the current war on terror.

The embrace of utilitarianism: They taught that personal satisfaction should be fulfilled, regardless. Respect for each other and the treatment of others as a means to an end was in. They also taught that there were no absolutes. That society created deviance.

The belief in big government: They believed that government could satisfy all. Government hurt individuals and made them into slaves. This can be seen when government is the instrument that provides social programs.

That generation is now in power in this society. I hope that the next generation of Americans can be wise enough to resist the mistakes of the past for the sake of the future.

**ALEX PUGLIESE**  
Kenilworth

*Alex is a long time Libertarian and frequent contributor to the newsletter.*

*Originally published in the  
Ocean County Observer  
10/5/06*

BY MATT PAIS  
STAFF WRITER

JACKSON - A veteran open-government advocate has turned his eye toward the township administration for not fully complying with federal statutes on transparency. The township has acknowledged errors and says it is working to fix them.

John Paff, a former Libertarian Party leader who has initiated numerous campaigns for broader public access to government throughout the state, is now questioning the Township Council's procedures surrounding closed-session meetings.

"They don't seem to pay a lot of attention to the public's right to know," said Paff.

The Somerset native contacted Mayor Mark Seda and members of the Township Council last week about what he views as their noncompliance with the 1975 federal Open Public Meetings Act, also known as the "Sunshine Law."

At issue, Paff said, is the governing body's resolution authorizing closed sessions, which are commonly held prior to each twice-monthly public meeting. In a letter sent to township officials, Paff cites the closed session resolution as being too vague to accurately portray to residents the need for a closed session.

The resolutions, which are worded exactly the same each time they are introduced, authorize an "executive session" to discuss personnel, litigation and potential litigation as well as potential land acquisition. According to Paff, the form-letter style of resolution does not live up to the spirit of the Sunshine Law.

"To me, there is no logical reason why they wouldn't want to provide the public with at least the topic," he said. "When the resolution is that vague, it opens the door where anything can be insular to that and the council can talk about whatever it wants."

Township Attorney George Gilmore said the resolution's vagueness is being addressed and the possibility of any Sunshine Law violation would only be

an oversight, not a malicious attempt to keep members of the public in the dark.

Gilmore said he expects a new resolution, one that will enter the reason for the session into the public record, to be crafted in time for the council's next meeting Tuesday.

Paff has also taken issue with the township's handling of a request for minutes from closed executive sessions. His request for the minutes to three separate executive sessions was denied by Clerk Ann Marie Eden pending "release by the governing body," according to a letter sent Sept. 28.

Paff said the authorization is an unnecessary encumbrance to records that should be freely available to anyone wishing to check in on the actions of elected officials.

"You don't need a formal vote. That doesn't further the public interest," he said. "It's out of step with the principle and underpinnings of (Sunshine) statutes."

Paff said he takes open records violations seriously and plans to file a complaint against the township if need be, though he stresses that is not his ultimate intention.

"I'm looking for some kind of response and I'm going to get one, one way or another," he said. "It all depends on the people. A lot of times, (officials) mean well and they just don't know."

Gilmore said that is the case here. Eden, who is responsible for drafting the resolutions, would have made necessary changes in the past had she been aware, he said.

"Anyone who knows Ann Marie (Eden) knows that she's not somebody at all who's trying to break the law," he said.

Gilmore said he reviewed Paff's letter and recommended the closed session resolution be worded more specifically about the topics to be discussed in the executive session. He also said a system to periodically review executive session records for release should be set up.

Eden said Paff's complaints are the first she's ever received about the township's handling of the open public records law and that having the council vote on the release of closed session minutes is standard procedure.

"Once they vote to release them, they are (public) for anyone who wants to see them," she said.

Paff is a veteran of confrontations like the one he has initiated here.

He currently serves as the head of the Open Government Task force of the Central Jersey Libertarian Party. In 2004, he successfully sued the Perth Amboy City Council to have its closed session procedures made more transparent and he is currently involved in litigation with the Monroe Township Board of Education over their conducting of personnel matters.

His transition into Jackson's political process, he said, is largely circumstantial.

"No one called me and said 'Jackson is horrible, you have to do something'," he said.

Instead, he saw a need to expand his quest of improving Sunshine compliance in central parts of the state. He chose Jackson because of its location within Ocean County and also in part because of its Web site.

"I saw online they have their council meeting minutes and knew that there had been a closed session," he said. "So I wanted to kind of test and see what their response would be."

While his arrival may have been coincidental, he said he will continue to press until the town brings itself into compliance, something he hopes will spur surrounding towns to do the same.

"I'm on their case and I'm going to be on their case for a while," he said.

**They told me if I  
voted for Goldwater,  
he would get us into a  
war in Vietnam. Well,  
I voted for Goldwater  
and that's what  
happened.**

William F. Buckley, Jr.  
(founder of National Review)

## New Jersey Libertarian Party Steering Committee Minutes of September 17, 2006

Chair Ken Chazotte called the meeting to order at 1:22 pm at his residence.

Others present: Jay Edgar, Emerson Ellett, Mark Preston, Jay Boucher (for Robert Hull), Len Flynn. Absent: Ray Cragle, Elizabeth Macron, Lou Stefanelli.

The chair reported that though a quorum was lacking for the August State Board gathering a good discussion was held about what the party needs to do, volunteers permitting. Ken will get the checkbooks from the treasurer for use during his absence.

Penn and Teller DVD promotion. Four members generously picked up the \$500 tab for the 40 minute DVD promoting the NJLP. It was **RESOLVED** that the NJLP spend up to \$600 to mail and reproduce the DVD, for a fundraiser to be managed by Jay Edgar. **CARRIED** unanimously.

NJLP recruiter. The chair will prepare a job description for the recruiter, and procedures for the recruitment process.

Reducing the size of the Steering Committee. The secretary will check the petitions of the two Steering Committee members-at-large against the current membership list to ensure their validity. The chair will contact the Bylaws Committee about a proposed bylaws change to limit the term of at-large members by petition to one year.

Campaign updates. Len Flynn's U.S. Senate fundraising letter is ready. House candidate Lou Jasikoff will meet with Ken Sept. 18. Jay Edgar, our 4<sup>th</sup> Congressional District candidate, is working on his VoteSmart questionnaire.

Newsletter. The next issue will be mailed the week of Sept. 18. Ken will look for someone willing to sell ad space.

Convention. Mark Preston will contact Burlington County Community College about holding the 2007 convention there.

Future meetings:  
October 15, State Board, Tumulty's Pub, New Brunswick, 1 pm  
November 12, General Meeting, Tumulty's Pub, New Brunswick, 1 pm  
December 10, Steering Committee, location TBD

The meeting was adjourned at 2:33 pm.

Respectfully submitted,  
Emerson Ellett, Secretary

### \*\* EMAIL ALERT \*\*

The following warning was issued by Bob Hull – Long time member and Systems Administrator

Comcast is blocking email from Wallnet's mail server.

Any member with a Comcast email address will not receive any mail from any of the email lists.

## Bylaws Amendment Proposed

Jay Boucher proposes the following amendment to our bylaws:

**Purpose: To limit term of "By Petition" Steering Committee Members.**

**Proposed: Amend 5.d.7 to; Steering Committee members chosen by petition shall be NJLP members who assume their posts by filing with the Secretary, a dated petition of appointment signed by at least 5% of the entire NJLP membership plus five (5) members. No member may sign more than one such petition at one time, and the member may remove his or her name at any time. Any Steering Committee member by petition whose support falls below the level noted above, whether by loss of signatures or growth of the NJLP, shall be notified and have until the next General Meeting to obtain sufficient signatures or else cease to be on the NJLP Steering Committee. **In any event, such term will expire at the conclusion of the next State Convention.****

**This amendment would add the last sentence, "In any event, such term will expire at the conclusion of the next State Convention."**

## Unintended Consequences A Bylaws Proposal

Jay Boucher

More than one year ago, the party faithful found themselves forced to defend against a hostile takeover. The Steering Committee prevailed by taking advantage of a Bylaw that allows anyone to serve on the Steering Committee who petitions 10% of the NJLP membership. Robert Hull and Len Flynn successfully garnered the necessary signatures, a parliamentary detail the opposition had not appreciated, and the takeover was defeated.

We are indebted to the petitioners for their efforts in helping to save the NJLP and for their many other efforts at helping to strengthen the NJLP. Robert Hull has served for years as Membership Coordinator and Len Flynn is currently our candidate for U.S. Senate.

Unfortunately, there is a flaw in the bylaw that gave rise to their positions on the Steering Committee. There is no "sunset" clause in the Bylaw that creates additional posts on the Steering Committee and entitles a member to hold such a post.

Elected officers have a proscribed term of one year (or until replaced). Posts that are created by petition do not have a term.

The author has great difficulty believing that the founders of the NJLP intended to create "officers for life" when they forged the Bylaws. The author also has trouble believing that the members that signed these petitions realized that they were offering lifetime support to the petitioners. The Bylaws in their entirety can be viewed at <http://www.njlp.org/partyinfo.php>.

It is because these members are in such good standing that we should address this issue now while it is purely a parliamentary issue and free from contentious debate such as possibly including members who's good standing is not so agreed upon.

Two possible remedies exist. One would be to rearrange the clauses in the definition of Steering Committee

(5.d.1), and the other is to extend requirements of the petition (5.d.7).

First Solution:

Current:

5.d.1. The Steering Committee shall consist of the NJLP Officers and three at-large members elected by the State Convention for a term to expire at the conclusion of the next State Convention or when their successors are elected, **plus any additional members chosen by petition.**

Proposed:

5.d.1. The Steering Committee shall consist of the NJLP Officers and three at-large members elected by the State Convention, **plus any additional members chosen by petition**, for a term to expire at the conclusion of the next State Convention; **or in the case of Officers and three at-large members**, when their successors are elected.

The alternative is to extend the requirements of the petition:

5.d.7. Steering Committee members chosen by petition shall be NJLP members who assume their posts by filing with the Secretary, a dated petition of appointment signed by at least 5% of the entire NJLP membership plus five (5) members. No member may sign more than one such petition at one time, and the member may remove his or her name at any time. Any Steering Committee member by petition whose support falls below the level noted above, whether by loss of signatures or growth of the NJLP, shall be notified and have until the next General Meeting to obtain sufficient signatures or else cease to be on the NJLP Steering Committee. **In any event, such term will expire at the conclusion of the next State Convention.**

It could be argued that both Hull and Flynn are institutions in the NJLP, and that there is no harm for either of them to serve on the Steering Committee in perpetuity. This argument ignores the fact that the Steering Committee now has nine members instead of the normal seven. In order to conduct business, we now need five members to attend meetings instead of the previous four. Three of the members spend the majority of their time in other states. In all practicality, the simple majority quorum in reality is a 5/6ths "super quorum". This is a more stringent requirement than removing the Chair from office!

What if someone other than Hull or Flynn decides to insert himself on the Steering Committee? Will the next "Officer for Life" be as benevolent? What if one more petitioner with as few as seventeen signatures placed himself on the committee? Given the current difficulty in achieving a quorum, that one person could completely paralyze the NJLP from conducting any business by merely not attending meetings. And finally, do we really need nine people to conduct business for less than 230 members? Imagine if the US Congress was 4% of the population!

Please plan on attending the next General Meeting on November 12, 2006 at 1:00pm at Tumulty's Pub in New Brunswick, and participating in the discussion. This proposed Bylaw change will be on the Agenda.

*Jay Boucher joined the party in 2000, has served on the Steering Committee, has been a candidate, was instrumental in the Pawlowski for Governor campaign in 2005, assists with the Third Point of View cable television show, and currently donates the paper and printing of the newsletter.*

There is only  
one success - To  
be able to spend  
your life in your  
own way.

- Christopher Morley



**NEW JERSEY  
LIBERTARIAN  
PARTY**

P.O. Box 56  
TENNENT • NJ • 07763

**CALL TOLL FREE  
1 800 201-NJLP**

*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)*  \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Telephone (\_\_\_\_) \_\_\_\_\_ Email \_\_\_\_\_

Occupation & Employer \_\_\_\_\_

**\$15** – Regular membership

*Newsletter subscription(s) are included with your membership(s).*

**Donation**

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

**Send to a Friend**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please remove my name if the mailing list is rented.

Make check payable to **NJLP** and mail to: NJLP, c/o Robert Hull 12 Liberty Lane Grafton, NH 03240-3439

Federal law requires political committees to report the name, mailing address, and occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year. Political contributions are not tax deductible.



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