

# LIBERTARIAN LIFELINE



## LP of California Charts Its Future

The Libertarian Party of California held its 1997 convention last month in Sacramento. The East Bay Region was represented by chair Doug Ohmen, Vice Chair Jeffrey Sommer, Vice Chair Jean Marie Walker, Wayne Nygren, Greg Lyon, John Taylor, Audrey Ohmen, Terry Floyd and Tammy Austin (Marion McEwen also served as an alternate delegate, pressed into service when other delegates were unable to attend the business meetings). Mark Hinkle was elected as State Party Chair, succeeding Gail Lightfoot. Former State Party Treasurer Jon Peterson was elected Northern California Vice-Chair and Bob Webber was elected Southern California Vice-Chair. Elizabeth Brierly was elected Secretary and Eric Fine was elected Treasurer. The new party officers held an abbreviated Executive Committee meeting on the afternoon of February 17 (see Wayne Nygren's report on page 7).

Major topics addressed by the delegates included Bylaws revisions and Platform planks. Many of the platform revisions approved were minor style changes, but a number of new paragraphs were added to existing planks, and one new plank was approved. In the Judicial Plank, two new sections were added to strengthen the LPC's support of the Fully Informed Jury (FIJA) movement. The new section "f." now reads, "Jurors, rather than the judge, should set the sentence for a guilty offender up to the maximum allowed by law." An addition to section "o." recommends fully informing juries of all possible sentences prescribed by law for each offense for which a defendant has been convicted. These two changes were suggested in response to the threat to liberty posed by "mandatory minimum" sentences often imposed on non-violent citizens convicted of drug possession.

In response to the public and media attention given to government recognition (or lack of recognition) of same-sex marriages, the party approved the addition of a new plank to address the issue. The

newly-approved "Marriage" plank reads, "We support the right of individuals to form private relationships as they see fit, either by contract or by mutual agreement. We regard marriage as one such private relationship. The state of California should neither dictate, prohibit, control, encourage nor license any such private relationship."

The proposed revision to the LPC Bylaws that sparked the most debate involved the Unified Membership Plan. Under our previous Bylaws, the LPC operated as an independent affiliate of the National Libertarian Party (NLP), with its own membership base and financial structure. The National Party received no funds from the dues paid by LPC members.

Despite the similarity of names, they are two separate organizations. You may be a member of the LPC by paying dues to your region or directly to the state organization, but you are not a member of the National Libertarian Party unless you pay separate dues to the NLP. This is confusing to many libertarians who respond to a membership solicitation from National, but remain unaware that a separate local organization exists. While many LPC members are also members of the NLP, the number of NLP members in California exceeds the number of LPC members by more than 1,000. This is because the national party has greater resources due to economies of scale, a more effective outreach effort, and more professional fundraising ability.

There are several advantages to combining the state membership base with the national besides reducing the confusion caused by the two membership categories. The size of the LPC will immediately increase with the merger and administrative costs of maintaining the membership will be reduced because National will be handling many of these duties (e.g., database management, mailing of renewal notices, maintenance of the toll free 800 number, inquiry response, etc.) that currently consume a large portion of the limited resources of the state party.

On the downside, the amount of income the party receives from each member will be significantly reduced because dues will not be increased under the new plan. Currently, the LPC splits each member's \$25 dues payment with the local organization in a 60/40 arrangement,

i.e., the East Bay region collects \$15 and sends the remaining \$10 to the state party treasurer. Under the proposed unified membership plan, the LPC will split the dues in a 50/50 arrangement with the NLP, and then split its \$12.50 with the region in the usual 60/40 manner. So instead of the region collecting \$15 per member, we will keep only \$7.50, the state will get \$5.00, and the NLP will get \$12.50. It is hoped that the larger membership base will offset the loss of income resulting from the reduction in dues revenue.

There are only twelve other states participating in similar membership unification plans with the NLP. All other state party affiliates prefer maintaining the separate membership structure. Some delegates opposed the plan on principle, comparing the "federalization" of the LP structure with the growing size and encroaching power of government bureaucracies. In the past, the LP has always advocated local control and opposed centralization of power and authority in Washington, and this plan seems to repudiate this long-held philosophical position.

Serious and troubling questions were raised about the plan, and although the Executive Committee voted to move forward cautiously with the merger, the

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convention delegates passed a resolution mandating that the final scheme include a separation agreement that would allow the LPC to withdraw from the program in the event that the new structure proves inequitable or unworkable.

One other resolution was passed unanimously on Monday, February 17, 1997. This resolution was so eloquently written and so pointedly direct that it was greeted with warm enthusiasm and generated no dissent whatsoever. This resolution is of particular relevance to Libertarians in the East Bay, and I have taken the liberty of faxing it to several local newspapers and radio stations over the past couple of weeks. It is resolutions such as this, which address timely issues and articulate our principles in a rational, persuasive manner that make me proud to be a Libertarian. The Separation of Sports and State resolution, drafted by Rodney Austin of Fresno and Edward Teyssier of San Diego, is reprinted in its entirety below.

WHEREAS, professional sports franchises and sports leagues are private organizations and private commercial ventures, and

WHEREAS, professional sports franchises and leagues have successfully won financing and loan guarantees and stadium renovations from city governments in Sacramento, Anaheim, and Oakland in the past two years, and

WHEREAS, professional sports franchises and leagues are presently lobbying city governments for stadium renovations at taxpayer expense, and

WHEREAS, cities are competing with each other to attract and retain sports franchises in ways that burden the taxpayers with long term debt in order to subsidize the growing welfare class of professional sports owners and players,

BE IT RESOLVED, that the Libertarian Party of California affirms its belief in the SEPARATION OF SPORTS AND STATE; that professional sports owners and leagues should be supported solely by the free will and full consent of their sponsors and customers, not through the force of taxation and bonded indebtedness.



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# From the Chair

*by Douglas Ohmen*

We are back from the California Libertarian Party Convention in Sacramento. It was fun, interesting, exciting and inspiring. I hope everyone will plan to attend next year. You do not have to be a delegate to attend. Anybody and everybody should attend and see where the Party is going. We have a new California Party Chairman, Mark Hinkle, who is a long-standing Libertarian. He was the Chairman in 1985/1986, and will be good for the Party this year. It will be a pleasure to work with him. His biggest goal is to build the Party, and that is something we can all agree with.

The biggest question that came out of the convention was whether to eliminate paying dues to the California Party AND the National Party and only to send our dues to the National Party. They have a more efficient organization for collecting dues and they would send some of the money that they collect back to the state and local parties. The biggest problem is that most Libertarians feel that we should have SMALL, LOCAL governments. So what are we doing turning around and sending our money to Washington so that they can send a small part of it back to us? The Republicrats do that very well already. Our California Executive Committee (Jeffrey Sommer is our representative) is going to have to do a lot of debating whether to accept Washington's offer or not.

Returning to our local goals: Our first was to double our Libertarian voter registration. I talked about that last month. Our second goal is to double the number of members of the Libertarian Party in the East Bay Region. Again the best way is "Each One Get One." Each of us should try to recruit one person who leans toward the Libertarian philosophy. Bring someone to a Libertarian meeting. Get them some Libertarian literature. Invite them to a Libertarian discussion group. Show people outside the Party what we really stand for by showing them our California or National Libertarian Platforms. If you don't have a copy of either platform, you can download the text from the LP website at <http://www.lp.org/ca>, or the Common Sense BBS (510-713-7336), or call one of our officers who can obtain a copy

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for you.

Contrary to the Demicans, we really believe in most of our Platform. All of us have some reservations about some specific planks, but we believe in the overall concept of small government and personal responsibility for ourselves and for our neighbors who are in need.

The second step we will be taking to increase membership will be to concentrate on a prompt response to phone calls received on our county number and on the State's 800 number. If anyone is interested in calling us, we are interested in calling back.

Our next bi-monthly meeting is at Fuddruckers Restaurant, 1975 Diamond Blvd. in the Willows Shopping Center in Concord, on Tuesday, March 18. Come and get dinner about 7:00pm and we will start our meeting at 7:30. There will be a guest speaker and a couple of practice campaign speeches by our own people. Bring a report of the thing that most recently raised your ire about government. It will be fun and Fuddruckers has some of the best hamburgers in town. Come and get to know some other people who believe that we MUST free ourselves from the stranglehold of oppressive government. We can do it if we work together. I would be delighted to see you and some of your friends at the meeting. Please come. □

**Remember to call a radio talk show program this week and mention the LP. Every day, the listening public is assailed by news items to which the Libertarian response needs to be heard. Make sure San Francisco listeners know about the LP's Separation of Sports and State resolution before the 49ers Stadium Bond Issue Election!**

# A Declaration of the Independence of Cyberspace

Governments of the Industrial World, you weary giants of flesh and steel, I come from Cyberspace, the new home of Mind. On behalf of the future, I ask you of the past to leave us alone. You are not welcome among us. You have no sovereignty where we gather.

We have no elected government, nor are we likely to have one, so I address you with no greater authority than that with which liberty itself always speaks. I declare the global social space we are building to be naturally independent of the tyrannies you seek to impose on us. You have no moral right to rule us nor do you possess any methods of enforcement we have true reason to fear.

Governments derive their just powers from the consent of the governed. You have neither solicited nor received ours. We did not invite you. You do not know us, nor do you know our world. Cyberspace does not lie within your borders. Do not think that you can build it, as though it were a public construction project. You cannot. It is an act of nature and it grows itself through our collective actions.

You have not engaged in our great and gathering conversation, nor did you create the wealth of our marketplaces. You do not know our culture, our ethics, or the unwritten codes that already provide our society more order than could be obtained by any of your impositions.

You claim there are problems among us that you need to solve. You use this claim as an excuse to invade our precincts. Many of these problems don't exist. Where there are real conflicts, where there are wrongs, we will identify them and address them by our

means. We are forming our own Social Contract. This governance will arise according to the conditions of *our* world, not yours. Our world is different.

Cyberspace consists of transactions, relationships, and thought itself, arrayed like a standing wave in the web of our communications. Ours is a world that is both everywhere and nowhere, but it is not where bodies live.

We are creating a world that all may enter without privilege or prejudice accorded by race, economic power, military force, or station of birth.

We are creating a world where anyone, anywhere may express his or her beliefs, no matter how singular, without fear of being coerced into silence or conformity.

Your legal concepts of property, expression, identity, movement, and context do not apply to us. They are based on matter; there is no matter here.

Our identities have no bodies, so, unlike you, we cannot obtain order by physical coercion. We believe that from ethics, enlightened self-interest, and the commonweal, our governance will emerge. Our identities may be distributed across many of your jurisdictions. The only law that all our constituent cultures would generally recognize is the Golden Rule. We hope we will be able to build our particular solutions on that basis. But we cannot accept the solutions you are attempting to impose.

In the United States, you have today created a law, the Telecommunications Reform Act, which repudiates your own Constitution and insults the dreams of Jefferson, Washington, Mill, Madison, DeToqueville, and Brandeis. These dreams must now be born anew in us.

You are terrified of your own children, since they are natives in a world where you will always be immigrants. Because you fear them, you entrust your bureaucracies with the parental responsibilities you are too cowardly to confront yourselves. In our

world, all the sentiments and expressions of humanity, from the debasing to the angelic, are parts of a seamless whole, the global conversation of bits. We cannot separate the air that chokes from the air upon which wings beat.

In China, Germany, France, Russia, Singapore, Italy and the United States, you are trying to ward off the virus of liberty by erecting guard posts at the frontiers of Cyberspace. These may keep out the contagion for a small time, but they will not work in a world that will soon be blanketed in bit-bearing media.

Your increasingly obsolete information industries would perpetuate themselves by proposing laws, in America and elsewhere, that claim to own speech itself throughout the world. These laws would declare ideas to be another industrial product, no more noble than pig iron. In our world, whatever the human mind may create can be reproduced and distributed infinitely at no cost. The global conveyance of thought no longer requires your factories to accomplish.

These increasingly hostile and colonial measures place us in the same position as those previous lovers of freedom and self-determination who had to reject the authorities of distant, uninformed powers. We must declare our virtual selves immune to your sovereignty, even as we continue to consent to your rule over our bodies. We will spread ourselves across the Planet so that no one can arrest our thoughts.

We will create a civilization of the Mind in Cyberspace. May it be more humane and fair than the world your governments have made before.

Davos, Switzerland  
February 8, 1996

This Declaration has been widely circulated on the internet by the Electronic Frontier Foundation. This document and many others may be accessed through the EFF website at <http://www.eff.org>. Please feel free to reproduce it and give it to others.

## Aliens Invade Texas!

### Resistance is Futile!

by Dave Green

A few months ago, the City of Houston annexed the community of Kingwood, an unincorporated community of about 58,000 souls, mostly middle to upper class white professionals, living the good life in a master-plan suburb north of Houston. Under Texas law, those being annexed have no vote in the matter. For the past six months, Kingwood residents have visited City Hall by the busload to vent their anger at the City Council. Lotsa luck.

Mayor Bob Lanier is the Generalissimo, and he generally gets what he wants. And in this case, he wanted the tax revenues being enhanced by the properties in Kingwood (and the council obligingly went along, as they do 95% of the time). When the second reading of the annexation ordinance was approved, our fearless police force mounted a virtual commando raid on Kingwood's municipal utility district offices, the purpose of which was to take possession of the numerous interlocal agreements and other legal instruments involving Kingwood. Then, the Legal Department, Contracts Division (the office where I work), had the job of poring over all these documents (since "their" agreements are, by assignment, now "our" agreements). I hope it's a long time before we annex any other communities.

The Kingwood people tried to challenge the annexation in both state and federal courts, but no dice, because the annexation was perfectly legal under state law. They should have known this, since the annexation of Clear Lake (where the Johnson Space Center is located) twenty years ago was contested and the case went all the way to the Supreme Court, where the issue was ruled in favor of the City of Houston. Meanwhile, there've been letters to the editor comparing the annexation to Hitler's rape of Poland and Saddam Hussein's invasion of Kuwait (really, honest).

The whole business was getting so emotional at one point that I wanted to rent a Borg costume from Frankel's Costume Shop and wander around the Kingwood contingent on Council days and mutter things like, "Citizens of Kingwood, you will be annexed. Resistance is futile. From now on, you will service us." How long do you think I would have lasted before I got thrashed within an inch of my life?

# Redevelopment— Blight Makes Right

by Lou Filipovich

All a city need do to justify creation or expansion of a redevelopment area is to declare it “blighted.”

This is easily done. State law is so vague that most anything has been designated as “blight.” New residential areas, parkland, professional baseball stadiums, oil fields, shopping centers, orange groves, open desert and dry riverbeds have all been designated as “blight” for redevelopment purposes.

To make a finding of blight, a consultant is hired to conduct a study. New redevelopment areas are largely driven by city staff, who usually choose the consultant with the approval of the city council. Consultants know their job is not to determine if there is blight, but to declare blighted whatever community conditions may be.

Blight has been discovered in some of California's most affluent cities. Indian Wells, a guard-gated community with an average \$140,000 household income, has two separate redevelopment areas.

Understandably, many homeowners fear an official designation of blight will hurt property values. Small property owners fear redevelopment's use of eminent domain. Building permits can also be denied if an applicant does not conform precisely to the redevelopment plan. So, local citizen groups often challenge the blight findings in court. Others are challenged by some counties and school districts which stand to lose major property tax revenue if a new redevelopment area is created.

Recent state legislation has tightened definitions of blight, especially those involving open and agricultural land. Yet, enforcement is lax, legal challenges costly and most agencies were already created long before recent reform attempts.

Once the consultant's blight findings are ratified, a city may create or expand a redevelopment area. Voter approval is never asked. Citizens can force a vote by gathering 10% of the signatures of all registered voters within 30 days of the city council action. Where this has occurred, redevelopment nearly always loses by wide margins (rejected in Montebello by 82%, La

Punta by 67%, Los Alamitos by 55%, Half Moon Bay by 76%, for example).

The requirements to force a vote are difficult to meet, however. In the vast majority of cases, a popular vote is never held. Rather, as a rule, the consultant's findings of blight are quickly certified. A law firm is then retained to draw up the paperwork and defend against legal challenges.

A growing number of law firms specialize in redevelopment. Like the consultants, they are members of the California Redevelopment Association, a Sacramento-based lobby. They are listed in the CRA's directory, and also advertise in its newsletter. Their livelihood depends on the aggressive use of redevelopment and increasingly imaginative definitions of blight.

To eliminate alleged blight, a redevelopment agency, once created, has four extraordinary powers held by no other government authority:

1) **Tax Increment:** A redevelopment agency has the exclusive use of all increases in property tax revenues (“tax increment”) generated in its designated project areas.

2) **Bonded Debt:** An agency has the power to sell bonds secured against a future tax increment, and may do so without voter approval.

3) **Business subsidies:** An agency has the power to give public money to developers and other private business, directly in the form of cash-grants, tax rebates, free land or public improvements.

4) **Eminent Domain:** An agency has expanded powers to condemn private property, not just for public uses, but to transfer to other private owners.

Footnote: These four powers represent an enormous expansion of government intrusion into our traditional system of private property ownership as supposedly based on free enterprise. Let us carefully consider the cost of this power and if it has done anything to eliminate real blight; that truly will benefit the average taxpayer! □

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This is the second installment of a ten part series on the growth of Redevelopment Agencies in California. Part Three, Tax Increment Diversion, will follow in next month's *Libertarian Lifeline*.

## EXECUTIVE COMMITTEE REPORT

*By Wayne R. Nygren, Alternate Representative*

Immediately following the close of convention business on Monday, February 17, 1997, a "stand-up" state executive committee meeting was called to take care of some pressing Libertarian Party business before the various members had to leave to catch flights back to southern California or, as in the case of our new state Chair, Mark Hinkle, to keep a prior business commitment. Since the convention was adjourned late, the exec com reps had to miss the Sam Adams Luncheon awards ceremonies and part of Jacob "Bumper" Hornberger's speech, two of the best events of the weekend. Sigh, what sacrifices we make for the good of the cause.

Because time was so short, we met in the hallway of the convention meeting hall and limited the agenda to only essential items.

\* A proposal from Michael Cloud to retain his services as fund-raiser for the California LP was approved.

\* In response to a resolution passed by the convention delegates requiring a separation agreement as a condition of approval for the Unified Membership Plan proposed by the National LP, an agreement was approved wherein the California LP may, after one year of participation in the UMP, notify National to terminate the agreement and immediately begin to process

memberships at the state level. The share of dues allocated to California would then be reduced by 1/12th each month over the following year.

\* Withease, the database and bookkeeping contractor for the state party for the past several years, has decided to terminate the relationship as of March 3, 1997. However, they have agreed to continue provide services in cooperation with the past and new Treasurers to assure an orderly transition. (I wish to extend my heart-felt appreciation to Hugh and Thea McLean for their years of service, often under trying circumstances.)

\* A new Operations Committee was elected by the Exec Com as follows: Eric Fine (newly elected Treasurer), Ted Brown (past State Chair), Jon Petersen (Northern Vice Chair and Immediate past Treasurer), Mark Hinkle (State Chair), and Joe Dehn (exec com rep from Santa Clara Region).

\* The next meeting was scheduled for March 22, 1997 to be hosted by the Santa Clara Region. All dues-paying LP members are welcome to attend the Executive Committee meeting as observers.

As a consequence of my election to the Judicial Committee, I decided to resign as the East Bay Region's alternate Executive Committee representative to avoid any conflict of interest. Jeffrey Sommer will continue to serve as the East Bay's Executive Committee Representative throughout 1997. □

## MEMBERSHIP APPLICATION

*(For those joining the LP as a voting member)*

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

### Libertarian Party

#### of California

20993 Foothill Blvd., #318  
Hayward, CA 94541

Signature(s) \_\_\_\_\_ Date \_\_\_\_\_

Name(s) \_\_\_\_\_

Address \_\_\_\_\_

City, State & ZIP+4 \_\_\_\_\_

(Optional)

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

email: \_\_\_\_\_

- ☐ Basic LP Membership  
(includes *LPC Monthly*  
+ *Lifeline*) \$25
- ☐ Household Membership  
(for joint households) \$35
- ☐ National LP Membership  
(add \$20 per person)
- ☐ Subscription only to  
*Libertarian Lifeline* \$10
- ☐ Donation (Thank you!)

Please make checks payable to:  
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☐ Recorded in database

# CALENDAR OF EVENTS **MARCH**

**March 1 - March 6, 1997: *WACO: The Rules of Engagement*** a new documentary film by Dan Gifford about the tragedy of the FBI massacre in Waco, Texas. Features never-before-seen footage from the FBI's Forward Looking Infrared camera, which shocked and amazed audiences at the Sundance Film Festival last January where the film had its world premiere. Screenings are at the Roxie Theater, 3125 16th Street in San Francisco. For more information, call the Roxie at (415) 863-1087. The filmmakers will be present for each screening. Watch the *Lifeline* for information on upcoming East Bay bookings, or check the producer's website at <http://www.waco93.com>

**Tuesday, March 18, 1997: Contra Costa County LP General Meeting.** 7:30 p.m. at Fuddrucker's, 1975 Diamond Blvd., Concord, CA, located in the Willows Shopping Center (take the Willow Pass exit off of Highway 680). For details, call the LP Party Line at (510) 531-0760.

**Saturday, March 22, 1997: LPC Executive Committee Meeting.** Santa Clara County Regional Offices on Stevens Creek Boulevard. All LP members welcome. For more information, call (408) 243-2711.

**Saturday, March 29, 1997: East Bay LP Executive Committee Meeting and Newsletter Folding Party.** Join your fellow activists to help collate and mail the *Libertarian Lifeline*! You don't have to be an officer to help with the mailing, and all ideas are welcome. Join us at 24828 Canyon View Court in Hayward for an afternoon of informative conversation and intellectual exercise. For more information, call (510) 889-9216.

**Saturday, April 5, 1997: California NORML State Conference.** "Beyond Proposition 215" to be held at the Hayward Hempery, 22630 Foothill Blvd., #420, Hayward, CA. Conference begins at 12:00 noon. For more information, contact the Hempery at (510) JET-WEED.

**Sunday Afternoons, 5:30 p.m.: The Libertarian News Hour** on Free Radio Berkeley, 104.1 FM, hosted by Jeff "Zippy the Yippie" Sommer, the voice of freedom on the airwaves originating from one of the last bastions of socialism in America, Berkeley, California. If you have internet access, check out the Free Radio Berkeley Web Site at <http://www.freeradio.com>

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