

New Jersey Libertarian

Volume XXXV, Issue 3

July - October 2010

Chair's Message By NJLP Chair Jay Edgar

Our state consistently fares poorly when evaluated on tax ratings, government waste, government corruption, and value returned from the government. The Tax Foundation ranks New Jersey along with the rest of the Union second in overall taxes, first in local and state tax burden, the worst state business tax climate, sixth highest state income tax burden, fifth highest top corporate tax rates, fifth highest cigarette tax, highest property taxes, and 50th in federal funding received per dollar of federal taxes paid.

A December 2009 Reason Foundation study shows that our transportation system performance is at the bottom of the rankings. Using data from 2007, they reported that we spend \$1,155,149 per mile of state controlled road. This compares to an average of only \$134,535 across the nation. Despite this spending our urban interstate system ranked 47th with 17.73% of our urban interstates being ranked as in poor condition. Our rural arterials condition ranked 34th. **Despite outspending every other state by an average of 859% our roads are in worse condition than almost all other states!**

Last year, the Mercatus Center at George Washington University released a report titled Freedom in the 50 States: An Index of Personal and Economic Freedom. This study rated each state on a variety of factors based on "criteria, defining individual freedom as the ability to dispose of one's own life, liberty, and justly acquired property however one sees fit, so long as one does not coercively infringe on another individual's ability to do the same." New Jersey ranked second from the bottom. Only New York was found to be less free.

Our legislators are doing nothing to improve the situation. Most of our legislators do not represent the citizens. They represent the status quo. They represent the government workers, public unions, and the companies that survive on the tit of the state. Consider this:

- Out of our current 79 Assemblymen and Assemblywomen, 66 of them were endorsed the the NJ Education Association in 2009.
- State Senate President, Steven Sweeney, also serves as the President of Ironworkers Local 399. Other legislators who have come from the union realm include Nelson

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Siano For Congress Campaign News By Joe Siano

The Siano for Congress campaign has been getting a great reception from voters.

District 4 is a Republican stronghold, yet many conservatives are angry at Congressman Smith because of his vote for Cap and Trade, sponsorship of the Card Check bill, and weak record on Second Amendment rights.

The Siano for Congress Campaign provides voters with a concrete and meaningful way to express their displeasure and frustration with Smith by giving them an alternative choice that reflects their desire for smaller and limited government. Many voters are also displeased with incumbents in general and believe that Smith needs to go after 30 years.

Along with Daryl Brooks, I have been criss-crossing the district meeting with voters at street fairs, festivals, shopping centers and even door-to-door. Most recently we had a table at the Restoring America Tea Party rally at Great Adventure and I was interviewed by WIFI RePatriot Radio in South Jersey and by the Trenton Times. I have "Siano For Congress" yard signs available. They currently are visible on many a busy highway throughout the district.

We have been contacting new volunteers daily. We welcome more NJLP members to step forward in these closing weeks to make calls, distribute literature and to knock on doors. If you are interested in helping out in the fourth district, contact the campaign at joe@sianoforcongress.org.

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Albano, John Amodeo, Wayne DeAngelo, Joseph Egan, Elease Evans, Thomas Giblin, Paul Moriarty, Donald Norcross, and Nicholas Sacco.

- Minority Leader, Tom Kean Jr. has had no other career than politics. He was appointed to the state Senate in 2001. He is typical of many of our legislators who have no life experience other than politics or government employment.
- In 2009, 69% of special interest campaign donations were from labor unions. Total labor union influence of elections was \$24 million.

While the NJLP supports the rights of individuals to form labor unions, our legislators have either been bought by the labor unions or they are a major player in the labor union ranks. Labor unions have become entrenched in state government. They now hold monopoly power over contract negotiations. The state government forces public employees to join a union.

Is it no wonder that our legislators are giving our money away to these special interest groups? New Jersey residents have gotten the government and taxation they have voted for. We continually elect the same career politicians.

If New Jersey residents do not wake up and start to support organizations and political parties that care about freedom, individual rights, and prosperity, we will continue to go down the same path that has brought us to where we are now.

We need to place a serious challenge against our state legislators in 2011. All 80 assembly seats, all 40 State Senate seats, many county Freeholder, Sheriff, and Clerk seats, and many local municipal positions are up for grabs. If we want to mount a serious challenge to any of these positions we must organize campaigns now. I challenge you to consider running for office! Please contact me if you are interested.

I'd also like to ask readers to consider becoming more involved in the party. We can use County Chairs to help organize grassroots county based organizations. Each county organization is eligible for funding provided that our by-law requirements have been met.

In addition to county chairs I'd need to find a Chair for our 2011 State Convention. The Chair would be responsible for finding a location and scheduling speakers. If you would like to volunteer for this or any other position please contact me.

New Jersey desperately needs your involvement in order to get the yoke of oppressive government removed for the necks of citizens.

Jay chair@njlp.org

Ginny Flynn Passes On

With extreme sadness I announce the passing of longtime NJ Libertarian activist Ginny Flynn. Ginny has been with the party since its founding in 1972. She has run for public office multiple times under the Libertarian banner. More recently she has been serving as the Treasurer for the Monmouth Libertarians.

Her family held a memorial service that was well attended by many Libertarian Party members, her family, friends, and coworkers.



Ginny, while a candidate for Monmouth County Freeholder in 2004, speaks with Assemblyman Chivukala about eminent domain

NJLP Steering Committee Report

By Len Flynn

Note: the official meeting minutes were released, but have not been approved as of print time. The following are unofficial notes of the meeting.

Chair Jay Edgar called the conference call of the NJLP Steering Committee to order at 2:05 PM on Sunday October 10, 2010 with a quorum being present. Meeting participants were Treasurer Kevin Ferrizzi, Secretary Emerson Ellett, and at-large committee members Russ Conger and Ken Kaplan. Absent were at-large member Joe Siano who was "out campaigning" and Vice Chair Walter Luers. Two guests also monitored the meeting—this writer and NJLP activist Terry Stern.

The Agenda was routinely accepted but with one item of new business "Camden civil disobedience" added. This new subject proved to be most interesting later in the meeting and afterward. The Secretary had presented the minutes for the August 8, 2010 Steering Committee meeting and they were approved. The Treasurer presented his report and the group heard Kevin's plans to investigate interest bearing accounts or offsets to bank fees for checks and accounting statements.

Ongoing business included the NJLP newsletter that is being completed this week for mailing in time for the November 14 General Meeting. The Chair presented the

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membership report noting that the NJLP database was upgrading to civicrm.org which is an open source program for "constituent management software." NJLP members are already in the new system and prospects are being incorporated.

Membership statistics show roughly similar numbers to the previous year. The NJLP no longer has a phone number or a listing in the phone book.

2010 Candidate Status was discussed. Congressional candidates Russ Conger (3rd CD) and Joe Siano (4th CD) are cooperating together in their campaigns. Russ had an Asbury Park Press Editorial Board debate set for on October 11 and Joe did an interview in the Atlantic City Press. Jim Gowran is the 11th CD candidate whose R & D candidates refuse to debate each other much less Jim. Ken Kaplan said he would contact Jim's Democrat opponent and push him to debate without the heavily favored incumbent Republican candidate being present.

Jay next outlined planning and support for the 2011 election. Several potential candidates were identified: Joseph Rixon - 2nd District Assembly; Darren Young -21st District Assembly; Arp Trivedi - 21st District Assembly: Dave Hollinger - mayor of Fairfield; Allyson Edgar - Monmouth county position (possibly Sheriff); Dolores Young-Makrogiannis - Morris County position; and Fred Beuhler – county office in Camden. Hollinger and Beuhler must become NJLP members to be candidates. Ken will follow-up with Hollinger and Kevin/Jay will do so with Beuhler.

The Open Government Taskforce and the Preempted Ordinance Repeal Project are both eminently successful efforts by John Paff that brings favorable publicity to the NJLP. As of October 9, 2010, 31 municipalities have repealed obsolete ordinances following prodding by John and his colleagues. Successful litigation has also opened secret government meetings to public scrutiny using the Open Public Records Act (OPRA).

Kevin said the NJLP radio show could not get funding after 22 shows in 6 months were financed. Kevin stated that moving the show to cable TV, like the previous Monmouth County show Third Point of View (3POV), was under consideration. Internet broadcast is also possible. Ferrizzi will report to the State Board about this plan. He will check with 3POV Producer Shad Woolley and Director Ray Babecki for their expertise.

Under New Business 2011 state convention planning was established when Jay Edgar accepted responsibility for making the physical arrangements to hold the convention at Mercer County College. Kevin Ferrizzi will handle getting speakers. One speaker specifically mentioned was Jim Lark from Virginia.

Outreach at the LGBTIQ festival at Pennsauken on Sept. 12, 2010 was successful. Libertarian buttons "Pro-choice on Everything" buttons quickly sold out. NJ Lyfe NJ Libertarian

sponsored the event and the NJLP members noted that they did not get any permits for music, including the "Tranny Talent Show." Frustrating was Garden State Equality not attending the event and refusing to endorse NJLP candidates for office.

Highlight of the meeting- "Camden civil disobedience."

Now began the highlight of the meeting– "Camden civil disobedience." Terry Stern had previously described how his son had been arrested for loitering for being at a 7-11 in Camden in 1999. There were women there the police knew to be prostitutes as well as someone they identified as selling drugs. They did not arrest the prostitutes or dealer, but they charged his son with 2 counts of "loitering with intent." It cost him \$2000 in fines and \$500 for a lawyer "who did nothing."

John Paff stated: "It strikes me that Libertarians ought to visit Camden as a group on a regular basis and 'wander, remain or prowl' on the streets while 'repeatedly beckoning to or stopping pedestrians or motorists' in order to give them a copy of the United States Constitution." The members suggested any protest in Camden needed money and a lawyer with clout. The Steering Committee members decided it was best to link with people in Camden before proceeding with any protest.

The day after the meeting Jay Edgar wrote: "I believe that end result of our discussion is that we should do some research and find other activists and groups in Camden to pair up with and let them know of our plans. The cops in Camden are known for being ruthless. Having allies within Camden may be helpful to us. Some groups that may be interested [are] the ACLU, the Camden NAACP, and the Nehemiah Group. There may be others; I'm not at all familiar with Camden nowadays.

Another point made was that instead of handing out constitutions we could print up press releases or statements on the use of loitering laws to harass innocent people and give them out instead? Constitutions from CATO run about \$1.00 each, a statement on loitering may be more to the point and cheaper. The ACLU just had an event on educating people of their rights in Camden a few weeks ago. Many are familiar with the recent reports of corruption coming out of the Camden Police. We should be able to tie all of this together."

Also on the day after the meeting here is what undaunted 78 year old Libertarian protestor Julian Heicklen said in an e-mail: "I have received E-mails telling me that Camden is such a frightening place that Libertarian activists are afraid to go there because of police hostility. This is unconscionable. The police are supposed to protect the public, not to terrorize it. After reading the E-mails, I realized that I cannot stay away from Camden.

"I plan to be in Camden on Election Day, Tuesday, November 2. I am willing to distribute literature at polling places for any Libertarian running for office in that district. Just send me your literature and the address of the polling place to pass out the literature. In addition, today I arranged to have 200 Bill of Rights fliers printed for distribution.

"When the polls close, I will wander the streets to buy pot and pick up chicks. I hope that you will join me. I need at least a photographer and someone to notify my wife when I am arrested."

The next NJLP meeting is the General Membership Meeting to be held at 2:00 PM on Saturday, November 14 at Tumultys Pub in New Brunswick. Bylaws proposals left over from the NJLP summer picnic will carry over to this one, since no quorum was present at that meeting. The meeting was adjourned at 4:00 PM.

The Financial Cost of Drug Prohibition

By Jay Edgar

The CATO institute released a report on September 27th titled, *The Budgetary Impact of Ending Drug Prohibition*. According to this report, drug prohibition has cost New Jersey state and local governments \$832 million in 2008. \$183 million of this is for marijuana prohibition alone.

The NJ Libertarian Party State Board urges Governor Christie to immediately commute the sentences of prisoners whose only offense involved consensual acts between adults. At a time where the NJ State Budget must be cut, we cannot afford to imprison people who have harmed no one.

According to the State Department of corrections there are 6,678 inmates being held for non-violent drug offenses. Another 1,146 prisoners are being held for "violations against public policy." At an average cost of \$38,900 per prisoner, these prisoners are held at annual cost of over 300 million dollars or over \$800,000 per day.

Among these prisoners is John Ray Wilson who was caught growing 17 marijuana plants to alleviate his Multiple Sclerosis. The state assembly has legalized medical marijuana, meanwhile the state is spending money keeping Mr. Wilson in prison.

The New Jersey Libertarian Party urges the repeal of all laws creating "crimes" without victims. These would include laws against the use or possession of drugs, laws against consensual sexual relations involving adults, and laws regulating or prohibiting gambling. In addition to commuting the sentences, we urge that the Governor fully pardon and exonerate all those who have been convicted of these so called "crimes."

Consider giving a recurring monthly donation at

http://njlp.org/partyinfo/donate/generalfund

Two More Towns Repeal Loitering Ordinances

By John Paff

As a result of a request from the NJ Libertarian Party Preempted Ordinance Repeal Project the township of Franklin (Sussex County) has repealed their loitering ordinance. Copies of the correspondence can be viewed online at http://www.lpcnj.org/OGTF/LFranklin.pdf.

Washington Township (Warren County) has also announced that they will repeal their loitering ordinance. The Lehigh Valley Express Times stated:

Paff chairs the New Jersey Libertarian Party's Preempted Ordinance Repeal Project, which specifically seeks out leftover loitering ordinances left on municipal books.

The effort has led to the elimination of the outdated law in 31 municipalities around the state with more pending, according to the project's website.

Paff said the project's purpose is twofold. The original purpose was to remind towns to eliminate a crime that he said essentially had no victim and lent itself to abuse. Leaving it on the books could lead to confusion for both law enforcement and residents.

"Having those ordinances on the books are dangerous because people might read the books and think it's an actual law," Paff said. "These are laws. These cause people to get fined or go to jail."

More news on the success of the Preempted Ordinance Repeal Project can be seen at http://njlp.org/loitering.

Rowan University and Alcohol Education By Bill Sihr

Recently Rowan University has decided that in light of a startlingly high number of alcohol related hospitalizations to require all Undergraduates of the school to take an online alcohol awareness class. Now when I first heard of these plans I found them to be perfectly understandable and even went as far as to applaud the administration for taking a proactive position in educating uninformed students about the potential hazards of excess drinking. Many students who enter into the college realm are overwhelmed by their new found independence and are unable to make mature decision without the immediate guidance of their parental figures. Also I found this to be a better alternative than having more school regulations put in place, however my praises quickly disappeared.

The reason for my change of heart comes from how the school has decided to implement this new policy change. Instead of going about this adjustment in a logical and fair manner, Rowan University has chosen instead to retroactively alter the course requirements for all undergraduates currently attending classes. Now in order for a Rowan student to graduate, schedule future classes, or get their transcripts they must have been credited with a passing grade of seventy-five percent or greater for this

course. What is even more infuriating is that unlike traditional classes that are scheduled at the student's discretion this course was assigned to everyone at the same time, regardless of schedule conflicts or their current workload.

It is despicable to think that the Rowan administration believes that it is acceptable to adjust the course requirements for students while they are still in the midst of completing their education. Does Rowan have complete disregard for the rights of its students? Despite my knee jerk reaction to the news it would be foolish of me to say that I was entirely surprised by this blatant breech of students' rights. School politics often mimic those found in the country which the school operates, and since it is apparent that bureaucrats and politicians have no regards for American rights, why should Rowan show any for the rights of the student body?

In light of this announcement, I took immediate action to rectify the situation. Besides myself, I attend Rowan with two other active Libertarians Party members, both of whom can be heard along with me on the Common Sense Radio Program, Kevin Ferrizzi (our esteemed state treasurer) and Greg Iavorone. Along with their help I have been sending numerous emails to a Ms. Pamela Negro in order to have the class formally dropped. I have been thus far been unsuccessful in this endeavor due to most students not having either knowledge of and/or an interest in the matter, but not all is lost. Ms. Negro has assured me that if enough out-cry reaches her office then the class very well might be dropped, and any student who emails her can ask to be exempt assuming that they present a solid argument in support of their request (it seems I may have done that). Furthermore an email which not all students received stated that the school had adjusted the policy to only affect freshman, but this positions seems to have been recanted, and rather quickly.

Now I am guite cognizant that many who read this will question why New Jersey Libertarians should concern themselves with "trivial" matters that occur within the confides of but one of New Jersey's numerous learning institutions? There are two main reasons why I am asking for your help and I do hope that they resonant with you. The first is that I can only assume that Kevin, Greg and I are not the only Libertarians to attend Rowan. Given the size of the school and its prominence within the region there is a very good chance that some of you either go to, or have ties to people who attend Rowan, people that may not have knowledge of these recent events. The second reason why I am asking for any assistance that the NJLP can offer is that Rowan has no real forum for protesting changes to its policy if you are a student, nor does there exist a certain place in which students come together to voice their concerns with one another. My hope is that perhaps in expressing my concerns with all of you that it might lead to an eventual up swell that would lead to the end of this horrid policy.

We Libertarians are devoted to our tireless pursuit to reclaim our lost liberties from those who wish to seize them for themselves, and this is no different. Though not as important as restoring the U.S. Constitution to its original standing, this fight exemplifies Libertarianism because it is one of independent people fighting oppression from a structural entity designed to control those within it. Rowan is using its power to strong arm the student into submission in the same way in which the federal government of these United States does with oppressive taxation or the Patriot Act.

I implore all of you who have read the length of this article to take action. If you or someone you know attends Rowan make sure that Ms. Negro is messaged about how this class is abhorrent. Detail how the school is infringing on students' rights and how Rowan's actions are in breach of the legally binding documents that all students sign on order to attend class. If Rowan is allowed to follow through with its plans then theoretically we are giving consent to future retroactive changes to the requirements for graduation. It would give them precedence to change the amount of credits necessary to receive a diploma in a student's senior year if it so chooses. All attacks against the rights of people are wrong and we cannot allow any organization or bureaucratic body whether empowered by the federal government or a board of directors to overstep its boundaries

Liberty On Tour Visits Philadelphia by Jay Edgar

MARV (Mobile Authority Resistance Vehicle) is again traveling around the country with Pete Eyre and Adam Mueller at the helm.

Their plans are to hit thirteen cities in thirteen weeks. My daughter and I caught up with them during their visit to Philadelphia. They had a large social event at a local bar. The event was well attended with many libertarian dignitaries present, including former Presidential candidate Mike Badnarik, activist George Donnelly, and former candidate for LP Chair, Ernie Hancock.



NJLP Chair Jay Edgar with his daughter (and NJLP member) Melissa Edgar in front of MARV at the Philadelphia Liberty on Tour get together

Proposed By-Laws Changes

The following bylaws changes will be considered at the November 14th General meeting:

Proposal #1: The Bylaws and Rules Committee proposes to add definitions of Bylaws and Platform Committees.

Under Meetings and Committees, we propose inserting **6e Bylaws Committee** and **6f Platform Committee**, with the following short paragraphs for these, respectively:

6e Bylaws Committee

The Bylaws Committee shall consider proposals for amendments to the NJLP Bylaws, Convention Rules, and Business Rules, and report to General Meetings. The Chair of this Committee shall be chosen by the members of the Committee. Any member who fails to participate for three (3) consecutive meetings shall be dropped from the Committee. Meetings may be held by teleconference. Agenda preference at General Meetings is to be givenproposals that have been considered by the BylawsCommittee.

6f Platform Committee

The Platform Committee shall consider proposals for amendments to the NJLP Platform, and report to General Meetings, though actual changes may be made only at the State Convention. The Chair of this Committee shall be chosen by the members of the Committee. Any member who fails to participate for three (3) consecutive meetings shall be dropped from the Committee. Meetings may be held by teleconference. Agenda preference at General Meetings is to be given proposals that have been considered by the Platform Committee.

Rationale: the critical parts of both these paragraphs is the empowerment of the Committees to conduct business by teleconference or video-conference. It must be specified how the Chairs of those committees are chosen, and we have discovered through experience that attrition erodes the Committee membership.

Proposal #2: To address the problem (created in November 2003), prevent the Steering Committee from nullifying a Rules adopted by the State Board, and similarly prevent the State Board from nullifying a Rule adopted by a General Meeting.

We propose deleting the entirety of Business Rule under 15: Amendments and instead adding the following to Bylaws Article 15: Amendments, as new sections e and f:

e. Any Business Rule may be suspended, rescinded, or amended by a majority vote of a body that is larger than the body that adopted it. Any Business Rules may be suspended, rescinded, or amended by a two-thirds (2/3) vote of the body that adopted it. No Business Rule may be suspended, rescinded, or amended by a body that is smaller than the body that adopted it. f. All Business Rules shall be regarded as having been adopted at a General Meeting, with the following exceptions:

1. Fiscal Policy provisions have been adopted by the Steering Committee

2. County Organization Dues Share provision has been adopted by the State Board.

Proposal 3: Requiring a County Representative to submit the name of a designee to substitute for him in the event of an absence is too limiting in this age of electronic communication. Allow such notification by e-mail, too:

Article 6, Section c, sub-section g: Change "in writing" to "in writing or by e-mail" in the second sentence.

Proposal 4: We eliminated Budget membership category some time ago, but there's a vestigial reference that should be removed:

Business Rule 9, Section b, remove the last sentence ("Budget members will receive their 4 newsletter issues in January, March, June, and October.")

Libertarians Plan to Take on Camden's Loitering with "Intent" Law

After receiving several complaints of people being charged with "Loitering with Intent", the NJ Libertarian Party Preempted Ordinance Repeal Project has suggested that we directly take on these laws¹. On November 2nd, activists will be hitting the streets to handout literature publicizing Camden's actions. The current draft literature reads:

Unfortunately, one does not have to actually buy or sell illegal drugs to be arrested under New Jersey's drug laws. Camden Police strictly enforce state "loitering" laws1 that make it illegal for you to "remain or prowl" in a public place and conduct yourself in a manner that might lead a police officer to believe that you're trying "to obtain or distribute a controlled dangerous substance" or "engage in prostitution."

One of the of things that might lead an officer to believe that you're violating these "loitering" laws is repeatedly stopping pedestrians in a public place and speaking with them. But, stopping to talk to people shouldn't be a crime. The person who handed you this bulletin stopped you spoke with you. So, according to the law, he or she could be arrested.

Have we taken our wars on drugs and prostitution so far that we're willing to lock people up for simply talking to their neighbors on the street? The Libertarian Party says that it's time to tell the Camden cops to stop arresting people for non-crimes. If you're with us, please call Mayor Dana Redd at 856-757-7200 or e-mail her at

1 The full text of both of these "loitering" laws is on-line at http://ogtf.lpcnj.org/2010277dM//LoiteringD.pdf and http://ogtf.lpcnj.org/2010277dM//LoiteringP.pdf

mayor@ci.camden.nj.us and tell her that you want the Camden Police to stop enforcing the drug and prostitution loitering laws.

The Libertarian Party is the only political party bold enough to take a stand against "crimes" with no victims. In fact, our party's platform calls for "the repeal of all laws prohibiting the production, possession, or use of alcohol, drugs and drug 'paraphernalia' by adults" and for "repeal of all laws regarding consensual sexual relations involving adults." See http://njlp.org/partyinfo/platform

Please join us on election day in protesting this law. Contact us at <u>loitering@njlp.org</u> for more information.

College Libertarians Forming on Several Campuses

by Bill Sihr, NJLP Campus Coordinator

Campus organizations are currently being organized (or reorganized) at Brookdale and Rutgers University.

The Rutgers Libertarians have met and have elected officers.

The Brookdale Libertarians are still in the organizing stage. They have had their first organizational meeting and are trying to get recognized by Brookdale.

In addition efforts are underway to organize a college organization at Rowan University.

If you are interested in forming a college organization let us know by emailing collegecampus@njlp.org.

NJLP Post Election General Meeting

Come join us for a post election get together and general meeting. Meet and congratulate our congressional candidates, Russ Conger, Jim Gawron, and Joe Siano.

> Tumulty's Pub 361 George Street New Brunswick, NJ

Parking at the nearby Church Street parking garage is free on Sundays. Enter the garage via Paterson Street between George Street and Nielson Street.

We will be gathering in the meeting room down stairs.

Sunday, November 14th 1:00 PM

Meet our Candidates!! Enjoy food and beverages from Tumulty's menu.

The New Jersey Libertarian

March -- April 2010 Volume XXXV, Issue 1 ©2010 The New Jersey Libertarian Party ISSN 1093-801X Editor, Len Flynn

NJL Advertising R	ates
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