



*Reestablishing the Constitutional Principles of the Founding Fathers*

## Salt Lake City to Host Constitution Party National Committee Meeting

The National Executive Committee selected Salt Lake City as the site of the Constitution Party National Committee Meeting in late April of this year. This is the first time ever that Salt Lake has been selected for the meeting site. The three day event is scheduled for April 28-30<sup>th</sup> at the Best Western Garden Inn at 154 West 600 South in Salt Lake City. Constitution Party delegates from as many as 50 states will be attending the convention. James Clymer, national chairman of the party, the CP 2004 presidential candidate Michael Anthony Peroutka and his running mate Chuck Baldwin will be in attendance as well as Howard Phillips, a former cabinet member of the Nixon Administration and founder of the Constitution Party in 1992. The National Committee is comprised of delegates from the various affiliated state parties and is the governing body of the National Constitution Party.

The National Committee meeting of the party is held in the spring and fall of each year. The site is selected on a rotational basis between the Eastern, Southern, Central and Western regions of the nation. The most recent meeting held in the Western region was in Portland, Oregon in April of 2003. State and local leaders are very pleased that Salt Lake City was selected especially since Utah is one of the newest states in which the Constitution Party has been organized. The Utah Constitution Party was officially organized in August 2002 with the assistance of former Montana State Representative Rick Jore who is a well-known conservative leader in Montana.

In selecting Salt Lake City for the site of their 2005 spring meeting, national CP chairman James Clymer said the party leaders were impressed with the rapid growth of the party in Utah and with the quality and quantity of good leaders that they found in the party when he attended the Constitution Party State Convention in May of 2004. The party's presidential candidate, Michael Peroutka also came to Utah in July and again in late September to campaign. Utah gave Peroutka 6,841 votes or 0.74% of the presidential vote. This was the highest percentage that Peroutka received in any other state.

Party members are excited with the prospect of having Utah host the meeting. The April meeting could well be the largest CP National Committee meeting ever held by the party outside of a national nominating convention. The event should be one that party faithful will remember for a long time to come. More information will be forthcoming on the web site and in the next CP newsletter. Party faithful are encouraged to check the party web site CPUtah.org for further updates on the event and to make plans now to attend. All CP members as well as other interested people will be invited to attend the Friday night banquet and the all-day training session scheduled for Saturday. Members are also invited to attend the National Committee Meeting on Friday, but only committee members will be given the opportunity to speak and to vote.

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## Constitution Party Ballot Petition Drive Well Underway

The Constitution Party's ballot petition drive got off to a bit of a slow start, but is now well underway and going well. It was clear on election night that the party was just shy of retaining ballot position but by state law, the party could not start the effort to regain ballot position until after the State Elections Office conducted an official state canvass of the election results on November 22<sup>nd</sup>.

The party needs to collect the signatures of at least 2,000 registered voters to regain ballot position. Our goal is to collect 3,421 signatures, exactly half of the number of votes that Michael Peroutka received in Utah. Thus far a total of 1,735 signatures have been turned in to the Constitution Party officers from 18 of Utah's 29 counties. That number puts us just over 50% of our goal. Nearly all of the signatures have come from volunteers through net working and this has been very encouraging for the state officers. Millard County was the first county to reach their goal by turning in 106 signatures or 180% of their goal. Their county goal of 59 signatures was turned into the state on December 31<sup>st</sup>. Sevier County is in third place having turned in 22 of 30 signatures or 73% of their goal. What is remarkable is that volunteers who contacted us in the last days of the campaign gathered the signatures from Millard and Sevier Counties. Cathy Burns spearheaded the effort in Millard County and Gerald and Kathy Waters directed the petition drive in Sevier County. Our sincere thanks go to these good people. Others who helped in Millard County were Stephen Pratt of Fort Cove and the Whitlock family of Kanosh. It is impressive the difference that just a few people can make.

Salt Lake County leads the state in total number of signatures gathered with a total of 823 signatures, 75% of their goal, Utah County is next with 260 signatures for 32% of their goal and Davis is at 236 signatures and 68%. Our goal is to get the signatures gathered and turned into the state by the end of February so that the party can then focus it's efforts on other issues and projects including the preparation for the CP.

We ask that each of you who receive this newsletter please remove the attached ballot petition from the newsletter, sign it, and then have your family and friends sign it and return it to us as quickly as possible. If each person receiving this newsletter would sign it and then get just two other family members or friends to sign it, the Constitution Party could easily reach the remaining goal of 1,686 signatures. Be sure when signing the petition to write in the complete address, and zip code at which you were registered to vote. The state elections office does not accept a post office box address. Also it is important that signers on a given petition all be from the same county. If you have family or friends from another county, be sure to make copies of the enclosed petition before getting any signatures so that they can sign on a separate page.

Every signature that you can gather and mail into the party is of great importance. The state and county officers applaud you for your efforts and for your dedication to your country. For county by county totals, please see page 7.

## 2004 A Banner Year for the Constitution Party

The year 2004 was without a doubt a banner year for the Constitution Party. In the final days of the campaign the usual message rang out that we must vote for the lesser of two evils and in spite of the cry by the media and other opinion makers, the Constitution Party was able to buck that trend. The initial vote tallies may not have been too impressive but when the official vote tallies were finally tabulated by the states, vote totals for the Constitution Party were indeed encouraging especially when compared with the vote received by the other third parties.

With the exception of the Libertarian Party, which increased it's 2004 presidential vote by about 2%, the Constitution Party was the only third party whose presidential candidate received more votes in 2004 than in 2000 in spite of the fact that the party was on the ballot in six less states than in 2000. In 2000, Howard Phillips, the CP presidential candidate

received 102,279 votes and in 2004 the vote for Peroutka increased to 144,475 and all the totals have still not been published. That is an increase of 41%. According to Ballot Access News, the vote totals for the major minority presidential candidates are as follows: Nader 464,291, Badnarick (Libertarian) 397,296, Peroutka (CP) 144,475 and Cobb (Green) 119,867. Viewing this from another perspective the Constitution Party received 12.84% of the vote cast for third party presidential candidates. What is more impressive is that the CP did especially well in the West where the party is relatively new. In Utah, for example, Peroutka placed fourth in the presidential balloting. Peroutka polled less than 4,500 fewer votes than did Ralph Nader and he polled more than double the vote received for the Libertarian candidate. In Utah, Peroutka received a total of 6,841 votes or 0.74% of the total presidential vote making Utah the state with the highest percentage won by Peroutka.

## 2004 A Banner Year for the Constitution Party... continued

In second place was Alaska (0.67%) and Idaho (0.51%) was third. The CP was on the ballot in Utah for the first time in 2004. Gary Van Horne, the CP U. S. Senate candidate from Utah received the fourth highest number of votes of all ten CP candidates running for the U. S. Senate. His vote total was 17,289 just 888 votes shy of the number needed for the party to retain ballot position. **According to Richard Winger of Ballot Access News, "Of all the states in which it was very close as to whether a party remained on the ballot or not, none was so close as the Utah Constitution Party".** In the Community of Indianola in Sanpete County, Peroutka actually came in second behind Bush with 25% of the vote compared to 21% for Kerry. In neighboring Milburn, Peroutka received 14% of the vote. The leaders in those voting districts are to be commended for their great work. It is clear that where our message gets out, the voters will support the party.

Even more impressive than the presidential race was the CP showing in the U.S. Senate and U. S. Congressional races. In the U. S. Senate races the CP came in fourth with a total of 401,069 votes and a total of 10 candidates compared with the Libertarian Party whose total was 770,185 and a total of 22 candidates. The Green Party received 157,533 total votes with eight candidates. James Clymer the CP candidate for the U. S. Senate polled 220,056 votes, more than any other candidate from the major third parties. Also noteworthy is the fact that in five of the nine states where both a CP and a Libertarian candidate were on the ballot the CP outpolled the Libertarian candidate. This is impressive for a party that was organized just 12 years ago in 1992.

In the US Congressional races the CP's 43 candidates received a total of 187,006 votes behind the Libertarian Party's 143 candidates total of 1,053,658 votes and the Green Party's 47 candidates with 320,259 votes. **Ballot access news reported that this was the first year that the Constitution Party had more candidates running for the U. S. Senate and state legislative races than the Green Party had and they had nearly an equal number of U. S. Congressional candidates.** The acknowledgement by Ballot Access News of the

Constitution Party's growth in the last election is indeed encouraging news to party leaders throughout the nation.

The Constitution Party leaders were particularly pleased with the total votes received by the candidates for the Utah Senate and House. Our seven Utah State Senate candidates received 5,590 votes compared to 1,530 votes for all other third party candidates for that office. This gave the CP 78.51 % of the total votes cast for minority party candidates. In the 17 state house districts where the CP had candidates (including one write in candidate), the CP did even better. Their total vote received was 13,305 compared with 1,920 for all other third party candidates. This is was a total of 87.39% of the total votes cast for such candidates. The party also had two candidates who ran for county commissioner in Iron and Sanpete Counties and both of those candidates did respectively well in three way races.

The message from our campaigning seemed clear. Where the party had candidates running for local office and the candidates made an effort to get their message out, the party not only did well at the local level, but that support filtered up to the presidential and other national candidates as well. With little exception, the national candidates received a higher percentage of the vote in areas where local candidates were running. Had the party had even a few more candidates running for local office it seems clear that Gary Van Horn would have received well over the 19,177 votes needed for the party to retain ballot position. This is a clear message that the party needs to learn from.

For more detailed results of the November election results, please check out the state web site at [www.cptuah.org](http://www.cptuah.org). In addition, Richard Winger of Ballot Access News provides a wealth of information just not available elsewhere. His web site is [www.ballotaccessnews.com](http://www.ballotaccessnews.com).

## Concern About Arlen Specter Comes Too Late

By Chuck Baldwin

November 9, 2004

Many conservatives are fuming over soon-to-be Senate Judiciary Committee Chairman Arlen Specter's remarks regarding his intention to defeat any attempt (if there were to actually be any) to place pro-life justices on the United States Supreme Court. This is curious indeed, because it was the hero of the religious right, President George W. Bush, who was the one who helped Senator Specter win reelection.

Back in April of this year, the liberal Senator Specter was in the political fight of his life when he was challenged by a genuine pro-life conservative by the name of Pat Toomey in Pennsylvania's Republican primary election. In fact, it seemed all but certain that Toomey would successfully unseat the far-left Specter. Enter President Bush.

On the eve of the primary election, President Bush personally campaigned for Specter and with the weight and influence of the White House secured Specter's reelection. Yet, everyone, including President Bush, knew how liberal Arlen Specter was.

Senator Specter is as liberal as just about any Democrat one could name. He never met a spending bill he didn't support (of course, neither has G.W. Bush). He supports abortion-on-demand and federal funding for it. He supports human cloning, quotas, and just about every other liberal piece of legislation ever introduced.

On the other hand, Pat Toomey was a proven conservative. He was hailed as a "taxpayer superhero," according to Citizens Against Government Waste. He was a supply-side tax-cutter, according to National Review. He was opposed to abortion and human cloning and sided himself strongly with social conservatives.

However, in spite of Arlen Specter's extreme liberal record and Pat Toomey's impressive conservative record, President Bush personally saw to it that Specter held the Pennsylvania Senate seat.

This is doubly curious because President Bush had to know that Mr. Specter was in line to sit as the next chairman of the Senate Judiciary Committee. Of course, this is the committee that must approve the president's nominees for the U.S. Supreme Court. Surely, Mr. Bush was aware that without Specter's support, he could not get a pro-life nominee approved by the Senate. So, where was the religious right when President Bush was

helping Arlen Specter win reelection? Why do they wait until now to howl against the liberal Senator from Pennsylvania? And why do they give President Bush a pass for single handedly giving the election to the radically liberal Specter?

Just about every conservative that I have spoken to who supported G.W. Bush told me they did so on the belief that Bush would certainly appoint pro-life justices to the Supreme Court. And with Chief Justice William Rehnquist and other Supreme Court justices close to retirement, they anticipate President Bush being able to stack the bench with pro-life justices. I sure hope they are not holding their breath.

In the first place, President Bush has always maintained that he has no pro-life litmus test for any judge he might name to the high court. If he is a man of his word, that promise alone precludes any commitment to a pro-life appointee.

In the second place, just about everyone inside the Beltway assumes that Bush's first appointment to the Court will be his long time friend from Texas and presidential adviser, Alberto Gonzalez. As President Reagan wanted to be known for appointing the first woman to the Supreme Court and thereby gave us the liberal Sandra Day O'Connor, so, too, G.W. Bush doubtless wants to be known for appointing the first Hispanic to the Supreme Court by selecting Gonzalez.

The problem is, Gonzalez is anything but pro-life. On those occasions when the life issue came up in Texas, Gonzalez sided with the pro-abortion position. Therefore, a Gonzalez appointment would only add another pro-abortion justice to the Supreme Court.

In the next place, should a genuine pro-life nominee be sent to the Senate, Arlen Specter would never allow him or her to be approved, and President Bush knew that when he campaigned for Specter. All the concern over Arlen Specter comes too late. That issue was settled April 27 when Specter won the Republican primary election.

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**NOTE TO THE READER: Utah Senator Orrin Hatch, current Chairman of the Judiciary Committee, heartily endorsed Specter as his replacement.**

Please visit Chuck's web site at

<http://www.chuckbaldwinlive.com>

## Why is the CP Doing Another Ballot Petition Drive?

For a new political party to maintain ballot position, Utah state law dictates that any one of the party's candidates for public office must receive at least two percent of the total vote cast for all of the U. S. Congressional Candidates in the state. Utah has three congressional districts and the total vote received by the candidates in all three districts was 908,837. That means that for the Constitution Party to maintain ballot position any one of our candidates needed to receive 18,177 votes (2%). There were only five candidates on the CP ballot that could possibly meet that requirement. Those candidates were our presidential and vice presidential nominees Michael Peroutka and Chuck Baldwin, Gary Van Horn, the CP U. S. Senate candidate and any of our three congressional candidates Charles Johnston, Jeremy Petersen, or Ron Winfield. However since none of the congressional candidates was on the ballot state wide, any one of them would have to receive at least 6% of the vote in their district. With the Constitution Party being on the Utah Ballot for the first time, getting that high a percentage of the vote was unrealistic, so our only two real hopes were Michael Peroutka and Gary Van Horn. Michael received 6,841 votes statewide or 0.74%, the highest percentage of any other state in the nation. Gary Van Horn received 17,289 votes (1.90%) just 888 votes shy of the number needed to retain ballot position. Yes, we were disappointed that we fell short by such a few votes, but over all we were extremely pleased at how well our candidates did do in the election. All of our federal candidates received from 1.04% to 1.90% percent of the vote excepting Michael Peroutka and he came very close to the one percent. The fact that the CP was a brand new party and still did that well is remarkable.

Therefore having lost ballot position, the CP must

regain ballot position by submitting the signatures of 2,000 registered voters to the state elections office. Again by state law, the party could not begin to gather signatures until after the official state vote canvass of the election, which was November 22, 2004.

The goal of the CP leaders is to secure as many signatures from throughout the entire state as possible. From our first initial effort to get on the ballot we knew that this was the most effective way to find new leadership and to help the build the party with a solid base. We therefore tallied the number of votes Michael Peroutka received in each county and divided that number by half. This is how we came up with a signature goal for each county and a statewide goal of 3,421 signatures. This number should be adequate to reach the 2,000 valid signatures of registered voters needed since some signatures will always be found to not be valid for one reason or another.

Just prior to the General Election and for weeks following the election, the Constitution Party received numerous inquiries from people throughout the state who wanted to learn more about the party. Gathering petitions to get back on the ballot provides an ideal opportunity for us to contact these people and to integrate them into the party. New referrals continue to come in weekly. The Peroutka campaign noted that on Election Day their site received over 57,000 visits from interested people throughout the nation. They contacted the party because when they went to vote, they saw the name of the Constitution Party on the ballot and that was the first they had ever heard of the party. We received over 350 visits from such people throughout the state on Election Day on our Utah Constitution Party web site. Getting this number of visits on the web site was most encouraging.

## Montana Supreme Court Unseats Elected CP State Legislator Rick Jore

Ignoring the results of three recounts, and three court decisions, the Montana Supreme Court overturned the election of Constitution Party Candidate Rick Jore to the Montana State Legislature on December 28th. **However, at the time of its decision, the court declined to give a reason why they had invalidated the ballots.** Rick was the first third party candidate to be elected to the state legislature since 1929. Jore was also the first Constitution Party candidate to be elected to a state legislature anywhere in the nation so it was a significant victory for the growing young party.

Rick was initially declared in the lead by one vote on election night. After seven provisional ballots were counted the following Monday, Rick gained an additional vote over his democratic opponent. The final vote was 1,559 for Jore, 1557 for the Democratic candidate and 1,108 for the Republican candidate. A subsequent computer recount validated the two point lead for Rick. An initial recount demanded by the democratic candidate gave Rick a one vote lead and a second hand recount of one of the voting districts put the race at a 1,559 tie vote between Jore and Windham, the Democratic candidate.

In the event of a tie vote, Montana state law recognizes a vacancy and the governor is then permitted to break the tie by appointing one of the two candidates to the state legislature. The current governor was a republican and indicated that she would appoint Jore to the seat since 63% of the district had voted for either Jore or the Republican who were considered more conservative than the Democrat. Her selection was also critical since of the 99 other state legislators who were elected on November 2nd, 50 were Republican and 49 were Democrat. If the Democrat were appointed, the state house membership would be tied between the two parties and by Montana State law, the governor elect who is a Democrat would then appoint the speaker of the house thereby giving control of the house to the Democrats.

The Democratic candidate contested seven paper ballots cast for Jore that were also marked for the Republican candidate. However, in each of these cases the voters had crossed out the blackened oval opposite the Republican candidate and had then darkened the oval opposite Rick Jore's name. Montana state law declares that if the intent of the voter is clear, the ballot must be counted. Since there were no erasers available in the voting booth to erase the darkened oval for the Republican candidate the voter had no choice other than to either request a new ballot and vote all over again or simply cross out the marked oval with an X and then darken the oval

for Rick Jore. This was done in each case. The election judges on election night, the recount board and the review board who were members of both parties all agreed unanimously that the voter in each of those seven cases intended to vote for Jore. They had followed prior instructions given them before the voting even began in making their decision. All other such marked ballots in other races were treated the same way.

In overruling the election judges and the local district judge, who agreed with the election judges and the recount board, the Montana Supreme Court simply ruled that one or more of the ballots were invalid but gave no reason for their decision other than that a decision would be forth-coming. One of the seven judges opposed the majority decision.

Rick Jore said he was disappointed in the decision, but also said it was not the end of the world for him. Many people were simply astonished at the court ruling. Images of the actual ballots in question can be seen on the web site at [www.rickjore.com](http://www.rickjore.com).

Jore is not a newcomer to the Montana Legislature. After serving three terms in the Republican dominated state legislature in 1994, 1996 and again in 1998, Jore resigned from the Republican Party and aligned himself with the Constitution Party. A leading conservative in the Montana House, Rick Jore left the GOP in 2000 and joined the Constitution Party because he did not see the Republicans changing direction to restore Constitutional principles in government. Jore's concern is that the Republican Party simply takes conservatives for granted and the inclination is generally to compromise toward the Democratic agenda. Conservatives are simply left out in the cold.

In the 2000 election Jore sought to retain his seat as the Constitution Party nominee, but was defeated by 54 votes. In 2002 he ran again as the nominee of the CP, but was defeated by the Democrat who received 1, 539 votes to Jore's 1,339. The Republican candidate cornered only 245 votes or 8% of the vote. In his fourth try for a seat in the Montana State Legislature, Rick Jore proved that a conservative candidate running on a third party can indeed win an election. That was a message that was echoed again and again throughout the state of Montana during the contested debate that followed the November election.

## Utah State Chairman Slated to Speak at New Mexico CP Statewide Convention

Constitution Party State Chairman, Frank Fluckiger has accepted an invitation to speak at the New Mexico Organizing Convention of the Constitution Party in Albuquerque on March 5<sup>th</sup>. Fluckiger said he was extremely pleased to speak at the meeting especially since his wife Sheryl grew up in Las Cruces, New Mexico. The New Mexico CP gained ballot position just prior to the November General Election and the party members want to get the party officially organized.

According to CPNM chairman Dave Batcheller, the convention will be held at the Comfort Inn in NE Albuquerque. Party faithful from across the state are expected to attend. The meeting will be from 10:00 AM until 5:00 PM and will include lunch. The registration fee is \$15.00 per person. Our Utah members who have friends or family in New Mexico are encouraged to contact them and invite them to attend this important meeting. For further information please check the New Mexico CP web site or call Dave Batcheller direct at 505-323-1124.

### Allocation of Signatures By County for Ballot Petition Drive

County	Peroutka Votes	Ballot Petition Signature Goal	Signatures Turned In	Signatures Verified by State	Percent of Goal Reached
Beaver	9	5			0.00%
Box Elder	144	72	8		11.11%
Cache	274	137	83		60.58%
Carbon	22	11	3		27.27%
Daggett	3	2			0.00%
Davis	695	348	236	148	67.91%
Duchesne	32	16	4		25.00%
Emery	29	15			0.00%
Garfield	16	8			0.00%
Grand	20	10	2		20.00%
Iron	169	85			0.00%
Juab	98	49	16		32.65%
Kane	19	10			0.00%
Millard	118	59	106	75	179.66%
Morgan	24	12	2		16.67%
Piute	1	1			0.00%
Rich	1	1			0.00%
Salt Lake	2,199	1100	823	172	74.85%
San Juan	24	12			0.00%
Sanpete	217	109	27		24.88%
Sevier	60	30	22		73.33%
Summit	36	18	11		61.11%
Tooele	111	56	11		19.82%
Uintah	99	50			0.00%
Utah	1,621	811	260		32.08%
Wasatch	65	33	18		55.38%
Washington	362	181	12		6.63%
Wayne	5	3			0.00%
Weber	368	184	91	35	49.46%
<b>Grand Total</b>	<b>6,841</b>	<b>3421</b>	<b>1735</b>	<b>430</b>	<b>50.72%</b>

**Constitution Party  
of Utah**

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