



VOLUME 4, ISSUE 10 BY AND FOR FREEDOM LOVING ALASKANS



## Borough Gas Utility

By Lance Roberts

The Borough Assembly will be considering an ordinance to establish a government gas utility on Thursday night, October 11<sup>th</sup>. To acquire these powers the Borough would need to have them ceded to them by the Cities of North Pole and Fairbanks. The City of North Pole passed an ordinance ceding those powers last week, and the City of Fairbanks will be voting on the issue on Monday night, the 8<sup>th</sup> (after this article has been written). There are two main arguments the proponents bring forth for a Borough gas utility. The first is the Governor's stated need for a unified front, and the other is the tax-free abilities of a municipal utility.

The Governor did state that Fairbanks needed to unite on a gas plan, but never specified the form. There are many, many ways that the community could unite on a solution without going to the extreme step of a socialistic construct, creating another layer of bureaucracy. One example could be, as pointed out by the attorney at the work session last Thursday (10/4/12), that the Borough could accept "limited" utility powers just like they did for Health and Social Services, which would allow them to accept grants and allocate them appropriately. Another example would be the councils and assembly passing resolutions to get behind the Lowell group's plan. Still another would be GVEA, FNG and Flint Hills working out their differences and presenting one agreed upon course of action.

The one valid point made by the proponents is that the utility would have tax-free advantages (from a federal perspective, since any state ones could be modified). There are extra costs, in both money and

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the extra time and money another layer of bureaucracy will cost us. The Borough right now is looking at an initial funding of \$350,000 plus unlimited help from Borough staff and administration, which anyone who has seen other interfund charges in the Borough knows can amount to hundreds of thousands of dollars itself. There is also the well-established fact that government is slower at getting things done than private enterprise is; this utility will slow down the build-out of our gas distribution system. It is even worse than what I just presented because once the government utility is in the mix, private capital will be more hesitant to take a role in providing any of the gas distribution system because of the increased risk. There are also additional costs of regulation that government funding will have that will greatly increase the costs of construction.

An important aspect here is that two of the funding mechanisms that have been tossed about general obligation bonds and revenue bonds, will both put the Borough on the hook, liable for those debts. GO bonds of course are always backed by the Borough after voted for by the people; revenue bonds to have a decent interest rate have to be backed by revenue, but since you won't start with any, the bond counsel at the work session said that it would be important for these to be guaranteed. The proponents hope that the State will back these up, but there is no assurance that they will, which would mean that the Borough taxpayers would be on the hook. An important thing to note for the City of Fairbanks is that the proponents have said the utility is for outside the existing FNG service area, i.e. the city, therefore the City taxpayers will be paying for and/or liable for the gas distribution system that they will not be getting any benefit from (disclosure: I'm a city taxpayer). **The City of Fairbanks might want to include language that restricts any bonding to be non-areawide, so that the cities aren't affected.**

The largest problem with the borough utility concept is that we can't even plumb the depths of the largest problem because the proponents of the utility ordinance have put NO restraints in the ordinance. The Federal constitution was designed specifically to restrain government and specifically enumerates powers. All good law is similar in that it sets up the constraints under which government can function. The text of the proposed borough ordinance states (emphasis mine), "the power to acquire, own, and operate a natural gas utility includes, **without limitation**, the power to acquire, own and operate distribution, transmission, and transportation-related facilities and pipelines and conditioning facilities as well as all powers necessarily or fairly implied in or incident to that purpose. **Such powers are intended to be broadly construed.**" In other words, not only does it not setup restraints, it removes all it legally can. This is the worst kind of law; instead of restraining government as our Founding Fathers recognized was necessary, it gives it unlimited power to do most anything it wants. For example, the phrase "transportation-related facilities" could be used to illegitimately give the Borough road powers that it doesn't have.

**The proponents have stated they intend for the utility to just "implement and facilitate", but yet have refused to restrict the language to make sure that it stays within those bounds.** We've already seen how things can go bad in general and specific in the Borough. We've had public utilities that ended up not being able to control their costs and had to be sold off. We've had the port authority disaster, where we now have a public entity so far off of its original mandate that it is spending public money to influence elections. It is critical that some restraints be put on this entity and hopefully the City of Fairbanks will implement some (the ones in the proposed city ordinance are a good start), since the City of North Pole failed to include any and the Assembly has none in its existing ordinance. Please send input to the Assembly at [assembly@co.fairbanks.ak.us](mailto:assembly@co.fairbanks.ak.us).





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## **Hobby Lobby Takes On the Feds Over First Amendment**

September 17, 2012 by Tim Brown Patriot Newswire [freedomoutpost.com](http://freedomoutpost.com)

Hobby Lobby Stores, Inc. has become the first non-Roman Catholic business to file lawsuit against the Obama Health and Human Services (HHS) Department since the Obamacare mandate, which declares companies provide sterilization, contraception and abortifacients in their health care plans, went into effect on August 1.

The Examiner reports,

Hobby Lobby Stores Inc., a Christian-oriented hobby and craft store, filed a federal lawsuit on Wednesday. The company is challenging a mandate in the nation's healthcare law, dubbed "Obamacare", that would require the Christian company to pay for the morning-after pill. The hobby and craft chain, based out of Oklahoma City, claims in the lawsuit that the government mandate is forcing them to "to violate their deeply held religious beliefs under threat of heavy fines, penalties and lawsuits". If Hobby Lobby stores do not provide the drugs in their company health insurance plans, they could be fined up to \$1.3 million a day. Hobby Lobby is self-insured. The company will be forced to comply with the mandate by Jan. 1, which is the start of its insurance year.

"By being required to make a choice between sacrificing our faith or paying millions of dollars in fines, we essentially must choose which poison pill to swallow," Hobby Lobby CEO and founder, David Green, stated. "We simply cannot abandon our religious beliefs to comply with this mandate."

Hobby Lobby was founded in 1972 and calls itself a "biblically founded business". All stores in the chain, more than 500, are closed on Sundays. Mardel, Inc., another company of David Green's, also joined in the lawsuit. Mardel, Inc. is a bookstore and education company with 35 stores that sells Christian-themed materials.

The lawsuit read, "The Green family's religious beliefs forbid them from participating in, providing access to, paying for, training others to engage in, or otherwise supporting abortion-causing drugs and devices."

CNS News adds,

According to the lawsuit, Hobby Lobby has always operated as a family business and provides health plans to employees through a self-insured policy.

In addition, the Greens pay their employees at least 80 percent above the minimum wage, give a portion of their profits to charity and close their stores on Sundays in accordance with their beliefs, according to the court document.

**THE WOODSHED PAGE 4**

"Certain nonprofit religious organizations have been exempted from the mandate altogether, and others have been given extra time to comply with it. But the government refuses to give any accommodation whatsoever to families like the Greens, who simply want to run their businesses in accordance with their beliefs," the lawsuit states.



Should the Greens decide to provide an insurance policy that excludes the services that violate their religious faith, they could be facing fines of up to \$1.3 million per day, according to Baxter.

Their attorney, Eric Baxter, senior counsel for the Becket Fund for Religious Liberty, said, “The HHS mandate puts the Green family and Hobby Lobby in the position where they are facing millions of dollars of fines per day unless they violate their religious conscience.”

“And the government’s position throughout this has been that if you go into business, if you’re making a profit, you lose your religious freedom, your First Amendment rights. And that’s really outrageous,” said Baxter.

“This just reinforces that this is not just a Catholic issue,” Baxter continued. “There are many religious organizations — Christian and non-Christian — throughout our country that object to abortion. And even if they don’t object to preventive contraception like the Greens, they do object to contributing or paying for drugs that will induce an abortion.

“Not only that but whether you share those religious convictions or not, all people who love liberty should be concerned that the government is encroaching on First Amendment rights in this manner,” he said.

It is clear this is an over reach of the federal government despite what the Supreme Court has ruled. It is a clear violation of the First Amendment. However, If people would band together and stand up and not comply with the mandate, what could the federal government possibly do with millions of businesses not complying? Shut them down? Talk about social unrest. It would make the economic situation in our nation far worse than it is now.

May God bless the Greens and others who are fighting this infringement upon God given rights that their representatives swore an oath to God that they would defend in the Constitution.

<http://freedomoutpost.com/2012/09/hobby-lobby-takes-on-the-feds-over-first-amendment/#ixzz26xqFP48T>



## **U.S. Economic Freedom Plunges**

Posted: 09/19/2012 10:43 am [http://www.huffingtonpost.com/ben-powell/economic-freedom\\_index\\_b\\_1891240.html](http://www.huffingtonpost.com/ben-powell/economic-freedom_index_b_1891240.html)

The United States is rapidly losing its status as one of the freest economies in the world. Economic freedom has decreased in the United States substantially since 2000 and lately its ranking among countries is plunging downward even faster. This spells trouble since economic freedom promotes growth and a higher standard of living.

Economists James Gwartney, Robert Lawson, and Joshua Hall publish an economic freedom of the world report annually. Their latest report, released this week, shows that the United States, which was ranked the second freest economy in 2000, now ranks 18th. Economic freedom increased from 1980 to 2000 in the United States while it was generally ranked behind Hong Kong and Singapore as the third freest economy in the world. Today it ranks behind European welfare states like Finland and Denmark, and places traditionally more hostile to economic freedom like Qatar.

The declines in freedom have occurred because the federal government has grown larger and more intrusive. It has been a non-partisan affair. Approximately two thirds of the decline in economic freedom occurred during Bush's presidency. But pace of decline doubled during the first two years of Obama's presidency. In fact, the new index is based off of data from 2010. If the rate of decline has remained unchanged over the last two years the United States has already fallen to 40th and ranks behind places like Romania, Sweden, and Panama. Unfortunately the data needed to investigate that is not available yet.

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The decrease in economic freedom has occurred in most areas of the U.S. economy. **The protection of private property rights showed the greatest decline.** The decline is likely the result of the increased use of eminent domain, the ramping up of the wars on drugs and terror, and the increasingly uncertain business environment where it is unclear who the government will bail out and who will be allowed to breach contracts. The growth in the size of government and the increased scope, and administrative burden of, regulation have also decreased our economic freedom. Inflation adjusted government spending has grown by more than 50 percent since President Clinton left office.

Ironically, in this decade of loose monetary policy that fueled a housing bubble and repeated "quantitative easing" in response to the recession, the only portion of the index that doesn't show a decrease in freedom is our access to sound money. This is largely because the loose monetary policy hasn't yet translated into price inflation. When it does our economic freedom rankings will plunge further.

This decline in economic freedom is important because an overwhelming scholarly literature shows higher economic freedom leads to better standards of living on almost any margin people care about. A decrease in freedom of the magnitude the U.S. has experienced is generally associated with a decrease in long-term economic growth of between 1 and 1.5 percentage points. This decrease will cut our historic average of roughly 3 percent growth in half.

Economic freedom is good for the poor as well as the rich. Income inequality is unrelated to economic freedom -- the poorest 10 percent of the population earns 2.75 percent of the income in the most free countries and 2.56 percent in the least free. Freedom does matter a great deal for how well the poor live though. In the freest countries that are ranked in the top quarter of the index the poorest 10 percent of the population earns more than \$11,000 annually while in the next freest quarter of the index they earn only \$3,400.

Freer countries have higher incomes, longer life expectancies, lower infant mortality rates, greater literacy, and more civil and political liberties. Our loss of economic freedom jeopardizes all of these standards of living.

The decrease in economic freedom experienced thus far doesn't mean that the U.S. is about to turn into a poor third world country. But it does imply low or stagnant growth that slows our improvement in living standards. The United States needs to drastically shrink the size and scope of the government in our economy in order to reclaim a spot among the freest countries in the world. Unfortunately, that doesn't appear to be on the agenda of either presidential candidate. I guess that shouldn't be a surprise since it was the big government branch of both political parties that decreased our freedoms over the past dozen years.

*Benjamin Powell, Ph.D. is a Senior Fellow at the Independent Institute and Associate Professor of Economics at Suffolk University.*



*In my opinion, the same federal policies that contribute to the decline in economic freedom are being promoted RIGHT NOW in our local government (FNSB) - specifically, the decline in the protection of private property rights.  
 Natalie Howard FNSB Assemblywoman*



## How The US Government Just Increased the Cost of Everything

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President Obama recently signed the “Moving Ahead for Progress in the 21st Century Act” into law. This act made sweeping changes to the laws governing transportation in the United States and committed \$105 Billion taxpayer dollars to union labor projects across the United States. The bill also included provisions to maintain artificially low interest rates on student loans.

One almost unnoticed portion of the bill will put up to seventeen thousand small businesses out of business within the year and will raise the cost of almost every good bought or sold in the United States. Section 32918 of the bill raises the bond requirements for freight brokers and forwarders from \$10,000 to \$75,000.

Freight brokers are people who negotiate the shipment of industrial goods between shippers and carriers. If you or I want to ship something, we call FedEx or UPS. If a manufacturer wants to ship a semi-trailer full of auto parts or fruit pies, they call a freight broker. Most freight brokers are individuals who work for themselves. This bill requires each of these individuals to pay \$75,000 into a surety bond *just to keep their own jobs*.

The laws of supply and demand teach us that, as the supply of freight brokers decreases, prices will rise in response. This rise in shipping costs will then cause the price of every good which is bought or sold in the US to rise. As the cost of shipping carrots rises, the cost of carrots must rise in response. Ultimately, the consumers must pay the costs created by this bill.

The Congress didn't think up this outrage on their own. This bill is the result of significant lobbying by big business. The large freight brokers realized that raising the bond requirement would put most of their smaller competitors out of business. To maximize the damage, they made sure that the bond requirement was the same for all freight brokers — whether the broker is an individual working for himself or a multi-billion dollar international conglomerate. Quoting from the bill, “Each broker subject to the requirements of this section shall provide financial security of \$75,000 for purposes of this subsection, regardless of the number of branch offices or sales agents of the broker.”

James Lamb, the president of the Association of Independent Property Brokers & Agents (AIPBA) explains the new law in clear terms, “It's not about fighting fraud. It's about creating an oligopoly for big brokers under the guise of fighting fraud.” Susan Wilson, editor-in-chief of Entrepreneur-Support, concurs, saying “The majority of freight brokers are small one-person businesses. The bill makes no distinction between these small companies and the large freight brokers who move billions of dollars worth of freight.

The \$75,000 bond requirement will put the majority of small brokers out of business. The few large brokers have effectively bribed the government into putting their competitors out of business.” Daryl Spencer of IMOK Freight adds “We will be able to post the bond and continue to do business, but many of our smaller competitors will be unfairly put out of business.”

It is unfortunate that, at a time when our nation is facing staggering unemployment and most families are struggling to deal with rising prices and falling incomes, the Congress and the President would come together in a bi-partisan agreement which will force the closure of up to seventeen thousand small businesses and raise the cost of living for every American household.





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## **What Should Freedom Lovers Do?**

by Llewellyn H. Rockwell, Jr. *A version of this article appeared the Free Market, May 2004*

How can one combine professional life with the advancement of liberty? Of course it is presumptuous to offer a definitive answer since all jobs and careers in the market economy are subject to the forces of the division of labor. Because a person focuses on one task doesn't mean that he or she isn't great at many tasks; it means only that the highest productive gains for everyone come from dividing tasks up among many people of a wide range of talents.

So it is with the freedom movement. The more of us there are, the more we do well to specialize, to cooperate through exchange, to boost our impact by dividing the labor. There is no way to know in advance what is right for any person in particular. There are so many wonderful paths from which to choose (and which I will discuss below). But this much we can know. The usual answer – go into government – is wrongheaded. Too many good minds have been corrupted and lost by following this fateful course.

It often happens that an ideological movement will make great strides through education and organization and cultural influence, only to take the illogical leap of believing that politics and political influence, which usually means taking jobs within the bureaucracy, is the next rung on the ladder to success. This is like trying to fight a fire with matches and gasoline. This is what happened to the Christian right in the 1980s. They got involved in politics in order to throw off the yoke of the state. Twenty years later, many of these people are working in the Department of Education or for the White House, doing the prep work to amend the Constitution or invade some foreign country. This is a disastrous waste of intellectual capital.

It is particularly important that believers in liberty not take this course. Government work has been the chosen career path of socialists, social reformers, and Keynesians for at least a century. It is the natural home to them because their ambition is to control society through government. It works for them but it does not work for us.

In the first half of the 20th century, libertarians knew how to oppose statism. They went into business and journalism. They wrote books. They agitated within the cultural arena. They developed fortunes to help fund newspapers, schools, foundations, and public-education organizations. They expanded their commercial ventures to serve as a bulwark against central planning. They became teachers and, when possible, professors. They cultivated wonderful families and focused on the education of their children.

It is a long struggle but it is the way the struggle for liberty has always taken place. But somewhere along the way, some people, enticed by the prospect of a fast track to reform, rethought this idea. Perhaps we should try the same technique that the left did. We should get our people in power and displace their people, and then we can bring about change toward liberty. In fact, isn't this the most important goal of all? So long as the left controls the state, it will expand in ways that are incompatible with freedom. We need to take back the state.

So goes the logic. What is wrong with it? The state's only function is as an apparatus of coercion and compulsion. That is its distinguishing mark. It is what makes the state the state. To the same extent that the state responds well to

**THE WOODSHED PAGE 8**

arguments that it should be larger and more powerful, it is institutionally hostile to anyone who says that it should be less powerful and less coercive. That is not to say that some work from the "inside" cannot do some good, some of the time. But it is far more likely that the state will convert the libertarian than for the libertarian to convert the state.

We've all seen this a thousand times. It rarely takes more than a few months for a libertarian intellectual headed for the Beltway to "mature" and realize that his or her old ideals were rather childish and insufficiently real world. A politician promising to defang Washington later becomes the leading expert in applying tooth enamel. Once that fateful step is taken, there are no limits. I know a bureaucrat who helped run martial law in Iraq who once swore fidelity to Rothbardian political economy.

The reason has to do with ambition, which is not normally a bad impulse. The culture of Washington, however, requires that ambition work itself out by paying maximum deference to the powers that be. At first, this is easy to justify: how else can the state be converted except by being friendly to it? The state is our enemy, but for now, we must pretend to be its pal. In time, the dreams are displaced by the daily need to curry favor. Eventually the person becomes precisely the kind of person he or she once despised. (For *Lord of the Rings* fans, it's like being asked to carry the ring for a while; you don't want to give it up.)

I've known people who have gone this route and one day took an honest look in the mirror, and didn't like what they saw. They have said to me that they were mistaken to think it could work. They didn't recognize the subtle ways in which they themselves were being drawn in. They recognize the futility of politely asking the state, day after day, to permit a bit more liberty here and there. Ultimately you must frame your arguments in terms of what is good for the state, and the reality is that liberty is not usually good for the state. Hence, the rhetoric and finally the goal begin to change.

The state is open to persuasion, to be sure, but it usually acts out of fear, not friendship. If the bureaucrats and politicians fear backlash, they will not increase taxes or regulations. If they sense a high enough degree of public outrage, they will even repeal controls and programs. An example is the end of alcohol prohibition or the repeal of the 55 mph speed limit. These were pulled back because politicians and bureaucrats sensed too high a cost from continued enforcement.

The problem of strategy was something that fascinated Murray Rothbard, who wrote several important articles on the need for never compromising the long-run goal for short-term gain through the political process. That doesn't mean we should not welcome a 1 percent tax cut or repeal a section of some law. But we should never allow ourselves to be sucked into the trade-off racket: e.g., repeal this bad tax to impose this better tax. That would be using a means (a tax) that contradicts the goal (elimination of taxation).

The Rothbardian approach to a pro-freedom strategy comes down to the following four affirmations:

- 1 the victory of liberty is the highest political end;
- 2 the proper groundwork for this goal is a moral passion for justice;
- 3 the end should be pursued by the speediest and most efficacious possible means; and
- 4 the means taken must never contradict the goal – "whether by advocating gradualism, by employing or advocating any aggression against liberty, by advocating planned programs, by failing to seize any opportunities to reduce State power, or by ever increasing it in any area."

Libertarians are not the first people who have confronted the question of strategy for social advance and cultural and political change. After the Civil War, a large part of the population of the South, namely former slaves, found themselves in a perilous situation. They had a crying need to advance socially within society, but lacked education, skill, and capital. They also bore the burden of pushing social change that permitted them to be regarded as full citizens who made the most of their new freedom. In many ways, they found themselves in a position somewhat like new immigrants but with an additional burden of throwing off an old social status for a new one.

#### **THE WOODSHED PAGE 9**

The Reconstruction period of Union-run martial law invited many blacks to participate in politics as a primary goal. This proved to be a terrible temptation for many, as the former Virginia slave Booker T. Washington said. "During the whole of the Reconstruction period our people throughout the South looked to the Federal Government for everything, very much as a child looks to its mother." He rejected this political model because "the general political agitation drew the attention of our people away from the more fundamental matters of perfecting themselves in the



industries at their doors and in securing property."

Washington wrote that "the temptations to enter political life were so alluring that I came very near yielding to them at one time" but he resisted this in favor of "the laying of the foundation of the race through a generous education of the hand, head and heart." Later when he visited DC, he knew that he had been right. "A large proportion of these people had been drawn to Washington because they felt that they could lead a life of ease there," he wrote. "Others had secured minor government positions, and still another large class was there in the hope of securing Federal positions."

As it was in the 1870s it is today. The state chews up and either eats or spits out those with a passion for liberty. The extent to which W.E.B. DuBois's Marxian push for political agitation has prevailed over Washington's push for commercial advance has been tragic for black Americans and for the whole of American society. Many obtained political power, but not liberty classically understood.

We can learn from this. The thousands of young people who are discovering the ideas of liberty for the first time ought to stay away from the Beltway and all its allures. Instead, they should pursue their love and passion through arts, commerce, education, and even the ministry. These are fields that offer genuine promise with a high return.

When a libertarian tells me that he is doing some good as a procurement officer at HUD, I don't doubt his word. But how much more would he do by quitting his job and writing an expose on the entire bureaucratic racket? One well-placed blast against such an agency can bring about more reform, and do more good, than decades of attempted subversion from within.

Are there politicians who do some good? Certainly, and the name Ron Paul is the first that comes to mind. But the good he does is not as a legislator as such but as an educator with a prominent platform from which to speak. Every no vote is a lesson to the multitudes. We need more Ron Pauls.

But Ron is the first to say that, more importantly, we need more professors, business owners, fathers and mothers, religious leaders, and entrepreneurs. The party of liberty loves commerce and culture, not the state. Commerce and culture is our home and our launching ground for social reform and revolution.

September 21, 2012

*Llewellyn H. Rockwell, Jr, former editorial assistant to Ludwig von Mises and congressional chief of staff to Ron Paul, is founder and chairman of the Mises Institute, literary executor for the estate of Murray N. Rothbard, and editor of LewRockwell.com.*

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**THE WOODSHED PAGE 10**

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