COLORADO LIBERTARIAN PARTY

CLiPboard

Official monthly newsletter of the Colorado Libertarian Party
720 E. 18th Ave., Suite 309
Denver, CO. 80203

April, 1989 issue

Calendar

CLP board meeting: Saturday, May 13 - noon at CLP office, 720 E. 18th Ave., Suite 309, Denver.

Cocktail party: Monday, May 15 - 7 p.m. at Mary Margaret Glennie's residence, 1317 Lakewood. Ft. Collins.

Convention: Friday, May 26 through Sunday, May 28 - at the Holiday Inn in Ft. Collins. Register soon!

People's Fair: Saturday and Sunday, June 3-4 - at the Civic Center in Denver.

CLP joins CUT lawsuit

By Ron Bain
CLP Communications Chairman

Gov. Roy Romer is being sued by the Colorado Libertarian Party following the filing April 12 of a joint CLP/Colorado Union of Taxpayers lawsuit alleging that Romer unconstitutionally interfered with the citizen initiative process by campaigning against Doug Bruce's tax limitation proposal, Amendment Six, in 1988.

According to Mary Lind, CLP chairman, the federal suit accuses Romer of "using the power of his office and monies from the state treasury to propagandize against Amendment Six and...all defendants (of) conspiring to use the governor's power and office and state treasury monies to fund and further their campaign to defeat Amendment Six, in violation of the First and 14th Amendments to the U.S. Constitution."

Other defendants named in the suit are the Citizens for Representative Government and its leaders, Phil Fox and Clark Shaw, which Lind described as "essentially Romer's front organization for raising funds to fight. They come in under the conspiracy charge" which alleges the cooperation between Romer and the Citizens for Representative Government violated First Amendment provisions to petition for redress of grievances.

A libertarian lawyer, Kathy Curtis of Ft. Collins, has been retained jointly by the CLP and CUT to pursue the case. A hearing date will likely be set on the U.S. District Court docket in Denver in late May or early June, Lind estimated.

The suit seeks to set a precedent that will prevent future such interference in the citizen initiative process, Lind said, and also asks for $1 million in punitive damages. If the CLP and CUT win the lawsuit, it could lay the groundwork for Romer's removal from office, she speculated.

One of the reasons the suit was filed was to gain media attention and in that the effort has so far been successful, she said.

Attorney Curtis is in possession of some very incriminating documents, Lind explained, including some financial disclosure documents filed with the secretary of state by the Citizens for Representative Government that list the State of Colorado as a contributor to the anti-Amendment Six group. The court file also includes many newspaper articles which document Romer's three-week sabbatical while on governor's salary that allowed him to campaign full-time against Amendment Six.

From the Chair

By Mary Lind,
CLP Chairman

Greetings!

The lawsuit's finally been filed, as you've probably read. A press conference was held that same day (April 12) and was moderately successful.

Interestingly enough, I've found that several state representatives are supportive of our action. Rep. Charles Duke from El Paso County and Rep. Jeanne Adkins from Parker have been very interested in the lawsuit from its start, and philosophically are very much with us. I've been making good contact with several legislators within the last few weeks, and I believe there's good potential for cooperation on several issues.

Cooperation with lawmakers is something that rubs many Libertarians the wrong way. But we must be realistic -- on particular issues, there are opportunities to work together. There *are* a few folks down there at the capitol who have principles, and who are doing their best to whittle down the present rampant spending practices. These are the individuals that are best to stay in touch with, for they truly appreciate the support that they usually lack from various constituencies. In particular, these principled lawmakers usually have no support at all from their colleagues.

For a change, let's try to keep in touch with our legislators, particularly Duke and Adkins. They would appreciate a vote of confidence, and the Party would benefit from greater credibility in their eyes.

Yours in Liberty,

Mary Lind

Remember to attend the

multi-state LP convention in Ft. Collins

May 26 through May 28

Letters to the CLiPboard

Attend joint convention in Fort Collins

Dear CLiPboard:

I would like to urge the readers of the CLiPboard, LP members and their friends and acquaintances to attend the FREEDOM NOW joint LP convention in Fort Collins, Colorado (May 26 through 28, 1989). As you will note from the convention flyer, the key speaker at this event will be none other than Leon Louw of the South African Free Market Foundation.

I have known Leon for many years -- since the early '70s -- and can truthfully say I have not in my travels around the world met a more truly remarkable person or a more effective communicator of libertarian ideas. Those of you who have not met Leon at one of Libertarian International's world conferences (Zurich, London, Stockholm, Swaziland) are now in for a rare treat in being able to meet the biggest name in the world movement on your own turf. Ask him about his ideas on libertarian jurisprudence or converting Marxist demonstrators to libertarians in Stockholm.

Of special interest to libertarians is the fact that Leon and Frances have just been nominated for the 1989 Nobel Peace Prize for their remarkable work in helping to bring about a peaceful solution in South Africa. Leon and Frances were also winners of Libertarian International's "Freedom Torch" gold medals in Stockholm, Sweden in 1986.

So come one, come all -- if you have to walk, crawl, fly, drive or (heaven forbid) take public transit, don't miss this one.

I look forward to meeting many of you in person in May.

Vincent H. Miller
President
Libertarian International

Aborted fetus' spirit can choose another

Dear CLiPboard:

In the current, continuing abortion debate, a fetus is always considered a victim. I disagree.

If a spirit entity is separate from a physical body, when does it join the fetus or newborn... and how much choice does it have regarding the circumstances -- and timing... and what effect does this responsibility have on an abortion debate?

One primary source on this theory is Helen Wambach's hypnosis research, *Life Before Life* (1979): "The soul usually enters the body near birth, and has a choice of which fetus to enter. If one fetus is aborted, it is possible to choose another. In some cases, the soul who will occupy the fetus, is in contact with the soul of the mother, and can influence her decision regarding abortion."

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or

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Sec. Meyer is guilty of double-speak

By Jon Baraga
CLP Membership Chairman

Natalie Meyer, in a recent column, "Protect public's initiative rights," regarding proposed legislation HB 1181, should be commended for her command of double-speak, and for nothing else.

Her pious use of phrases such as "I have worked to assure that the people's right to initiate is not only protected, but enhanced." and "...further the concept of the initiative process by making it easier for issues to make the ballot," are gratuitous at best; they are patently false and misleading in general. Let's examine her arguments point by point:

"The current statute does not provide that the secretary will check the registration of those who sign petitions." Article V, Section 1 of the Colorado Constitution provides that, "To each of such petitions...shall be attached an affidavit of some registered elector that each signature thereon is the signature of the person whose name it purports to be and that, to the best of the knowledge and belief of the affiant, each of the persons signing said petition was, at the time of the signing, a registered elector. Such petition so verified shall be prima facie evidence that the signatures thereon are genuine and true and that the persons signing the same are registered electors." (Prima facie evidence is evidence good and sufficient on its face, sufficient to establish a given fact.) Ih plain English, the secretary of state has no standing to challenge signatures on a petition to initiate. In fact, the Colorado Constitution only allows the secretary to prescribe the form of the petition.

The Colorado Constitution further requires only that the registered elector sign their own name; the residence address and date "shall be attached," by whom is left open. Nowhere does it require (or allow for requiring) that the person signing the petition complete the information, only that it be attached. "**Attached:** a term describing the relation between two parts of a single structure, each having its own function." - Black's Law Dictionary.

"The proposed change would require that the secretary of state assure that all who sign are registered electors and that the information is completed properly." Not only would the proposed change be monumentally more time consuming and costly, it would fundamentally change the role of the executive branch. Instead of being the neutral facilitator of citizens' initiatives, the secretary of state would become an adversary, the judge and jury and final decision maker on which initiatives are suitable for submission to the ballot. Clearly that is not the intent of the Colorado Constitution. This change would be unconstitutional.

"Removing the cure period: The proposed legislation requires that the proponent of an initiative assure that sufficient signatures are submitted the first time: if the signatures are not complete, then the petition fails." The key word here is require. In Article V, Section 1, the word "require" appears only once: "The first power hereby reserved by the people is the initiative, and signatures by registered electors in an amount equal to at least five percent of the total number of votes cast for all candidates for the office of secretary of state at the previous general election shall be required to propose any measure by petition..." It is clear that only one requirement exists in order to initiate. Any further requirements must be addressed through constitutional amendment, not statute. Proposing additional requirements in order to initiate is certainly a strange way for the state to "enhance" the first power reserved by the people. The state is clearly to act as the servant, not the master, in Article V, Section 1.

The secretary of state urges all to read the existing legislation. Perhaps the secretary should read the Colorado Constitution first. Then, if she truly is a protector of the people's right to petition through the initiative process, she would urge the legislature to defeat HB 1181.

The truth of the matter is that the secretary seeks to consolidate power and authority to regulate the initiative process, unconstitutionally. She blames "critics" for conveying misleading or false information on HB 1181; all the while it is she who is arrogantly doing so. It is classic double-speak.

HB 1181 is a dangerous piece of legislation seeking to limit and restrict constitutional rights of the citizenry to petition peacably for a redress of grievances. It should be defeated. Those who would propose or pass such legislation should be looked upon by the citizenry as dangerous powermongers.

To the legislature: If you do decide to pass HB 1181 changing Colorado election law 1-40-101 to 1-40-110, you had better change 1-40-111 also. It reads: "Intent of the general assembly. It is not the intention of Sections 1-40-110 1-40-101
to 1-40-110 to limit or abridge in any manner the powers reserved to the people in the initiative and referendum, but rather to properly safeguard, protect and preserve inviolate for them these modern instrumentalities of democratic government."

CLP's funds ebbing low

CLP finance Chairman David Aitken reports that the party's bank account has dwindled to about $400, although all bills are current and paid.

Although it's not an election year, it seems that Colorado's Libertarians are busier in 1989 than in any prior time. Increased activity levels, maintaining the office headquarters and telephone, and printing the **CLIPboard** each month are costing almost more than is coming in through donations and pledges. Please, this is important -- if you have not paid your party dues this years, now is the time to pay them; if you are a pledger who has fallen behind on his or her pledges, please try to get caught up and make the pledges each month; or just send in a one-time donation because you think it's great that we're suing Gov. Romer.

YES! I'd like to help the cause of freedom in Colorado. Here's my:

___one-time ___monthly donation of:

___$5 ___$10 ___$25 ___ ☐

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Lloyd runs for Denver school board

Former Libertarian Regional Transportation District candidate Geoffrey Lloyd, a Denver resident who is employed as a security guard, has become ballot qualified as a candidate for the Denver school board in the election set for May 16.

Lloyd reported that there are 13 other candidates in the non-partisan election, but said he thought he had a good chance despite the number of opponents.

"Since we don't believe in public funding of schools, I'm not really sure what role I should play," Lloyd commented.

One campaign platform plank Lloyd said he had decided upon was advocating a salary freeze for public school teachers that would bring their salaries in line with those paid to private school teachers.

Lloyd has twice been an RTD candidate for the Colorado Libertarian Party, although in 1988 he did not get on the ballot. In 1986, he ran for the state senate as a Libertarian.

Good luck, Jeff!

Proclaim Liberty

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