

LIBERTY PLEDGE

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newsletter

HIGH COURT VICTORY ...

'Job tax' struck down after vigorous LP campaign

The Supreme Court of Alabama has unanimously struck down a "job tax" in Montgomery County, handing a big victory to the state Libertarian Party, which waged an all-out lobbying and legal campaign against the measure.

"I am pleased," said Matt Givens, an LP member who organized the anti-tax effort. "We had the burden of proving the tax was invalid. The court agreed that under state law, the county had no authority to levy the tax."

Last July, the Montgomery County Board of Education asked the County Commission to enact a 1.5 percent occupational tax on everyone who works in Montgomery County – even if they lived in another county. The tax would have raised an estimated \$33 million for government schools.

The day after the proposal was announced, County Commissioners were bombarded with angry phone calls, and the Libertarian Party swung into action.

"Operating through talk radio host Don Markwell, I organized a 20-person volunteer squad to protest at public meetings and gather signatures," Givens said.

The highlight of the campaign: A Montgomery Tea Party, held outside the commission's offices.

"We invited taxpayers to sign our petition and toss a teabag into 'Boston Harbor,' (a vat of water) in symbolic protest," Givens said. "Local businesses turned out in force to cheer us on."

By the time the tea party was over, the LP had gathered 3,600 signatures, Givens said.

Despite the group's efforts, the commission passed the tax in August by a 3-2 vote. Montgomery County District Attorney Ellen Brooks challenged the tax in circuit court, and Givens and other taxpayers joined the suit.

The taxpayers group lost that case in February 2003, and appealed to the Supreme Court. On May 2, the court struck down the tax, saying state law "does not give a county authority to enact an occupational tax."

"Now I am known as the City Council candidate who helped defeat the job tax," Givens said. "That should help my campaign a little!"

TAX FIGHT IN CALIFORNIA...

Santa Barbara LP seeks sunset vote on every tax

Libertarians in Buellton, California have kicked off a petition drive for a ballot proposal that would sunset every tax in the municipality over the course of a generation – and require a supermajority of 66 percent to reactivate each one.

"Private contracts in perpetuity are null and void, so why should taxes be any different?" asks LP member Robert Bakhaus. "Each generation should be able to vote on what taxes it deems proper to pay."

Bakhaus is the leader of United Against Tax Abuse, which must collect 100 valid signatures in the city of approximately 2,000 voters to get the measure on the November 2003 ballot.

Property taxes, bed taxes, sales taxes – all municipal taxes would be reconsidered under the Tax Sunset Elections Law. During every general election, the oldest municipal tax would be put on the ballot. If it failed to garner a 66 percent majority it would be repealed. The process would be repeated so that eventually, every tax would be subject to a new vote.

If approved, the sunset process would begin in the November 2004 general election.

BCRA ruling is win for the LP

The May 2 ruling by the U.S. Supreme Court striking down parts of the Bipartisan Campaign Reform Act is a victory for all third parties, says chair Geoffrey Neale.

"The BCRA was a classic case of the Law of Unintended Consequences," Neale said. "In an attempt to root out corruption among Democrats and Republicans, it inflicted collateral damage on third parties."

Complying with the complex regulations would have imposed a huge burden on third parties, which lack the resources to absorb the costs, Neale pointed out.

The language would also have barred the LP from accepting a check for a business ad in *LP News*, and prohibited the sale of political buttons to state parties.

Libertarians court businesses

By Deborah Sederberg

The Libertarians know how to bring small businesses to Michigan City.

Mark Rutherford, state chairman of the Libertarian Party, said, "We know small businesses, like antique stores, could fill the vacant store fronts in Michigan City."

What's standing in the way? According to Rutherford, licensing fees, taxes and government red tape present obstacles to business development and growth.

Speaking Saturday at the state convention of the Libertarian Party at Krueger Memorial Hall, Rutherford said local, state and federal bureaucracies can choke the small business entrepreneur.

"What are the Democrats and Republicans saying to small businesses?" he asked, and then answered, "They say you serve us."

Rutherford believes small business owners spend too much time acting as immigration enforcers, tax collectors and health and safety inspectors for OSHA.

"Every Libertarian here believes small businesses exist to serve customers, not the government," he noted.

Speaking of himself in the third person, he added, "Mark Rutherford, attorney-at-law, is not in business to serve the government, but to serve clients."

Rutherford, an Indianapolis criminal defense lawyer, was elected to his second two-year term as party chairman during a convention business meeting Saturday.

Rebecca Sink-Burris was elected vice chair.

About 85 Libertarians attended the convention, Rutherford said, although only about 50 were present for his State of the State address Saturday afternoon.

The state is not in good shape, he said, "and that's good news for Libertarians, because we are the party with new ideas."

Greg Kelver, LaPorte County Libertarian chair, said the convention was going well. As the owner of a small business, Thermo-Cycler of Indiana, in Union Mills, Kelver said he knows how difficult and time-consuming it can be to satisfy government regulations.

"I am very, very pleased with the party's small business initiative," said Kelver, who last fall opposed State Rep. Scott Pelath, D-Michigan City, for the ninth district General Assembly seat.

Rutherford said the Libertarians, not Democrats, represent union members. "If you talk to the rank-and-file, they'll tell you they're fighting big government within their own (union) leadership," he said.

He praised Libertarians who keep their eyes on local government, opposing ordinances that complicate life for small business and individual citizens.

(Left) *News-Dispatch*, Michigan City, Indiana -- April 27

(Below) *Daily Hampshire Gazette*, Northampton, Massachusetts -- April 15

Tax hike not in step with politics

NORTHAMPTON -- The strong sentiments in favor of raising the income tax rate expressed at a conference for municipal leaders on Saturday are at odds with the political reality, state lawmakers say.

Area mayors and selectmen and finance and school committee members at the conference said they already are dreading the decisions to cut teachers, firefighters and police that they will soon have to make to balance their budgets as Massachusetts faces a \$3.2 billion state budget deficit in the year beginning July 1.

Municipal officials at the conference sponsored by state Sen. Stanley C. Rosenberg, D-Amherst, also received the grim news that the likely cuts to local aid next year will more likely be in the 20 percent range, rather than the 10 percent in Gov. Mitt Romney's proposed budget.

Romney has said he identified \$2 billion in wasteful spending which he eliminated in his budget plan for the next fiscal year.

But legislative leaders, including Therese Murray, the chairwoman of the Senate Ways and Means Committee, said the governor's budget is as much as \$1 billion out of balance.

As a result, legislative leaders predict that the Senate and House will cut aid to schools far more deeply than the governor did in his budget.

Reversing the 2000 state income tax cut, so that the rate returns to 5.95 percent from the present 5.3, would add \$1 billion in revenues in 2004. And raising the 5 percent sales tax by a penny would add another \$750 million.

But House and Senate leaders at the conference said that their budgets would not include tax increases, because there is no public support for them.

As evidence they cited the 45 percent of voters who indicated that they were in favor of eliminating the income tax altogether in the 2002 ballot question sponsored by the Massachusetts Libertarian Party.

The most recent income tax cut was the result of a ballot question in 2000.

"We continually said cutting taxes when we're facing a recession may not be the best thing. But you know what? The people of Massachusetts spoke," said state Rep. Marie St. Fleur, D-Boston, chairwoman of the House Education, Arts and Humanities Committee. "There's a political reality and we can't get around that."

According to Jain, ‘Beware of foreign entanglements’

By Andy Smith

FRAMINGHAM -- When considering our country’s military action against Iraq, Kamal Jain, acting chairman of the Libertarian Party of Massachusetts, is reminded of a quote from the nation’s first president.

“George Washington said ‘Beware of foreign entanglements,’ ” Jain said. “And that was a clear warning to avoid involvement in the affairs of other states. There’s a range of opinions in our party, but Libertarians are generally opposed to this kind of intervention.”

Jain was one of about 110 people at yesterday’s Massachusetts State Libertarian Convention held at the Sheraton Framingham. They discussed a range of issues including the drug war, home schooling and health care. And individually, they shared their concerns about Operation Iraqi Freedom.

Carla Howell, the Libertarian gubernatorial candidate in the 2002 election, also opposes the use of military force in Iraq.

“In my 2000 Senate campaign against Ted Kennedy, who through the years has consistently supported war and military build-up, I was against military intervention, as I am now,” she said. “I pray for our troops and their safe return, but it is my deep desire that we bring them home and develop a non-intervention foreign policy.”

Kay Pirrello, of Salem, is the executive director of the state party. She said the problem of “foreign entanglements” is far more widespread than Iraq.

“Right now we have a presence in 140 countries around the world,” she said. “We routinely go into these countries and interfere with their internal politics. Whether we agree with them or not, it is not our job to strong-arm other governments.”

Cris Crawford, of Sherborn, was given the convention’s Lifetime Achievement Award for her activism within the party. She is not surprised by the problems America is facing in the Middle East, and believes this war is symbolic of a traditionally destructive foreign policy.

“Our interference in Middle East governments started a long time ago, and now it’s catching up with us. We were the ones that put the Ba’ath party in power,” she said. “If you want to comment on what’s going on now, you can’t do it without looking into the past.”

There were a few Libertarians at the convention who crossed party lines. Jessica Bowen, of Marlborough, said on the issue of Iraq, she tends to trust the administration more than most Libertarians.

“I assume President Bush is working with more information than I am,” she said. “I trust him and I think he did the right thing.”

(Left) *Milford Daily News*,
Milford, Massachusetts -- April 13

(Below) CNN/Money, New York, NY
-- April 15

It’s tax day; where’s the party?

By Leslie Haggin Geary

As last-minute filers flood into post offices nationwide, they’re finding a diverse collection of groups marking Tax Day in grand style.

Pickersets will be protesting taxation. Marketers will be giving away free samples. And of course, there will be millions of actual taxpayers, who are expected to race to 38,000 post offices nationwide to mail their returns by midnight.

Events at post offices aren’t sponsored by the mail service. But since the sidewalks and other areas around the buildings are public property, anyone can show up.

And they do. In droves.

“April 15 has come to have a carnival atmosphere,” agrees David Mazer, manager of public affairs for the Southern California Postal Service.

This year, for example, taxpayers who go to the Los Angeles-area Airport Post Office on Airport Boulevard will get a free video tape of the 20th Century Fox movie, “Drum Line.”

In Orem, Utah, Krispy Kreme will be giving out free doughnuts from 6pm on. In Des Moines, there will be free ice cream from Blue Bunny. And in Salt Lake City – free massages from noon to 3, courtesy of the Myotherapy College of Utah.

New York City’s main post office on 8th Avenue between 33rd and 34th streets – which expects some 20,000 filers Tuesday afternoon alone – has won a national reputation as the most boisterous place to be come April 15. This year promises to be just as busy.

Don’t be surprised if your post office attracts a protestor or two. The Libertarian Party, for example, usually makes appearances, and tomorrow is no exception. In fact, the party will show up twice at the Main post office at North Capital Street and Massachusetts Avenue in Washington, D.C.

Its daytime protest theme will be “taxation without representation.” Protestors return later in the evening for a “tax slavery” protest.

Meanwhile, some festivities will have a regional flavor. Take Nashville, Tennessee. This year, the Grand Ole Opry kicks off its Tuesday night concert series on April 15. Meanwhile, local post offices in the Nashville area expect to process 1 million returns on Tuesday. To celebrate the confluence of these two major events, postal employees will collect tax returns at the Opry from 5 p.m. to 10 p.m.

(Right) *LaPorte Herald-Argus*,
LaPorte, Michigan -- April 16

(Below) *Juneau Empire*, Juneau, Alaska --
April 29

City asks for U.S. review of Patriot Act

By Julia O'Malley

In a packed meeting room Monday night, the Juneau Assembly approved a resolution that outlines the city's approach to investigations under federal anti-terrorism legislation and sends a message to Congress asking the Patriot and Homeland Security acts be re-examined.

"This is a very balanced resolution, and it's a positive approach. It states our support for the Constitution and the Bill of Rights and respectfully asks Congress to revisit the Patriot Act," said Assembly member Mark Wheeler.

Juneau's resolution requires city employees to consult the city attorney's office if they have doubts when asked to hand over public records that normally are confidential. It also directs the city attorney's office to educate city employees about their rights under the U.S. Constitution.

Additionally, the resolution directs the Juneau Human Rights Commission to report complaints that it receives about local investigations under the anti-terrorism acts, and asks the U.S. attorney's office to provide statistics that reflect the number of investigations carried out under the acts in Juneau.

"Our democratic principles are being threatened and I submit the danger to our democracy is not from the terrorists, it is in our complacency and self doubt, it is in the bureaucracy," said Andrea Doll of the Juneau Committee for Defense of the Constitution and the Bill of Rights.

Sara Chambers, the vice chairwoman of the Juneau Libertarian Party, questioned the criteria for federal searches of library records under the acts.

"If your teenager wants to check out books on famous dissidents, will he be flagged as a potential terrorist for reading about Mahatma Gandhi, Martin Luther King or Jesus Christ?" she asked. "It's a slippery slope."

Mayor Sally Smith asked for people in the room who supported the legislation to raise their hands and nearly every hand in the room shot up.

Smith and members Wheeler, Jim Powell, Merrill Sanford, Stan Ridgeway and Jeannie Johnson voted in favor of the measure. Members Ken Koelsch and Dale Anderson were not present. Randy Wanamaker was the sole vote against the resolution.

When the resolution passed, the room erupted in applause.

Honk if you don't like taxes, group urges

By Daniel Przybyla

Around the country, thousands of taxpaying Americans descended on post offices Tuesday to drop off their tax forms before the midnight deadline.

There's been no better time or place the last three years for the LaPorte County Libertarian Party to put forth its message about taxes being too high than outside the LaPorte Post Office at 1201 Lincoln Way on tax deadline day.

From 11 a.m. to 2 p.m. Tuesday, up to 15 Libertarians lined the 1200 block of Lincoln Way and outside the post office with signs depicting their disgust with government, including one that declared, "The IRS. They've got what it takes to take what you've got."

In the late afternoon, party members stood outside the Michigan City Post Office. The blare of car horns could be heard periodically along Lincoln Way as a result of a sign that read, "Honk if you want to abolish the IRS."

A political party that's outnumbered by Republicans and Democrats, Libertarians utilized Tuesday's last day to file taxes as a platform to spread the word about how they think government takes too much from everyone's pocket.

"I believe we are being taken advantage of by our government. We're taxed on food, water, cars," said Lois Thatcher, 46, of Michigan City.

County Libertarian Party Chairman Greg Kelter said less government means less taxes and, in turn, more freedom.

"No matter how much they raise (taxes), there will never be enough. The only way you can reduce taxes is by reducing the role of government," he said.

Economic development, some social programs and corporate welfare are all things the government shouldn't support with tax revenue, Kelter said. She has two daughters who are home-schooled and said alternatives to publicly funded education are home schools, charter schools and vouchers.

Libertarian mayoral candidate Mike Lisak supports a flat tax that would be assessed on the amount someone earns in a year.

"We believe the government would have more money than they would know what to do with," Lisak said under the plan.

He calls the property tax unfair. "It doesn't make a lot of sense to me that people who improve their property are penalized with higher taxes," said Lisak, who passed out his campaign cards to those entering the post office.

Lisak, who is blind, said those hurt most by taxes are those on fixed incomes, the elderly and the disabled.

"I feel government takes advantage of the elderly who work their whole lives and have a problem (paying taxes). That's a sad situation."