



# The Utah Liberator

The Monthly Voice of the Libertarian Party of Utah for the Enlightenment of Our Members & Friends

Vol. 1, No. 9

April 1996

## Lowell Ponte, New Constitution, Resolutions, Candidates, Bray Banquet & Awards Highlight May 4 State Nominating Convention

**T**he LPUtah's 1996 state nominating convention, which will be held at the south Salt Lake County Building on Saturday, May 4, promises to be the most exciting and interesting state meeting in recent history. Reschedule whatever else you might have planned to do that day so you can attend this exciting, don't-miss event.

• **Lowell Ponte!** — Our keynote speaker will be nationally syndicated radio talk-show host Lowell Ponte (see the September 1995 issue of *The Utah Liberator*). As the only voice of libertarianism on the national airwaves, "Lowell Ponte-At-Large" is one of the few talk shows heard throughout the state. Running from 10 PM to midnight, he can be heard along the Wasatch Front on KTKK (630 AM), in Blanding-Monticello on KUTA (790 AM), and in St. George on KDXU (890 AM).

In addition to hosting a radio show for 17 years, Ponte is also a well-known journalist. He was the Roving Science Editor (we didn't know roving is a science) for *Reader's Digest* for 15 years. His articles have appeared in *Reason* (where he's a Contributing Editor), *The Los Angeles Times* and *The New York Times*. He's also appeared on "The Tonight Show with David Letterman," "The Today Show," and "Good Morning America." He is the author of *The Cooling*, a best-seller published by Prentice-Hall.

Having served as a legislative aide in the California lower house, Ponte also has a practical

political background. A confirmed Libertarian, Ponte heads both the Jefferson's Birthday Committee, an organization dedicated to making Thomas Jefferson's birthday (April 13) a national holiday for taxpayers, and Taxpayer Democracy, a group that seeks to let taxpayers decide how their taxes are spent (or not) by government.

• **New State Constitution!** — Recent changes in state election law prompted the state executive committee (SEC) to review the LPUtah's Constitution. After careful consideration, the SEC decided a complete revamp was in order. The entire draft of the new Constitution appears in this issue of *The Utah Liberator*. Read it carefully and be prepared to ratify it as written or propose amendments from the floor.

• **Resolutions!** — What LPUtah convention would be complete without resolutions? Two will be offered by the state party: The Resolution to Restore the U.S. Constitution (see the November and December 1995 issues of *The Liberator*), and one opposing government-funded light rail.

**NOTE:** All resolutions must be moved and seconded by members in good standing and submitted in writing no later than April 30th so they may be duplicated and given to all attendees. If you do not submit your resolution by the 30th, bring 100 copies (with mover and seconder signatures) to the convention.

• **Candidates!** — In this presidential election year, the LPUtah is fielding an impressive slate of

candidates (see page 3). In addition to the state house and senate slots (whose candidates will have been nominated at their respective county conventions), candidates for two of the three U.S. Congressional seats and for all statewide offices will be nominated at the state convention. Remember, if you do not like a candidate, you may cast your vote for "None of the Above."

• **Bray Banquet!** — Featuring Utah state representative Sue Lockman (R-Kearns) as keynote speaker and personal reminiscences of Karl Bray by Steve Trotter, this year's Annual Karl Bray Awards Banquet will also provide attendees an opportunity to meet Lowell Ponte one-on-one, socialize with old friends, and have a really great time. Banquet chair Kaylin Robinson reports that 50+ reservations have already been received, and state treasurer Jim Elwell says that prepaid reservations are at an all-time high.

**WARNING:** We have yet to announce Lowell Ponte's appearance to the general public! Seating is limited and anyone who pays for a ticket may bump an unpaid reservation. Use the form on page 2 now or RSVP by calling 801/468-6209 (outside SL Cty call 1-800-280-7900). All reservations must be paid by 1:15 PM on May 4.

• **Awards!** — The traditional awards (see page 2) plus a few surprise honors and DOOR PRIZES will make this year's presentations ceremony memorable and a great time for all.



Lowell Ponte  
Will help put us on the map

### Help Bring Lowell Ponte To Utah

**L**ibertarian talk-show host Lowell Ponte has agreed to be the keynote speaker at our state convention and to participate in the Karl Bray Banquet. In exchange, the LPUtah has agreed to pay his travel and certain other related expenses. State membership chair Andrew L. Howard is spearheading the effort to raise the necessary funds and reports we're now just about at the halfway mark.

Your financial support is urgently needed. To help make this a truly memorable convention, please send your check (for \$10 or more, thank you) to Ponte Fund, Libertarian Party of Utah, PO Box 526025, Salt Lake City, Utah 84152-6025.

#### An Investment in Liberty

If you question the "political correctness of paying for a speaker," consider these advantages:

1. Ponte is heard all over Utah.

Continues page 2

## RSVP & Pay Today for the 1996 Karl J. Bray Banquet And Save Money!

The Annual Karl Bray Awards Banquet will be held on May 4 at Chuck-a-Rama, 7th East and 4th South, starting at 6 p.m. If you save your seat now, you'll also save money. A bargain!



**Sue Lockman**  
Not your average  
Utah politico

Our keynote speaker will be state representative Sue Lockman (R-Kearns) whose topic will be *From Facilitator to Jailer: How Government Became Perverted*. She will also discuss the trials and tribulation of bringing common sense to the Utah Legislature.

The banquet is named in honor of Karl J. Bray, one of the original founders of the LPUtah. To help bring newer members up to speed on Bray and his political zeal, Steve Trotter, who was also there when we were founded, will tell us more about Karl Bray at the banquet.

### Awards, Too!

Of course, no awards banquet is complete without awards. Traditionally, the LPUtah makes four awards:

- **The Fire Brand Award** — To the newest member who has taken the most initiative.
- **The County Award** — To the county organization with the most growth and activity in 1995.
- **The Sore Foot Award** — To the most active campaigner in 1995.
- **The Thomas Paine "Common Sense" Award** — To the person who wrote the most Libertarian copy.

Nominations may be called into Kaylin Robinson, Karl Bray Dinner chair, at 801/468-6209, or mailed to Bray Awards, Libertarian Party of Utah, P.O. Box 526025, Salt Lake City, Utah 84152-6025.

### RSVP ASAP!

Make your reservations early by calling banquet chair Kaylin Robinson at 801/468-6209 or fill out this form and mail it today.

### 1996 Bray Banquet Reservation

Please reserve \_\_\_\_\_ seats in my name for the banquet.

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

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

Phone: \_\_\_\_\_

Cost:  \$19.96 for one person  \$34.31 for two people

Payment:  Enclosed (take \$1 off)  Will pay on May 4

Award — I would like to nominate: \_\_\_\_\_

for the \_\_\_\_\_ Award

because: \_\_\_\_\_

Make check payable to: **Libertarian Party of Utah**  
and mail to: **Bray Dinner, LPUtah P.O. Box 526025, SLC, UT 84152-6025**

## Libertarians File For Office

Our sincerest congratulations to these candidates who have filed for office on the Libertarian line.

### State Offices:

Governor: Ken Larsen, PhD  
Treasurer: Hugh Butler  
Atty Gen: W. Andrew McCollough\*

### U.S. Congress

2nd District: Dwight Steffner  
3rd District: Amy Lassen

### State Senate:

District 5: Maury Modine\*  
District 16: Carol Williamson  
District 27: Will Marshall\*

### State House:

District 8: Walter Abbot  
District 14: Norman Parker  
District 16: Blair Hampshire  
District 17: Theda Judd  
District 25: Ben Valdez, Jr.  
District 27: Arthur Reilly  
District 28: Mark Lewon  
District 31: Charles Pearce  
District 37: Brian Swim  
District 42: Curt James  
District 46: Alan Hepner  
District 49: Chris Shouse\*  
District 52: Kaylin Robinson\*  
District 56: David Piccus  
District 59: Jason Gallentine

### SL County Commissioner

Bryant Larsen  
K. Brent Olsen

\*fusion candidate, running on two or more party lines thanks to a loophole discovered by J. Robert Latham.

### Ponte — cont'd

2. Ponte has far more listeners in Utah than we have members.
3. Ponte is already promoting his appearance on his talk show.
4. Ponte will attract listeners who have not yet joined the LPUtah.
5. Nonmembers who attend our convention may contribute or join.

In short, Ponte will help put the LPUtah on the map, which is especially important in this presidential election year.

### Special Incentive!

Anyone who contributes \$25 or more will be invited to a private reception on Sunday afternoon following the state convention. This will be your chance to meet this remarkable individual in an informal setting, and enjoy some great wines and cheeses.

### Let Ponte Know He's Welcome

Please call Lowell Ponte toll-free at 1-800-345-3113 weekday nights between ten and midnight. Tell him you're looking forward to meeting him, and tell him about what's going on in Utah. And please ask your friends to listen and call in, too. Ponte is a very persuasive Libertarian.

## The Utah Liberator

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Publisher  
Jim Lorenz  
Editor & Designer  
Jim Dexter

All submissions are welcome. Send neatly typewritten hard copy and/or disk (ASCII [text] format, Word, or Word Perfect) no later than the first of the month to:

The Utah Liberator  
P.O. Box 526025  
Salt Lake City, Utah  
84152-6025  
801/534-8872  
1-800-280-7900

Or, if you're on-line, submit them electronically to:

UtahLib@aol.com

Submissions may be subject to editing for fit, but will otherwise be printed as submitted . . . if we have room in the issue.

## Cans Can Help!

Help the LPUtah by giving us your garbage. Not all of it, thank you, just your empty aluminum soda or beer cans. LP member Mark Lewon has agreed to give the LPUtah top dollar for all the aluminum cans we turn in.

If you're in SLC on a weekday, take your cans to Utah Metal Works, 805 Everett Avenue (1450 North). Ask for Mark and tell him your cans are for the LPUtah. At the end of the month, Mark will send us a check. If you can't get to SLC, we'll pick your cans up (min. 10 lbs., please). Call Jim Lorenz at 1-801-534-8872. Or bring them to the convention.

# A Jam-Packed Day!

The May 4th State Nominating Convention will be a full day of Utah-style Libertarianism crammed with events and activities. You won't want to miss a thing. Here's the proposed Agenda, which is subject to last-minute changes.

- 9:30 Registration & Liberty Fair
- 10:00 Call to Order
- 10:05 Flag Ceremony
- 10:10 Pledge of Allegiance
- 10:15 Opening Remarks
- 10:30 Reports from State Officers & State Chairs
  - Vice chair
  - Secretary
  - Treasurer
  - Legal Counsel
  - Membership chair
- 10:55 Reports from County Chairs
  - Salt Lake – F. George
  - Summit – C. Kierst
  - Utah – J. Gallentine
  - Wasatch – P. Budnick
  - Davis – L. Livingston
  - Weber – W. Abbott
  - BYU – D. Jensen
- 11:20 The Kane County/Big Water Story – Will Marshall
- 11:30 Keynote Address – Lowell Ponte
- 12:05 *Lunch Break*
- 1:15 Reconvene – Banquet ticket sales close
- 1:20 Lowell Ponte Q&A
- 1:35 Introduction of new state constitution
  - Debate
  - Ratification
- 2:30 Resolutions
  - Restoration of US Constitution
  - Light Rail
  - Others
- 3:15 1996 State Party Platform
  - Debate
  - Ratification
- 3:30 Nomination of Candidates
  - Statewide & Congressional
  - State Senate & House – by acclamation
- 4:15 Selection of Delegates to National Convention
- 4:30 Adjourn till June 28 – 1997 Organizing Convention
- 6:00 Karl Bray Banquet
  - Social Hour & Donation Bar
  - Dinner & Presentations

## Convention Advice

1. *Arrive Early*—Registration starts at 9:30 AM and that will be your best chance to walk around the Liberty Fair and visit with old friends. When the Chair drops gavel at 10:00, it'll be all business till 4:30.
2. *Wear Your Name Tag* — New members will know who you are and you'll avoid the embarrassment of talking to a familiar face whose name you don't quite remember.
3. *Bring Lots of \$1s* — The LPUtah is famous for passing the hat to help support various worthy causes. You don't want to look cheap and you probably don't want to part with \$5, \$10 or \$20 bill if you can help it. (On the other hand, the state party needs the money so just bring lots of \$20s.)

# CALENDAR

- April**
- 15 Tax Protest Rally
- 20 I-15 Clean-Up  
Liberty Rally  
Salt Lake County Convention  
Salt Lake County Caucus
- 25 Salt Lake County Caucus
- May**
- 2 State Central Committee
- 4 **State Nominating Convention**
- 4 **Karl Bray Memorial Banquet**
- 9 State Executive Committee
- 23 Salt Lake County Caucus
- June**
- 13 State Executive Committee
- 27 Salt Lake County Caucus

**PLEASE PATRONIZE OUR ADVERTISERS**  
... except Dr. Ken Larsen who hates to be patronized. But seriously, advertising space is available in *The Utah Liberator* at attractive rates (especially for paid members). Call 963-1028 for details.

## Top Ten Reasons

To Nominate Dr. Ken Larsen for Governor at the 1996 State Convention

**#3: The voters of Utah deserve a truly humble candidate**

*Paid by Ken Larsen for Governor Committee*

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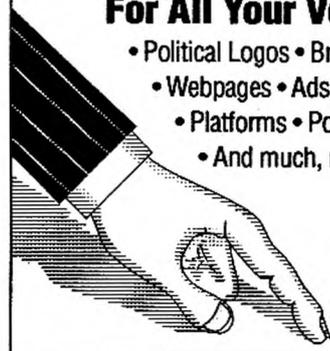
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# Notes From The Chair

Jim Lorenz

There are lots of exciting things happening with the LPUtah over the next few weeks.

**The Convention:** Most important, of course, is the biannual nominating convention to be held on May 4 in Salt Lake City. This is a DO-NOT-MISS event. Be there.

**New Constitution:** For the first time in 13 years we propose to change our party constitution. The proposed draft is printed in this issue. Our current constitution is now 13-years-old. There have been many, many changes to Utah election laws since 1983, and we do not conform.

The constitution lacks several important sections, including statements of affiliation and compliance, debt restrictions, membership classes, and a by-laws section. The old constitution requires a very restrictive voucher process, which, as far as we can determine, has been ignored since it was adopted.

Many thanks to state legal counsel **J. ROBERT LATHAM** for bringing the obsolescence of the current document to our attention and writing the new election law compliance sections, and to vice-chair, **JIM DEXTER** for restructuring and updating the entire document, creating the by-laws, and making the language easy to understand.

**State Central Committee Meeting:** County chairs are reminded there's a central committee meeting on Thursday, May 2, at 7:00 PM at my place. Main topics: the convention and the new constitution. This is a very important meeting; be sure to be there on time.

**Great Speakers:** Famed Libertarian talk-show host, Lowell Ponte will be the keynote speaker at the convention, and, thanks to Will Marshall, this will be the first time we get to hear the "Kane County Story." Utah state representative Sue Lockman (R-Kearns) will be the keynote speaker at the Bray Banquet. I hope you've made your reservations.

**Candidates:** We have a good group of candidates to nominate for the upcoming election. Those indicated as "fusion" are running under more than one party—in most cases the Republican and Libertarian parties. Should make for an interesting election. Thanks to **J. ROBERT LATHAM** for his astute discovery of this fusion loophole.

**Gun Show Success:** We had our most successful gun show ever on March 30-31, signing up five new members at the show! Our booth and support materials are starting to work really well, and our volunteers are learning how to run the booth to get maximum impact.

Thanks to **DAN BROWN, JIM DEXTER, ANDREW HOWARD, CHRISTOPHER KIRST** and **KEN LARSEN** for helping run the booth. If you'd like to help with future recruiting activities, please let us know. We can always use more volunteers.

**April 20th:** April 20th will be a busy day for Salt Lake County with the I-15 garbage pickup, the Liberty Rally, and the County Nominating Convention. Thanks to **FRED GEORGE** for his great work with the Salt Lake County LP, and thanks-in-advance for those who help with the garbage pickup—it's a tough job, but our sign on I-15 gives people the right impression about what Libertarianism is all about! (State treasurer **JIM ELWELL** tells me he has found two \$20 bills during trash pickups... but he didn't say if he gave them to the Party!)

**Ponte Reception:** Those contributing \$25 or more to help bring Lowell Ponte to Utah are invited to a Wine & Cheese party on Sunday, May 5. Details to the donors. 'Nuff Said

*Jim Lorenz*

# Top Ten Reasons

To Nominate Dr. Ken Larsen for Governor at the 1996 State Convention

**#2: Brigham Young will speak through Ken and reveal many forgotten and embarrassing secrets about early Utah.**

*Paid by Ken Larsen for Governor Committee*

# Join OR Subscribe!

Did you know this handy-dandy membership form that appears in every issue of *The Utah Liberator* can also be used to subscribe to this terrific newsletter? Now you do. To subscribe, just complete your name and address, write "Subscriber" over the membership area at the top and enclose \$10 payment (check or credit card info). For a mere \$5 more, you can become an Introductory member, if you also sign the Pledge. Thank you.



Libertarian Party of Utah

# Membership Form

## Yes, I Want To Be a Utah Libertarian

Please check one membership category, sign the Pledge, fill in your name and contact information, include payment, and mail.

- Introductory** — For new members only, a one-year Introductory membership entitles you to all the rights and privileges of Full membership. **Dues: \$15.**
- Utah** — Provides annual membership in the Libertarian Party of Utah. Entitles you to our monthly newsletter, *The Utah Liberator*, invitation to all our social events and political functions, and voting rights at our state party and county organization meetings/conventions. **Dues: \$20.**
- Full** — Provides annual membership in both the Utah and national Libertarian parties. In addition to all the rights and privileges of Utah membership, you'll also receive the national party's monthly newsletter. **Dues: \$25.**

## The Libertarian Party Pledge

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

Signed: X \_\_\_\_\_ Date \_\_\_\_\_

Please type or print neatly. Thank you.

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

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

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

Home Phone: (801) \_\_\_\_\_ E-Mail: \_\_\_\_\_

Work Phone: (801) \_\_\_\_\_ Fax: (801) \_\_\_\_\_

Payment:  Check (payable to: Libertarian Party of Utah)  Cash/Money order  
 Visa  Mastercard

Card Number: \_\_\_\_\_ Expires: \_\_\_\_\_

Name on card: \_\_\_\_\_

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

Mail to: **Libertarian Party of Utah**  
P.O. Box 526025  
Salt Lake City, Utah 84152-6025

(Utah Checks Use Only)  
 Member  Treasurer  
 Director  National

# Proposed Constitution for the LPUtah

## Article One: Name & Purpose

A. *Name:* This organization will be known as the Libertarian Party of Utah. In this Constitution it may also be referred to as "LPUtah" or "Party."

B. *Purpose:* The LPUtah is a political party based on the principles of Libertarianism. Fully supporting the Constitution for the United States of America and Constitution of the State of Utah, the Party's purposes are to:

1. Promote the philosophy and principles of Libertarianism within the State of Utah;
2. Nominate and support with all available resources electable candidates for local, state, and national offices who subscribe to Libertarian principles; and
3. Promote and support Libertarian Party organizations on the county and municipal levels in the State of Utah.

C. *Compliance:* The LPUtah will always be in compliance with local, state, and federal election laws. If there is any conflict between the Party's Constitution and By-Laws and prevailing election laws, Utah code and statutes supersede the Constitution and By-Laws of the LPUtah.

D. *Affiliation:* The LPUtah is affiliated with the national Libertarian Party of the United States and other similarly affiliated Libertarian organizations throughout the state and country

## Article Two: Statement of Principles

We, the members of the Libertarian Party, challenge the cult of the omnipotent state and defend the rights of the individual.

We hold that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose.

Governments, throughout history, have regularly operated on the opposite principle, that the State has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the right to regulate the lives of individuals and seize the fruits of their labor without their consent.

We, on the contrary, deny the right of any government to do these things, and hold that where govern-

ments exist, they must not violate the rights of any individual: namely,

1. The right to life—Accordingly we support prohibition of the initiation of physical force against others;
2. The right to liberty of speech and action—Accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and
3. The right to property—Accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud, and misrepresentation.

Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders, and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.

## Article Three: State Officers and the State Executive Committee

A. *Officers & Responsibilities:* The Chair, Vice-Chair, Secretary, and Treasurer are individually the LPUtah's state officers and collectively its State Executive Committee (SEC).

1) The Chair presides at all Conventions and at all meetings of the State Executive and State Central committees, and is the Party's chief executive officer. The Chair also serves as the Party's liaison with the Lieutenant Governor's office for all matters relating to the Party's relationship with the State.

2) The Vice-Chair performs the duties of the Chair when the Chair is, for any reason, unable to perform the duties of the office. The Vice-Chair will also carry out such other duties for the benefit of the Party as directed by the Chair.

3) The Secretary keeps the minutes and records of all party Conventions and meetings of the State Central Committee (SCC). The Secretary will report at Conventions concerning such Party activities as the State Central Committee or the Chair directs. The Secretary will make such reports as required by law to the State of Utah. If requested, the Secretary will

assist county secretaries with the preparation of their reports.

The State Secretary will provide in writing the names of all Party officers, delegates, and candidates to at least one general circulation newspaper within the State of Utah and one news service as well as the national Libertarian Party headquarters, and the Chair for forwarding to the Lt. Governor within five (5) calendar days after their election.

4) The Treasurer is in charge of the LPUtah's financial activities. The Treasurer will report to each meeting of the SEC and SCC, and to Conventions, the current financial status, expenditures, and income of the party. The Treasurer will submit to the Secretary any information required for financial reports to the State of Utah. If requested, the Treasurer will assist county treasurers and secretaries in the preparation of their reports.

5) The Legal Counsel provides the SEC and SCC with legal advice relating to Party activities and political matters. To qualify for the position, the Legal Counsel must be an attorney admitted to practice in Utah or a licensed paralegal. If no qualified candidate is elected at the state organizing convention, the SEC may appoint one.

B. *Terms of Office:* State officers are elected for two-year terms at state organizing conventions held during odd-numbered years, and assume office immediately following adjournment of the convention at which they are elected.

C. *Vacancies:* If the office of State Chair falls vacant, the Vice-Chair succeeds to that office. Other LPUtah officer vacancies will be filled by a vote of the State Central Committee. Officers so elected will complete the term of the office vacated.

D. *Removal from Office:* Any officer of the LPUtah or member of the SCC may be removed from office by a three-fourths (75%) vote of the entire SCC. By this vote, the office will be vacant.

E. *Qualification:* To be a member of the SEC, an individual must be a Full member in good standing with at least one full year's membership in the LPUtah.

F. *Ad Hoc Positions:* The Chair may at his/her discretion and with the approval of the SEC add ad hoc positions with specific responsibilities, such as political chair, membership chair, publicity chair, newsletter

editor, et al. These ad hoc members may attend SEC and SCC meetings but may not vote unless the SEC makes the meeting a committee of the whole.

G. *Meetings & Quorums:* The SEC will meet at least once a month. Three state officer members compose a quorum.

## Article Four: State Central Committee

A. *Composition:* The State Central Committee (SCC) consists of the State Executive Committee (SEC) and the County Chairs.

B. *Powers and Duties of the State Central Committee:* The State Central Committee has general charge of the affairs of the Party and enjoys the powers usually exercised by such committees and officers thereof.

D. *Vacancies:* Vacancies in the SCC will be filled by the affected county organization. If there is no county organization, the SEC may fill the vacant position by appointment for the remainder of the vacated term.

E. *Meetings & Quorum:* The SCC will meet at a schedule set by the SEC provided that the SCC meets at least once each quarter. All SCC meetings are open to all LPUtah members in good standing. Fifty percent (50%) of the members of the SCC constitute a quorum.

SCC Meetings may be called by 1) the State Chair, or 2) any three members of the SEC, or 3) five members of the SCC, or 4) petition signed by 25 LPUtah members in good standing. If the meeting is not regularly scheduled, notice must be delivered in writing to each member of the SCC at least ten (10) days prior to the meeting. Received E-mail is acceptable notification.

## Article Five: County Party Organizations

A. *Purpose:* Each county with more than five (5) resident members will form a County Party organization with the same purpose and affiliations as the LPUtah.

B. *Organization:* Each County Party will elect at least three officers: Chair, Vice-Chair, and Secretary-Treasurer. Collectively they comprise the County Executive Committee (CEC).

C. *Meetings:* County Parties will meet at least once each quarter. One quarterly meeting must be a convention prior to the state convention.

D. *Reports:* County Chairs will re-

*Continues next page . . .*

## Constitution — cont'd

port on the activities of their organizations at each SCC meeting and each state convention.

**E. Membership:** LPUtah members in good standing who reside or vote in a county are automatically members of their County Party. County Parties may not develop their own membership criteria.

**F. Dues:** County Parties may not charge extra dues for membership.

**G. Fund-Raising:** County Parties may raise funds to meet their operating expenses by any legitimate means consistent with Libertarian principles. The LPUtah may help fund County Parties by allocating no more than \$1 per year for each member from that county and no more than 50% of the funds received from the Utah state income tax checkoff from residents of that county. The LPUtah must pay the County Parties their share of funds so raised within the calendar year they are received.

### Article Six: Finances

**A. Budget:** The LPUtah's fiscal year runs from January 1 to December 31. By the second quarterly SCC meeting following a state convention but no later than December 15, the Treasurer will submit a proposed budget to the SCC which becomes the Party's budget for the coming year on adoption. The budget may be revised at subsequent meetings by the SCC. No expenditures may be made by the Party outside of this budget without the approval of the SEC.

**B. Financial Procedures:** With the budget, the SCC will adopt a set of financial procedures, a copy of which will be made available to members of the Party. These procedures will include 1) two signatures required for all checks, 2) bookkeeping system, and 3) system for handling cash donations.

**C. Designated Donations:** Any individual may donate funds for a specific purpose. The LPUtah guarantees such gift will be used as directed, providing it is consistent with our mission and principles. All such designated donations and their disposition will be included in the regular Treasurer's report. If the SCC decides the purpose for which the donation is made is inappropriate, the person making the gift will be given the opportunity to redesignate his/her gift or have it refunded in its entirety. Nondesignated donations will be put in the Party's general treasury for use at the discretion of the SEC.

**D. Party Debt:** Any Party expenditure for which funds are not currently available must be personally

and individually guaranteed in writing by at least one member in good standing of the LPUtah. The SEC may veto any decision to incur such debt. At no time may the Party's debt exceed \$250 without prior approval of the SEC.

**E. Member Audit:** The financial records of the LPUtah may be reviewed once each year by a committee composed of three members in good standing, none of whom are LPUtah officers, elected for this purpose by the SCC. The report of their review may be presented to the annual state convention. The Party's financial records will be available to members in good standing by appointment.

### Article Seven: Membership

**A. Qualification:** Membership in the Libertarian Party of Utah is open to any individual regardless of age, race, creed, sex, national origin, religious affiliation, or sexual orientation who manifests his/her agreement with the Statement of Principles of the LPUtah, by a) paying the required membership dues, and b) signing the Pledge.

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

Anyone who applies for membership and does not sign the Pledge will be considered a "subscriber." Conversely, any member who advocates or manifests behavior inconsistent with the Pledge will have his/her membership automatically revoked, and may have his/her dues refunded pro rata, or be classified as a "subscriber" at the discretion of the SEC.

**C. Membership Classification:** Members may be classed as:

1. Full - Pays such dues as are required by the LPUtah to include membership in the national Libertarian Party

2. In-Kind - Available to dedicated individuals who lack the financial resources to pay their dues but who demonstrated their devotion to the Party by their consistent and successful efforts on the Party's behalf. In-Kind memberships must be approved by a majority vote of the SCC following nomination by a member of the SCC.

**D. Good Standing:** A member regardless of classification will be considered to be in good standing provided 1) his/her dues for the current year are paid as required, and 2) his/her membership has not been revoked by the SCC.

**E. Acceptance and Revocation:** The SCC reserves the right to pass on the acceptability of membership applica-

tions and to revoke the membership of any individual who expresses or evidences principles contrary to the LPUtah's.

### Article Eight: Convention & Election Procedures

**A. Conventions:** Every year the LPUtah must hold a convention for all members. In odd-numbered years, the Party will elect new officers. In even-numbered years, the members will choose candidates for public office and delegates to the national Libertarian Party convention as appropriate. Convention proceedings will be governed by the most recent edition of Robert's Rules of Order.

**B. Direct Democracy:** Only members in good standing and attending the convention may vote on issues or candidates that come before them.

**C. Nomination:** Any one who wishes to be a candidate for a Party or public office must be nominated by two individuals other than him/herself.

**D. Majority Rule:** In all elections for Party or public office or delegate status, a two-thirds (67%) majority is required to elect one of the candidates.

**E. None of the Above:** In all elections "none of the above" will be offered as an alternate choice. If that choice prevails, the Party will officially have no candidate in that election and the State Secretary will so notify the Lt. Governor's office.

### Article Nine: Ratification & Amendment

**A. Ratification:** This Constitution becomes effective immediately upon being approved by a three-fourths (75%) majority of those members in good standing present and voting at the LPUtah Convention to which it is presented. It repeals and supercedes any previous Constitution and/ or By-Laws.

**B. Amendment:** This Constitution may be temporarily amended by a two-thirds majority vote of the SCC subject to permanent ratification of

the voters at any LPUtah convention, with the exception of Article Two - Statement of Principles which may be amended only by the three-fourths (75%) consent of those voting at the convention. Amendments may be proposed by any three (3) members in good standing by written notice to the State Secretary.

**C. By-Laws:** This Constitution may be supplemented by by-laws governing procedural matters. By-laws may be proposed and adopted by the SCC and are not subject to approval by the general membership. However, the membership may seek to alter or revoke by-laws at any annual convention.

**D. Notification:** Written notice of all proposed Constitutional amendments must be mailed to all members in good standing at least ten days in advance of the Convention. Such notice need not be made separately from any publication regularly prepared by the LPUtah.

## By-Laws

### Chapter 1: Annual Dues

Annual dues are payable on joining and subsequently no later than the last day of the month of the anniversary of the member's first dues payment. Annual dues are \$25 and include membership in the national, state and county Parties.

### Chapter 2: Libertarian Organizing Committee

In the event that the LPUtah does not retain ballot status after any general election, its activities, resources, programs, policies, liabilities, and organizational structure will be automatically deemed to continue as the Libertarian Organizing Committee. The Constitution, the officers elected and membership attained under it, and the activities of the Party will continue as if ballot status had been retained.

### Chapter 3: Delegates To Libertarian Party (LP) National Conventions

**A. Selection:** Delegates and alternates to LP National Conventions

## Top Ten Reasons

To Nominate Dr. Ken Larsen for Governor at the 1996 State Convention

**#1: The Libertarian Party of Utah and Candidate Ken Larsen are a marriage made in heaven**

*Paid by Ken Larsen for Governor Committee*

will be elected by majority vote at the State Convention preceding the National Convention. If all allotted delegate and alternate positions are not filled at the State Convention, or if any elected delegate(s) or alternate(s) is/are unable to attend the National Convention, his/her/their delegate positions will be filled by lot from among the elected alternates, or the State Chair may appoint new alternates. At no time may an appointed alternate be a delegate until all elected alternates are delegates. If elected delegates or alternates arrive at a later date, they replace the appointed alternates.

**B. Delegation Chair:** Each delegation to an LP National Convention elects a delegation chair.

**C. Delegate Roster:** The delegation chair will maintain a written roster of the delegates and alternates. If a delegate decides to leave the floor and yield his/her position to an alternate, the departing delegate will sign-out on the roster, stating the date, time, and the alternate delegate to take his/her place. The alternate replacing the delegate will sign in. If the departed delegate returns to the floor, the alternate signs out and the returned delegate signs in. The LPUtah delegation may not recognize the vote of any delegate or alternate who is not properly signed in.

**D. Use of Alternates:** With unanimous consent of the LPUtah delegates present, any delegate absent from the convention business meeting for longer than two hours may be replaced by an alternate, even if he/she has not signed out or specified a replacement. The delegation chair will state on the delegate roster the time the delegate left, the time the decision was made, and certify the same by his/her signature. If the absent delegate returns to the floor, that delegate will automatically replace the alternate.

#### **Chapter 4: Convention Procedures**

##### **Section 1. Nominating Conventions**

**A** The Party nominates candidates for partisan offices only by nominating convention.

**B.** All members in good standing who are registered voters in the State of Utah and who attend the convention are eligible to vote.

**C.** At the time and place set for the state and county nominating conventions, the name of each person who has filed a declaration of candidacy with the appropriate governing body may be placed in nomination for the office for which his/her declaration was filed.

**D.** In order to be officially endorsed by the Party, all candidates must be members in good standing and stand for election at the appropriate nominating convention. A candidate who files for state or local office as a Libertarian with the appropriate governing body but whose candidacy is not affirmed in convention is not a candidate of the Party.

**E.** Eligible members will vote immediately following the nominating and seconding speeches made on behalf of all candidates for office.

**F.** A member is not eligible to vote unless he/she has presented to the State Chair or the State Chair's designee 1) proof of his/her current membership in the LPUtah, and 2) his/her state voter registration card or completed Utah Election Registration Form. Each member present may cast one vote in each ballot for each office to be filled.

**G.** Proxy voting is expressly prohibited.

**H.** If three or more candidates are nominated for the same office, the convention will use multiple ballots. In the case of multiple ballots, the first ballot will be used to reduce the number of candidates to four if more than four candidates participate or by one if four or fewer than four participate. Each following ballot shall drop the lowest vote-getter until two candidates remain. The two top candidates will continue the balloting until one wins a sixty percent (60%) majority.

**I.** No later than 12:00 noon of the fifth calendar day following the convention, the State Secretary and State Chair will certify in writing to the county clerk or the Lt. Governor, as appropriate, the name(s) of the Party's nominee(s).

##### **Section 2. Electors, Delegates, Alternates & Candidates**

**A.** On or before May 10th, members will convene at a time and place designated by the SCC in a state nominating convention to nominate candidates for partisan offices and adopt a Party platform.

**B.** In each presidential election year, the state nominating convention will also choose presidential electors and the delegates and alternates to the national Party convention. The number of delegates is determined by the national Libertarian Party based on the total number of the LPUtah's members.

**C.** The gubernatorial candidate nominated by the state nominating convention will nominate a candidate for Lt. Governor who meets the eligibility requirements of the Stat-

utes and Constitution of Utah. If the convention fails to affirmatively ratify the nominee for lieutenant governor, the gubernatorial nominee shall nominate other candidates until the convention affirmatively ratifies a nominee.

**D.** The governor and lieutenant governor so nominated by the state nominating convention will run as a joint ticket in the general elections.

##### **Section 3. Nomination of Legislative Candidates**

**A.** When the boundaries of either Utah House or Utah Senate districts are identical or completely within the boundaries of a single county, candidates will be chosen at the county nominating convention within the legislative district. If a House or Senate legislative district encompasses more than one county, the candidates will be chosen at the state nominating convention by the members in good standing from within that legislative district.

##### **Section 4. County Organizing Conventions**

**A** On or before August 15th in each odd-numbered year, a county organizing convention will be held in each county where there is a County Party recognized by the SCC.

**B.** Each County Party will mail a notice regarding the county organizing convention to the last known address of every member in good standing in that county.

**C.** At the time and place designated by the CEC, the county organizing convention will elect a county chair, a vice-chair, a secretary and/or treasurer.

##### **Section 5. State Organizing Conventions**

**A** On or before September 1st of each odd-numbered year a state organizing convention will be held at a time and place designated by the SEC.

**B.** The Party will mail a notice of the state organizing convention to every member in good standing.

**C.** The state organizing convention will elect a State Chair, a State Vice-Chair, a State Secretary, a State Treasurer, and a State Legal Counsel.

**D.** The convention may also pass on whatever business comes before it.

##### **Section 6. Candidate Vacancies**

**A.** If a Party candidate who is involved in a contested election resigns, dies or becomes incapacitated before the election, the candidate will be replaced by the following methods:

**1.** Candidates for county offices or legislative districts totally contained

within a county will be replaced by the respective CEC.

**2.** Candidates for legislative districts that encompass two or more counties shall be replaced by a special caucus of the members in good standing currently residing in the legislative district.

**3.** Candidates for statewide, state-level offices, U.S. Senator and U.S. Representative will be replaced by the SCC.

##### **Section 7. Resolutions**

All resolutions brought before the convention must be submitted in writing complete with mover and seconder signatures and provided in sufficient quantities to distribute to all voting members in attendance.

##### **Section 8. Interpretive Principles**

In case of an ambiguity, these by-laws will be interpreted to be consistent with the provisions of the Utah Code Annotated (1953 as amended).

## **Why the New Constitution?**

**T**he state executive committee decided it was time to rewrite the 1993 LPUtah constitution because simply bringing it into compliance with the latest election laws would still leave us with a cumbersome document written in pseudo-legalese.

One of the first things we did was put the minutia into by-laws. Then we made the by-laws relatively easy to change. Next we made the language clear and easy to follow.

We added a new state officer position, state legal counsel, to a) help prevent deadlocks in the state executive committee and b) to recognize the increasing importance of this position.

We also decided to do away with the concept of "delegates" to state and county conventions. Anyone who's a member is entitled to a vote.

And we created a new membership category (In-Kind) to recognize those dedicated Libertarians who can't afford the dues but who "pay their dues" through the time-honored, Libertarian principle of hard work. And we did away with "free" memberships because of the most basic Libertarian principle: TANSTAAFL.

## Proposed 1996 LPUtah Platform

**First:** We affirm that every individual is the exclusive owner of his or her own life and of all the products of that existence.

**Second:** We affirm that each individual is responsible for his/her actions and the results and rewards thereof; that freedom does not exist without personal responsibility.

**Third:** We affirm that no lawful right exists which allows one person to initiate force against another, and we defend the right of any person to resist oppression in any form.

**Fourth:** We affirm that rights are neither collective nor additive. No group of individuals has more rights than any one individual.

We therefore affirm that the sole lawful purpose of government is to secure these rights to each and every citizen. The activity of lawful government is restricted to:

1. *Law Enforcement*, to protect the individual's right to life, liberty, property and the pursuit of happiness;
2. *A Judicial System*, to provide an orderly process of disputes, to facilitate criminal punishment and restitution, and to secure equitable enforcement of voluntary contracts;
3. *National Defense*, to preserve the natural rights of all citizens from all enemies seeking to abridge or violate those rights;
4. *Legislative and executive functions*, constitutionally limited to the minimum necessary for the implementation of these lawful purposes.

Our silence about any other particular government law, regulation, ordinance, directive, edict, control, regulatory agency, activity or machination should not be construed as to imply approval.

## Visit Liberty Fair on May 4

Organizations with interests similar to yours will have exhibit tables outside the convention hall from 9:30 to 5:00. If you or someone you know

is interested in exhibiting, please call Andrew Howard at 801/373-1539 or Kaylin Robinson at 468-6209. Table price is \$35.

## Join The Liberty Rally on April 20!

by Fred George, SL City Chair

**A** Liberty Rally will be held at Liberty Park in SLC on April 20. Issue groups (see below) will gather between 11:00-11:30 AM. Around noon, these groups will enter the park to join with the free Earth Jam concert crowd just before the bands come on. There will be some brief speechifying followed by a couple of hours of fun and free expression.

Eight main issue groups are involved with the rally. Under the main issues are sub-groups or special interests.

Each group will have two-line banners. The first line reads "Libertarians Support" The second line will show one of these issues:

- *Voluntary Association* – Issues: Religious freedom, Native American rights, Open borders/Free immigration, Gay and Lesbian, Cultural rights, Family values, and Internet free speech/No Censorship.
- *Low Taxes* – Interests: Taxpayer unions, Tax protest groups, Balanced budget.
- *Free Trade* – Open. Business community, Trade associations, Barter, Import/Export, Free Market Economy.
- *Gun Rights* — NRA, GOA, Women Against Gun Control, Shooting Sports Council.

- *Drug Peace* — Sub-groups: HemPower Utah, Cannabis Action Network, Liquor laws groups.
- *Less Government* – Interests: Anti-Light Rail groups, Anti-Olympics groups, Home Schooling groups, Private Charitable groups.
- *Property Rights* – Interests: Smokers Rights, Anti-RDA, Environment, Eminent domain.
- *Crime Prevention* — Interests: Neighborhood Watchers against vandalism and graffiti, MADD, "Peace" Officer associations, FIJA, Theft/Arson Prevention.

Want to participate? You're invited to bring your own signs, either for candidates or in support of the issue of your choice.

The groups will first gather around the perimeter of Liberty Park so our signs will be seen by passers-by.

After we've enjoyed the concert for an hour or so, we'll take a "Liberty Walk" from Liberty Park west over to State Street, then south to the Salt Lake County Building Commission Chambers where our county convention is will start at 2:00 PM.

Get involved! Have fun! If you need more information, call me at 359-8851 in SLC.

## The Utah Liberator

Libertarian Party of Utah  
P.O. Box 526025  
Salt Lake City, Utah  
84152-6025

ADDRESS CORRECTION REQUESTED



You can meet this well-known Libertarian live and in person on May 4.

