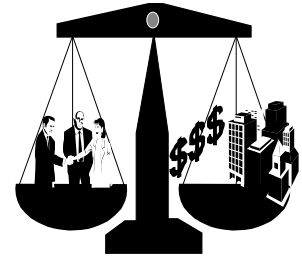


Citizens for Common Sense



April 2015

Seeking government that is responsible and responsive to taxpayers in St. Joseph County, IN

Let's Talk!

Come to our Annual Meeting to discuss state, local and national issues on our minds.

Citizens for Common Sense Annual Meeting

Tues, May 19, 6:30-8 pm

VFW Hall – 1307 E. Jefferson, Mishawaka

*There will be cookies and beverages, a board election,
and lots of time to talk!*

Some of the hot topics you may want to discuss:

- ❖ **Article V Convention** – Is this the way to go?
- ❖ **Indiana's RFRA** – What are the implications?
- ❖ **Casino in South Bend/Elkhart** – Good idea or bad?
- ❖ **Mishawaka Library changes** – Is it becoming South Bend?
- ❖ **2015 city elections, 2016 general election** – Who do you like?

ARTICLE V CONVENTION

Pros

Our federal government is out of control. There are unelected bureaucracies like the IRS, HSA, EPA, and two DOE's regulating our businesses and our private lives. The President is taking executive action to change energy dependence, health care, immigration, and national security.

Our national debt exceeds \$18 trillion, and there are now more people receiving entitlements than paying taxes, with no one is willing to touch those entitlements for fear of losing elections.

Our Constitution gives us two ways of modifying it. One is through acts of Congress, which is the way all of our amendments to date have been added. But what if members of Congress have shown themselves unwilling to make needed changes?

The other method described in Article V of the Constitution is a Convention of States. If 34 of the 50 state legislatures apply for a convention for purposes of amending the Constitution, then Congress will set it up with the states determining the agenda and how their delegates will vote.

State legislatures can select their delegates and give them specific charges to assure that the changes made are in their best interest. Once the amendments are proposed, the state legislatures still need to ratify them.

Cons

Issues like bureaucracies, executive action, and runaway spending are not caused by the Constitution but exist because the Constitution is not being followed. If the problem is that it is not being followed, what is gained by changing it?

The only time a convention of states has been used, it was called to modify the Articles of Confederation but instead, the Articles were scrapped and the Constitution was written instead. Do we want to risk that kind of massive change?

How much control would the states have? Doesn't Congress define how many delegates each state would get, potentially loading liberal states because they have large municipal densities? Are our state legislators free enough of cronyism and corruption so they will pick good delegates? What if delegates abandon their original charges?

Then there are concerns with how the amendments would be written. A Balanced Budget amendment, for example, sounds great unless it could be used by liberals in power to force the raising of taxes sufficient to pay for every spending item they wanted to leave on the table.

Perhaps the biggest concern is that this issue may be being raised (many left-wing as well as right-wing organizations support it) to distract us from the need to get the right candidates in office or be ready to make personal acts of nullification.

Our Strategies for Getting Informed on this Topic

1) We have set up an online forum on www.citizensforcommonsense.info

Please go to the website, click on Forum, register, and add your comments to the discussion. There are articles and copies of local bogs there to get you started. We will keep adding them.

2) We will point out local opportunities to hear proponents and opponents. Starting with:

Come hear Publius Huldah, an attorney and constitutional scholar, arguing AGAINST.

Thurs, May 14 at 7pm

**Trinity United Methodist Church
2715 E Jackson Blvd. Elkhart**

Indiana's Religious Freedom Restoration Act

First of all, did we need our religious freedoms restored? It is not clear that this law was needed. Courts were already considering a person's beliefs in alleged discrimination cases.

In the RFRA, "religious freedoms" was meant to include any belief system - so why did we use the term "religious?" If I have personal beliefs, not connected to any particular church, that do not condone certain behaviors, don't my beliefs count? Bear in mind that if we insist on "Religious Freedoms" trumping actions otherwise not allowed by law, we may also be justifying Sharia Law!

Then there is the question of "discrimination." Don't we all discriminate all the time? We are discriminating people. We make choices all the time as to where we want to eat, where we want to travel, and who we want to spend time with.

We have asked our government not to discriminate against people in public buildings. But is my place of business public? Just because the government requires me to get a permit, am I now public? Because I advertise openly, must I accept anyone who might respond?

What if I own a restaurant? Must I accept people who are not wiping their kids' runny noses? Men who are fondling boys? People who smell bad? people wearing Mohawks and lip rings playing loud music and shoving chairs around? How about the guy who just broke up with my sister?

Shouldn't I have the right to ask people to leave? Shouldn't I have the right to take my chances that I might offend my other customers by doing so, and therefore lose business?

What if one of those people I asked to leave turned out to be gay? Do I no longer have the right to ask them to leave?

Now take it up a level. What if I asked them to leave BECAUSE they are gay, or black, or Amish, or whatever. Do I have a right to do that? Do I have a right to ask them to leave and risk the possibility that my other customers will walk out, too, because they disagree with my call?

Now that the "fix" has been applied, the answer appears to depend on whether or not we have defined them as a member of a protected class. There was a point at which we decided that a business could NOT discriminate because of race or gender. Now Indiana has added sexual orientation as a protected class.

When did we become a class society? Do we believe that a free market society would not have self-corrected on these social issues? Has there even been a case in the state of Indiana of a person being asked to leave a business because they were gay? I believe the answer is "no."

It is possible that Indiana has just put in place a law that we did not need, and then responded to outrage from a group that wanted to be a protected class by creating further restrictions on our personal liberties.

But that's just one opinion. What do you think?

Come to the meeting to opine! Get on our forum:

www.citizensforcommonsense.org

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Text of original RFRA: <https://iga.in.gov/legislative/2015/bills/senate/101#document-92bab197>

How Indiana's RFA differs from federal version: <http://www.indystar.com/story/news/politics/2015/03/31/indianas-rfra-similar-federal-rfra/70729888/>

Text of the RFRA Clarification: <https://iga.in.gov/legislative/2015/bills/senate/50#document-1bdf457b>

Unanswered questions raised by clarification: <http://www.archindy.org/criterion/local/2015/04-10/icc.html>

Proposed Casino in South Bend

The Pokagon band of Potawatomi Indians own land in southwestern South Bend, and they are asking the Bureau of Indiana Affairs to make it sovereign tribal land for purposes of putting in a casino, hotel and restaurant. The Pokagons also own some land off S.R. 19 in Elkhart where they could build as well. Local elected officials, organizations and citizens have been weighing in.

At the April 14th hearing before the Bureau of Indian Affairs, local businessman Patrick Mangan argued against the destructive influences of gambling and gambling addictions. Bob Moore of Elkhart talked about how he grew up in Atlantic City and watched it changed by casinos to somewhere his family no longer wanted to live.

Jake Teshka of Citizens for a Better Michiana brought up statistics about negative impacts on local businesses and crime. Barry Baumbaugh asked why we would cede US soil to Native Americans not bound by our laws or taxes. Brandyn Baumbaugh asked why this development should get to ignore our business regulations if we truly believe in equality for all under the law.

Kelly Havens asked why we would want to take this property off the tax rolls, whether a casino would do well here given saturation from other casinos, and whether this neighborhood would see more drug deals, prostitution and muggers.

Many more people talked about how this deal was owed to the Pokagons and how successful their casinos have been in neighboring cities. The overwhelming sentiment was that the Pokagons are generous about contributing some of their revenues back to the community.

One thing that never got defined in the statistics about Pokagon giving was just who constitutes "the community." Is it possible that the dollars given "to St. Joe County" are actually dollars given to "Pokagons living in St. Joe County" which is much more exclusive?

Jobs were also a big plus point with contractors arguing for the building project, and some people thinking that the 1,000 - 2,000 new jobs would take pan-handlers off the streets of South Bend. There were also business owners nearby who thought their business would improve.

Havens closed her four-point economic argument with an unfortunate turn of phrase which was *intended* to be this: "Anyone who can ignore all four of these points, is a misguided dreamer -- willing to ignore facts for the sake of the dream."

All of which leaves us wondering:

If this casino deal goes through, will we end up with another "Hall of Fame?"

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Casino Informational Meetings

May 7th at 6:30

City Chapel in Downtown South Bend
401 S. Main (at Western)

May 14th at 6:30 pm

Republican Headquarters - Southside of SB
4133 S. Main, South Bend

Maybe it's time to weigh in on a 166-acre casino development that could affect all of St. Joe County.

Mishawaka Penn Harris Public Library

April 1 saw dramatic changes in the Mishawaka Penn Harris Public library system with little or no public notice. Hours have been cut, staff have been let go, and books have been removed to make way apparently for vending machines. It sounds a lot like the changes that occurred a few years ago at the South Bend library (which calls itself the St. Joseph Public Library even though there are three other libraries in the county). Has MPHPL had a mission shift?

37-year Director David Eisen suddenly retired without even a public going-away party, and within 3 weeks it was decided to eliminate evening hours except 1 night a week at each branch (2 at the main library), staff were dismissed, and thousands of books only 18 months old, packed 20 to a box with a purchase price of over \$200 a box were sold to Better World Books for \$1 a box?

When asked why MPHPL was shortening its hours, Interim Director Susie Cleaver said there was a recurring cash flow problem requiring them to borrow money and pay it back each year. She also pointed out that the new hours are in line with those at the South Bend library.

Patrons of Harris Township now have no evening hours except Mondays. Bittersweet Branch patrons have only Wednesdays. The main branch

has only Tuesdays and Thursdays. An hour was taken off each morning and each evening across at all branches. The trade for these 16 hours lost at each branch is that there are now 4 hours on Sundays at the main library. – something that apparently was requested by 4 patrons in a survey of 100. (P.S. We didn't see a survey, did you?)

There are some interesting staff changes at MPHPL as well. Library Board member Jason Critchlow is the Democratic Party Chairman for St. Joe County, and the administrative secretary at MPHPL is now former St. Joe County Commissioner and deputy auditor, Cindy Bodle. Board member Roland Morin runs a PR firm that helps local businesses with things like branding and "reputation management alignments." As former president of the board, he took MPHPL through an expensive logo update arguably adding to the cash flow problem.

Why is all of this happening --- and why don't Mishawaka, Penn and Harris residents have any say in it? We are all paying library taxes. Perhaps we should all go to the next board meeting and ask what is going on?

***Mishawaka Library Board Meeting
Thursday, May 14 at 4pm
209 Lincoln Way East, Mishawaka***

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Elections: 2015 and 2016

Do you keep hearing that a Ted Cruz, Rand Paul or Marco Rubio can't win?

Would you like to see Marlin Stutzman as our next Indiana Senator?

Who do you like for the 2015 South Bend and Mishawaka elections? Let's discuss!

May 7 –Stutzman for Senate fundraiser - Howe, IN - \$100 suggested - RSVP (260) 243-0663

May 11 – Meet the Candidates GOP Headquarters, 4133 S. Main, South Bend 7pm

The Economic Price of Politics as Usual in St. Joe County

John W. Boyer, South Bend

After reading a South Bend Tribune article "Two-way street proposal" (12/23/14) about "considering the sale of \$20 million to \$25 million in bonds..." and then reading a (01/10/2015) article "Mishawaka pays off debt but still owes," I am wondering: Just how much funded and unfunded debt is outstanding at all levels of government within St. Joseph County? Just how many dollars have been spent during the past 40 years making streets one way and back to two way, street malls, and so many other "public improvements" to entice people to come back downtown? People don't come because the plantings, streets and sidewalks are pretty. They come because there are things to do and places to eat and shop!

Outstanding bonds both funded and unfunded must be significant since a few years ago, Representative B. Patrick Bauer presented amended legislation delaying implementation of full property tax caps in St. Joseph County that had been immediately imposed upon the rest of the state.

According to the 1962 South Bend city directory, in the population of South Bend was about 132,445, while today it is about 100,000. Granger, a farming community in 1962 had a population of about 1,600; today it is over 30,000. Over 30,000 have left South Bend and gone to Granger and elsewhere.

The city of South Bend encompassed about 23.76 square miles then; today it is over 44 square miles. Thus, with the decline of approximately 25% of the population of South Bend and the almost doubling of the physical size of the city, city taxpayers have incurred higher and higher property taxes to support more police and fire protection, maintenance of more streets and roads, water and sewer services, parks, schools and libraries, etc. (What about Mayor Joe Kernan's promises that his projects of the Football Hall of Fame and Blackthorn golf course would spur economic development and never be a burden on the taxpayers of South Bend?)

As all property taxes have increased during these years, many residents, having retired on fixed incomes, have found it more and more difficult to afford their property taxes and have thus, voted with their feet and have moved out of the city whether or not they could sell their well kept homes. Many of these empty houses were not, subsequently, kept up, falling into disrepair, stripped, became a home for "misfits", drugs and ultimately torched.. Thus, the mayor's bragging to demolish 1,000 homes in 1,000 days! Wouldn't it be better if he led efforts to BUILD a thousand homes!

These economic failures don't just impact the City of South Bend but all of the taxpayers of St. Joe County as well because of the multiple option taxes (COIT, CEDIT and LOIT) they have initiated which we now all must pay. Yet, have any of the expenditures and incurring of debt by the elected officials of the City of South Bend, over the past 50 years, resulted in real economic development as was promised? Fifty plus years of the same old politics. To paraphrase Einstein: "Doing the same thing over and over again is a sign of insanity."

Virginia Guthrie, executive secretary and manager of the South Bend Civic Association, kept tabs on all of taxpayer's dollars that government entities within the county were spending. And, many elected officials sought out her help with respect to all financial affairs within their jurisdiction. Where is a current "Virginia" to keep our elected officials in line and citizens informed? How about the Tribune, with help from the economics department of IUSB, forming a task force to determine total funded and unfunded liabilities of all government entities within the county and publishing such in the Tribune? I am sure such would be quite revealing!

Want to discuss these issues and more? Get on our Forum at citizensforcommonsense.info and come to our meeting:

CITIZENS FOR COMMON SENSE Annual Meeting – Tues, May 19, 6:30pm, Mishawaka VFW