



New Jersey Libertarian

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Summer 2023

Chair's Message: The Importance of Coalitions

by James Ripley - chair@njlp.org

The theoretical implications of a federal judge ordering the executive branch to cease influencing social media companies to increase censorship are far-reaching in a society that values freedom of speech. It harkens back to the fundamental principles of the First Amendment which protects freedom of speech, press, and assembly among other rights.

The comparison to the Ghost Gunner issue in New Jersey adds another dimension to the discussion. The Ghost Gunner, a machine that allows individuals to manufacture firearms at home, has raised debates about the Second Amendment, which protects the right to keep and bear arms. The ban in New Jersey has been controversial and raises questions about governmental overreach and the infringement of constitutional rights.

Although the two situations have unique specifics, they both involve the intersection of technology, individual freedoms, and government regulations. In both cases, there are legitimate public safety concerns at stake: the spread of potentially harmful or false information on social media, and the risk of unregulated firearms contributing to crime or accidents. However, there are also real concerns about individual liberties being trampled in the process of addressing these issues.

Activists against government overreach in both situations should seek common ground in their shared interest in protecting civil liberties. This could involve collaborating on campaigns to raise

public awareness about the risks of excessive government regulation, advocating for policies that protect individual rights while addressing public safety concerns, and supporting legal efforts to challenge perceived overreaches.

They could form a coalition based on the principles of:

1. **Freedom of Expression:** Asserting the right to express oneself freely online and offline, within the constraints of laws designed to prevent harm such as libel, incitement to violence, and fraud.
2. **Right to Privacy:** Arguing that individuals should have the right to use technologies like Ghost Gunner for lawful purposes in the privacy of their own homes.
3. **Balanced Regulation:** Advocating for balanced and careful regulations that address legitimate public safety concerns while minimizing infringements on individual liberties.
4. **Accountable Governance:** Demanding transparency and accountability in the actions of governmental bodies, particularly when they involve potential restrictions on civil liberties.

Coalitions can be powerful vehicles for social and political change. They can bring together diverse groups and individuals, amplifying their voices and extending their reach. A coalition grounded in these principles could make a significant impact in the ongoing debates over the role of government regulation in our increasingly digital and interconnected world.

Remember, however, that successful coalition-building requires compromise, understanding, and shared purpose. Activists from both camps will need to work together respectfully and productively to build and maintain an effective coalition. ♦

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2023 Annual NJLP Summer General Meeting Announcement

By General Meeting Staff

The 2023 NJLP Summer General Meeting will be held on August 27th at 2PM at the Black Forest Inn in Stanhope - 249 US-206, Stanhope, NJ 07874

The full proposed agenda is posted at njlp.org/agenda.

♦

NJLP State Board

Chair, James Ripley	chair@njlp.org
Vice-Chair, Theodore Tucci	vicechair@njlp.org
Treasurer, Carole Acton	treasurer@njlp.org
Secretary, Jade Pao	secretary@njlp.org
VP Membership, Joseph Baratelli	vpmembership@njlp.org
VP Public Relations, Arielle Shack	vppublicrelations@njlp.org
VP Political Affairs, Nathan Cole	vppoliticalaffairs@njlp.org
VP Programs, Lynn Genrich	vpprograms@njlp.org
North Rep., Stephen Honeywell	northrep@njlp.org
Central Rep., Christopher Fox	centralrep@njlp.org
South Rep., Christopher Russomanno	southrep@njlp.org

Other Party Leadership

North Chair, Arielle Shack	northchair@njlp.org
Central Chair, Vacant	centralchair@njlp.org
South Chair, Tim O'Brien	southchair@njlp.org

Bylaws Committee Report

by Bylaws Committee

The Bylaws Committee Mark Kapengut, Ken Kaplan, James Ripley, and Arielle Shack have approved the following proposals to be considered at the 2023 Summer General Meeting. Proposals 1 and 2 are Business Rules and can be adopted by either the General Meeting or by the State Board on August 22, 2023.

Proposal 1

Business rule. Add to Section 3. Fiscal Policy:

“Except in non-partisan elections, in order to be eligible to receive any distribution from the State Fund or the Federal Fund, a candidate’s ballot slogan must be “Libertarian Party.””

Rationale:

This is a clarifying edit, reflecting ongoing practice. The language mirrors 10c that governs candidate endorsement. Adding it as a Bus. Rule to Section 3 would reduce future confusion and ambiguity.

Proposal 2

Business rule. Add to Section 3. Fiscal Policy.

"A. Expenditures in excess of \$1000 shall require formal notice and reasonable documentation to membership at least 5 days in advance of the vote.

B. This rule can be suspended by 7/8 vote of the Board."

Rationale:

Recently there were complaints from Board members that they lacked adequate info when presented with voting on funding. This business rule would improve decision making and transparency for both Board members and members. Clause B should be voted upon only if A passes.

Proposal 3

Add new paragraph to Bylaws Section 6d. Bylaws committee.

A. "The Bylaws Committee shall adjudicate disputes, ambiguities and controversies over the interpretation and application of NJLP Bylaws, bylaws of affiliates, including Regional Organizations, and parliamentary procedure. Interpretive decisions made by the presiding chairs at NJLP meetings can be appealed to the Bylaws Committee. Decisions of the Bylaws Committee may be appealed at the next General Meeting."

Rationale:

NJLP lacks a mechanism for dispute resolution over the parliamentary procedure and interpretation of the bylaws. As a result, when such disputes arise the resolution is ad-hoc and frequently messy, and easily become emotional or a power struggle. This proposal creates the mechanism for this and places it within the Bylaws committee. The reason to place oversight over the Regional bylaws disputes is that the individual regions may be lacking organizational knowledge, personnel and institutions to cleanly resolve such matters. We've had a couple such situations since the Convention. It would also be a step towards semi-neutral and quasi-independent adjudication.

The concerns over bylaws or procedure would be first ruled upon by the presiding chair. Our chairs may or may not be well-versed in bylaws and RONR. If there are disputes, they would be brought up to the NJLP

bylaws committee for adjudication. If there are remaining concerns, they can be further appealed at the next General Meeting.

Member Submitted Bylaws Recommendation

by Michael Manieri

I propose that we modify the Bylaws Paragraph 11.b. (Selection of candidates) during our general meeting as follows.

During the regional caucus at the State Convention, the Regional Organization may nominate candidates for offices via secret ballot entirely within the jurisdiction of that Regional Organization. The selected nominees shall be announced by the NJLP Secretary after the Regional officers have been announced. "None of the Above" may be nominated by affirmative action of the regional caucus. Any affirmative nomination by a regional caucus may be overturned only by that Regional Organization. Failure to nominate a candidate for an office entirely within the jurisdiction of a Regional Organization will leave such nomination open to be filled by the Regional Organization or the NJLP State Board at a later date. The Regional Organization or NJLP State Board must approve any post-Convention nomination via secret ballot. Any post-Convention nomination made by a Regional Organization shall be ineffective until the Regional Organization reports the candidates' names and public offices sought to the NJLP State Board.

Rationale: The presence of the potential candidate during the approval process may sway voting. For example, the body may have reservations regarding the candidate's understanding of libertarianism as a philosophy, but not want to vote against a nominee

they are friendly with. ♦

Event: Liberty 101

by NJLP Newsletter Staff

We are proud to be one of the sponsors for an upcoming event in Philadelphia that will introduce attendees to the ideas of Libertarianism.

Join us for the free Liberty 101 class at Maj Toure's Solutionary Center on Thursday, August 17th at 6:00 P.M. (doors open at 5:30 P.M.).

Been told I don't belong
 But this time I'm coming back strong
 Going to get smart, going to get wise
 Going to take the world by surprise
 It is my will , It is my destiny

That my life belongs to me. ♦

Northern Region Takes Aim at Loitering and Disorderly Conduct Ordinances

by John Paff, Chairman NJLP Preempted Ordinance Repeals Project

The Northern Region of the New Jersey Libertarian Party, encompassing Bergen, Essex, Hudson, Morris, Passaic, Sussex, and Warren counties, is actively engaging with municipal council meetings and advocating for the repeal of local ordinances pertaining to loitering and other forms of "street conduct."

Northern Region Chair Arielle Shack addressed the Florham Park Borough Council on June 15, 2023 shortly before the Council unanimously voted to repeal its loitering code. Shack's work in Florham Park was covered by the Florham Park Eagle, a local newspaper.

Shack also addressed two other Morris County municipal governing bodies, Hanover Township and Kinnelon Borough, prompting both councils to review their loitering and disorderly conduct codes with their legal counsel. Meanwhile, Kim Skorka, while not a Northern Region member, addressed the Little Silver Borough (Monmouth County) Council on July 17th about its loitering code and members Jim Tosone and Kendal Ludden are also working towards addressing these issues within their respective areas.

Loitering, vagrancy and other local ordinances that regulate adult "street conduct" were invalidated when the New Jersey Legislature enacted the New Jersey Criminal Code in 1979. Recognizing that these laws were being enforced in a discriminatory manner, legislatures and courts nationwide, during the 1960s and 70s, concluded that they provided local prosecuting officials with a convenient tool for biased enforcement against specific groups. United States Supreme Court Justice William O. Douglas noted that such laws "furnish a convenient tool for harsh and

This hour-long class will cover the basics of Libertarian principles, including topics such as inflation, foreign policy, medical freedom, criminal justice, education, and self-defense. It's a fantastic opportunity to expand your knowledge and engage in thought-provoking discussions. This is a great event to bring your friends and family too. Register here:

<https://www.eventbrite.com/e/liberty-101-free-event-at-the-solutionary-center-tickets-640290093907>

A New Me

by Fred Stein

They always tell me how to live
 They always take, I always give
 I thought I had to compromise
 But no longer do I have to live their lies
 There's going to be a new me
 Show the world what I can be
 I'm tired of living on the fence
 I'm striking out for my independence
 There was a time I must confess
 That I would have settled for so much less
 I will decide what is best for me
 No surrender I want victory
 Don't need no boss
 Don't need a crazy man
 Got to go out and do what I can
 Sacrificing has taken its toll
 Now I'm going to be in total control
 I've been held down for too long

discriminatory enforcement by local prosecuting officials, against particular groups deemed to merit their displeasure."

The New Jersey Legislature opted to regulate "street behavior" comprehensively at the state level, leaving no room for municipal regulation of such conduct. The Legislature sought to strike a balance between individuals' rights to public assembly and expression and the government's duty to maintain peace and order on the streets. Once this balance was established, municipalities, as subordinate subdivisions of the State, were prohibited from establishing different balances through local legislation.

Unfortunately, many municipalities across New Jersey never bothered to repeal their ordinances even though they have been invalid for nearly forty-five years. Their continued existence poses a threat to individual liberty and contributes to a perplexing mosaic of "street conduct" laws that vary whenever one crosses a municipal boundary.

The effort is being assisted by John Paff who chairs the NJLP's Preempted Ordinance Repeal Project. ♦


Unjust Signature Requirements

by Tara Murphy

The signature requirements for independent municipal candidates are unjust and discourage local participation. The state of NJ recognizes only 2 official political parties - Democrat and Republican. All others are considered independent. "The two" have primaries. Independents don't get to vote in these primaries and do not have their own. In order for "the two" to have candidates on the ballot for a local election, they need a petition with a required amount of signatures. This formula is set by the state legislature in NJSA 19:23-8 which calculates the number of signatures based on the town's population and voter turnout from a prior primary election. Independent candidates' signature count is determined by NJSA 19:13-5, which requires signatures based on turnout in a prior general election. Primary election turnouts are historically lower than the general election, therefore Democrats and Republicans need a significantly lower number of signatures than an independent candidate would need. Using two different yardsticks to measure the two recognized parties vs. independents is unfair. The result is very few independent candidates running for municipal

office. In small towns, many races are uncontested. This unbalanced signature requirement discourages independents from running.

This example of the Somerset County municipal signature requirements shows that Bridgewater, a town with over 46,000 residents, requires the same number of signatures as Branchburg, which has under 15,000 residents.



SOMERSET COUNTY CLERK'S OFFICE
 County Administration Building
 20 Grove Street, P.O. Box 3000
 Somerville, New Jersey 08876-1262
 (908) 231-7013 • Fax (908) 375-3930
 www.co.somerset.nj.us
 CountyClerk@co.somerset.nj.us

Minimum Number of Signatures Required for Petitions
 2022-2023

	Signatures Required for Democratic Primary Election	Signatures Required for Republican Primary Election	Signatures Required for Independents Running in General Election
Bedminster	19	34	69
Bernards	50	50	100
Bernardsville	14	28	65
Bound Brook	12	13	41
Branchburg	28	50	100
Bridgewater	50	50	100
Far Hills	2	5	9
Franklin 1	33	12	73

In 2022 and 2023, congressional and state legislature candidates only required 50 signatures, while municipal candidates for Branchburg and Bridgewater required 100! All municipal candidates should be capped at 50 signatures. Allowing digital signatures would even the playing field too. In an increasingly divided political climate, requiring such high numbers of signatures puts candidates in danger by needing to knock on more doors, risking their safety.

Recent polls show a growing majority of NJ voters who are unaffiliated, reflecting dissatisfaction with the two-party system. We have political extremism because we have only 2 dominant parties. Additional viewpoints would balance extremism. More choices equal greater freedom. The state legislature should even the playing field by making signature requirements a single percentage across all parties and affiliations based on the general election turnout. Young voters aren't aligned with the two-party system the way voters of the past were. Independent candidates are the key to the future.

To support Tara Murphy's Campaign please visit:

<https://donorbox.org/tc-race-2022> ♦

Home equity theft is legal in 12 states, New Jersey is one of them

by Lana Leguia, Vice Chair Northern NJLP ;
Stanhope School Board Candidate

Imagine. You've worked hard your entire life. You are now 83. You do what you were told is your civic duty. You calculate, file and pay your property taxes. Several years and multiple failed attempts to notify you by mail later, a knock at your door informs you the county has seized your home, selling it at auction for \$24,500 due to a \$8.41 miscalculation. That is exactly what happened to Uri Rafaeli of Michigan.

Home equity theft is when the state takes your home, displaces your family and sells the deed, keeping the entire profit regardless if it exceeds the debt amount. The government will seize your property, sell it, and leave you with nothing. County treasurers have been getting away with infringing on our constitutionally protected right written in the 5th amendment "...nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

In a Libertarian's world, the state would never be allowed to enact "eminent domain" for any reason, let alone for a tax debt, private development projects, criminal asset forfeiture or state-determined condemnation for "public health" reasons. Yes, if you commit a crime in your home the state will seize your home instead of giving your property to your next of kin. If your home is determined to be a risk to public safety, it will be seized. Guess who determines the standard for condemned buildings? State authorities. If you do not pay property taxes, they will seize your property. In all scenarios they can and do keep any windfall profits. This is theft.

They have successfully convinced the population that property tax is for the "greater good" in the form of social services instead of what it actually is, rent. Rent, where the amount owed can change at any time, there is no defined lease agreement, no protections for the lessee and where you can be displaced at any time for any reason. The home equity theft that has been victimizing millions of Americans has gone unnoticed and unchallenged, until now. The U.S. Supreme Court, *Tyler v. Hennepin County* (May 25, 2023), unanimously ruled that it is unconstitutional for a state

to take your home to cover your property tax bill while keeping the profit from the surplus.

In New Jersey 50% of homes were forcibly seized for tax debts less than \$10,000 with penalization fees averaging 30 times the amount of original debt owed. A lienholder in NJ can file a foreclosure lawsuit after two years but if the state holds a lien, it can file after only six months. Sale profits will then belong to the lienholder. According to NJ Rev Stat 54:4-67 (2021), "The rate so fixed shall not exceed ...18% per annum on any amount in excess of \$1,500.00..." You bet they are charging delinquent taxpayers the maximum interest. Local governments can pad their budgets with stolen equity. In Detroit, there's a budget line every year for the expected windfalls from home foreclosures.

New Jersey was sitting on a huge budget surplus following the pandemic due to increased tax revenue despite bleak projections. Tax collections increased by more than 35%. Treasury officials attributed this, in part, due to house sales and inheritance transfer taxes. Unprecedented in the state of New Jersey. As of 2022 New Jersey had the second highest foreclosure rate in the U.S. while consistently ranking in the top states with the highest property tax. If the supreme court just ruled on this matter two months ago how long have states been stealing equity? Could New Jersey be exploiting the surge in home foreclosures during the pandemic by stealing home equity? Could New Jersey be making it utterly impossible to own your home while profiting off of your futile attempts, stealing your hard earned money and spitting it back to you in the form of inefficient state programs and broken promises of repaired infrastructure? If I were a betting woman...

No matter your positions on taxes as a whole, we can certainly find solidarity in that the government should not be profiting off of the misfortunes of the community members they are serving. If the government seizes your home to pay a tax debt, any remaining profit should be given back to the previous home owner or next of kin. If this is not possible or attempts at notifying beneficiaries have resulted in dead ends, sums should be held in an account for a predetermined period of time. In no way should the state be allowed to receive someone else's equity by force.

The NNJLP Equity Theft Prevention is combing through every county and every township in North Jersey. Finding any cases that are about to become victims of home equity theft. With the recent SCOTUS ruling setting a precedent, we now have weight behind our efforts. We could use every bit of help. Please join us.

More information on NJ home equity theft <https://northnjlp.org/home-equity-theft-prevention/>

To support Lana Leguia's Campaign please visit:

<https://www.lanaslair.com/> ♦

Support Our Candidates

NJ State Senate District 2 - Shawn Peck:

<http://shawnpeckfornj.com/>

NJ Assembly District 13 - John Morrison:

<https://www.instagram.com/themorryouknow/>

NJ State Senate District 16 - Richard J. Byrne:

https://eehot.com/Byrne_NJ_Senate_2023.html

NJ Assembly District 19 - David Diez

Branchburg Town Council - Tara Murphy:

<https://donorbox.org/tc-race-2022>

Allendale Town Council - Zachary Finkelstein

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New Jersey Libertarian Party - - - - -

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I'd like to join the NJ 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 _____

Check here to use address from mailing label

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City: _____ St: _____ Zip: _____

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