

# Free Orange County

"Government is not eloquence, it is force. It is a dangerous servant and a fearful master."

-- George Washington

Newsletter of the Orange County Libertarian Party • January 1991

## LPOC joins Measure "M" suit

By David Bergland

The Libertarian Party of Orange County has joined as a plaintiff in a lawsuit filed to declare the recently enacted Measure "M" unconstitutional and invalid. County voters passed this initiative in November 1990 to increase the sales tax by 1/2 cent on the questionable expectation that the increased tax funds would be used to improve transportation in Orange County. Sales taxes for transportation had previously been rejected by OC voters in 1984 and 1989. Measure "M" is to take effect on April 1.

What's the hitch? For starters, the voters' adoption of Proposition 62 in 1986 which requires a two-thirds majority to increase taxes; Measure "M" passed by considerably less than that.

Mark Rosen, the attorney handling the case, filed it as an original petition in the California Supreme Court. One basis for invoking the high court's original jurisdiction is because identical issues are already before this court in another case. That case, *Rider v. County of San Diego*, was also brought by libertarians in San Diego challenging a county-wide tax adopted there by less than a two-thirds majority.

The constitutional issue exists because of the continual attack of statist against Proposition 13 adopted by the voters in 1978. Prop. 13 disallowed

local tax increases without a 2/3 majority vote of the taxpayers. When Rose Bird and other statist of her ilk were a majority of the California Supreme Court they held in *L.A. County Transportation Commission v. Richmond* that the Prop. 13 vote limit only applied to increases in property taxes. The voters later bounced Bird and three other justices in a well-deserved house cleaning. Then, in 1986, the voters adopted Proposition 562 to counteract the Richmond decision. Prop. 62 requires a 2/3 majority vote of taxpayers for all local tax increases. The state Appellate Court in San Diego in the *Rider* case declared Prop. 62 unconstitutional.

The case against Measure "M" is based on other issues as well. It challenges the constitutional validity of the Citizens Oversight

Committee created by Measure "M" and also challenges the bond issuing power of the OC Transportation Commission.

Attorney Mark Rosen has undertaken a challenge with great significance for the LP and its co-plaintiffs in this action. Mr. Rosen has requested no money from the LP, but as with any litigation, there will be substantial costs. Some LPOC members have already made pledges to contribute to defray those costs. If you feel any obligation to support this effort, simply write a check to the LPOC and earmark it for the Measure "M" litigation.



## From the Chair

# The proof is in the activities

By Roger Bloxham

Those Libertarians are at it again!

Last month I reported about us being accused of getting a Newport Beach City Councilman elected who is talking and acting somewhat libertarian. Now there is proof of our activities.

The Libertarian Central Committee of Orange County (that's the official name for the local LP) is one of the named plaintiffs in a new law suit brought to put Measure "M" back in the cage. Voters gave it a slight majority vote to impose an increased sales tax on taxpayer/victims, but the law requires a 2/3 majority, according to our lawyers. So far the L.A. Times and the O.C. Register have both featured

editorials and printed articles about the lawsuit. When you come to our monthly meeting (1/15/91—same old place) try to bring a dollar or two for the "Sue the Bastards" pot.

The meeting on 1/15/91 is important. The LP of California State Convention is next month (see Newsletter Insert) and we will be selecting delegates and discussing other matters relating to the Convention. We will also be considering the selection of candidates to run in the plethora of special elections occasioned by Pete Wilson's appointment of sitting State Sen. John Seymour to fill the current U.S. Senate vacancy. Please attend—and bring a potential new member.

## Candidates needed

Gov.-elect Pete Wilson's appointment of John Seymour to the U.S. Senate promises to create a scramble for his now-vacant 35th District State Senate seat and a domino effect of other vacancies. Prepare now for a series of special elections as incumbent politicians seek other offices.

The results of the 1990 elections tells us that the voters are increasingly willing to consider alter-

natives to the Demopublicans. Let's give them something worth considering!

If you are a registered Libertarian in the 35th State Senate District, put yourself on the front line of the "war for liberty." Step forward and offer yourself as a candidate. You will get great support from the LP in Orange County and the LPC. Contact LPOC Chair Roger Bloxham if you'd consider being a candidate or helping in the campaign.

## Television listings

"Libertarian Free Forum" is a public-access Cable TV program produced by Roger Bloxham and hosted by Dave Nolan. OCLP secretary Ted Sharshan has compiled the following partial listing of showtimes for various Orange County cities:

### Paragon Cable — Ch. 30

Cities: Huntington Beach, Garden Grove, Los Alamitos, Cypress, Rosmoor/Midway City, Fountain Valley, Westminster, Stanton.

Times: Jan. 17 at 4p.m., Jan. 23 at 3:30 p.m., Jan. 30 at 4 p.m.

### Copeley Colony — Ch. 61

Costa Mesa, every Monday & Friday at 7:30 p.m.

### Outside Orange County:

South San Diego: Every Saturday at 9 p.m. on Ch.22

West Los Angeles: Jan. 22 and 29 at 7:30 p.m. on Ch.3

Anyone with additional information about showtimes, or interested in getting the show to more cities, should contact Roger Bloxham at the OCLP phone number.

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# "The Best of Libertarianism"

By David Bergland

California LP activists will gather for their annual convention in Monterey over the President's Holiday weekend, Feb. 15-18, 1991, anticipating an exhilarating smorgasbord of business, education and entertainment under the theme: The Best of Libertarianism.

The LPC convention is typically the kick-off for seekers of the LP Presidential nomination and this year is no different. The national LP Presidential Nomination convention is set for Labor Day Weekend in Chicago. Two announced candidates, Andre Marrou and Dick Boddie, will be featured at the LPC convention where potential delegates to the national convention will have the opportunity to quiz them and size them up. Also featured is Gene Burns, Boston radio talk show host who came close to being the LP's presidential candidate in 1984 and is being mentioned again.

A major issue for libertarians is whether the LP Presidential candidate should seek and accept matching funds. That issue, a litmus test according to some libertarians, will be debated Sunday at the convention. Andre Marrou contends that taking matching funds is principled and practical, being a recapture of tax money stolen from us. Dick Boddie, following the practice of all former LP Presidential candidates, states that he would refuse matching funds.

The main business of the convention divides into three areas: consideration and adoption of

revisions to the LPC Platform, changes to the LPC Bylaws, and election of officers for the coming year and delegates to the national convention. Of these three, the greatest controversy will probably involve proposed changes to the Bylaws to reorganize the LPC Executive Committee, the state party's governing body. Most observers agree that as currently constituted the ExCom is much too large and unwieldy to work efficiently. The battle will be over how to reduce the size and restructure it into an effective policy making body and administrator of libertarian activity between conventions.

As usual, the convention has a terrific lineup of speakers and panels on a variety of subjects. Marshall Fritz introduces libertarianism for newcomers and also speaks on Better Schools, specifically the one he is opening in Fresno, the Academy of Self-Governors. David Boaz of the CATO Institute speaks on the Public School Monopoly. Economist David Henderson looks at the Middle East, asking the question: War For Oil? Larry Dodge will bring us up to date on the progress of the Fully Informed Jury Amendment movement. Virginia Postrel, editor of Reason magazine, speaks on Reclaiming the Abortion Debate. And many more.

The 1991 LPC Convention is a definite "Can't miss!" Especially for new members who have not attended a state convention, it is the best annual opportunity to mix with movers, shakers, and interesting people you never thought you'd meet. Use the insert in this newsletter to make your reservation now.

## Membership Application

Libertarian Party of California

I hereby certify that I do not believe in nor advocate the initiation of force as a means of achieving political or social goals.

signature \_\_\_\_\_

date \_\_\_\_\_

- I am voluntarily setting my dues at:
  - \$25  \$50  \$100  \$250  Other \_\_\_\_\_
- I want to join but I can't afford the above. I am setting my dues at \$15.
- Life Membership (\$500 or more)
- National Membership (add \$15 )
- Additional donation \$ \_\_\_\_\_
- First Class Mail option for *CLNews* (\$5)

Please clip and mail to: **OCLP**

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Check to "Libertarian Party of California"

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# Meeting Time & Place

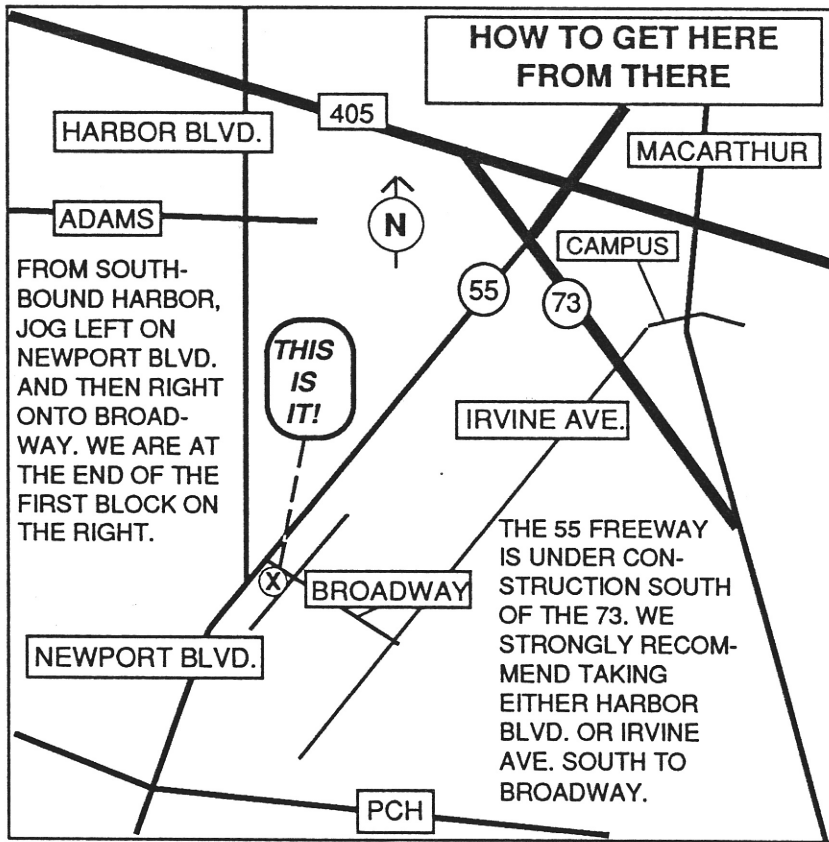
The Orange County Libertarian Party meets the third Tuesday of each month at 149 Broadway in Costa Mesa. Doors open at 6:30 p.m.

For up-to-the-minute details concerning the next meeting please call party Chair Roger Bloxham at (714) 642-2002.

## South County Meeting

Libertarians in the southern party of the county also meet the fourth Tuesday of each month in Laguna Beach.

Jim and Linda Rushing organize these meetings at the Laguna Beach Hotel, 425 S. Coast Highway. This month the meeting will be in the Catalina Room from 7 to 10 p.m.



The Libertarian Party of  
 Orange County  
 P.O. Box 8324  
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Someday it will  
 cost less to FAX  
 newsletters to  
 people than it  
 will to mail  
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