

# Santa Clara Libertarian

Volume 30, Issue 2, February 2002



## MARCH 5TH ELECTION RESULTS WERE NOT VERY ENCOURAGING

### LPSCC Bond Arguments - 6 Lose Big Including O, 1 Wins; Spielbauer Gets 31K Votes But Falls Short Of Runoff Status

Reported by Marv Rudin

Several issues were settled by Santa Clara County's March 5th voting. Unfortunately, although gaining favorable publicity with those who want small government and taxes, few results of the vote were favorable to the Libertarian cause. Libertarians Ray Strong, Dennis Umphress, Jeff Landauer and Elizabeth

#### Voter Turnout

**Republican 37%**  
**Democrat 34%**  
**Libertarian 26%**  
**Green 25%**  
**Reform 21%**  
**Nat Law 19%**  
**Am Indep 16%**



Jeff Landauer

Brierly combined as authors of arguments against various bond measures D, F, G, H, J, K, and O, all but one of which passed, most with wide margins. And Libertarian Tom Spielbauer came in 4th in a 4-way race for judge albeit attracting a very respectable 31,161 votes representing 18.8% of the small turnout of voters for this

election. Turnout was so small that although just 25% of LPers went to the polls, LP turnout was larger than the other 3rd parties. Republican turnout was just 37% and Demos 34% even though they had contested primary races. Voter apathy continues to reign supreme!

On the bonds, except for Gilroy's rejection of D, our side wasn't even close. Instead of adhering to chair Ray Strong's admonition - "The more deserving a ballot measure seems, the more likely we should be voting against it because it represents priority reversal." the voters did just the opposite and voted for sophistry as usual.

Prop Meas	LP posh	Description	SCC pro-p votes	% total
CA Prop 40	no	\$4300M 25 yrs - "Clean Water"	82,078	38.7%
CA Prop 41	no	\$250M - Voting Equipment	92,574	44.5%
CA Prop 44	no	Take Child Lic for 2nd Fraud	34,065	16.8%
SCC Meas D	no	Gilroy \$150M - School Bond	3,058	47.1%
SCC Meas F	no	San Jose \$960M - School Bond	9,255	30.5%
SCC Meas G	no	SJ East \$670M - School Bond	13,151	30.2%
SCC Meas H	no	Campbell \$170M - School Bond	3,950	33.2%
SCC Meas J	no	SJ Mountain \$78M - School Bond	1,951	27.7%
SCC Meas K	no	Los Gatos \$11M - School Bond	1,736	36.5%
SCC Meas O	no	San Jose \$357M 25yrs - School Bond	27,139	28.4%

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Tom Spielbauer

On the 16th District judgeship election, Tom Spielbauer correctly predicted that turnout'd be small and he had a chance for enough votes to get into a runoff. The leading candidate, Del Pozzi, got just under 50,000. Unfortunately Tom couldn't muster the necessary advertising and get-out-the-vote effort needed to get the 50,000. He did demonstrate though that it might have been possible to achieve a runoff with just the backing available from members of the parties and groups that endorsed him. Considering that 2/3rds of the voters stayed home for this primary election, it appears that if a strong get-out-the-vote effort is organized, putting a Libertarian judge on the bench in Santa Clara County is within reach in 2004.

LPC Excom member Ted Brown's argument against Prop 44 served to get

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Note: \* if # of voters in district is unavailable or if nonpartisan race

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Sunnyvale, CA  
94088-0171  
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http://www.sc.ca.lp.org

office	candidate	# votes	% SCC Reg-libhs
J 16	TOM SPIELBAUER	31,161	*
BE 1	ELIZABETH BRIERLY	1,145	21%
SD 10	ERVAN DARNELL	65	*
CD 14	ANDREW CARVER	404	*
CD 15	JEFF LANDAUER	455	*
CD 16	DENNIS UM PRESS	289	*
AD 20	KEITH LYON	23	*
AD 21	RAYMOND BELL	228	*
AD 22	KENNETH WATSON	381	*
AD 27	GORDON SACHTUEN	34	*

# PUBLICITY

Stories about local Libertarians publicizing the party in the media

## LPSCC LEADERS PARLAY BALLOT ARGUMENTS INTO SJMN COVERAGE But Paper Continues Policy Of Ignoring LP Candidates

by Marv Rudin

Chair Ray Strong and Campaign Chair Dennis Umphress have parlayed their role in writing and submitting arguments against a number of bond measures on the March 5th ballot into further publicity opportunities by speaking at local fora concerning the bonds, stimulating interviews with news reporters, and getting publication of letters to the San Jose Mercury News editorial page. But the ridiculous policy of the SJMN to omit party references that may be of value in letters and to ignore and literally hide LP and other 3rd party candidates for public office from view apparently remains unchanged. Still some good publicity was gained.



Ray Strong, Chair

On Fri, Feb. 15, 2002 in an article titled "Record Number of Districts Seek School Bond Funds," reporter Jessica Portner of the SJ Mercury News reported "Dennis Umphress, chairman of the Libertarian Party of Santa Clara County's campaign to defeat the bond measures, doesn't doubt that schools need repairs. But he argues schools ought to slash their administrative costs before asking voters to open their wallets again. 'Bonds should be the financing method of last resort. But it's one of the first,' he said. 'Its the easiest way of getting the money.'" thus bringing the IPSCC valuable publicity with hard pressed tax payers.

And on Mar. 1, Ray Strong reported getting his LTE on Measure O into the SJ MN : "An abbreviated version of my letter against Measure O appears in the LTE area of the San Jose Mercury News today. First, at the request of the editor, I cut the letter to under 250 words (from almost 500). Then they cut more material including the VoteNOonO.org url. But they left my title, "Chairman, Libertarian Party of Santa Clara County." I think the letter represents the best short argument we have against Measure O. I also managed to get in the idea that the more deserving a ballot measure seems, the more likely we should be voting against it because it represents priority reversal." (Editor's note see page 7 for the text of Ray's letter).

In the following correspondence, Dennis Umphress politely asked the SJMN to accurately report Bd of Eq candidate information and encountered their editorial policy of practically boycotting LP candidates that your reporter has seen and protested to the SJMN management after past elections.

"To: [Letters@sjmercury.com](mailto:Letters@sjmercury.com) Cc: [ccarroll@sjmercury.com](mailto:ccarroll@sjmercury.com); [ElizabethB@netgate.net](mailto:ElizabethB@netgate.net)  
Subject: SJ Mercury story on California State Board of Equalization; District 1

I was very disappointed to see that the San Jose Mercury News story of February 15 only referred to three of the four candidates running for California State Board of Equalization; District 1. Why was the fourth candidate, Libertarian Elizabeth C. Brierly, not even mentioned? Your story mentioned twice that the Republican primary winner will face the unopposed Democrat. What about the unopposed Libertarian? I believe your story gives the impression that after the primary only two candidates will be in the November election. This is a very important office involved in the collection of almost \$39,500,000,000.00 in 1999-2000. I urge concerned voters to visit : [http://www.smartvoter.org/2002/03/05/ca/scl/state\\_board\\_of\\_equalization.html](http://www.smartvoter.org/2002/03/05/ca/scl/state_board_of_equalization.html) for information on ALL candidates running for this office."

> >

Dennis Umphress 580 Mountain Home Dr. San Jose, CA. 95136 408-269-7432

From: "Carroll, Chuck" <[CCarroll@sjmercury.com](mailto:CCarroll@sjmercury.com)> To: 'Dennis Umphress'  
Subject: RE: SJ Mercury story on California State Board of Equalization; District 1

"Dennis,

Thanks for sending your thoughts about the BOE race. Ideally, we would always be able to at least mention every candidate on the ballot. Unfortunately, we typically only have space to mention those from the "major" parties and, perhaps, those in contested races from the other parties. I'm sure this is an unsatisfactory answer for folks in the other parties, as it is to me. It is indeed a conundrum. On the bright side, if we were doing a voter guide — as I'm sure we will for the fall election — I would think every candidate on the ballot will be listed.

Chuck"

(Continued on page 7)



Dennis Umphress

### Editor's Note:

**This is clearly an editorial policy -- Dennis discovered and complained of a similar omission of LP candidate Eaton in a story about his race for 12th S.D.**

# **LIBERTARIANS BRIERLY, UMPHRESS, AND STRONG DEBATE BOND PROPONENTS IN SJ**

Reported by Randy Overbeck

On the night of Tuesday Feb. 26th 3 Santa Clara Libertarian Members put up a coordinated debate opposing 3 different measures - F, G, and O, on our ballots on March 5th. The debate took place at an Almaden Valley Community Association Candidate Forum at Gunderson High School in San Jose.

The only Libertarian member to have their opponent show up was Elizabeth Brierly, who is running as the Libertarian candidate for Member of the California State Board of Equalization for district 1. She was opposing Measure F which is a bond measure for the San Jose Unified Schools to the tune of \$429 Million. (The maximum amount they can ask for by law.) But assuming a very generous 5% simple interest rate over 25 years the interest would be \$536.25 Million which makes the total cost \$965.25 Million. And that is the best scenario. The terms of the bond could even lengthen to 40 years. (The San Jose Unified School District will negotiate for the best rate but we don't know before we vote what the rate will be). What is the primary purpose for this money you ask? "Repairs and Maintenance" was the answer given by Linda Murray the proponent of the Measure. Elizabeth did some digging though and found what a number of those items are. Some Examples:

Athletic fields for Leland....\$7,600,000  
Showers/Locker rooms Leland...\$1,736,000  
Windows for Bret Harte.....\$2,373,000  
Landscaping/Fencing for Bret Harte..\$1,740,000  
Windows for Graystone.....\$931,000  
and for perspective here is an education improvement  
Science Labs for Leland.....\$162,000  
(Source: SC Libertarian website <http://www.votenoof.org>)



Umphress, Brierly, & Strong looking sharp for debate

After seeing numbers like these it becomes readily apparent that the priorities of the San Jose Unified School District are seriously out of whack with both asking for tax increases and what they are spending it on. I posed a question to Linda Murray about the amount that the schools spend on yearly maintenance and repairs of the general school budget. "3% of about \$237 Million" was her answer. In comparison, I checked the 10-K Filing of my employer, Apple Computer Inc, based in Cupertino, and their approximate percentage spent on equipment and facilities both in purchasing new and maintaining the old was more than 10% for 2001. I am not saying that 10% is what the schools should be shooting for but I am saying that the 3% is way out of line. In fact if we divide the amount of the bond \$429 Million by the length of time that the repairs and Maintenance would be done, about 10 years according to Linda Murray, we get almost \$43 Million a year. That is a more than 600% increase in Repairs and Maintenance funding over the next 10 years. And do you honestly think that repairs to Athletic Fields and Science Labs will last 25-40 years? Elizabeth Brierly summed up the issue very well "Would you finance your car for 25 to 40 years? As that is what this bond does effectively to us and our children." Vote No on Measure F. (More details on this issue can be found at <http://www.votenoof.org>)

Dennis Umphress who is running for Libertarian Party Candidate for the 16th Congressional District, had a much easier time as he was the only one that showed up on Measure G. Dennis who is SC Libertarian member was opposing the \$298 Million Bond for East Side Union Schools. No detail was given on what the bond is really for as the proponent didn't attend. Using the same formula as above the interest payments would be 14.9 Million per year and the total cost of the bond would be in excess of \$670 Million. Vote No on Measure G. (More details on this issue can be found at <http://www.votenoong.org>)

Ray Strong was the last of the trio of libertarians and he was also without a debater. He was opposing Measure O which is a \$159 Million Bond to "improve San Jose's fire, police, and paramedic response times by: adding and improving fire stations and police stations, training facilities, and creating state of the art 911 communications facilities". As Ray pointed out this measure is a classic case of government getting rewarded for getting its priorities wrong. After all San Jose is already spending over \$300 Million dollars on a new City Hall. Which do you think is more important? Vote no on Measure O. (More details on this issue can be found at <http://www.votenoono.org>)



Linda Murray and Elizabeth Brierly in debate on Measure F



Ray Strong making a point about Measure O

# OUTREACH

Stories about local Libertarians publicizing and growing the party

## EXPLOITING PRE-PRIMARY OPPORTUNITIES IN FEBRUARY

by Marv Rudin

With 2002 being an election year when people become more conscious of choosing parties, candidates and advancing public causes, several opportunities opened up for Libertarians to reach the public. West Valley College in Saratoga called to offer us a table for registering students, giving the OPH quiz, and handing out our literature, and with help from Activities Chair Zander Collier, Local Organizing Chair, Laura Stewart stepped up to the plate on short notice and got some exposure for the party. Libertarian judicial Tom Spielbauer needed volunteers to pass out his cards (see SCL News for January), and Ed Allison, Zander Collier, I, and others pitched in. And as mentioned on page 2 of this issue, being featured as authors of ballot arguments gave Dennis Umphress and Ray Strong the opportunity to get LTEs and interviews published, and to be heard on community fora.



Zander Collier reaches out in SJ

Zander Collier described his interesting experience doing double duty passing out cards for Tom Spielbauer and also LP literature, in glowing terms:

"I am handing out LP literature at the same time. On Friday night, I went by myself to downtown San Jose and handed out Spielbauer for Judge cards. I also handed out small LP slips of paper. The manager of one of the clubs (Polly Esther's) asked me if I had Voter Registration forms. I said that I did not but that I would work to get her one ASAP. I also handed her LP materials and wager I could have gotten an LP registrant right then and

### ENERGY TAX PETITIONING POSTPONED TILL MARCH 20

After hearing of the success the Santa Cruz LP had in repealing their energy tax, and conferring with LPC chair Aaron Starr and the LPSCC Excom, program manager Steve Prestrelski may revise the Libertarian Party's Mt. View Energy Tax petition, possibly to a repeal instead of a rollback, and has rescheduled the start day from March 16th to Saturday, April 20. Many volunteers will be needed. For information about how to help with this program, which is expected to continue to gain visibility and attention for the LPSCC, please contact Steve at (650) 969-5188 and/or spre33@aol.com.



Steve Prestrelski

there.

My attempts to give security guards cards and talk to them about the issues didn't meet with resistance. They usually wanted to talk about the issues but stated that they could not vote as they had been convicted.

In my rounds of Downtown San Jose on Friday night, a large majority of people I asked stated that THEY WERE REGISTERED TO VOTE. Out of the 250 or so sets of cards I handed out, after sweeping the neighborhood one more time to see how many had been discarded to the ground, I FOUND ONLY \*1\* CARD ON THE GROUND.

I ran into a drunk scumbag who felt my presence (and political activism) was a threat to his masculinity and his attempts to "score" or "get some" (sex). But more often than not, I found that our issues resonated extremely well with this crowd. Ending the Drug War, Ending Three Strikes, Protecting and Improving Privacy were all received very well. In the future when I go down there (and when others would like to come with me to distribute pamphlets and educate potential voters) I have a few ideas as to what would help us even more. I think this is a wellspring of UNTAPPED YET REGISTERED voters who we could sway to our positions with little effort.

The next day I was in the Spielbauer van and managed to pass out 250 more cards (Downtown Los Gatos). The response was similar. To date, I have passed out about 500 cards and chatted with even more people (who weren't interested in the cards) about Tom, about Libertarian issues, and the fight for freedom. I am extremely encouraged.

(Continued from page 1)

statewide LP name recognition, but if the SC County vote was any indication, it was an extreme loser as an issue. The only state proposition that was opposed by a Libertarian, 44 won in our county by the widest margin of all state propositions 83.2% for, 16.8% against. It was billed as being anti medical fraud with respect to chiropractors, probably to penalize the run up of bogus bills in accident liability cases. It authorized taking their license for a second offense. Ted Brown's argument that they couldn't repay damages if not able to practice and make a living apparently seemed hollow to most voters, and may have been embarrassing to some Libertarians.

# ***PARTY MEETINGS***

*Stories about local Libertarians getting together to discuss and, debate issues, and/or vote on official party business*

## **ELEVEN LPSCC MEMBERS ATTEND LPC CONVENTION**

### **Strong, Dehn Elected To State And National LP Positions, And Ten**

### **Members Elected To LPC's Delegation To LP National Convention**

Reported by Dennis Umphress

LPSCC members Ray Strong, Joe Dehn, Scott Lieberman, Zander Collier, Ed Allison, Mark Hinkle, Elizabeth Brierly, Laura Stewart, Mary Gingell, Roger Ver and Dennis Umphress attended as Delegates to the LPC Convention In Santa Maria, California February 16th thru 18th.

Zander Collier Served as the LPSCC's Program Representative.

Roger Ver Served as the LPSCC's LPC Platform Representative.

Ray Strong was elected to the Judicial Committee.

Ed Allison, Elizabeth Brierly, Mary Gingell, Mark Hinkle, Linda Hinkle, Logan Hinkle, Scott Lieberman, Laura Stewart, Ray Strong and Joe Dehn were elected as Delegates to the National convention.

Joe Dehn was elected as the National committee representative from California, Hawaii and Arizona. Mark Hinkle and Scott Lieberman were elected as the alternate National committee representatives from California, Hawaii and Arizona.

Laura Stewart was elected as the alternate National platform committee representative.

The total number of delegates present at the LPC Convention ranged from 109 to 123.

Major News reported at the convention:

A donor has given the LPC \$10,000 and has said they are willing to give \$10,000,000 over 10 years to help fight the War On Drugs.

Operation Breakthrough 2.0 goals are to field 500 candidates for 40 victories at a cost of \$70,000. ■

## **UPCOMING MEETINGS OF THE LPSCC**

**Meetings coming up in March and April:**

March 14th - Speakers & Discussion Meeting, dinner 7 pm, meeting 8 pm  
Cocos, Lawrence Expressway/Oakmead Parkway, Sunnyvale

April 6th - Excom Meeting, 8 am  
Courtyard by Marriott, 1727 Technology Drive, San Jose, CA 95510 Tel: 408-986-6688

April 18th - Central Committee Meeting, 6:30 pm No Host Bar, 7:00 pm dinner & meeting  
Original Joe's, 301 S. 1st. St (at San Carlos), San Jose

May 4th - Excom Meeting, 10 am  
Rose garden Library, Naglee & Dana, San Jose

May 9th - Speakers & Discussion Meeting, dinner 7 pm, meeting 8 pm  
Cocos, Lawrence Expressway/Oakmead Parkway, Sunnyvale ■



Roger Ver was our LPC Platform Rep at '02 Convention

#### **Editor's Note:**

To satisfy the 14 days notice of the annual meeting our bylaws require, this Feb. issue has been printed and mailed and the Mar. issue will be web-only.

This deviates from the original schedule of printing only Dec., Mar., Jun., Sept. at end of those months. Because of the use of the SCL News for meeting notices, the future printed issue schedule will be end of Feb., May, Aug., Nov., for meetings in Apr., Jul., Oct., Jan..

# ACTIVITIES

Events Where Libertarians Can Enjoy Advancing Freedom

## ENJOY ACTIVITIES ADVANCING LP STYLE OF FREEDOM WITH ZANDER

Reported by Marv Rudin



Activities Chair  
Zander Collier

In the January issue, newly elected Activities Chair Zander Collier gave his general plans and said his charter would be activism, whether party-internal or community-outreach events and activities. In a recent interview, he described some of the events which he will be managing or helping others to manage, in chronological order:

**LTE Sunday** - Mar. 17th & April 21st, 3 pm to 5 pm I will lead Letters-to-the-editor sessions. Location will be Stoddards at 200 E. Campbell Ave. (at 2nd) in Campbell. Come and have a beer with me and read the papers, compose letters, and enjoy yourself.

**Tax Day Prep** - April 13th/14th - I will again organize and direct a Tax Day Prep session as last year except improved by what was learned. It will be April 13 and maybe 14 if needed. Participants will gather on the first day Saturday, April 13th at 12 noon at De Anza College in front of the Student Union Bldg.. I will have signs printed and handouts ready and & will ask participants to assemble the signs and organize and assign teams for the different USPS offices and times on Tax Day.

**Tax Day** - April 15th - I will direct and participate in carrying signs and dispensing LP literature at a number of USPS offices in the county. I will personally be at a principal USPS office that stays open late such as the ones on Lundy or on Hamilton in San Jose.

**LPSCC Central Committee Meeting** - April 18th, 7 pm at Original Joe's banquet room (see pg. 10).

**Mt. View Energy Tax Revolt** - April 20th/21st - I will be helping Steve Prestrelski to recruit and organize petitioners for his Tax Revolt Initiative Apr. 20th, and also 21st if necessary to get the required signatures, and will help Steve arrange the after-completion celebration.

**Reg-Lib'n Orientation Gatherings** - No date set yet - I will welcome new LP registrants and invite them to an orientation discussion and presentation session to familiarize them with the local LP organization and its activities.

**Santa Clara County Fair** - No date set yet . I will organize a return to the fair if it again meets during a summer month when more traffic can be expected (not May as it's been for the last two years)."

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## NO PROGRESS\* IN FEBRUARY, BUT FUTURE OUTREACH LIST

**Publicity Announcements To The Media**

**Find Way For User Printable License Frame Signage?**

**Audacity Project - Find Way For Easily Attachable/Detachable Signage?**

**LP Registration Of New Citizens And Voters (Naturalized and High School Seniors)**

**Editorials & Letters To Small City Papers (Meet Editors & First Item Published With Each)**

**Poll of new Registered Libertarians - What Caused Them To Join?**

**Radio Test Ad - Catchy Jingle, Serious Request To Visit Easily Remembered Hit Counting Web Site**

**Passing Cards To Workers And Students As They Leave Work (Idea from Zander)**

\* (As far as the editor knows) These are projects the editor is trying to do or stimulate others to do. Suggested additions of new to-do items to the list for next month are welcome.

# MERCURY PUBLISHES LETTERS BY STRONG AND UMPHRESS BUT OMITTS VALUABLE REFERENCES

Reported by Marv Rudin

It is not uncommon for op ed editors to cut letters to save space. But for many organizations they don't omit valuable contact information. But the letters that Libertarian ballot argument writers Ray Strong and Dennis Umphress sent to the SJ Mercury News had web site addresses that would have been of real value to readers who wanted fuller knowledge before voting, And of course they would have been valuable to our party in connecting that public service with the Libertarian Party. By removing it from Dennis' letter they removed any connection with the LP. Was it deliberate? We can't be sure, but there are many clues pointing in that direction.. Fortunately, they at least left Ray's LPSCC title, so some publicity was gained from these gentlemen's work. Here are the letters with the omitted parts of Dennis' letter, which was cut from 249 to 142 words, shown in red.

## No On Measure G

I was born and raised here in San Jose and I urge **you to join with me and** vote no on Measure G for East Side Union High School District.. You can be for students, for education and against measure G. Of course our children should have safe, well-maintained schools. **That is why** repairs and maintenance should be budgeted for and performed routinely, not funded with long-term bonds.**A cardinal rule in borrowing is never to finance anything for longer than its life expectancy. Would you take out a 40-year loan to resurface your driveway? Measure G would finance this type of purchase over 25-40 years. Would you take out such a loan knowing that our children and grandchildren could be paying for these expenses long after they were grown? And certainly long after this type of purchase had outlived their usefulness?**

There are only three voter positions when it comes to taxes:#1. Taxes are too high. #2. Taxes are about right. #3. Taxes are too low. If you agree with position "3", then you could support this tax. However, if you agree with position "1" or "2", then you should vote against this measure.

The Libertarian Party of Santa Clara County is hosting several bond measure websites. For more information regarding this measure, please visit [www.VoteNoOnG.org](http://www.VoteNoOnG.org).

School administrators need to keep the school buildings and property maintained and repaired out of their annual operating budget, not by floating expensive bond issues. **These are only some of the reasons why Measure G should be defeated.**

by Dennis Umphress, San Jose

## Don't Reward Failure

The main reason to vote against the Measure O is that it punishes success and rewards failure. Politicians often allow the most important and most needed operations to go undone while everything else is funded from the current budget. When voters observe the resulting need, they tend to reward this mismanagement by voting more money. To stop this tendency we must refuse to pass bond measures based on their stated purpose and insist on knowing the full set of budget priorities. The more deserving a bond measure seems, the more likely it represents priority reversal and should be defeated for that reason alone.

Measure O is apparently one of the most deserving of all. How can we not vote to support our police and fire fighters? But wait — ask this same question of our elected officials: How could they not vote to support our police and fire fighters? Measure O asks for \$165 Million; but the City Council has voted more than \$300 Million for a New City Hall — without asking the voters!

Every time we give in to politicians and reward their failures, we make it harder to correct the problem. As voters we must insist that the Mayor and City Council get their priorities straight. Vote against the New City Hall, as a monument to priority reversal. Vote No on Measure O.

Ray Strong Chairman, Libertarian Party of Santa Clara County .

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(Continued from page 2)

Obviously Dennis got no satisfaction from Mr. Carroll - not even publication of his letter with directions to the Smart Voter site for information about the candidates. In still another letter to the SJMN Dennis complained about their "lying" by not giving LP's David Eaton in the list of 12th SD candidates. Maybe it's time to boycott the SJMN if they boycott us? That's what your reporter did last year after "taking it" for 25 years.

# OPINIONS

Share your thoughts on making our party more successful and advancing the individual freedom with responsibility movement

## WHAT SHOULD BE LP POSITION ON BONDS?

In an email response to Dennis Umphress about how to answer a Mercury News reporter regarding what to do if school repairs aren't covered by current taxes and your editor answered and others responded:

cutting expenditures as deep as possible, your editor answered and others responded:

**Editor's Response To Umphress' Question:**

1. Save money on teachers by using the information revolution, Other industries are constantly adding capital equipment to replace labor, including skilled labor, and gain productivity. That's what caused the stock market to boom in the 90's. It also overboomed and busted somewhat - but the gains were mostly justified, because of real productivity increases from the information revolution and other technological advances in the 90's. Yet while other industries benefitted greatly, the education industry - which primarily communicates information - benefitted little. Why? I would say because it's a government controlled virtual monopoly, serving the teachers unions rather than the parents and their children. Strong evidence of the lack of productivity gains is the cost per pupil in CA, which has gone over \$7,000 per year per student, while private schools do a better job for close to half that amount.
2. Answer her loaded question with this question: How do you know for sure that cutting "as deep as possible" - including teacher as well as administrative costs - and putting the money in a "Reserve for Depreciation" like most companies do, wouldn't be sufficient to replace worn facilities when their replacement time is due?
3. Lease facilities instead of buying. If past management has been profligate, and more money would need to be found to build new facilities, engage in a lease contract in which private investors compete to build suitable facilities. This would require no up front money from bonds.

Actually, bonds as a means of financing, are no more inherently bad than a house loan is inherently bad. The party's automatic rejection of bonds is not based on a sound financial argument when a large sum is needed to replace or repair old facilities.

The real Libertarian solution: The main problem with the public schools is costly inefficiency and poor results due to lack of competition. But voters are faced with no apparent choice other than withholding support from their kids' school or being mean spirited about others' kids if they have no kids of their own in school. So they keep voting for more bond money because the kids are, in effect, held hostage. Therefore a Libertarian anti-bond argument is likely to lose, especially with the new 55% rule. But besides LP name advertising, proposed bond measures do offer us a good opportunity to point out to people that in the future, education could cost much less and be much more effective if the public school monopoly were eliminated by enabling free market competition between educational service firms and public schools if the latter were run only on user fees. Therefore we should at least propose an amendment to all bond issues that would phase out public schools. The argument would be to turn down the present bonds and ask the proponents to come back with a plan that would phase out the lower public school grades (leaving those grades to the private sector), while financing the repair or conversion of elementary school facilities for the higher grades. One obvious idea that could eliminate the need for bond money would be to sell the elementary school facilities to competitive private educational service companies, and use the money obtained to fix the higher grade public school facilities. Of course, such a plan would gradually be applied to all grades.

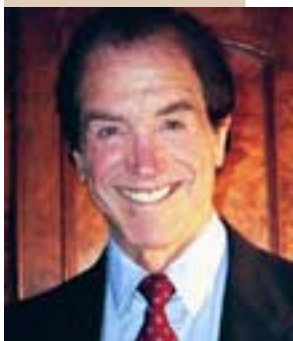
**Mark Hinkle Responded:** I'm puzzled by your comment "The party's automatic rejection of bonds is not based on a sound financial argument.". While that's true, I'm wondering if you're giving the wrong impression (or you have the wrong impression). Having discussed the issue of bond measures for years within the LP, our rejection of bond issues is because it imposes another, new, tax. And it's the tax part we don't like. Observation also tell us that school districts also let buildings run down on purpose so they can justify another bond issue to "fix problem X with said buildings". But, that's another issue. It may appear that the LP automatically rejects bonds, but the unsaid reason is that we automatically reject the tax necessary to pay back the bonds with interest.

**Ray Strong Responded Simultaneously With Hinkle:** I disagree about there being nothing inherently bad about bond financing for public institutions. The comparison is not valid between personal or business borrowing and "public" borrowing. The difference is that public institutions borrow money to increase their budgets by increasing their taxing power, private persons and businesses borrow because they have an independent income stream and they want to make use of its present value. Private persons and businesses borrow money all the time and sometimes they make mistakes by misestimating their future income stream and the costs of borrowing. The picture that comes to mind is the new credit card holder who looks at the line of credit as new found money without regard to how it will be repaid or when. The analogy to public borrowing would be more like the private borrower who intends to declare bankruptcy and never repay the loan. Public institutions tend to look at bond financing as simply another way to increase their spending money with no thought to repayment or cost of borrowing because it is all covered by their taxing power.

Public bond measures are inherently bad because (1) they lead to tax increases, (2) public officials have a tendency to ignore the costs of borrowing since all the costs will be covered by the consequent tax increases, (3) the process tends to punish success and reward failure in the management of public assets.

None of these three reasons applies to private borrowing, except when there is no care or intention to repay on the part of the borrower. In this latter case, both are bad and both are inherently forms of theft.

**Laura Stewart Responded After All 3** I agree with Ray. I would also add that even if selling bonds is not quite analogous to "planning to go bankrupt" because the government does intend to pay, that makes bonds \*worse\* morally, not better. After all, which is worse: to borrow money with no intention of paying it back, or to borrow money with the intention of robbing someone at gunpoint in order to pay it back? ■



Marvin B. Rudin, Editor

The topic of bonds seemed timely, as anti bond ballot arguments continue to be a staple LP publicity vehicle during the elections. Yet bonds are not mentioned in either the LP or the LPC platform; so surprisingly there is no official LP position on bonds. What's your opinion?



Mark Hinkle

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

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