

# Santa Clara Libertarian

Volume 31 Issue 6 June 2003

News Of Local Libertarians' Struggle For Freedom



## **ALL TAX MEASURES ON BALLOT CRASH AND BURN! Libertarians Led Anti-tax Arguments But Mercury News Credits Only Taxpayers Association And Republicans**

Reported by Marv Rudin

Campaign Chair Dennis Umphress, who led the Libertarian anti-tax measure ballot arguments program for the June elections, jubilantly declared victory on June 4th - two days after the election, when the results were official, saying:

"It is official. All four local parcel tax measures failed to pass. They all needed 66.6% to pass.

A: 59.8% yes, 40.2% no, 20.2% of registered voters voted.

B: 56.7% yes, 43.3% no, 20.2% of registered voters voted.

C: 56.3% yes, 43.7% no, 11.6% of registered voters voted.

E: 63.1% yes, 36.9% no, 27.4% of registered voters voted.

E had 67.9% yes at the start, but faded in the home stretch. I'm sure our ballot arguments played some roll in the defeat of these measures.

Chair Ray Strong, who signed all the arguments followed by his title as LPSCC chair, concurred with Umphress in his statement that evening, saying:



Dennis Umphress

### Inside This Issue

- Pg. 2 June Excom Meeting Highlights
- Pg. 3 "Freedom" Signs To Grow LPSCC
- Pg. 4 F of S Suit Fails - 15% Was Needed!
- Pg. 4 SCL Publication Schedule
- Pg. 5 Coming Events
- Pg. 6 Officers List & Member Application

"We are 4 for 4: all tax measures on the June 3 ballot in Santa Clara County failed to obtain the required two-thirds vote. This victory is especially significant in San Jose Unified School District (Measure A) where the amount and justifications were chosen by polling. The poll taken earlier this year showed that voters would likely support the chosen initiative by two-thirds plus four per-cent, if the reasons for passage were explained to them. But the poll didn't take into account the ballot arguments posted by the Libertarian Party and signed by both Libertarian and Republican officials. They didn't take into account the numerous letters and articles submitted by Silicon Valley Taxpayers members and Libertarian Party members stressing the wrongness of raising taxes to pay for the sins of Sacramento. And they didn't take into account the significant results (with consequent media coverage) of the recall Davis campaign, which is likely to have created a state of mind in swing voters receptive to our exhortations to refuse to be bullied by Davis into paying for his mistakes and forcing those out of work to do the same.

It is hard to measure exactly what effect we had on these elections; but I suspect that the results would have been much closer to those predicted if we had not gone to the trouble to put our arguments into the ballot pamphlets.

licing on the cake is the final quote from Dennis Umphress in the San Jose Mercury News article reviewing what, from their lofty editorial point of view, is a debacle: "'Schools need to spend their money more efficiently,' said Dennis Umphress, who is on the board of directors of the Silicon Valley Taxpayers Association, 'before they ask taxpayers for more.'"

Certainly it was great press for the SVTA and two-time Congressional candidate Umphress, who is active in both organizations. But for all of the Libertarian signatures after each of the four anti-tax arguments and the rebuttals to the pro-tax arguments, there was nary a mention of "Libertarian" in the Mercury News' story. Thus the SJMN continued it's secret policy of not covering 3rd parties, al-

(Continued on page 5)

Libertarian Party of  
Santa Clara County  
P.O. Box 60171  
Sunnyvale, CA  
94088-0171  
Tel: (408) 243-2711  
www.sc.ca.lp.org

# JUNE EXCOM MEETING HIGHLIGHTS

## \$2000 For Mailers Seeking Libertarian Petition Signers Who'll Download Umphress' ROV-approved 1-page Web Petitions Will Save Large Filing Fees Plus LP Candidate Energy

Reported by Mike Laursen and Marv Rudin

The LPSCC Excom held its June meeting at the Rose Garden Library on June 7th. The most noteworthy business was commitment of \$2000 for a candidates petition in lieu of filing mailer . That and other highlights of the meeting were:



Mike Laursen

**Financial:** Treasurer Jon Hugdahl reported that we're doing OK budget-wise even though we have shrinking membership and UMP2 payments are behind. He said cash flow is approximately zero. [Editor's note: The Income and Expense for 2003 up to the end of June may be viewed by clicking on: [http://f1.grp.yahoofs.com/v1/cFkkP8jA7XKOPrVabEQbuHNpYNIUovm9FzWYI3\\_VXHY9MoW5p\\_m38nvFTvIF4nxgivWYI0dKDTFajJP/Financial%20Reports/LP%202003%2006%2027%20FYTD%20Income%20and%20Expense.TXT](http://f1.grp.yahoofs.com/v1/cFkkP8jA7XKOPrVabEQbuHNpYNIUovm9FzWYI3_VXHY9MoW5p_m38nvFTvIF4nxgivWYI0dKDTFajJP/Financial%20Reports/LP%202003%2006%2027%20FYTD%20Income%20and%20Expense.TXT) ]. As can be seen the SCL newsletter and storage unit costs are the main regular expenses at about \$120/mo for the SCL printing and mailing, and \$68/mo for the storage unit. Average income is about \$300/mo, which leaves about \$100/mo for projects without special fund raising.]

**Excom Vacancies:** Two positions remained unfilled - Vice Chair and Local Organizing Chairs.

**Candidate Recruitment For 2004 Government Elections:** Campaign Chair Dennis Umphress said filing opens 8/14/03. He said he has a list of 95 potential candidates. He'd made it through 22 of them (that's actually talking to them, not just leaving a message). The March primary will have several state offices open. Nobody had given a "yes" yet. At the state level, LPSCC's LPC Rep Mark Hinkle reports they are setting up a candidate database.

**\$2000 For Mailing To Registered Libertarians To Get Petition Signatures:** Treasurer Jon Hugdahl said he'll check on the bulk rate to mail the cards. Campaign Chair Dennis Umphress said he is refining the design of the card. The Excom voted to spend the equivalent of more than 20 months of available income of about \$100 per month (see above under Financial) on this mailing by approving \$2000 for expenses. The card mailing and petition signing, gathering, and submission is all to take place before the March 2004 primary elections. [editors note: a past SCL article described Umphress' downloadable one-page web form for this purpose and to the saving in filing fees, work, and shoe leather for candidates, but reduced contact with registered Libertarians as compared with traditional in-person petition canvassing by candidates]

**Appointment Of Mike Laursen As 2nd Alternate State Representative.** The appointment was temporary for the purpose of replacing the LPSCC's alternate LPC representative Joe Dehn and LPC Rep Mark Hinkle, both of whom said they couldn't make the LPC's June meeting on 6/21/03. To be for the remainder of the year, the LPSCC Central Committee would need to approve Laursen's appointment at the next Central Committee meeting. The need for Laursen to attend the 6/21 meeting in L.A. , was that the LPSCC's seat on the LPC Excom is at risk if the LPSCC misses too many meetings. After his appointment, Chair Ray Strong asked Laursen to inquire if it would be possible for local organizations to include inserts in the LPC newsletter to save mailing costs. That could be for the LPSCC newsletter, a flyer, or other communications.

**Fundraising:** Fund Raising Chair Mike Laursen said he will design a fundraising ad to be published in the newsletter. He said it was not particularly for funding the petitioning mailer, although that would be one use for funds, but to keep the fundraising process active.]

**Anti-Patriot Act Resolution:** The Excom discussed whether to endorse the resolution being proposed to the Santa Clara Board of Supervisors by the ACLU. Mark Hinkle will continue to work with the ACLU's Anti-Patriot Act Resolution committee to see if he can get them to change some of the language we object to. Apparently the Excom doesn't have to endorse anything until the Board of Supervisors settles on a resolution, although it may be desirable to try to lead them to adopt wording closer to a Libertarian version if it were written and passed by the LPSCC.

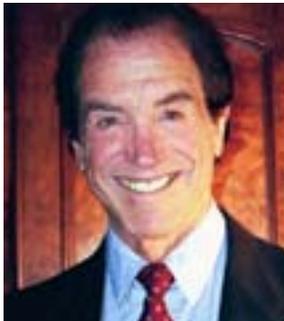
**July Central Committee Meeting Arrangements:** Activities Chair Activities Chair Zander Collier wasn't at the meeting. Chair Ray Strong said he'd contact Collier and make sure a place and time for the CC meeting would be scheduled soon.

**January Annual Meeting:** The Excom voted to approved Scott Lieberman to manage the setting up the 2004 annual meeting .

**Bay Area LP Radio Plan:** Fund Raising Chair Mike Laursen reported he has invitations from the San Francisco LP and the East Bay LP for him and Activities Chair Zander Collier to come to one of their meetings and introduce the Radio Plan idea. Both chairs were enthusiastic about the idea. Fund Raising Chair Mike Laursen has also contacted the San Mateo LP, but hadn't yet gotten a reply. Several people pointed out that LP Santa Cruz is within the Bay Area radio area.

# LET'S LET'EM KNOW THE LP IS PUBLICITY THE ONLY FREEDOM PARTY

*With Zero Effort You Can Let The County's 150,000 "Small L" Libertarians Know The LP Represents Their Views By Displaying This Sign As You Drive*



by Marv Rudin, Publicity Chair

I believe the party can grow by leaps and bounds if you members'll display the car sign at right and get the LP better known. Why do I think fast growth is possible for the LP if it's well publicized? Because there are a huge number of libertarian thinking folks out there (polls show it to be 17% of the public) we've never reached before who probably would at least register Libertarian if they were to find out that the LP agrees with their views and if they learn that other "small L" libertarians like themselves are so numerous. What we're missing right now is the "herd effect". If individuals know there are many others who think like themselves they're to be more confident about their views and willing to reveal them to others. Just as a small religious group is labeled a "cult" while a large religious body is called a "religion", as long as the LP is labeled a "minor" or "third" party by the media because of our small percentage of registrations, libertarian thinking voters won't bother to find out more about the LP and learn that it agrees with their views. So for now, we'll need ads and outreach that gets our message to them if we want to get them into the party.



"Freedom" Sign

Polls show that only 12% of the 17% of the public who are "small L" libertarians - people who think libertarian - know that their beliefs are represented by the Libertarian Party, and 88% who don't. In California 1/3rd of that 12% who know, just 4% of all libertarians in the state, have identified their views by registering Libertarian, leaving 96% of them unidentified. This 96% constitutes a large body of libertarian prospects out there who don't need to be persuaded but only informed - a much less difficult advertising job than persuasion. Presumably, if we can inform those who are unaware, 1/3rd of them also would register LP and the LP rolls would go from under the 0.6% of registered voters we have now, to 1/3rd of 17% = nearly 6% - a 10:1 increase, and demonstrate enough political impact to trigger a "band wagon" effect. If this were to happen, our party may finally begin to escape from the impossible-to-win minor party image now holding it back, and even many of the 2/3rds of knowledgeable libertarians who often vote Libertarian but are unregistered to the LP will be encouraged to register LP. At our party's present size, we not only have a wasted vote syndrome to contend with, but also a wasted registration syndrome. And apparently for many Libertarians, the party's minor standing causes concern that nonLibertarian associates will question their judgment, and so they fear to let it be known that they are Libertarians. Obviously, that would change if the



Initial version of "Freedom" sign on my Dodge Caravan

party were rapidly growing. Moreover then the psychology of many of the presently unregistered 2/3rds of the libertarians familiar with the party would be expected to change to wanting to be early in and have "bragging rights" when the party grows to major standing.

How do we get the needed rapid growth trigger? The party is an organization of people, and like most organisms its ability to grow is proportional to its size. Right now it is small, with just a small number of



My RX7 with window version of "Freedom" sign. Window sign is easily removable when you don't want to reveal LP affiliation.

members willing or able to give time or money toward advertising and recruiting activities needed for it to grow. For years it's been assumed that candidates running for office could do it. But after 30+ years, it has become apparent that until the party's registration rolls are much much bigger - probably more than ten times bigger - running candidates alone won't spur the needed

(Continued on page 5)

# FRIENDS OF SUNNYVALE FAIL TO GET MEASURE ON BALLOT BECAUSE THEY TRUSTED A BUREAUCRAT'S ADVICE!!

Reported by Marv Rudin

Amazingly the Friends of Sunnyvale targeted too few petition signatures in attempting to get their three charter measures on the ballot that would have given the citizens the ultimate power to decide on the use of eminent domain in transferring property between private parties, redevelopment, and the maximum height of buildings (see story page 1 of May 2003 SCL). They apparently were inadvertently misinformed on the % of signatures needed by an employee of the City of Sunnyvale (for which, of course, ignorance of the law IS an excuse). It took your reporter just 5 minutes to find in the California Code that 15% rather than the 10% F of S was told is required (See CA code #9255. "The following city or city and county charter proposals shall be submitted to the voters at either a special election called for that purpose, at any established municipal election date, or at any established election date pursuant to Section 1000, provided that there are at least 88 days before the election: (3) An amendment or repeal of a city charter proposed by a petition signed by 15 percent of the registered voters of the city." As a consequence of the erroneous 10% figure on which the F of S relied, a court ruling kept their three



Olaf Hirsch of Friends of Sunnyvale at January Excom to solicit help with gathering petitions

*This very popular initiative seems ideal for the LPSCC to help resurrect in alliance with the F of S, for use as the "cause celebre" for our first COAP project*

initiatives on downtown Sunnyvale development off the ballot this fall.

## Santa Clara Libertarian Schedule of Publication to Year End

COVERAGE PERIOD	FINAL EDIT	PUBLICATION
July Issue:	August 17th,	on web site August 19th
August Issue:	September 14th,	printed & bulk mailed September 22nd
September Issue:	October 19th,	on web site October 21st
October Issue:	November 23rd,	on web site November 25th
November Issue:	December 13th,	printed & bulk mailed December 20th
December Issue	January 4th	on web site January 6th

- (1) For regular notice at time of publication, say "SCL notice" to [rudin@lpty.org](mailto:rudin@lpty.org)  
 (2) All 1998 to 2003 monthly issues are online at <http://www.lpty.org/sclnews/>

A lawsuit filed by the F of S claimed the city unlawfully withheld signatures in a petition to put the measures on the ballot. Although that could easily have been true as far as the erroneous 10% requirement is concerned (since

the city falsely believed the 10% requirement was valid and didn't want the F of S to succeed), Judge Richard Turrone correctly ruled for the city, saying the petition did not meet elections code requirements.

The Mercury News reported: "City spokesman John Pilger said coaching groups on election laws wasn't the city's responsibility [Editor's note: neglecting to mention any responsibility for misleading the F of S]. 'It all boils down to the fact that in one way or another they didn't meet the election code,' he said. "Whether or not the group appeals the decision, it won't be the end of city politics for Friends of Sunnyvale President Melinda Hamilton. She said Tuesday that she would be running for city council, taking on incumbent member and Vice Mayor Tim Risch. She said her campaign would take a broader view of Sunnyvale. 'There are lots of other issues besides the downtown,' she said."

In view of how easily your reporter's neighbors and other Sunnyvale residents signed the F of S petitions, the F of S's failure to target the correct percentage could be a blessing in disguise. This very popular initiative seems ideal for the LPSCC to help resurrect in alliance with the F of S, for use as the "cause celebre" for our first COAP (Continuous Outreach And Petitioning) project (see page 9, Opinions, June 2002 SCL). The city's redevelopment program is scheduled to be carried out over many years. So it is still possible to do a similar initiative for the Nov. 2004 elections, only this time get the 15%. ■

("Freedom" vehicle sign campaign - continued from page 3)

growth.] So it would appear that the LP's growth is doomed to be much smaller than needed, unless we find effective methods of advertising and recruiting that are within our means. So as your Publicity Chair, I want us to test only advertising activities that take little money or volunteer time and measure their results so we can fine tune them before we invest substantial time or money. And because some of the activities I have selected to try involve a moderate contribution of time or exposure to the world as a Libertarian by volunteers, I'm asking those of you who, like myself, are proud to have seen through the Republicrat's b \_\_\_ s \_\_\_, to let the world know you're a Libertarian by displaying the "Freedom sign" on your vehicle. IMO, it's the simplest, most cost effective way to reach the aforementioned 17% of the public who are libertarians. Displayed at the back of your vehicle it will pique the curiosity of drivers parked behind you at a stop light who are libertarian, to make a mental note of the web site address [LPTY.ORG/FREEDOM](http://LPTY.ORG/FREEDOM). A big advantage of car sign advertising is that (a) It's free, except the under \$2 cost of the signs, and its freedom message will be applicable indefinitely; (b) The volunteers won't have to do a thing - you can forget about it - once the sign is in place.

### **COMING EVENTS...**

Central Committee Meetings: Next on October 10th (location yet to be decided)

Executive Committee Meetings: Normally 1st Saturday of month, 10:00am  
Usually at Rosegarden Library, Naglee & Dana Avenues, San Jose

Speakers Meetings: 2nd Thursday in months without central committee meeting  
Cocos Restaurant, Sunnyvale (Oakmead Parkway & Lawrence Expressway)  
Next speakers meeting: *Thursday 8 August*. 7pm for dinner, meeting at 8pm

If per chance the "Freedom" sign's message doesn't work as well as we'd like, we can try other messages and designs. And by varying the letters after the "/" mark of the web address to something other than "freedom" we can measure and compare hits per time in traffic for each of the trial messages/designs. If you think of one you want to try please let me know - it's easy to print different sign designs. The best message may not end up to be "Freedom - Choose it or lose it". But whatever it is, that'll be the one all proud Libertarians will be displaying on their vehicle in Santa Clara County. We may even use what turns out to be the proven "best of the best car sign message" on outreach handouts, table posters, print or web ads. And it also could be used as an after-signature slogan by Libertarians belonging to various email groups. ■

(LPSCC Ballot Arguments help beat all 4 Measures - Continued from page 1)

though this time, with five Libertarians signing the ballot arguments, it practically had to stand on its head to do it.

Strong and Umphress both emphasized the importance of requiring a super majority to pass new taxes and the threat of Sacramento politicians who are trying every which way to lower the majority percentage for future measures. Umphress said:

"Several proposals for constitutional amendment introduced in this legislative session revise the vote requirement for imposing new taxes.

ACA 9 (Levine) changes the special taxes vote requirement to a simple majority.

ACA 14 (Steinberg) changes the vote to a simple majority for special taxes imposed to fund local infrastructure.

ACA 15 (Wiggins) changes the vote to a simple majority for special taxes imposed to support local public safety departments.

All of these Assembly bills are pending on the Assembly Third Reading. These bills face an uphill battle for passage. They first need to pass in the Assembly by a 2/3 vote, then pass in the Senate by a 2/3 vote, then pass as a ballot Proposition by a 2/3 vote.

SCA 2 (Torlakson) changes the vote to a simple majority for local transactions and use tax for transportation purposes, and is pending in the Senate Constitutional Amendments Committee.

SCA 11 (Alarcon) changes the vote for bonds to fund infrastructure projects to a simple majority, and is pending in the Senate Committee on Constitutional Amendments."

Strong said "We can celebrate our victories; but rest assured that they'll be back! We clearly need a new initiative amendment to require an 80% vote to increase or pass a new tax." ■

**EDITOR'S NOTE:**  
*Had a Libertarian  
outreach experience?*

*Converted someone?*

*Tell it to the editor!*

*Email or phone Newslet-  
ter Editor (see # at right)*

**US mail:**  
**651 Princeton Drive,  
Sunnyvale, CA 94087**

**Officers:**

Chair	Ray Strong	(408) 268-1496	hrstrong@hotmail.com
Vice Chair	Allen Hacker	(650) 964-4488	allen@lawfulgov.org
Secretary	Joe Dehn	(650) 858-1842	jwd3@dehnbase.org
Treasurer	Jon Hugdahl	(650) 965-3744	jon@NoMoreTax.us
Membership	Randy Overbeck	(408) 732-3254	charlesoverbeck@mac.com
Campaign	Dennis Umphress	(408) 269-7432	dmumphress@hotmail.com
Publicity	Marv Rudin	408-978-0866	rudin@lpty.org
Fundraising	Mike Laursen	650-969-2368	LP@laursen.org
Activities	Zander Collier	(408) 369-1866	zcollier@mailblocks.com
Newsletter	Marv Rudin	(408) 736-5626	rudin@lpty.org
Local Organizing			
Outreach Events	Al Newman		
State ExCom Rep	Mark Hinkle	(408) 778-2444	mark@garlic.com
Alt ExCom Rep	Joe Dehn	(650) 858-1842	jwd3@dehnbase.org
2nd Alt ExCom Rep	Mike Laursen	650-969-2368	LP@laursen.org

Judicial	Catherine Brown	Kennita Watson	Elizabeth Brierly
Committee		kennita@kennita.com	ElizabethB@netgate.net
	(408) 723-8711	(408) 733-7773	(408) 272-3191

This is the publication of the Libertarian Party of Santa Clara County, a non-profit political organization.

# THE LIBERTARIAN PARTY



**of Santa Clara County**

P.O. Box 60171 Sunnyvale, CA 94088-0171

**Please Print:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**The Libertarian Party** is the party of principle. To assure and affirm that our party never strays from its principles, we request our members to sign the pledge below. (Non-signers cannot vote on party business).

*I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals.*

Signature: \_\_\_\_\_

## Membership Application

- \$25 Basic .....
- \$100 Sustaining .....
- \$250 Sponsor .....
- \$500 Patron .....
- \$1000 Life .....

Plus an additional contribution to the LPSCC:

- Monthly pledge .....
- One-time donation .....

Total: .....

Payment Method:

- Check payable to: Libertarian Party
- VISA or Master Card or  
Discovery or E-Gold (circle one)

Credit Card #: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Cardholder Name: \_\_\_\_\_

Signature: \_\_\_\_\_

New  Renew