

# LIBERTY WATCH

VOLUME 8 | ISSUE 1 | October 2020

POLITICS. BUSINESS. LIBERTY.

## **POLITICS OR PANDEMIC? LOCKDOWN: THE NEW TOTALITARIANISM**

Jeffrey A. Tucker



### **MASKED MAN**

George Harris

### **DONALD TRUMP THE CASE FOR FOUR MORE YEARS**

Chuck Muth

### **PLAGUES AND BUBBLES**

Doug French

### **LITTLE LORD LAXALT**

Mark Warden

### **POLITICIANS ON THE TAKE?**

John Stossel

### **FINALLY, FREEDOM IN MICHIGAN**

Judge Andrew P. Napolitano

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insure domestic Tranquillity, provide for the common Defence, promote the general Welfare,  
and our Posterity, do ordain and establish this Constitution for the United States

*Article I*

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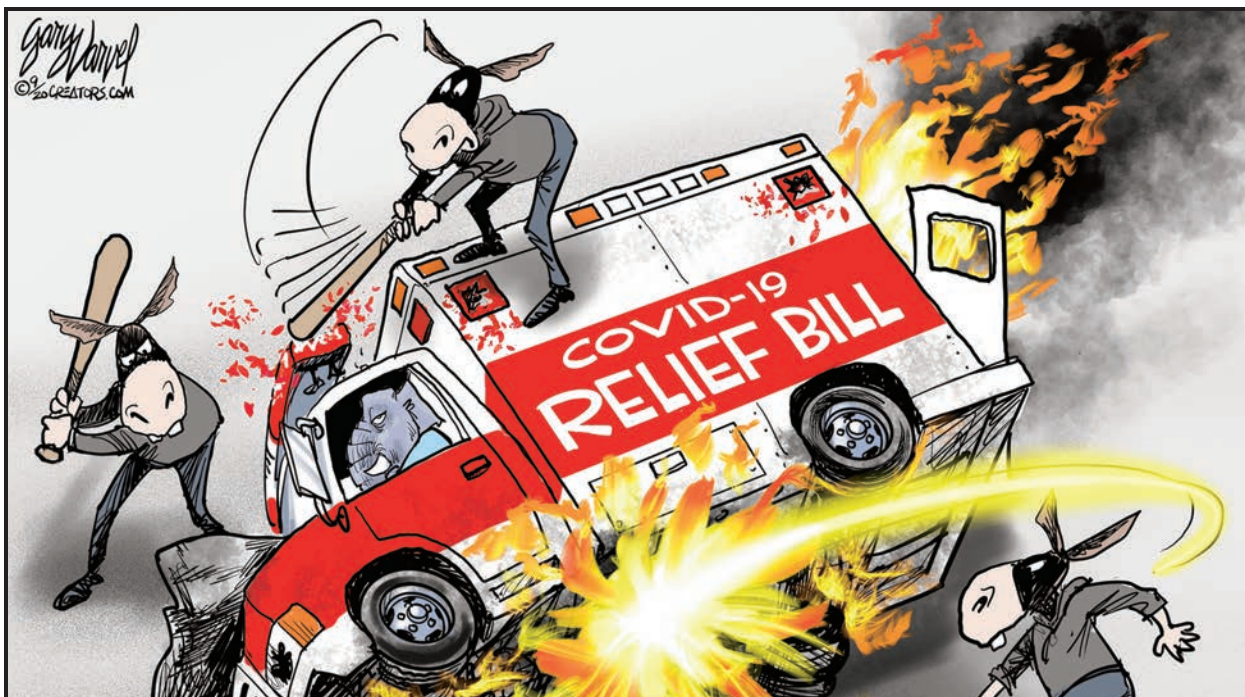
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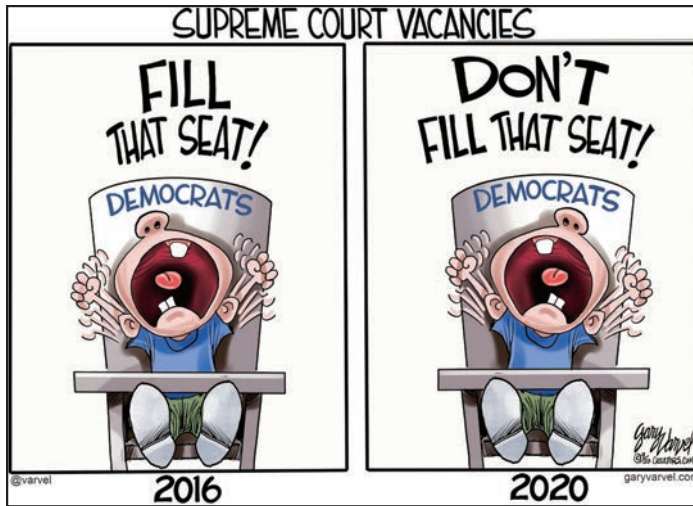
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## MASKED MAN

### Governor Sisolak, we hardly knew ye.

When you were Chairman of the Clark County Commission, I mean in charge of the world-famous Las Vegas Strip, everyone had your cell phone number. I guess back then you knew you were destined for greater things and you might need a favor or two along the way, so you stayed available.

A man of the people. Now you're a man of the mask.

Adam Laxalt spent all his time in rural Nevada, because they loved him there, and forgot all the voters live in Clark and Washoe. His incompetence made you governor and suddenly you think you're a genius.

Now Gavin Newsom is taking your calls. California's tall, handsome governor is giving you tips on how to run a state: Into the ground. Someone better keep an eye on you so you don't run up to Lake Tahoe or the Ruby Mountains and start fires so you can keep up with Gavin.

Well governor. You have fires of your own. You started them. People are burning. Small businesses are dead while your big casino friends scoop up every last quarter from local gamblers, who normally patronize their neighborhood bar you closed. They'd be tipping the friendly bartender they used to see every other day.



Instead, those bartenders are forced to sit at home on hold trying to get someone at unemployment office to take their call.

You earned a business degree from the University of Wisconsin–Milwaukee and an M.B.A. from UNLV. But you don't seem to know much about business. In your case, M.B.A. stands for Must've Been Absent.

Governor, when you shut down hotels, nobody comes. When you shut down long enough, to entice patrons to return, room rates must be slashed and look at what has happened with \$49 a night rates. A town that was once the haunt of the Rat pack, is now a shooting gallery. Two or three murders a weekend does not attract the kind of business that fills \$25 blackjack tables. These days, tourists might want to carry a blackjack for protection. Forget plexiglass, tourists need bullet proof glass.

When you've held the occasional and amateurish press conferences, you threaten your citizens to "wear a mask and flatten the curve." The only curves you've flattened are the graphs of business revenues.

You see governor, and this fact will hit you square in the face soon, the government doesn't



politics  
**JUST THE FACTS**

produce a service that generates income. Businesses generate income and the government takes money from businesses and individuals to operate.

Your new BFF in California is losing people by the thousands, because, oh, I dunno, street after street of homeless people doing what homeless people do (don't step in it), fires everywhere every year, and a top state individual tax rate of 13.3 percent. And that's not enough. Forbes magazine, reports AB1253, would impose a 16.8 percent top rate, retroactively to January 1, 2020.

Yes, you go to bed at night dreaming of fleeing Nevada's gaming elite at 16.8 percent. But there's that Nevada constitution problem. The state needs money and you don't dare lay a hand into the gamers' pockets, so where are you prospecting dear Governor?

You say there's gold in them thar hills! Again, the Constitution rears its golden head: 5 percent of "net proceeds." On miners. Guess what, there are lots of expenses when the average mine takes a decade to get into production. By the way, only one of every 3,000 mineral anomalies become an economically viable mine. Governor, unless you want to kill the state's other primary industry you better keep your grubby hands off that golden goose.

It's a shame you've used this pandemic for your political purposes...you should be ashamed of yourself for using the citizens of our great state to further your political agenda. Businesses need to reopen; people need to go back to work and children need to be back in school!

Governor Open Nevada. **LW**



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## **THE UNCONSTITUTIONALITY OF THE STATE'S COVID CRITERIA**

**Killing the economy will not kill the COVID-19 virus. We simply will not change the course of the pandemic with an economic lockdown.**

However, what is simply unfair, is the way the government has disparately applied its opening metrics to businesses creating winners and losers. That is not the function of government.

The Governor should understand that every business is essential to the people who work there as well as to those who patronize business establishments. For instance, Nye County has established and maintained a low Covid-19 positivity rate (4%). Based upon this low rate and other metrics, the Governor opened all businesses in the county, except brothels. And, he has kept the brothels closed for no rational reason.

Nevada's legal brothel industry has been told the Governor is not "focused on brothels, that he is more interested in getting kids back in school, and he doesn't like skin-on-skin activity."

Elected leaders and government staff must take care not to allow their own individual prejudices or moral judgements to discriminate against lawful businesses by applying different standards to similar industries.

There are plenty of "skin-on-skin" businesses that have been allowed to open while brothels remain closed. For example, dentists and their hygienists, who probe their patients' mouths with their fingers for up to 30-60 minutes at a time, are open. Yes, they wear gloves but brothel patrons have been wearing just as much protection as dental professionals, and have been doing so long before COVID.

Spas and massage parlors are open where, while wearing nothing more than a sheet, people can have their bodies massaged and rubbed with oils and lotions by an ungloved masseuse for up to 90 uninterrupted minutes.

Eyelash and hair salons are open wherein technicians applying lashes have their ungloved fingers in their customers' eyes for 60 minutes at a time. Likewise, hair stylists stand over their customers, washing their hair, massaging their

scalps, cutting their hair, and then blowing it dry, sometimes for two hours without interruption.

Finally, escort services are open, which, as I understand it, involves one-on-one dating of persons who are typically unfamiliar with one another.

During the comment period of a recent COVID task force hearing, I pointed out that the Equal Protection Clause under the 14th Amendment of the Constitution requires that before a government can treat similarly situated groups differently, there must be a rational relationship between the disparity of treatment and a legitimate governmental purpose.

This principal is augmented by the 5th and 14th Amendments' Procedural Due Process requirements that oblige a government, before it acts to deprive individuals of liberty or property (i.e., their businesses and/or livelihoods), to show that it is acting for a legitimate public purpose, and that its actions are not arbitrarily or without some reasonable relation to that stated purpose.

People who frequent brothels do not engage in group activity, services are provided one-on-one. As noted above, the government has allowed businesses with indistinguishable risk factors to open, and has also permitted "super spreader" events to go forward with impunity based upon the participants' constitutional rights. These same constitutional rights are also guaranteed to the brothel industry, and those rights have unjustly been denied now for over eight months.

The Governor has likely noticed the lawsuits which have been filed around the country over COVID-related restrictions. For the most part, these lawsuits have not turned out well for governors.

For instance, in Pennsylvania, that state's Supreme Court told Governor Wolf that his order shutting down businesses violated the 14th Amendment. Michigan's Governor Whitmer learned



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Ben Shapiro

## IF TRUMP LOSES, IT'S ON TRUMP

### Joe Biden is a terrible candidate.

He is 77 years old; he is incoherent; he has called a "lid" every other day of his campaign to avoid serious questioning. His running mate, Sen. Kamala Harris, is so unpopular that she dropped out of the Democratic primaries before they even reached her home state. The Biden-Harris campaign is absolutely lackluster.

And according to national polling, Joe Biden is leading incumbent President Donald Trump by up to 16 points. In the RealClearPolitics polling average, Trump is trailing Biden in every single swing state. Were the election held today, by the RealClearPolitics statistics, Biden would win 375 electoral votes, picking up states including North Carolina, Georgia, Virginia, Arizona, Michigan, Wisconsin and Pennsylvania.

How is this happening? How did a doddering fool, a career politician mostly famous for his incurable logorrhea, end up in the catbird seat one month before the 2020 election?

The answer is simple: Joe Biden understands the nature of this election. Donald Trump simply does not.

To understand this election does not require a graduate course in political science: If the election is a referendum on President Trump, he will lose; if the election is a referendum on Joe Biden, he will lose. Trump is personally unpopular by every poll metric, and he has been consistently unpopular for years, but he was still able to win in 2016 because Hillary Clinton was even less popular. The same could have held true here.

After all, Biden has opened himself wide to serious questioning. He has repeatedly refused to state whether he is in favor of ending the Senate filibuster, adding new states and packing the Supreme Court, calling such questions distractions; he has refused to condemn the antifa movement; he has soft-pedaled Black Lives Matter violence in America's major cities; he has put forward the most left-wing platform in American history, according to communist fellow traveler Bernie Sanders.

But Biden hasn't answered a single serious question. He has been able to avoid nearly all questions by pointing at his opponent. Biden hasn't just run a lackluster campaign; he hasn't run any campaign. He hasn't even walked a campaign. He has essentially grown into his couch in his Delaware basement, getting out only long enough to stand in front of an empty field or answer a few softball questions from a friendly pseudo-journalist.

That's not just because the media hate Trump and sycophantically massage Biden, though they do. It's because Trump himself steadfastly refuses to recognize the central issue of the campaign: his own centrality. Trump loves being the center of attention, and he simply refuses to cede the spotlight. Every day is a new spectacle in Trumpland, from descending in Marine One onto the White House lawn amid dramatic music to reenter quarantine to tweeting incessantly about the latest news of the day. The media hang on Trump's every word, and he appears to love that.

But that symbiotic relationship between Trump and the media puts Trump at a dramatic disadvantage. The more people think about Trump, the less they want to. In 2016, the "Access Hollywood" tape unintentionally relegated Trump to the sidelines in the last days of the campaign, freeing the way for then-FBI Director James Comey to put the spotlight squarely on Hillary Clinton's emails -- and Trump won. In 2018, Democrats seized the spotlight by unjustly and cruelly maligning Justice Brett Kavanaugh, and the polls consequently tightened; then Trump seized the spotlight back by talking about illegal immigrant caravans, and Democrats won.

Joe Biden has learned the lesson. Biden has spent this campaign pointing at Trump. Trump, who should be pointing at Biden, is too busy pointing at himself. Unless Trump somehow suppresses his ego enough to allow Biden to become the issue, Trump is likely to exit the political stage altogether come Nov. 3.



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## **PLAGUES AND BUBBLES**

**It seems incongruous for a mania in asset prices to break out in the midst of a plague. But, it has happened before.**

Brown University economist, Peter Garber, considered the modern tulipmania expert, points to the Bubonic Plague as a possible cause of Tulipmania, occurring in Amsterdam from 1634 to early 1637, when, for instance, the common Witte Croonen bulb, rose in price twenty-six times in January 1637, only to fall to one-twentieth of its peak price a week later.

The Bubonic plague reached ports throughout Europe in 1630. In his book “Epidemics and Society: From the Black Death To The Present” Frank M. Snowden wrote that Amsterdam was among the cities which constructed a lazaretto, an isolation hospital for people with leprosy or plague.

“Although the plague outbreak may be a false clue,” Garber wrote, “it is conceivable that a gambling binge tied to a drinking game and general carousing may have materialized as a response to the death threat.”

In the summer of 1720, while speculators in London’s Exchange Alley furiously bid up the price of South Sea Company shares, word came that two dock workers unloading wool were overcome by dizziness.

In his book “The South Sea Bubble” John Carswell wrote, “It was the plague. In a few days the town was ringed with a cordon and fugitives were shot on sight. Quarantine regulations began to appear in the newspapers all over Western Europe alongside the financial reports.”

Carswell speculates that the plague was a “particularly virulent form of smallpox” which spread rapidly despite attempts to restrain it. It was believed to have started with the poor in the south of France, who suffered from malnourishment, “which arose from inflationary prices of food.” Carswell’s thesis was confirmed by data I found while writing “Early Speculative Bubbles and Increases in the Supply of Money.” I explained that while wages between 1716 and 1720 increased slightly, commodity prices doubled during John Law’s Mississippi Bubble scheme.

So, here we are again, a plague and a bubble.

The current mania has hatched an idea that seems too crazy to be true. But, as Grant’s Almost Daily writes:

The deal frenzy has opened the door for all sorts of inventive structures, as so-called special purpose acquisition vehicles, or SPACs (a.k.a. “blank check” companies) have proliferated, raising more than \$41 billion in the year to date through Thursday, more than the last 10 years combined. Up next, “SPACs of SPACs,” as Bloomberg reports that Boston based Easterly Partners is planning a \$100 million fund to invest in the blank check funds.

If you believe there could not have been such nonsense in 1720, guess again. In a footnote, Carswell wrote of a stock offering,

“Proposal for raising the sum of Six Millions sterling to carry on a design of more general advantage...and of more certain profit...than any undertaking yet set on foot” which was advertised in the Daily Post for 21 May.

The plague killed a total of 100,000 people before ending in summer of 1722. The South Sea Bubble was over by the end of 1720, pricked by the passing of the Bubble Act in June of that year.

Meanwhile, here in hard-hit Las Vegas, with unemployment rates over 15 percent, median home prices set a record of \$337,250 in September, an increase of nearly 9 percent from a year ago. The new record is a near tripling of the market low of \$118,000 in January 2012.

“Local home prices keep setting records, which is really remarkable when you think about all the challenges we’re facing,” LVR President Tom Blanchard, a broker with Renters Warehouse, said in a news release.

Remarkable indeed. There is nothing new under the sun. **LW**



Douglas French writes from Las Vegas, providing commentary on the Vegas economy, financial markets, and book reviews. He earned his Master's in economics at UNLV under the direction of Murray Rothbard and Hans Hoppe.



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## THE CASE FOR FOUR MORE YEARS: 7 “NOT DONALD TRUMP” REASONS TO RE-ELECT THE PRESIDENT

**(Chuck Muth) – OK, there are about a gazillion reasons to give President Donald Trump another four years in the White House, including...**



Booming economy – even after the CHINA-19 virus clobbered us. Record high stock market. Record low unemployment. Record low poverty rates. Almost 4 million lifted off food stamps.

Tax cuts. Regulation repeals. Gun rights. Right-to-life. Right-to-try. Right-to-work. School choice. “America First” trade deals. Energy independence. Travel ban. Repealing ObamaCare’s individual mandate. The Wall.

Rebuilding the military. VA choice. Forcing NATO to pay what it owes. De-fanging North Korea. Destroying ISIS. Isolating Iran. Middle East peace deals. Sending Qasem Soleimani and Abu Bakr al-Baghdadi to eternal dirt naps.

Conservative judicial appointments!  
And the list goes on and on.

**But here are seven reasons conservative grassroots Republicans should hope for four more years of Donald Trump in the White House...**

- 1.) Ever since Ronald Reagan the “establishment” GOP has been forcing “pale pastel” candidates on us: George Bush 1.0, Bob Dole, George Bush 2.0, John McCain and Mitt Romney.

Bush 1.0 famously broke his “no new taxes” pledge and gave us Supreme Court Justice David Souter – a disaster on the bench.

Bush 2.0 – sold to conservatives as the rightful heir to the Reagan Revolution - gave us the TSA, No Child Left Behind and The Bridge to Nowhere. He also stuck us with Chief Justice John Roberts and tried to stick us with Harriet Miers on the Supreme Court. All disasters for conservatives.

The other three gave us Bill Clinton’s re-election, Barack Obama’s election and Barack Obama’s re-election. Sad.

It’s been just as bad down the ballot. GOP, Inc. used its money, political clout and a gaggle of entrenched consultants to thwart conservative candidates in state and local primaries for decades.

*Not Donald Trump. He upset their apple cart in the swamp “bigly.”*

As such, many establishment “Never Trumpers” in Congress and elsewhere have been booted out of office or forced into early retirement. Former House Speaker Paul Ryan and former U.S. Sens. Jeff Flake and Dean



Heller come to mind.

Fact is, Donald Trump didn't "kidnap" the Republican Party. He snatched it away from the wishy-washy, middle-of-the-road establishmentarians and gave it back to the GOP's grassroots activists. And his re-election will cement the foothold conservatives have gained under him for years to come.

- 2.) For the last twenty years, "compromise" was the name of the game for Republicans on a wide variety of public policy issues – except in cases of outright capitulation. Conservatives have been less angry at losing battles than with the party's "leaders" not having the stomach to even fight them.

*Not Donald Trump.*

While he hasn't won every battle – blocked by "Never Trumpers" in his first two years and Pelosi these last two – the president's gone to the wall for the conservative issues, public policies and legislation.

With the Paul Ryans gone, just imagine how far the conservative agenda could advance with Trump back in the White House for four more years if the GOP holds the Senate and retakes the House.

Donald Trump has taught Republicans how to fight; and that when you fight rather than forfeit, you win more. It's just that simple.

- 3.) For the last 50 years, Democrats have treated politics like a blood sport. Brass-knuckles. Kicking, scratching, gouging. Nothing's off limits. Win at ALL costs. Remember the Kavanaugh confirmation hearings?

Republicans, on the other hand, have treated politics like a pillow fight. "My distinguished colleague from California" – even after being rochambeaued (look it up in the Urban Dictionary) by that same distinguished colleague just moments earlier.

*Not Donald Trump.*

He's clearly not Miss Manners. And he sure as shootin' ain't bringin' a knife to a gunfight.

The President has demonstrated, over and over again, a willingness to compromise with Democrats but only if it's a win-win for both sides. The days of Democrats getting the gold mine and Republicans getting the shaft are done.

And instead of bending over and saying, "Thank you, sir, may I have another?" Trump has called Democrats out for their failed ideology and endless obstruction. By name. And usually not a flattering name at that. Crooked Hillary. Sleepy Joe. Pocahontas. Crazy Bernie. Nervous Nancy. Cryin' Chuck.

Sure, some are put off by the name-calling. But it's clearly effective.

And seriously, how is it any different from Democrats referring to Republicans over the years as racists, misogynists, homophobes, tea-baggers, white nationalists, bible-thumpers, gun nuts, fascists and, of course, "deplorables"?

Or worse, how they refer to black conservatives and Republicans as Uncle Toms, Oreos, sell-outs and "house niggas."

What President Trump has given the left is a taste of their own medicine, Brooklyn-style. And the snowflakes among them are melting down over it. Curled up in a ball. Whimpering. Begging for a therapy puppy. "Orange Man was mean to me!"

Well, suck it up, buttercups! There's a new sheriff in town.

- 4.) In the old days, Republican candidates and campaigns dealt with the media under the rule of "don't pick a fight with someone who buys ink by the barrel and paper by the ton."

*Not Donald Trump.*

He knocked over the barrel, set the paper ablaze and went to war with them on Twitter. Whether you like his tweets or not – personally, I love them – the man has rewritten the rules for these media radicals; these "enemies of the people."

# MUTH'S TRUTHS

A couple weeks after the 2016 election I attended a briefing at Facebook's headquarters in San Francisco. The Facebook folks were all-a-twitter, so to speak, over what it complained was "fake news" put out by conservatives during the campaign.

But before they could wrap the "fake news" moniker on the right, Donald Trump successfully wrapped it around the collective necks of the liberal mainstream news media. And it stuck.

CNN and MSNBC haven't been the same since. Ratings have dropped like a rock. And while they've never given up going on the attack, they're now forced to play defense, as well. They've been exposed, knickers around their knees, for all the world to see.

And to top it all off, the President further embarrassed them by blowing off their annual White House Correspondents dinners!

Worse, EVERY time they think they "got him," he slips away. Hello, impeachment! The man's been like the Road Runner; dodging every anvil and ducking every Acme rocket. Beep! Beep!

No wonder the biased, enemy of the people fake news industrial complex is all but embedded with the Biden campaign.

- 5.) Historically, Democrats have been able to count on getting 90 percent-plus of the black vote all across the country. Republicans, historically, have either given up on this voter bloc or have reached out to it in a pandering, ham-handed way.

*Not Donald Trump.*

He aggressively campaigned for the African-American vote in 2016. He pointed out the systemic failures of Democrats in major urban areas and boldly asked, "What the hell do you have to lose?"

He then proceeded to put action behind his words by pushing through the First Step criminal justice bill, boosting funding for Historically Black Colleges and Universities, expanding Opportunity Zones in low-income communities, and bringing black unemployment down to historic lows.

More importantly, instead of sucking up to race-hustling black "leaders" on the left (hello, Al Sharpton), Trump has sought out and

brought to prominence black conservative leaders such as Sen. Tim Scott, the late Herman Cain, Kim Klacik, Burgess Owens, Candace Owens, Larry Elder, Jon Ponder, Diamond & Silk and black DEMOCRAT Rep. Vernon Jones.

His aggressive outreach to the black community has fueled the BLEXIT (Black Exit) Movement from the Democrat Party. And Black Voices for Trump is large, powerful and growing.

No wonder Joe Biden felt it necessary to scold black voters his party has taken for granted for generations that if you support President Trump, "you ain't black."

- 6.) There is more incompetence in the field of political consulting than in any field other than TV psychiatry.

And for as long as I've been actively involved in politics, I've heard complaints that the GOP has a messaging problem. That's because the stable of entrenched DC Republican "professional" consultants are almost solely focused on campaign tactics and mechanics.

*Not Donald Trump.*

The man is, whatever else you might say about him, a master marketer. He doesn't just tell people what they want to hear. He makes them feel the way they want to feel. Proud to be an American. Hopeful. Happy. Winners.

It's evidenced by his massive, boisterous rallies. The boat parades. The car parades. The golf cart parades. The tractor parades. Heck, even a Trump cattle drive! The "enthusiasm gap" between Trump supporters and Biden's supporters is off the charts.

And that doesn't even count the support he's getting from the modern-day incarnation of the country's "silent majority."

The GOP will never be the same. Thankfully.

- 7.) The bottom line...

If Joe Biden and Kamala Harris are elected, they're gonna Make America Venezuela Again.

*Not Donald Trump.*

If he and Mike Pence are re-elected, they will, as Pence said, Make America Great Again – AGAIN!

So let it be written; so let it be done. **LW**

★ *RE-ELECT* ★



Judge Richard  
**Scotti**

DISTRICT COURT DEPARTMENT 2

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## LITTLE LORD LAXALT

**Nevada has now suffered under some of the worst coronavirus recovery mismanagement in the country.**

Democratic Governor Steve Sisolak's actions have been described as "not only arbitrary and capricious, but also prejudicial and unconstitutional."

Liberty Watch readers must remember that while we have Sisolak at the wheel, it's not because he won the Gubernatorial race in 2018, but because Adam Laxalt lost it. Little Lord Laxalt's campaign consisted of cruising around rural Nevada, soaking up good vibes from reliably Republican donors.

He forgot that, of the three million Nevada citizens, over 2.7 million live in Clark and Washoe counties. He should have taken the rural voters for granted (they were not going to be stupid enough to vote for Sisolak) and should have instead campaigned constantly where the votes were. Laxalt can't complain about the current governor's incompetency, it's his fault Sisolak has the job.

Just as a reminder, Adam Laxalt was raised in D.C. and was a kid with a taste for liquor and trouble. Only his friends in high places have made sure he has had a political career, checkered as it may be. They coached him on how to take credit for the work of others. For instance, he has recently claimed credit on social media for bringing President Trump's rallies to Minden and Henderson, when in fact he had nothing to do with it.

Not gifted with grace or brains, he's blessed with the Laxalt name, his grandfather was Republican royalty in Nevada, without that name, he might be living under a bridge somewhere.

Mr. Laxalt is the product of an illicit affair between Michelle Laxalt and Arizona U.S. Senator Pete Domenici, a tightly kept secret until 2013. The provider of his most valuable currency, his last name, didn't even know, grandfather Paul Laxalt.

"I was raised by a single mom as I said before and as a teenager, had my years where I started getting out of control and drinking too much and getting into trouble and got onto the wrong path," Laxalt told the Las Vegas Review-Journal in 2014.

Laxalt managed to become Nevada's attorney general, holding office from 2015 to 2019, despite legal skills that can only be characterized as incompetence. His lack of self awareness was evident in his Lewis & Roca performance evaluation where he rated himself as "outstanding," while his bosses recommended a "freeze in salary, deferral, and possible termination."

The young lawyer was described as a "train wreck," who "doesn't even have the basic skill set." There wasn't much Laxalt did right and had "judgment issues and doesn't seem to understand what to do."

No wonder the AG's office was a dysfunctional mess under his leadership. For example, Laxalt ruled that daily fantasy sports was the same as gambling, not a game of skill as other states had ruled, blocking FanDuel and DraftKing from doing business with Nevada citizens. The two DFS companies have now merged and have partnered with the NBA, the Denver Broncos, MGM Resorts and many others. The state and its citizens have been damaged financially by this short-sighted decision. While citizens in bible-belt states can play Daily Fantasy Sports, Nevadans are blocked.

Another example of Laxalt's mismanagement was Wes Duncan, his top deputy in the AG's office, who was sued under the state's Racketeer Influenced and Corrupt Organizations Act (RICO) for soliciting donations from businesses the AG's office was regulating. "Defendant Wes Duncan

discussion  
FEATURE

solicited campaign contributions from business and entities over which he had direct disciplinary and regulatory authority during a period that he was actively capable of exercising such authority in an adverse manner against said businesses and entities,” election opponent and attorney Craig Mueller wrote in the suit.

No one knows you like your family, and Laxalt’s family took the trouble, prior to the 2018 election, to pen an op-ed which appeared in the Reno Gazette Journal. Aunts, cousins and others wrote, we “feel compelled to protect our family name from being leveraged and exploited.” They were annoyed by candidate Laxalt’s claim that he was raised in Nevada, when, in fact, he was raised in “The Swamp.”

“Adam never knew the state or its people,” the family wrote. “He left as an infant and was raised on the East Coast, 3,000 miles away, in Washington, D.C., and moved here only in 2013, only one year later launching his political career.”

Family members mentioned his annual “Basque Fry,” blistering their relative with, “This event perfectly captures the Adam Laxalt candidacy: the phoniness of the setting and costumes, the pretense of folksiness used as a prop for Washington power players like Kellyanne Conway and Devin Nunes.”

Laxalt continues to hold these Basque Frys, desperately trying to remain relevant. But again, the family said it best concerning the events, “Adam is dressed in a ‘western’ shirt monogrammed with his campaign logo, ‘work’ boots and jeans that look like they were ordered off Amazon the week before... it’s all fake, all props paid for by someone else.”

Liberty Watch agrees, Little Lord Laxalt is a product of the D.C. Swamp--all fake, paid for by someone else. **LW**

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## **THE LAW IS CLEAR: NEVADA CONSTITUTION FORBIDS GOVERNMENT EMPLOYEES FROM SERVING IN THE LEGISLATURE**

**The Legislative Counsel Bureau is “deliberately misconstruing” the law in arguing that they have the right to intervene in Nevada Policy’s ongoing Separation of Powers lawsuit, according to a statement released by Nevada Policy Vice President Robert Fellner.**

“State law provides that the LCB may defend the Legislature when the Legislature itself is being sued—such as the lawsuit against the legislature over a revenue-increasing bill that was passed without securing the constitutionally required two-thirds majority support.” Fellner said. State law also permits the LCB to intervene in legal actions that seek to invalidate a law or constitutional measure.

“Our lawsuit, of course, is neither scenario,” added Fellner. Instead, we are “Nevada Policy is asking the court to enforce the constitution as it pertains to individual state legislators who have chosen to violate the Separation of Powers by working simultaneously in the Executive Branch as government employees. “Rather than acknowledging that there is no basis for requiring taxpayers to pay for the LCB to intervene in this lawsuit, the LCB has instead chosen to deliberately misconstrue the law.”

“This is just the latest example of the LCB ignoring, distorting or otherwise misrepresenting the law in an effort to further their primary mission of ensuring legislators can operate outside the confines of the state constitution with impunity,” Fellner concluded.

In July the NPRI filed a lawsuit in Clark County district court against nine state and local government employees who are currently serving as state legislators, in violation of the state constitution.

The lawsuit asks the court to enforce Nevada’s Separation of Powers doctrine, which states that the Government of Nevada is divided into three co-equal branches, and no one charged with exercising the powers of one branch may exercise “any function” pertaining to the others.

As the Nevada Supreme Court previously explained, the separation of powers is “probably the most important single principle of government” safeguarding Nevadans’ liberties and, as such, not even a single “seemingly harmless” violation of the principle can be tolerated.

Despite the Court’s clear guidance, however, state and local government employees have continuously served in the Legislature for decades, a practice which has undermined the principle of representative government and eroded the Legislature’s ability to truly serve the public interest.

“Allowing those tasked with carrying out and enforcing the law to also write the law totally and

completely undermines the concept of a representative government and is a clear violation of the Nevada Constitution,” according to Nevada Policy Vice President Robert Fellner.

“Few would support rules that limit their own power,” Fellner said, “which is precisely why the power to write the law must be kept separate from those tasked with enforcing the law.”

The conflict of interest that arises from dual-serving legislators was especially pronounced during the last legislative session, particularly in matters related to criminal justice reform. Even though Democrats controlled both houses of the Legislature, at least 16 Democrat-sponsored criminal justice reform bills were ultimately killed, according to the Nevada Current.

Senate Majority Leader Nicole Cannizzaro’s dual role as a Clark County deputy district attorney led many progressives to question whether the interests of her colleagues in law enforcement were being prioritized over the will of the public.

Clark County Black Caucus chair Yvette Williams, for example, reportedly told the Nevada Current that the conflict posed by dual-serving legislators like Cannizzaro is obvious:

“When a legislator has a job that’s in direct conflict with legislation that’s come before them how do we deal with that to make sure that bill gets a fair hearing?” Williams asked. “This is something that needs to be addressed if the people’s voice is going to be heard.”

Assembly Bill 420 was particularly revealing in highlighting this conflict. The bill was designed to reform civil asset forfeiture — a process that allows law enforcement to seize property, and in some instances directly profit from these seizures, from innocent property owners who were never convicted of a crime.

AB420 sought to ensure innocent property owners were provided with basic due process protections. The bill enjoyed broad, bipartisan support and was passed out of the Assembly by a 34-6 margin, with every Assembly Democrat and

half of Assembly Republicans voting to make the bill law.

Yet, after a hearing which saw Senators and Clark County deputy district attorneys Melanie Scheible and Nicole Cannizzaro embrace the arguments put forth by their professional colleagues lobbying against AB420, Senator Cannizzaro chose to kill the bill by preventing it from receiving a vote.

“The process surrounding AB420 highlights the exact kind of conflict of interest the constitutional framers sought to avoid through the separation of powers doctrine,” Fellner said.

“The ability to use tax dollars to fund their aggressive lobbying efforts has already allowed government agencies to become some of the best represented groups before the Legislature,” Fellner said.

“This power imbalance reaches absurd levels in cases like AB420, where tax-funded government lobbyists need only convince their professional colleagues, who are concurrently serving as legislators.

“Does anyone really think ordinary Nevadans could ever be fully and truly represented under such an arrangement?”

*For more information and to stay updated with the latest developments pertaining to this lawsuit, as well as to access copies of the relevant documents and court filings, please visit [NPRI.org/Separation-of-Powers](http://NPRI.org/Separation-of-Powers).*

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**2020  
ELECTION  
ENDORSEMENTS**



**PRESIDENT/  
VICE PRESIDENT**  
4 YEAR TERM

Trump, Donald J. REP  
Pence, Michael R.

**REPRESENTATIVE IN  
CONGRESS DISTRICT 1**  
2 YEAR TERM

Bakari, Kamau IAP

**REPRESENTATIVE IN  
CONGRESS DISTRICT 2**  
2 YEAR TERM

Amodie, Mark E. REP

**REPRESENTATIVE IN  
CONGRESS DISTRICT 3**  
2 YEAR TERM

Rodimer, Dan "Big Dan" REP

**REPRESENTATIVE IN  
CONGRESS DISTRICT 4**  
2 YEAR TERM

Marchant, Jim REP

**STATE SENATE  
DISTRICT 1**  
4 YEAR TERM

**NO ENDORSEMENT**

**STATE SENATE  
DISTRICT 1**  
4 YEAR TERM

**NO ENDORSEMENT**

**STATE SENATE  
DISTRICT 3**  
4 YEAR TERM

**NO ENDORSEMENT**

**STATE SENATE  
DISTRICT 4**  
4 YEAR TERM

Hickman, Esper M. REP

**STATE SENATE  
DISTRICT 5**  
4 YEAR TERM

Buck, Carrie Ann REP

**STATE SENATE  
DISTRICT 6**  
4 YEAR TERM

Becker, April REP

**STATE SENATE  
DISTRICT 7**  
4 YEAR TERM

**NO ENDORSEMENT**

**STATE SENATE  
DISTRICT 11**  
4 YEAR TERM

Dowden, Joshua REP

**STATE SENATE  
DISTRICT 18**  
4 YEAR TERM

**NO ENDORSEMENT**

**STATE SENATE  
DISTRICT 19**  
4 YEAR TERM

Goicoechea, Pete REP

**STATE ASSEMBLY  
DISTRICT 1**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 2**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 3**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 4**  
2 YEAR TERM

McArthur, Richard REP

**STATE ASSEMBLY  
DISTRICT 5**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 6**  
2 YEAR TERM

Duncan, Katie REP

**STATE ASSEMBLY  
DISTRICT 7**  
2 YEAR TERM

Palmer, Anthony "Tony" REP

**STATE ASSEMBLY  
DISTRICT 8**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 9**  
2 YEAR TERM

Altman, Barbara REP

**STATE ASSEMBLY  
DISTRICT 10**  
2 YEAR TERM

Hisgen, Chris REP

**STATE ASSEMBLY  
DISTRICT 11**  
2 YEAR TERM

Krattiger, Eric REP

**STATE ASSEMBLY  
DISTRICT 12**  
2 YEAR TERM

Graves, Jeremy A. REP

**STATE ASSEMBLY  
DISTRICT 13**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 14**  
2 YEAR TERM

Wayerski, Robert LIB

**STATE ASSEMBLY  
DISTRICT 15**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 16**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 17**  
2 YEAR TERM

Polcyn, Jack REP

**STATE ASSEMBLY  
DISTRICT 18**  
2 YEAR TERM

Florian, Heather Ann REP

**STATE ASSEMBLY  
DISTRICT 19**  
2 YEAR TERM

Black, Ann "Annie" REP

**STATE ASSEMBLY  
DISTRICT 20**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 21**  
2 YEAR TERM

Arrington, Cherlyn REP

**STATE ASSEMBLY  
DISTRICT 22**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 23**  
2 YEAR TERM

Hoge, Bill IAP

**STATE ASSEMBLY  
DISTRICT 28**  
2 YEAR TERM

Bousley, Natasha LIB

**STATE ASSEMBLY  
DISTRICT 29**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 31**  
2 YEAR TERM

Dickman, Jill REP

**STATE ASSEMBLY  
DISTRICT 32**  
2 YEAR TERM

Hansen, Alexis M. REP

**STATE ASSEMBLY  
DISTRICT 33**  
2 YEAR TERM

Ellison, John C. REP

**STATE ASSEMBLY  
DISTRICT 34**  
2 YEAR TERM

Carlson, Jay Thomas REP

**STATE ASSEMBLY  
DISTRICT 35**  
2 YEAR TERM

Calhoun, Jay REP

**STATE ASSEMBLY  
DISTRICT 36**  
2 YEAR TERM

Hafen, II, Gregory T. REP

**STATE ASSEMBLY  
DISTRICT 37**  
2 YEAR TERM

Matthews, Andy REP

**STATE ASSEMBLY  
DISTRICT 38**  
2 YEAR TERM

Titus, Robin L. REP

**STATE ASSEMBLY  
DISTRICT 39**  
2 YEAR TERM

Wheeler, Jim REP

**STATE ASSEMBLY  
DISTRICT 40**  
2 YEAR TERM

**NO ENDORSEMENT**

**STATE ASSEMBLY  
DISTRICT 41**  
2 YEAR TERM

Smith, Erika REP

**STATE ASSEMBLY  
DISTRICT 42**  
2 YEAR TERM

Delsignore, Liz LIB

**Candidates for  
Nonpartisan Offices**

**JUSTICE OF THE  
SUPREME COURT SEAT B**  
6 YEAR TERM  
VOTE FOR ONE

Pickerling, Kristina NP

None of These Candidates

**JUSTICE OF THE  
SUPREME COURT SEAT D**  
6 YEAR TERM  
VOTE FOR ONE

Fumo, Ozzie NP

Herndon, Douglas NP

None of These Candidates

**COURT OF APPEALS JUDGE  
DEPARTMENT 3**  
2 YEAR UNEXPIRED TERM  
VOTE FOR ONE

Bula, Bonnie NP

Bush, Susan NP

None of These Candidates

**DISTRICT COURT JUDGE  
DEPARTMENT 1**  
6 YEAR TERM  
VOTE FOR ONE

Vilani, Jacob NP

Yeager, Bitra "Marie" NP

**DISTRICT COURT JUDGE  
DEPARTMENT 2**  
6 YEAR TERM  
VOTE FOR ONE

Kierny, Carli Lynn NP

Scotti, Richard NP

**DISTRICT COURT JUDGE  
DEPARTMENT 3**  
6 YEAR TERM  
VOTE FOR ONE

Ganz, Adam NP

Trujillo, Monica NP

**DISTRICT COURT JUDGE  
DEPARTMENT 4**  
6 YEAR TERM  
VOTE FOR ONE

Aurbach, Phil NP

Krall, Nadia NP

**DISTRICT COURT JUDGE  
DEPARTMENT 5**  
6 YEAR TERM  
VOTE FOR ONE

Barisich, Veronica NP

Coffing, Terry NP

**DISTRICT COURT JUDGE  
DEPARTMENT 6**  
6 YEAR TERM  
VOTE FOR ONE

Bluth, Jacqueline NP

Leventhal, Todd M. NP

**DISTRICT COURT JUDGE  
DEPARTMENT 7**  
6 YEAR TERM  
VOTE FOR ONE

Bell, Linda Marie NP

**DISTRICT COURT JUDGE  
DEPARTMENT 8**  
6 YEAR TERM  
VOTE FOR ONE

Atkin, Trevor NP

Petersen, Jessica K. NP

**DISTRICT COURT JUDGE  
DEPARTMENT 9**  
6 YEAR TERM  
VOTE FOR ONE

Silva, Cristina D. NP

**DISTRICT COURT JUDGE  
DEPARTMENT 10**  
6 YEAR TERM  
VOTE FOR ONE

Jones, Tierra D. NP

**DISTRICT COURT JUDGE  
DEPARTMENT 11**  
6 YEAR TERM  
VOTE FOR ONE

Gonzalez, Elizabeth "Betsy" NP

**DISTRICT COURT JUDGE  
DEPARTMENT 12**  
6 YEAR TERM  
VOTE FOR ONE

Leavitt, Michelle NP

**DISTRICT COURT JUDGE  
DEPARTMENT 13**  
6 YEAR TERM  
VOTE FOR ONE

Denton, Mark NP

**DISTRICT COURT JUDGE  
DEPARTMENT 14**  
6 YEAR TERM  
VOTE FOR ONE

Escobar, Adriana NP

**DISTRICT COURT JUDGE  
DEPARTMENT 15**  
6 YEAR TERM  
VOTE FOR ONE

Hardy, Jr., Joe NP

**DISTRICT COURT JUDGE  
DEPARTMENT 16**  
6 YEAR TERM  
VOTE FOR ONE

Williams, Tim NP

**DISTRICT COURT JUDGE  
DEPARTMENT 17**  
6 YEAR TERM  
VOTE FOR ONE

Albertson, Anna NP

Vilani, Michael NP

**DISTRICT COURT JUDGE  
DEPARTMENT 18**  
6 YEAR TERM  
VOTE FOR ONE

Holthus, Mary Kay NP

Hunt, John A. NP

**DISTRICT COURT JUDGE  
DEPARTMENT 19**  
6 YEAR TERM  
VOTE FOR ONE

Eller, Crystal NP

Kephart, William "Bill" NP

**DISTRICT COURT JUDGE  
DEPARTMENT 20**  
6 YEAR TERM  
VOTE FOR ONE

Hooker, Dawn Alysa NP

Johnson, Eric NP

**DISTRICT COURT JUDGE  
DEPARTMENT 21**  
6 YEAR TERM  
VOTE FOR ONE

Clark Newberry, Tara NP

Reynolds, Jacob NP

**DISTRICT COURT JUDGE  
DEPARTMENT 22**  
6 YEAR TERM  
VOTE FOR ONE

Johnson, Susan Holland NP

Nadig, Ben NP

**DISTRICT COURT JUDGE  
DEPARTMENT 23**  
6 YEAR TERM  
VOTE FOR ONE

Armstrong, Karl W. NP

Lilly-Spells, Jasmin NP

**DISTRICT COURT JUDGE  
DEPARTMENT 24**  
6 YEAR TERM  
VOTE FOR ONE

Ballou, Erika D. NP

Gilliam, Dan NP

**DISTRICT COURT JUDGE  
DEPARTMENT 25**  
6 YEAR TERM  
VOTE FOR ONE

Delaney, Kathleen E. NP

**DISTRICT COURT JUDGE  
DEPARTMENT 26**  
6 YEAR TERM  
VOTE FOR ONE

Sturman, Gloria J. NP

**DISTRICT COURT JUDGE  
DEPARTMENT 27**  
6 YEAR TERM  
VOTE FOR ONE

Alif, Nancy L. NP

**DISTRICT COURT JUDGE  
DEPARTMENT 28**  
6 YEAR TERM  
VOTE FOR ONE

Israel, Ron NP

**DISTRICT COURT JUDGE  
DEPARTMENT 29**  
6 YEAR TERM  
VOTE FOR ONE

Jones, David M. NP

López-Negrete, David NP

**DISTRICT COURT JUDGE  
DEPARTMENT 30**  
6 YEAR TERM  
VOTE FOR ONE

Wiese, Jerry A. NP

**DISTRICT COURT JUDGE  
DEPARTMENT 31**  
6 YEAR TERM  
VOTE FOR ONE

Call, Gary W. NP

Kishner, Joanna S. NP

**DISTRICT COURT JUDGE  
DEPARTMENT 32**  
6 YEAR TERM  
VOTE FOR ONE

Bare, Rob NP

Craig, Christy NP

**DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. A**  
6 YEAR TERM  
VOTE FOR ONE

Voy, William **NO ENDORSEMENT**

**DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. B**  
6 YEAR TERM  
VOTE FOR ONE

Marquis, Linda NP

**DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. C**  
6 YEAR TERM  
VOTE FOR ONE

Burton, Rebecca L. NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. D  
6 YEAR TERM  
VOTE FOR ONE

Teuton, Bob NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. E  
6 YEAR TERM  
VOTE FOR ONE

Hoskin, Charles J. "Chuck" NP   
Kurtz, Thomas G. NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. F  
6 YEAR TERM  
VOTE FOR ONE

Gentile, Denise NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. G  
6 YEAR TERM  
VOTE FOR ONE

Childs, Sr., Benjamin Boone NP   
Forsberg, Rhonda K. NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. H  
6 YEAR TERM  
VOTE FOR ONE

Ritchie, Art NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. I  
6 YEAR TERM  
VOTE FOR ONE

Bailey, Soonhee "Sunny" NP   
Tobler, Michelle O. NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. J  
6 YEAR TERM  
VOTE FOR ONE

Butler, Dedree "Dee" NP   
MacDonald, J. Scott NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. K  
6 YEAR TERM  
VOTE FOR ONE

Giuliani, Cynthia N. NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. L  
6 YEAR TERM  
VOTE FOR ONE

Gibson, Jr., David NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. M  
6 YEAR TERM  
VOTE FOR ONE

Hughes, Lynn NP   
Mastin, Amy M. NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. N  
6 YEAR TERM  
VOTE FOR ONE

Harter, Mathew NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. O  
6 YEAR TERM  
VOTE FOR ONE

Sullivan, Frank P. NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. P  
6 YEAR TERM  
VOTE FOR ONE

Dayani, Sara NP   
Perry, Mary NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. Q  
6 YEAR TERM  
VOTE FOR ONE

Duckworth, Bryce C. **NO ENDORSEMENT**

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. R  
6 YEAR TERM  
VOTE FOR ONE

Henderson, Bill NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. S  
6 YEAR TERM  
VOTE FOR ONE

Ochoa, Vincent NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. T  
6 YEAR TERM  
VOTE FOR ONE

Cutter, Nadin **NO ENDORSEMENT**  
Stoffel, Jason **NO ENDORSEMENT**

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. U  
6 YEAR TERM  
VOTE FOR ONE

Gonzalez, Bill NP   
Throne, Dawn NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. V  
6 YEAR TERM  
VOTE FOR ONE

Pickard, Margaret E. NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. W  
6 YEAR TERM  
VOTE FOR ONE

Rincon White, Adriana NP   
Rocheleau, Stacy Michelle NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. X  
6 YEAR TERM  
VOTE FOR ONE

Almase, Heidi NP   
Davis, Jim NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. Y  
6 YEAR TERM  
VOTE FOR ONE

Charter, Stephanie NP

DISTRICT COURT JUDGE  
FAMILY DIVISION DEPT. Z  
6 YEAR TERM  
VOTE FOR ONE

Mercer, Michele "Shell" NP   
Perez, Romeo NP

JUSTICE OF THE PEACE  
LAS VEGAS TOWNSHIP DEPT. 12  
6 YEAR TERM  
VOTE FOR ONE

Clowers-Sanborn, Shanon NP   
Sullivan, Diana L. NP

STATEWIDE BALLOT QUESTIONS

STATE QUESTION NUM. 1

Amendment to the Nevada Constitution

Assembly Joint Resolution No. 5 of the 79<sup>th</sup> Session

Shall the Nevada Constitution be amended to: (1) remove provisions governing the election and duties of the Board of Regents and its control and management of the State University and require the Legislature to provide by law for the State University's governance, control, and management and the reasonable protection of individual academic freedom at Nevada's public higher education institutions; and (2) revise the administration of certain federal land grant proceeds dedicated for the benefit of certain departments of the State University?

YES

NO

STATE QUESTION NUM. 2

Amendment to the Nevada Constitution

Assembly Joint Resolution No. 2 of the 79<sup>th</sup> Session

Shall the Nevada Constitution be amended to: (1) remove an existing provision recognizing marriage as only between a male person and a female person and require the State of Nevada and its political subdivisions to recognize marriages of and issue marriage licenses to couples, regardless of gender; (2) require all legally valid marriages to be treated equally under the law; and (3) establish a right for religious organizations and clergy members to refuse to perform a marriage and provide that no person is entitled to make any claim against them for exercising that right?

YES

NO

STATEWIDE BALLOT QUESTIONS

STATE QUESTION NUM. 3

Amendment to the Nevada Constitution

Senate Joint Resolution No. 1 of the 79<sup>th</sup> Session

Shall the Nevada Constitution be amended to: (1) require the State Board of Pardons Commissioners—whose members are the Governor, the justices of the Nevada Supreme Court, and the Nevada Attorney General—to meet at least quarterly; (2) authorize each member of the Board to submit matters for consideration by the Board; and (3) authorize the Board to grant pardons and make other clemency decisions by a majority vote of its members without requiring the Governor to be part of the majority of the Board that votes in favor of such decisions?

YES

NO

STATE QUESTION NUM. 4

Amendment to the Nevada Constitution

Senate Joint Resolution No. 3 of the 79<sup>th</sup> Session

Shall the Nevada Constitution be amended by adding a new section guaranteeing specific voting rights to all qualified and registered voters in the State?

YES

NO

STATE QUESTION NUM. 6

Amendment to the Nevada Constitution

Shall Article 4 of the Nevada Constitution be amended to require, beginning in calendar year 2022, that all providers of electric utility services who sell electricity to retail customers for consumption in Nevada generate or acquire incrementally larger percentages of electricity from renewable energy resources so that by calendar year 2030 not less than 50 percent of the total amount of electricity sold by each provider to its retail customers in Nevada comes from renewable energy resources?

YES

NO

PLEASE NOTE:  
THERE IS NO STATE QUESTION NUMBER 5 ON THE BALLOT. THE NEXT QUESTION IS STATE QUESTION NUMBER 6



Jeffrey A. Tucker

## LOCKDOWN: THE NEW TOTALITARIANISM

**Every political ideology has three elements: a vision of hell with an enemy that needs to be crushed, a vision of a more perfect world, and a plan for transitioning from one to the other.**

The means of transition usually involve the takeover and deployment of society's most powerful tool: the state. For this reason, ideologies trend totalitarian. They depend fundamentally on overriding people's preferences and choices and replacing them with scripted and planned belief systems and behaviors.

An obvious case is communism. Capitalism is the enemy, while worker control and the end of private property is the heaven, and the means to achieve the goal is violent expropriation. Socialism is a softer version of the same: in the Fabian tradition, you get there through piecemeal economic planning.

The ideology of racism posits something different. The hell is ethnic integration and race mixing, the heaven is racial homogeneity, and the means of change is the marginalization or killing off of some races. Fascism imagines global trade, individualism, and immigration to be the enemy while a mighty nationalism is heaven: the means of change is a great leader. You can observe the same about certain brands of theocratic religious traditionalism.

Each of these ideologies comes with a primary intellectual focus, a kind of story designed to occupy the mind. Think about exploitation. Think about inequality. Think about race theory. Think about national identity. Think about salvation. Each comes with its own language to signal one's attachment to the ideology.

Most of the above ideologies are well worn. We have plenty of experience to draw on from history to observe the patterns, recognize the adherents, and refute the theories.

This year has given us a new ideology with totalitarian tendencies. It has a vision of hell, of heaven, and a means of transition. It has a unique language apparatus. It has a mental focus. It has

signalling systems to reveal and recruit adherents.

That ideology is called lockdown. We might as well add the ism to the word: lockdownism.

Its vision of hell is a society in which pathogens run freely. Its heaven is a society managed entirely by medical technocrats whose main job is the suppression of all disease. The mental focus is the viruses and other bugs. The anthropology is to regard all human beings as little more than sacks of deadly pathogens. The people susceptible to the ideology are the people with various degrees of mysophobia, once regarded as a mental problem now elevated to the status of social awareness.

This year has been the first test of lockdownism. It included the most intrusive, comprehensive, and near-global controls of human beings and their movements in recorded history. Even in countries where the rule of law and liberties are sources of national pride, people were put under house arrest. Their churches and businesses were closed. The police have been unleashed to enforce it all and arrest open dissent. The devastation compares with wartime except that it was a government-imposed war on people's right to move and exchange freely. We still cannot travel.

And remarkably, after all of this, what remains missing is the empirical evidence, from anywhere in the world, that this shocking and unprecedented regime had any effect on controlling much less stopping the virus. Even more remarkably, the few places that remained fully open (South Dakota, Sweden, Tanzania, Belarus), points out Will Jones, "lost no more than 0.06% of their population to the virus," in contrast to high deaths lockdown New York and Britain.

Early on, most people went along, thinking that it was somehow necessary and short term. Two weeks stretched to 30 days which stretched to 7 months, and now we are told there will never be a

time when we don't practice this new public-policy faith. It's a new totalitarianism. And with all such regimes, there is one set of rules for the rulers and another for the ruled.

The language apparatus is now incredibly familiar: curve flattening, spread slowing, social distancing, targeted layered containment, non-pharmaceutical intervention. The enemy is the virus and anyone who isn't living their life solely to avoid contamination. Because you can't see the virus, that usually means generating a paranoia of The Other: someone unlike you has the virus. Anyone could be a super spreader and you can recognize them by their noncompliance.

If Robert Glass or Neil Ferguson deserve to be called the founders of this movement, one of its most famous practitioners is Anthony Fauci of the National Institutes for Health. His vision of the future is positively shocking: it includes restrictions on who you can have in your home, the end of all large events, the end of travel, perhaps an attack on pets, and the effective dismantlement of all cities. Anthony Fauci explains:

“Living in greater harmony with nature will require changes in human behavior as well as other radical changes that may take decades to achieve: rebuilding the infrastructures of human existence, from cities to homes to workplaces, to water and sewer systems, to recreational and gatherings venues. In such a transformation we will need to prioritize changes in those human behaviors that constitute risks for the emergence of infectious diseases. Chief among them are reducing crowding at home, work, and in public places as well as minimizing environmental perturbations such as deforestation, intense urbanization, and intensive animal farming.

Equally important are ending global poverty, improving sanitation and hygiene, and reducing unsafe exposure to animals, so that humans and potential human pathogens have limited opportunities for contact. It is a useful “thought experiment” to note that until recent decades and centuries, many deadly pandemic diseases either did not exist or were not significant problems. Cholera, for example, was not known in the West until the late 1700s and became pandemic only because of human crowding and international travel, which allowed new access of the bacteria in regional Asian ecosystems to the unsanitary

water and sewer systems that characterized cities throughout the Western world.

This realization leads us to suspect that some, and probably very many, of the living improvements achieved over recent centuries come at a high cost that we pay in deadly disease emergencies. Since we cannot return to ancient times, can we at least use lessons from those times to bend modernity in a safer direction? These are questions to be answered by all societies and their leaders, philosophers, builders, and thinkers and those involved in appreciating and influencing the environmental determinants of human health.”

Fauci's entire essay reads like an attempted lockdown manifesto, complete with the fully expected longings for the state of nature and an imagined purification of life. Reading this utopian plan for a society without pathogens helps explain one of the strangest features of lockdownism: its puritanism. Notice that the lockdown particularly attacked anything that resembles fun: Broadway, movies, sports, travel, bowling, bars, restaurants, hotels, gyms, and clubs. Still now there are curfews in place to stop people from staying out too late — with absolutely no medical rationale. Pets are on the list too.

If an activity is fun, it is a target.

There is a moral element here. The thinking is that the more fun people are having, the more choices that are their own, the more disease (sin) spreads. It's a medicalized version of Savoranola's religious ideology that led to the Bonfire of the Vanities.

What's remarkable is that Fauci was ever in a position to influence policy through his closeness to power, and he did in fact have a strong influence over the White House in turning an open policy into a lockdown one. Only once the White House caught on to his real agenda was he removed from the inner circle.

Lockdownism has all the expected elements. It has a maniacal focus on one life concern — the presence of pathogens — to the exclusion of every other concern. The least of the concerns is human liberty. The second least concern is the freedom of association. The third least concern is property rights. All of this must bow to the technocratic discipline of the disease mitigators. Constitutions and limits on government do not matter. And

*(continued on page 46)* →

# GOVERNMENT GONE WILD

## Taxafornia

Comedian Bill Maher, of all people, took a swipe at his Democrat-controlled home state during his show recently. The left-leaning, sometimes libertarian Maher vented during an interview with Adam Schiff, ranting, "I feel like I'm living in Italy in the 70s or something -- super high taxes, potholes in the road, I don't know what I'm getting for my super-high taxes." Maher mentioned that Joe Rogan and Ben Shapiro had already left the state along with hundreds of businesses.

Just wait Bill, the Democrats in Sacramento are proposing to lift the 13.3 percent top state income tax rate to 16.8 percent and the hike would be imposed retroactively to January 1, 2020. That's not all; Robert Woods wrote in *Forbes*, "The newest tax some golden state legislators want to collect is a .4% wealth tax. The 'leader' in state taxes already, this would be first-in-the nation wealth tax targeting the very wealthy. This isn't on income they earn, mind you, but on their wealth itself."

The tax would affect 30,400 Californians and reportedly raise \$7.5 billion. Liberty Watch has news for California legislators, after a year or so, maybe less, that tax would raise ZERO, when all of the rich and famous move to Nevada.

I guess Mark Davis knew what he was doing, after all, when he trucked his Raiders out of Oakland. Maybe the San Francisco 49ers will become the Reno 49ers. Let's hear it for the Elko Rams. **LW**

## Superintendent Hypocrisy

Alexandria public school superintendent Gregory Hutchings has two children. He once proudly said they attended his public schools. But now that his public schools have gone virtual due to the coronavirus, he has enrolled them in a private Catholic school that is offering a hybrid teaching model.

"I can confirm that our family made a decision to change my daughter's school this school year,"

said Hutchings in a statement to Theogony, the student newspaper of ACPS's T.C. Williams High School, which first broke the news. "Decisions like these are very personal family decisions and are not taken lightly. This in no way impacts my absolute lifelong, commitment to public education, to which I remain as personally dedicated as ever."

But, Superintendent Hutchings, you said not too long ago, "The concern I have about that is, if this is something that's occurring for people who have the means in regards to bring in dollars and hire somebody and get their kids together, we can cause inequities," he said. "Even though we are intending to do the right thing, it can cause some inequities if some kids can do things and others can't."

Just to put a local spin on this, a friend has children in a Las Vegas Catholic school. He told me, "last year their (he has twins) class had 17 students, this year the class has grown to 37 with refugees from CCSD (Clark County School District).

The Review-Journal reports that this year CCSD has 10,000 fewer students than a year ago. Catholic and other private schools offer in-person classes as opposed to CCSD's virtual learning. **LW**

## Deadly Package, Deadly Cops

Most everyone has heard about the Breonna Taylor case. Taylor was an EMT, mistakenly killed in her sleep by police who shot through the door of her apartment as part of a drug raid.

Suspicious packages prompted the raid. Reason magazine reports Detective Joshua Jaynes obtained the search warrant despite learning in early February there was nothing suspicious about the packages that Taylor's boyfriend had delivered at her apartment. Turns out the packages came from Amazon and contained clothes and shoes, according to Radley Balko, who writes at *The Washington Post*.

"There was clearly no probable cause to believe drugs were being dealt from her apartment, and no probable cause that Breonna or her boyfriend [Kenneth Walker] were doing anything illegal,"

says Daniel Klein, a former Albuquerque police sergeant who writes about law enforcement issues, in an email. "Yet the assistant district attorney and the [circuit] court judge not only approved the warrant...they approved it to be a no-knock warrant executed in the middle of the night!"

Protecting and serving. **LW**

## Love Guv Attacks Orthodox Jews

New York governor, Andrew Cuomo, referred to by his CNN host brother Chris, as the Love Guv, has implemented a Cluster Action Initiative at the request of his frenemy New York City Mayor Bill De Blasio. Red zones are targeted with restrictions on "houses of worship [which] are limited to gatherings of 25 percent capacity or 10 people, whichever is smaller, with \$15,000 fines for violations," reports Bonnie Kristian, writing for Christianity Today.

The Initiative "arrived in the middle of Sukkot, a week-long holiday celebrated, as holidays generally are, with gatherings—including gatherings where a minimum of 11 people are needed to guarantee a required quorum," writes Kristian.

Jews responded by gathering in Brooklyn and burning masks.

Love Guv? Not hardly. **LW**

## Georgia On My Mind

Thinking about getting a drink in Georgia? Or trying to sell, say, your great tasting tequila? Well, there's roughly 200 different sets of alcohol laws in Georgia.

For instance, from alcohol problems and solutions.org.

In Georgia, package stores sell distilled spirits. That is defined as bourbon, scotch, gin, vodka, rum, tequila, etc. But for beer and wine go to your nearest grocery and convenience stores. Counties and towns set the days/times for alcohol sales. However, they may not permit sales before 8:00 a.m. or after 11:45 p.m. Mondays through Saturdays. If local laws permit Sunday sales, and

that's a big if, businesses may not sell before 12:30 p.m. Sunday or remain open after 11:45 p.m. In addition, package stores may not sell on Sundays.

It's a violation of Georgia alcohol laws to sell alcohol to anyone under the age of 21. The penalty is imprisonment for up to one year and a \$1,000 fine. Georgia's courts typically charge the provider with contributing to the delinquency of a minor. Conviction for contributing to the delinquency of a minor may prevent people from entering certain jobs, including law, education, social work, law enforcement, among others.

Parents may file a civil suit against a person who provided alcohol to their offspring, including adults, under 21.

And, by the way, the Peach State treats non-alcoholic beer and wine as alcoholic beverages. So, selling a bottle of O'Douls to a 20 year old could cost you a thousand bucks and a year in the hotsgowl.

Entrepreneurship on the Fly

The VP debate featured distancing, plexiglass, and the Fly which landed and stayed (seemingly for an eternity) on VP Mike Pence's perfectly coiffed white hair during the Vice Presidential debate.

While the government always, always takes forever to act, the entrepreneurs at 3wishes created, and had for sale, the Debate Fly Wig available the very next morning just in time for Halloween.

The 3wishes website says, "MAKE YOUR HEAD GREAT AGAIN! Look fly and steal the spotlight at your next party with this Debate Fly Wig, perfect for when being a fly on the wall just won't do! You'll want to get caught in the crossfire with this special item featuring a deluxe, high-quality silver white wig with an attached, oversized black fly and Flag lapel pin included! Suit and plexiglass partition not included."

The problem is local governments all over the country are calling off Trick or Treating. Boo! Fast acting entrepreneurs, yea! **LW**



## NEVADA AG FORD NEEDS REMEDIAL CLASS IN LOGIC

Associated Press ran an article last weekend in which Democrat Nevada Attorney General Aaron Ford, with no basis whatsoever, accused President Donald Thump of “voter intimidation.”

Also, of using a “dog whistle” to lure Trump voters to voting locations and disregard Nevada’s poll watching laws.

Ford’s comments followed Trump’s statements at his first presidential debate with Joe Biden in which the President implored his supporters to “watch very carefully at the polls.”

Trump “wasn’t talking about poll watching. He was talking about voter intimidation,” Ford alleged. Ford said Trump’s comments were threatening because Trump also declined to denounce white supremacists or commit to a peaceful transfer of power.

Ford added, “I do not appreciate, frankly, a rehashing of what we saw during the Civil Rights era where folks were intimidated from exercising their constitutional right to vote.” Ford’s office said it hadn’t prosecuted anyone for voter intimidation since he took office in early 2019.

Trump has been encouraging his supporters in Nevada to do careful poll watching since a Sept. 12 rally in Minden where he accused Democrats of attempting to rig the election. He has implored his supporters to “watch very carefully,”

“I hope you’re all going to be poll watchers. [...] Because with you people watching the polls it’s going to be pretty hard to cheat,” Trump added. Nevada law allows monitoring of polling places as long as the monitors don’t talk to or interfere with voters.

Ford’s parade of horrors is made from whole cloth, especially because Trump’s concern with possible election cheating is not at all new in Nevada. Democrats and their labor union allies are said by Republicans and others to bring ineligible voters by the busload in Clark County. But Clark Republicans have been completely ineffectual at proving or otherwise countering it.

When Democrats call something a “dog whistle,” it means they have absolutely no evidence because it’s not true. That term is a classic Big Lie, or put another way: their own dog whistle. They want their supporters and the lamestream media to adopt the conclusory allegation and not worry about evidence, which they don’t have because the claim isn’t true. But it works.

Their claim Trump wouldn’t denounce white supremacists is also false. Trump has denounced them numerous times in the past. The idea that a person should have to repeat such a point on demand or be held as not having answered it is ridiculous.

The question about a peaceful transfer of power is also ridiculous, first because Trump has said and done nothing to seriously call that into question. Democrats and their allies in the lamestream media simply made the unfounded accusation and then flogged it endlessly. But they don’t put the same questions to Democrat candidates, or hector them the same way.

Ford did not go to the Democrats and media’s favorite club of labeling Trump a racist without any basis at all, or little evidence. Thank goodness.

Maybe that’s because Biden has a lot of racist baggage himself. Remember his statement about Barack Obama? “... the first mainstream African American who is articulate and bright and clean and a nice-looking guy.”

Or: “In Delaware ... you cannot go to a 7-Eleven or a Dunkin’ Donuts unless you have a slight Indian accent.” And of course, “Well, ... if you have a problem figuring out whether you’re for me or Trump, then you ain’t black.”

Democrats, progressives and other leftists have long used techniques such as the Big Lie and little lies, Guilt by Accusation, endless ad hominem

(continued on page 46) →





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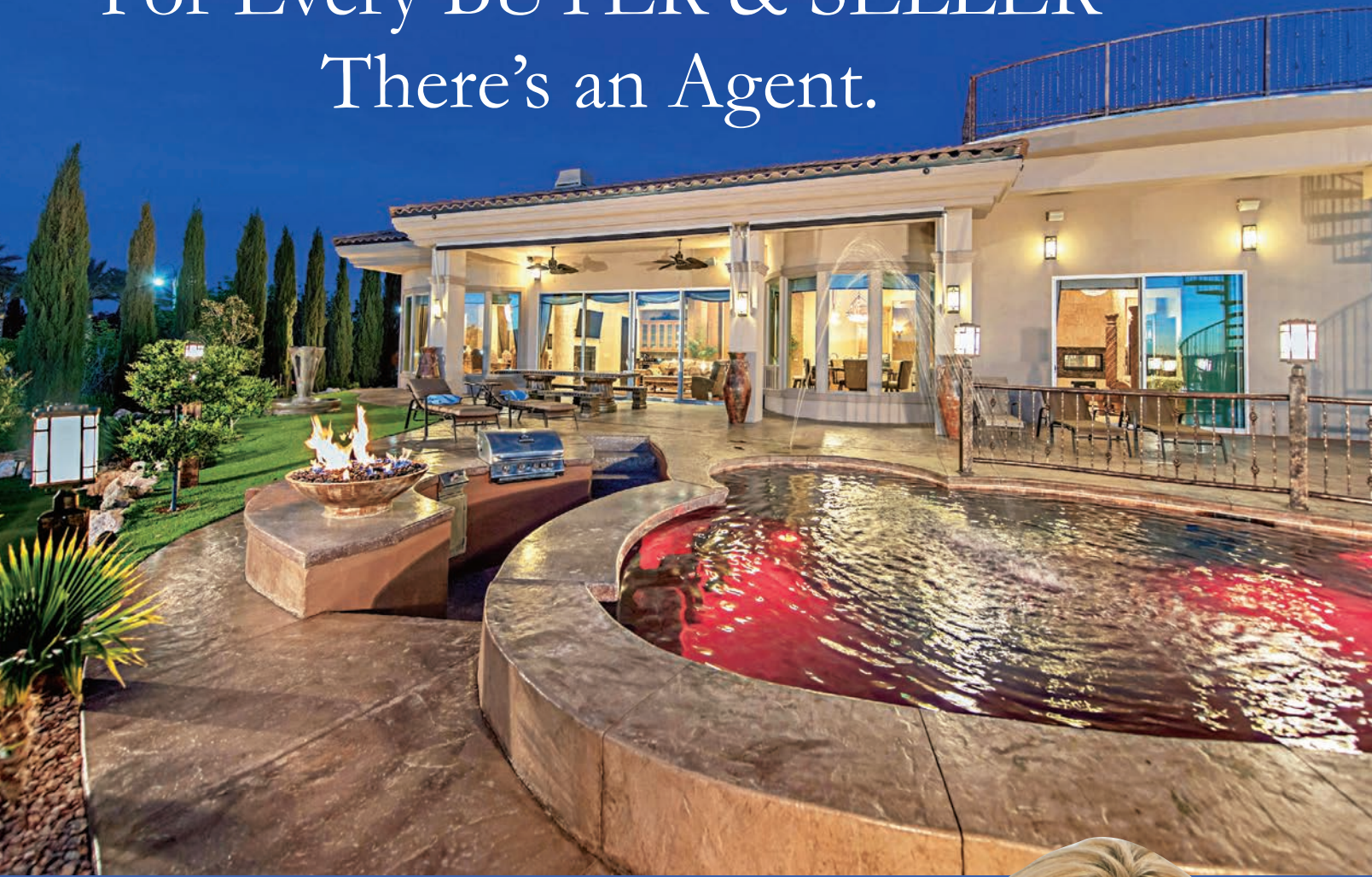
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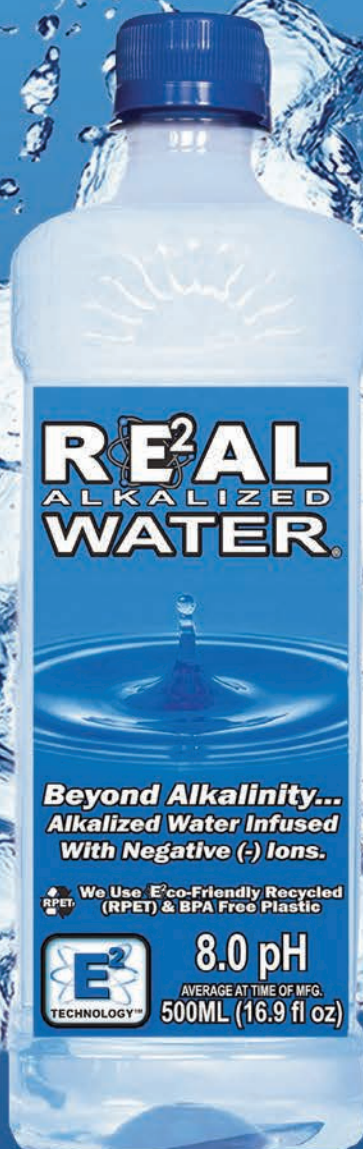
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## **POLITICIANS ON THE TAKE?**

### Politicians shut down businesses because of COVID-19.

But the rules don't apply to everyone.

In San Francisco, gyms were forced to close, but government gyms stayed open.

In my new video, we see a Dallas woman being jailed for keeping her salon open and a New Jersey man getting arrested after working out indoors.

Ordinary people who break the rules get punished.

But not House Speaker Nancy Pelosi.

Politicians are special.

Now, politicians have allowed more businesses to open. Dallas relaxed its rules for most businesses a few months ago.

But not for Dale Davenport's car wash. Dallas won't allow Dale to reopen because, shortly before the epidemic, they decreed his car wash a "hub for drug sales and crime."

His car wash is indeed in the middle of a high-crime neighborhood, and many cities have laws that let them close a business if the owners conceal crime.

But Davenport didn't do that. When he saw crime, he called 911. Dallas politicians then used his 911 calls against him, saying his frantic phone calls were evidence his business was a "public nuisance."

"This is absolutely crazy," complains Davenport.

Still, Davenport "bent over backwards" to do almost everything the politicians asked him to do.

"They said (to reduce crime), build a six-foot fence. I built an eight-foot fence," he tells me. "Then they said, put up signs. I already had signs up, so I put up more signs. Then they told me to put up lights. I already had lights up, so I put up more lights."

That still wasn't enough. The city came in and closed his business, anyway. "They murdered my business," says Davenport.

Closing it didn't reduce crime. Crime in the neighborhood stayed about the same.

But the community lost a center. For 20 years, people drove to Dale's car wash, and then visited other local businesses while their cars were washed.

"The businesses next to my car wash, their business is down 40-50%," says Davenport.

Why did politicians go after just one business that was well lit and where the owner did most of what the politicians requested?

Davenport suspects the politicians shut him down because he won't give money to their friends. The city told him to hire armed guards, but when he hired them, he says he was told, "You've hired the wrong guard company." He hadn't hired a guard company owned by a city councilman.

Could it be that corrupt Dallas politicians want the money for themselves?

"This is extortion," says Davenport.

We contacted all 14 city council members. Not one agreed to an interview.

Dallas has a rich history of political corruption. The guard company Davenport says the city wanted him to hire was owned by former councilman James Fantroy. In 2008, Fantroy went to prison for stealing \$20,000 from a college.

Former Dallas city council members Dwaine Caraway, Paul Fielding and Don Hill were all jailed after being convicted of bribery or extortion.

Instead of paying car wash employees, Davenport now spends his money on lawyers, hoping to fight city hall. "This is wrong," says Davenport. "This is tyranny."

It's bad enough when politicians kill businesses with COVID-19 shutdowns. It's worse if they kill a business because the owner won't give money to their friends.



## **AnniePAC Endorses Katie Williams for Clark County School Board**

AnniePAC announced today the endorsement of conservative firebrand Katie Williams for the District B seat on the Clark County (NV) School Board.

“I don’t pander for votes,” Katie says proudly. “I am who I am - a Christian, a conservative, a veteran, a mom.”

Katie joined the National Guard on her 17th birthday and served in Afghanistan in support of Operation Enduring Freedom VIII as a driver and substitute gunner. Her husband is a paramedic, and the couple have a 4-year-old daughter.

In 2019 Katie was stripped of her Ms. Nevada crown over her outspoken conservative views, including her support for President Trump.

The small businesswoman has called for an independent audit of the district’s finances, and has pledged to donate her paychecks back to education programs until every school in her district reaches a 4- or 5-star level.

Katie will face Jeff Proffitt, a registered Democrat and union boss for Sheet Metal Workers Local 88, in the general election. He’s been endorsed by state and local teachers’ unions – the same unions that are largely responsible for the failure of our public schools and that relentlessly block true education reform efforts.

Proffitt opposes parental school choice, including charter schools, stating plainly: “I am not a fan.” He also supports raising taxes and “will do my part in lobbying for proper levels of funding.”

“AnniePAC supports conservatives who will not only vote the right way but are willing to rock the boat and stir the pot,” said Assemblywoman-elect Annie Black, founder and president of AnniePAC.

“Katie has proven she’s willing to fight for school choice while resisting calls to simply throw more money at the problems plaguing our public schools. She’s exactly the right person at exactly the right time for exactly the right seat on the Clark County school board.”

AnniePAC supports conservatives in key elections throughout Nevada.

*Paid for by AnniePAC. Annie Black is a Mesquite City Councilwoman and Assemblywoman-elect for Nevada State Assembly District 19. Please visit: [www.AnniePAC.com](http://www.AnniePAC.com)*



Walter E. Williams  
wwilliams@gmu.edu

## THE FIGHT FOR FREE SPEECH

**The violence, looting and mayhem that this nation has seen over the last several months has much of its roots in academia, where leftist faculty teach immature young people all manner of nonsense that contradicts commonsense and the principles of liberty.**

Chief among their lessons is a need to attack free speech in the form of prohibitions against so-called hate speech and microaggressions. Here are examples of microaggressions: "You are a credit to your race." "Wow! How did you become so good in math?" "There is only one race, the human race." "I'm not racist. I have several black friends." "As a woman, I know what you go through as a racial minority."

It is a tragic state of affairs when free speech and inquiry require protection at institutions of higher learning. Indeed, freedom in the marketplace of ideas has made the United States, as well as other Western nations, a leader in virtually every area of human endeavor. A monopoly of ideas is just as dangerous as a monopoly in political power or a monopoly in the production of goods and services.

We might ask what is the true test of a person's commitment to free speech? The true test does not come when he permits people to say those things he deems acceptable. The true test comes when he permits people to say those things that he deems offensive. The identical principle applies to freedom of association; its true test comes when someone permits others to voluntarily associate in ways that he deems offensive.

While free speech has been under attack, we are beginning to see some pushback. More than 12,000 professors, free speech leaders and conservative-leaning organization leaders have signed "The Philadelphia Statement."

The 845-word document says in part: "Similarly, colleges and universities are imposing speech regulations to make students 'safe,' not from physical harm, but from challenges to campus orthodoxy. These policies and regulations assume that we as citizens are unable to think for ourselves and to make independent judgments. Instead of teaching us to engage, they foster conformism ("groupthink") and train us to respond to intellectual challenges with one or another form of censorship. A society that lacks comity and allows

people to be shamed or intimidated into self-censorship of their ideas and considered judgments will not survive for long. As Americans, we desire a flourishing, open marketplace of ideas, knowing that it is the fairest and most effective way to separate falsehood from truth. Accordingly, dissenting and unpopular voices -- be they of the left or the right -- must be afforded the opportunity to be heard. They have often guided our society toward more just positions, which is why Frederick Douglass said freedom of speech is the 'great moral renovator of society and government.'"

The recognition of the intellectual elite attacking free speech is not new. In a 1991 speech, Yale University President Benno Schmidt warned: "The most serious problems of freedom of expression in our society today exist on our campuses. The assumption seems to be that the purpose of education is to induce correct opinion rather than to search for wisdom and to liberate the mind."

Tyrants everywhere, from the Nazis to the communists, started out supporting free speech rights. Why? Because speech is important for the realization of leftist goals of command and control. People must be propagandized, proselytized and convinced. Once leftists have gained power, as they have in most of our colleges and universities, free speech becomes a liability. It challenges their ideas and agenda and must be suppressed.

Attacks on free speech to accommodate multiculturalism and diversity are really attacks on Western values, which are superior to all others. The indispensable achievement of the West was the concept of individual rights, the idea that individuals have certain inalienable rights that are not granted by government. Governments exist to protect these inalienable rights. It took until the 17th century for that idea to arise and mostly through the works of English philosophers such as John Locke and David Hume. And now the 21st century campus leftists are trying to suppress these inalienable rights.

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## FINALLY, FREEDOM IN MICHIGAN

**"If the provisions of the Constitution be not upheld when they pinch as well as when they comfort, they may as well be abandoned." -- Justice George Sutherland (1862 to 1942)**

Late last week, the Supreme Court of Michigan -- the state's highest and final court -- invalidated the pandemic executive orders of Gov. Gretchen Whitmer as well as the statute on which she based those orders. The opinion was a sweeping victory for personal liberty in a free society and was exceptionally gratifying for those of us who believe that the U.S. and state constitutions mean what they say.

Whitmer's orders were the most draconian in the union, and numerous efforts to dislodge them in state courts had failed until three primary care physicians sued the governor in a federal court in Michigan. The federal judge to whom the case was assigned certified questions of law to the Michigan Supreme Court. This is a rarely used procedure that federal judges employ when they need to know how a state court of last resort will rule on a question of state law.

Under our federal system, the state court of last resort -- not the U.S. Supreme Court -- has the final say on the meaning of the state's constitution and the laws written pursuant to it. The Michigan Supreme Court accepted the certification, meaning it agreed to inform the federal judge what the relevant clauses of the Michigan Constitution mean and whether the statute on which the governor relied is constitutional. In so doing, it ruled that the Michigan statute in question was unconstitutional and thus the governor's executive orders are void.

Here is the backstory.

Whitmer made herself a one-woman government when she purported both to write the laws during the early days of the pandemic and to enforce them. She did so in a staggering series of executive orders issued in April and May.

Among other orders, Whitmer required

residents to stay home unless their travel was immediately necessary to preserve human life, to wear face masks in all indoor and outdoor public places and to stay six feet away from all other people outside the home.

She closed all restaurants, food courts, cafes, coffeehouses, bars, taverns, brewpubs, breweries, distilleries, wineries, tasting rooms, clubs, hookah bars, cigar bars, vaping lounges, barbershops, hair salons, nail salons, tanning salons, tattoo parlors, schools, churches, theaters, cinemas, libraries, museums, gymnasiums, fitness centers, public swimming pools, recreation centers, indoor sports facilities, indoor exercise facilities, spas, casinos and racetracks.

She also closed arcades, bingo halls, bowling alleys, indoor climbing facilities, skating rinks and trampoline parks. She closed all places of employment not immediately necessary to sustain human life. She banned advertisements for nonessential goods and services. She prohibited visitors at hospitals, nursing facilities and jails. She shut down all veterinary facilities.

In short, the governor of Michigan made up her own laws, reordered human life, displaced nearly all livelihoods and trampled civil liberties on a scale not seen in America since the Civil War; although the governor's orders in New Jersey are a close second.

The physicians who challenged Whitmer's executive orders argued that under the U.S. Constitution's Guarantee Clause, the states are required to have and employ a republican form of government (lowercase "r"). That means in all state governments there must be three separate branches of government -- a legislature that writes the laws, an executive that enforces them and a judiciary that interprets them. This is known as the separation of powers.



When any governmental executive -- a mayor, governor or president -- takes, receives or exercises legislative power, that violates the separation of powers.

A violation of the separation of powers ordinarily renders the violating governmental behavior null and void. Stated differently, if the courts acted as a legislature or if the governor acted as a court or the legislature took command of the police, all acts done in those scenarios would be void. Were this not so, then nothing would prevent any one branch from relinquishing its powers to another or from seizing the powers of another branch. The result would be a catastrophic loss of personal liberties.

The governor called this argument novel. It is not novel. It is bedrock American constitutional law, just as James Madison intended.

The governor also argued that in a state of emergency, she could assume the powers of the legislature in order to preserve human life. She pointed to a 1945 Michigan statute that said she could do so for 28 days. Yet, her orders went well beyond 28 days.

The Michigan Supreme Court rejected the governor's arguments. It ruled that any efforts by the legislative branch -- no matter its motivations -- to give away its powers and any efforts by the executive branch to take or exercise legislative powers violates the separation of powers. The court reasoned that just as no branch of government may exercise the powers of another branch, so, too, no branch of government may breach its own authority by relinquishing it to another branch.

The separation of powers is both uniquely American and at the core of the freedom-protecting functions of our federal and state constitutions.

The separation of powers does not exist to preserve the hegemony of each branch, but rather to assure that power does not accumulate in one branch, thereby threatening personal liberties.

Regrettably, sometimes the courts look the other way when this happens because the outcome is politically desired. The better courts -- like Michigan's Supreme Court -- nip it in the bud lest we be ruled by dictators claiming to keep us safe.

How much longer will courageous courts keep our liberties safe?



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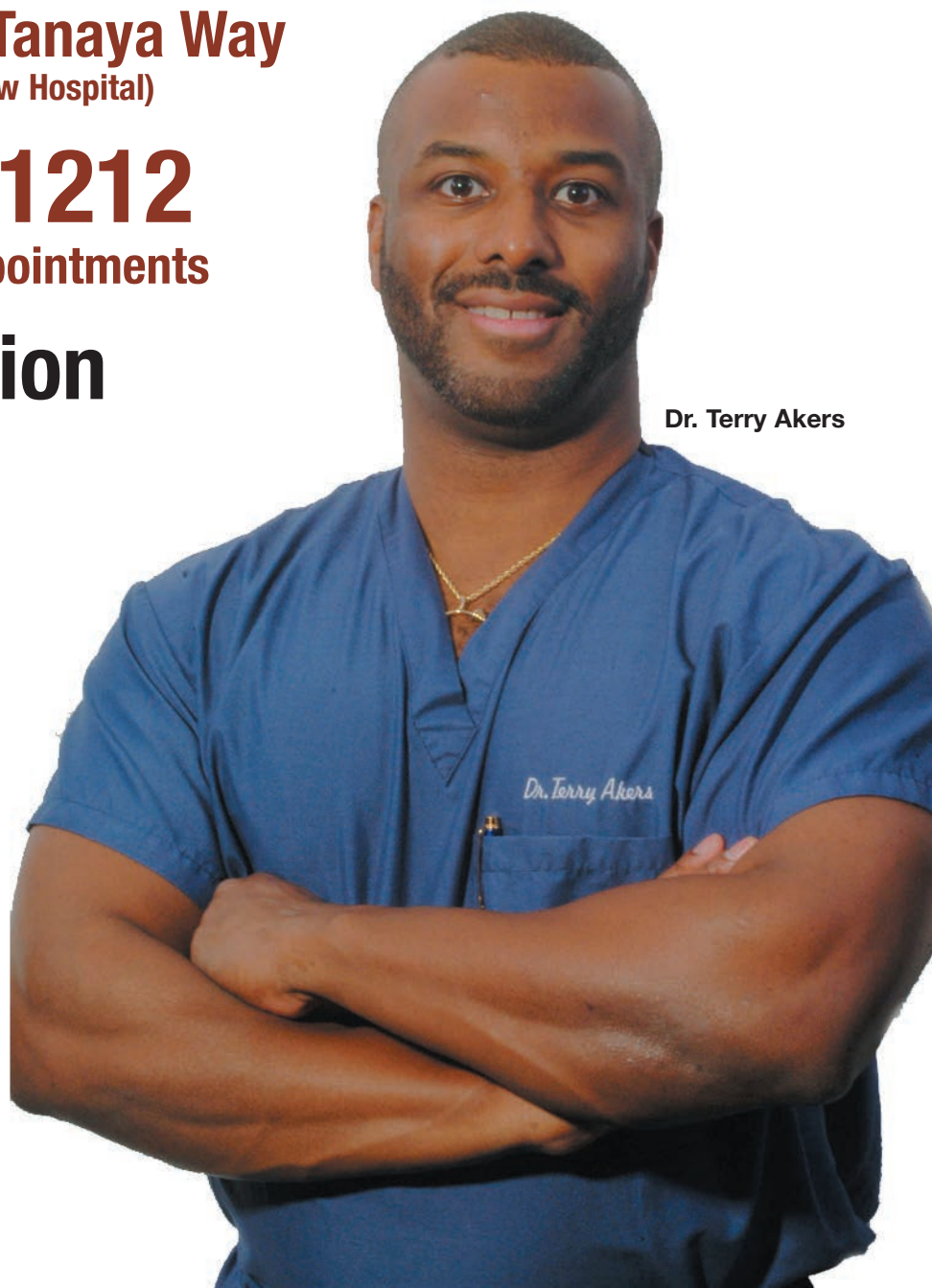
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## **HAS COVID MADE YOU SICK OF YOUR HOUSE?**

**I don't have time to write this column.**

Every Realtor in Las Vegas knows what I'm talking about. The market is on fire even though the economy is not so hot. Maybe you've lost your job or are just tired of Las Vegas. If so, now is a great time to sell.

The Coronavirus has made people restless. Locked down in the same old house, people are ready for a change, whether they live here and want to move across town or leave the state and go somewhere else.

The Vegas Valley's tight inventory may have eased a bit, but there were only 4,798 houses on the market without offers at the end of September. That's up slightly--3.4 percent from the end of August.

Compared to last year, available listings were down 34.6 percent from September 2019. It is a great time to sell. The Vegas Valley's tight inventory may have eased a bit, but there were only 4,798 houses on the market without offers at the end of September. That's up slightly--3.4 percent from the end of August.

The market isn't slowing down. Builders can't keep up. Remember 9/11. The planes hit the towers, conventions scheduled for Las Vegas canceled and builders hit the brakes. Then the Federal Reserve lowered interest rates and buyers rushed in.

Well, here we go again. Covid-19 hits the country, the economy shuts down, and builders pump the breaks. Mortgage rates hit record lows and now a mortgage payment is cheaper than the sky-high rents apartment owners are demanding. By the way, Millennials are buying homes. They're finally getting married, having kids, and apartments just aren't big enough.

We've kind of been singing the blues here in town; however, if you live in California, you can't wait to leave--the fires, the taxes, the homeless. Heck, the Raiders left, and thousands of people will follow. Raiders owner Mark Davis bought a lot in town for \$8.5 million in 2017 and just sold it for \$10.5 million. He turned around and purchased a 6.3-acre lot for \$6 million. Why sell the first lot? He couldn't see the brand new \$2 billion Allegiant Stadium. He can see it from his new lot.

**If you are selling, remember these 12 things:**

- 1) Improve your home's curb appeal, you only have one chance to make a good first impression**
- 2) Declutter your living areas. If the house is overflowing with stuff, buyers might worry that the house won't have ample space for their own belongings**
- 3) Remove any distractions so the buyers can visualize themselves and their family living in the property**

**4) Repaint walls to neutral tones since your daughter's pink room may put off some buyers**

**5) Touch up any scuff marks. You know you have them and while you ignore them, they are the first thing buyers notice**

**6) Fix those loose handles, again, you know you have them**

**7) When staging your house, remember that green is good, add some plants**

**8) Can your house pass the smell test? Invite an unbiased third party in to detect any pet smells or lingering odors from your kitchen**

**9) Once you're done cleaning your house, clean some more**

**10) From art to jewelry, keep your treasures out of sight**

**11) Consider staging by a professional, Stagers know the market, and what sells, so it's important to take their advice and don't take offense when they suggest big changes**

**12) Find a great real estate agent. Yes, I'm a real estate agent and a great one can be tempting, especially in a hot market, but resist the urge, says Jon Sterling, a real estate consultant with Keller Williams Realty in San Francisco. He's found that a "for sale by owner" transaction is almost always a disaster, leading you to sacrifice both money and time.**

You may think you can sell it yourself because the market is hot. Realtor.com begs to differ. It can be tempting, especially in a hot market, but resist the urge, says Jon Sterling, a real estate consultant with Keller Williams Realty in San Francisco. He's found that a "for sale by owner" transaction is almost always a disaster, leading you to sacrifice both money and time. **LW**

*Some enterprising agents may have put a flyer on your door. Perhaps your uncle's friend's co-worker's cousin just started in the business. You want to sell your house, not do someone a favor. Hire a pro. Remember Nicole Maroe at Simply Vegas 702-303-8243.*

## (LOCKDOWN

*continued from page 28)*

notice too how little medical therapeutics even figure in here. It's not about making people get better. It's about controlling the whole of life.

Note too that there is not the slightest concern here for trade-offs or unintended consequences. In the Covid-19 lockdowns, hospitals were emptied out due to restrictions on elective surgeries and diagnostics. That suffering from this disastrous decision will be with us for many years. The same is true of vaccinations for other diseases: they plummeted during the lockdowns. In other words, the lockdowns don't even achieve good health outcomes; they do the opposite. Early evidence points to soaring drug overdoses, depression, and suicide.

This is sheer fanaticism, a kind of insanity wrought by a wild vision of a one-dimensional world in which the whole of life is organized around disease avoidance. And there is an additional presumption here that our bodies (via the immune system) have not evolved alongside viruses for a million years. No recognition of that reality. Instead the sole goal is to make "social distancing" the national credo. Let us speak more plainly: what this really means is forced human separation. It means the dismantlement of markets, cities, in-person sports events, and the end of your right to move around freely.

All this is envisioned in Fauci's manifesto. The entire argument rests on a simple error: the belief that more human contact spreads more disease and death. In contrast, Oxford's eminent epidemiologist Sunetra Gupta argues that globalism and more human contact have boosted immunities and made life vastly safer for everyone.

The lockdowners have had surprising success in convincing people of their wild views. You only need to believe that virus avoidance is the only goal for everyone in society, and then spin out the implications from there. Before you know it, you have joined a new totalitarian cult.

The lockdowns are looking less like a gigantic error and more like the unfolding of a fanatical political ideology and policy experiment that attacks core postulates of civilization at their very root. It's time we take it seriously and combat it with the same fervor with which a free people resisted all the other evil ideologies that sought to strip humanity of dignity and replace freedom with the terrifying dreams of intellectuals and their government sock puppets.

## (NEVADA AG FORD NEEDS REMEDIAL CLASS IN LOGIC

*continued from page 32)*

attacks, identity politics, and generally all kinds of aggression and divisiveness.

Generally, Republicans and conservatives eschew such rot in favor of facts, numbers, analyses; focus on principles such as original intent of the Constitution's founders; and what's in the real public interest of maximizing aggregate human wellbeing and fairness to bring us all together.

For his attack on Trump, we should conclude Ford is a liar (Big and little), a hater and an abuser of his official power as he attempts to intimidate Trump poll-watchers from exercising their legal rights. And when Democrats allege a dog whistle, that's exactly what they're using.

In another column, I'll address the "racist" epithet. **LW**

## (THE UNCONSTITUTIONALITY OF THE STATE'S COVID CRITERIA

*continued from page 10)*

from her Supreme Court that her actions were unconstitutional. The same thing happened in Wisconsin where that state's Supreme Court overturned its governor's mandates.

Unless legal businesses in Nevada are allowed to re-open, the same thing will happen here.

To maintain his emergency executive authority, the Governor must avoid acting in an arbitrary or capricious manner. He would accomplish this by evaluating and treating all businesses with the same criterion. He has not done that here.

Some businesses are open while others remain closed, and the decisions made in this regard have clearly been, not only arbitrary and capricious, but also prejudicial and unconstitutional.

Governments at all levels are cash strapped, and Nevada's brothels desperately want to help fill those coffers, as well as, put thousands of people who work in the industry back to work so their families no longer suffer. Nevada's rural counties could again become prosperous with the economic activity Nevada's legal brothels generate. All the Governor needs to do is issue one more Directive permitting them to open. **LW**

*Deanna Forbush is an attorney with Fox Rothschild in Las Vegas, specializing in employment and business law - representing business and employers around the country, including employers in the adult industry.*



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## **THE COLLAPSE OF 2020**

**America is about growth and getting big, supersized, or bigly as the president would say, There's no debate, growth is good, in fact essential, bigger is better.**

One man who believes the end of all this bigness is nigh is Kirkpatrick Sale, a prolific author, most notably of “Human Scale” and “Human Scale Revisited,” and a notable proponent of succession. Simply put, Sale believes the world is destroying itself. In a piece for lewrockwell.com Sale wrote, “the government we have in this country is too incompetent, inept, corrupt, wasteful, and inefficient, too centralized, undemocratic, unjust, and invasive, and too unresponsive to the needs of individual citizens and small communities, and all because it is too big.”

For readers wanting a warm up before launching into the meaty “Human Scale,” Sale’s latest book is “The Collapse of 2020,” which started with a \$1,000 bet Sale made in 1995 with Wired magazine editor Kevin Kelly that civilization would collapse by, well, 2020. At the time, that year sounded a long way off and Sale, who, in those days, had little more than a thousand bucks to his name, figured \$1,000 would be inflated away to virtually nothing by 2020.

Not quite, of course, and civilization hasn’t completely collapsed, but Sale believes we are close, and now puts the doomsday year at 2030,

but has produced a pithy little (44 pages) book to give us a status report. The author tells us the earth has experienced five previous extinctions; a meteor strike which changed the climate, and four others caused by greenhouse gases. The sixth is underway.

“Industrial civilization,” Sale writes, “in other words, is an inherently self-destructive system with limits beyond which it cannot survive, and utterly consumes itself like the self-burning tree of Gambia discovered by Mungo Park.”

Political collapse is underway in 43 percent of all nations on earth, without including “a dozen smaller nations that are locked into autocracy and poverty.” There are plenty of examples in the political collapse category for Mr. Sale to cite: Brexit, the Trump election “[and the subsequent attempt to overturn it],” and protracted protests in Poland and Hong Kong. Sale mentions the work of two political scientists who claim “the state system seems to be failing all over the world,” and believe work must be done to study “how to grow, maintain, and fund states so as to avert their collapse,” Sale writes. Anarchists would cheer, “let them fail!”



Political collapse stems from what Sale believes is the world's population, which, like everything else, having grown too big. There will be wars and competition because "there will be no diminution in overpopulation--it has grown steadily and irredeemably by 83 million people a year since 1975." Sale describes the United Nations as a waste of time and money, "in short," he writes, "[the U.N.] is an example of the collapse of politics at the global level."

Also collapsing on a global scale are; capitalism, which Sale says "has everywhere turned into a disputative autocracy or a failed anarchy," and the Catholic Church, which "has proven itself incapable of self-reform or doctrinal coherence."

These examples of political collapse have led to increasing rates of addiction, suicide, and mental illness around the globe, while rates of marriage and religious affiliation have declined.

Individual contempt and distrust of government is increasing with terms like "deep state" and "the swamp" being common pejoratives.

The author sees the economy as "the Sophoclean and Shakespearean heroes who go into disasters unable to change." The problem in a word is--debt--government, corporate, and individual combine to unsustainable levels. The weight of all that debt will collapse the dollar. Sale quotes a Swiss banker as saying, "The long-term trend of the dollar is clear: it will go into oblivion faster than anyone can imagine." China and Russia are of the same opinion and have added to their gold holdings at an increasing pace, while unloading the dollar.

In the end, Sale believes the collapse will be due to "Heedless technological advances pushing heedless exponential growth beyond human capacity to control stands guilty, just as I predicted."

Although he wrote before the Covid-19 outbreak, Sale predicted new deadly infections would spread to all continents. Perhaps this is the canary in the coal mine. **LW**



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## CANNABIS: STATE GOVERNMENT'S ONLY REVENUE BRIGHT SPOT

With the Covid-19 devastating Nevada's economy, the government's main source of revenue, gaming taxes, has been virtually shut off.

If this would have happened a few years ago, there might not have been cops on the beat and the Capitol building might have had to be padlocked. But, the wisdom of voters and entrepreneurial moxy has at least kept the lights on.

Marijuana is now sending hoards of cash to Carson City. Check out these numbers: For the year ended June 2020, Total Marijuana Excise Tax collected was \$105,180,947, and, as they say, that's not all. Another \$5,212,557 was collected in Application, License, and Other Fees.

Total sales for the 2020 period was \$684,959,149. That is 16 percent. Wow.

Readers should remember that Nevada casinos closed on March 17th and in-store Nevada dispensary sales were halted on March 20th due to the COVID-19 outbreak. Dispensaries generated virtually no revenue in the second half of March and were closed through April. Sales were restricted to delivery-only in May, before opening for curbside pickup and then limited in-store sales limited to ten people in a store at once.

The previous year, sales were \$639,035,590 with \$109,042,017 going to the state. Application and Licensing fees in 2019 were double those in 2020, while total excise tax collected was just short of \$100 million.

The state's 2019-2021 biennium budget (2 years) is \$103,293,121,318. So, the pot industry is

paying more than its fair share.

Planet 13, a leading vertically-integrated Nevada cannabis company, with its massive SuperStore on Desert Inn in Las Vegas is a huge market leader, generating "10.1% of all retail cannabis sales in the state in [the first] quarter of 2020," Larry Scheffler, the company's Co-CEO said in Planet 13's June 1 press release.

Despite ongoing COVID-19 economic disruption the company's latest quarter was its best. Preliminary Q3 2020 revenue was \$22.8 million a 110% increase over the second quarter 2020 numbers.

***"We drove an impressive rebound in sales and a record quarter by making operational improvements in response to COVID-19. The improvements have led to higher average tickets and conversion rate despite the reduced tourist traffic. Along with these operational improvements at the store, our delivery and curbside pickup have expanded our revenue from Las Vegas residents," said Scheffler in an October 6th press release. "We are opening our neighbourhood dispensary in Q4 and continuing to drive increased delivery and curbside sales to increase our share of sales to Las Vegas residents."***

Again, the marijuana business is doing fine, and the state receives a sizable percentage of those sales. **LW**

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