

**LIBERTARIAN PARTY OF CALIFORNIA
MINUTES, 1999 ANNUAL CONVENTION**

SATURDAY, FEBRUARY 13, 1999

Officers in attendance:	Mark Hinkle	Chair
	Bob Weber	Northern Vice Chair
	Jon Petersen	Southern Vice Chair
	Elizabeth Brierly	Secretary
	Eric Fine	Treasurer
	Mary Gingell	Parliamentarian

The meeting was called to order at 8:45 A.M.

A. Credentials Committee Report (Wayne Nygren)

Mr. Nygren reported on three classes of anomalies in credentialing the delegates.

1. Delegates whose ex-officio delegate eligibility was not clear.
2. Delegates who had not been members of the LPC for the full 90 days prior to the convention.
3. Delegates whose regions submitted their delegate lists to the LPC Secretary after the deadline of 14 days prior to the opening session of the convention.

Details of ex-officio delegates in category (1) above were clarified.

A motion was made to credential three delegates in category (2) above. The motion passed in a voice vote with no opposition.

A motion was made to credential delegates from regions falling into category (3) above. The motion passed in a voice vote with no opposition.

The resulting number of credentialed delegates for Saturday's business session was 95.

B. Motion to Change the Order of Business

Mr. Philip Zoebisch made a motion to suspend the rules for the purpose of making a motion to change the order of business of the convention, specifically to switch the election of officers from Monday to Sunday and to defer other business, potentially to include bylaws and platform committee reports, and changes to the standing resolutions, etc. to after the officer elections, possibly as late as Monday. The rules were suspended by default (and without objection) to take up the issue.

A substitute motion was made to change the bylaws' convention rules to allow on-line platform debate, motions, and voting. The Chair ruled the motion out of order.

Mr. David Bergland proposed an amendment to Mr. Zoebisch's motion: The schedule change will take effect upon the 2000 convention, not at this one. Responding to a point of information made by Ms Sandi Webb, Mr. Bergland clarified that his intention was for the newly elected officers' term to commence after the close of the convention in question, not midstream in the convention. The Chair ruled the proposed amendment out of order.

Mr. Ed Teyssier (Vice Chair of Region 37, San Diego) proposed an amendment to the motion to allow the delegates not present on Monday to cast their ballots on Sunday, but to have the rest of the delegates vote on Monday as originally scheduled. During debate, the question arose of how a run-off election would be resolved in such a situation. The amendment was passed in a standing vote.

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The new main motion failed in a voice vote (required two-thirds to pass).

C. Report of the Chair (Mr. Hinkle)

The LPC now has over 6,300 dues-paying members. There are over 82,000 registered Libertarians.

Mr. Hinkle thanked Ted Brown and Juan Ros for all their efforts in campaign recruitment and public relations on behalf of the LPC.

Mr. Hinkle reported on fund raising results for the year.

D. Report of the Southern Vice Chair (Mr. Weber)

The Southern Vice Chair reported on activities in the South, mentioning campus activities, alliances with other groups, and a Los Angeles County secession effort. He reported that Region 67 had voted to merge with Region 63.

E. Report of the Northern Vice Chair (Mr. Petersen)

Mr. Petersen reported on his many visits to the northern California regions. He commented on the regions' success this past year of getting out the vote, hosting candidate nights, and other activities.

The Monterey and Nevada regions will become active soon.

Mr. Petersen encouraged members to recruit activists.

F. Report of the Treasurer

The Treasurer asked that his report be deferred to Sunday to allow delegates to review the written material.

G. Financial Reports Audit Committee

An audit of the LPC's bookkeeping had been conducted. Mr. Jack Dean, who had been elected "Interim Audit Committee Chair" at the November 1998 meeting of the Executive Committee, inquired as to the identity of the auditors, as this audit had been conducted without his knowledge.

The Treasurer indicated that he had wanted to have a CPA review the financial reports in preparation for the convention and his report to the delegation. Mr. Dean requested that the audit report be identified as being unofficial.

H. Report of the Executive Director (Mr. Juan Ros)

Mr. Ros reported on his trips and meetings, especially noting that his volume of activity and visibility is increasing, with 1999 yielding plenty of opportunities for public relations.

He has met with the public relations firm handling "No on Proposition 10," staffers from Tom McClintock's office, Jerry Merrill of the Planning and Conservation League.

He commented on Operation Beachhead, his contacts with people in Sacramento, the recent membership contest, telemarketing, direct mail fundraising plans, reaction to the Kubby arrest, his communications with the regions, and media outreach projects. The Chair complimented the Director on the work he has been doing.

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J. Independent Caucus Resolutions

A motion was made to suspend the rules to consider four "independent caucus resolutions" immediately following the Treasurer's report failed in a voice vote. (2/3 were required for passage.)

K. Bylaws Committee Report (Mr. Weber)

The proposals the committee deemed to be "no debate" items were address first.

1. Bylaw 3 (Membership), Section 1 (members)

Replace entire section with:

Definitions:

A. Registered Libertarian - a person registered as Libertarian per the California Elections Code.

B. Central committee member - a person eligible to vote on Party business consistent with these Bylaws and Convention Rules.

[had passed 4:0:0 in committee; thus a "no debate" item]

The motion for the amendment passed in a voice vote with one opposed.

2. Bylaw 3: Membership

Section 3.

Individuals may become members of a county central committee either by:

A....

B....

Add second paragraph to read:

No county central committee member shall be a registrant of or hold office in any political party other than the Libertarian Party.

And delete Section 11 and renumber the subsequent sections.

[had passed 4:0:0 in committee; thus a "no debate" item]

In a voice vote, this proposal passed without dissent.

3. Bylaw 3 (Membership), Section 14 (suspension)

Change "a member's membership, except for associate membership," to "a central committee member."

[passed 4:0:0 in committee, thus a no debate item]

The proposal passed in a voice vote with some dissent.

4. Bylaw 13 (Campaign Financing), Section 1

Change "statewide candidates" to "candidates."

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[passed 4:0:0 in committee]

The delegation deemed this proposal to be debatable item, so it was deferred. (See Sunday, section N, item 1)

5. Bylaw 2 (Purpose) and Bylaw 5 (Scope)

Change "uphold and promote" to "uphold, promote, and disseminate."
Add existing Bylaw 5, Section 1, items B and C as new items G and H.
Delete all of Bylaw 5 except final paragraph.

[had passed 4:0:0 in committee, thus a no debate item]

The amendment passed in a voice vote.

6. Bylaw 4 (Organization), Section 5 (Judicial Committee)

Change "by appointment of the remaining committee members" to "through appointment by the remaining committee members."

[had passed 4:0:0 in committee, thus a no debate item]

In a voice vote the amendment passed.

7. Bylaw 9 (Executive Committee), Section 1 (meeting notice)

Change "all meetings" to "each meeting."

[passed 4:0:0 in committee, no debate item]

The amendment passed in a voice vote without dissent.

8. Bylaw 14 (National Committee), Section 1

Change "alternates" to "alternate(s)" and delete "by that agenda."

[passed 4:0:0 in committee, no debate item]

In a voice vote the amendment passed without dissent.

9. Bylaw 15, Section 3 (convention delegates), item A

Delete "affiliated with that county."

Add "These delegates shall be selected by counties in such manner as the county organizations may provide," and delete item C.

[passed 4:0:0 in committee, no debate item]

In a voice vote the amendment passed with some dissent.

10. Bylaw 16 (Nominations), Section 1 (nomination by convention/caucus)

Insert after "Unless otherwise necessitated by the laws of the State of California," "or by action of the Executive Committee."

[passed 4:0:0 in committee, no debate item]

The delegation deemed the amendment to be a debatable item (which requires 5 delegates to request), and it is thus deferred. (See section O, item 1 of these minutes).

11. Bylaw 3 (Membership), Section 7 (expiration date)

Change "within 60 days of the yearly renewal date" to "by the renewal date."

[passed 4:0:0 in committee]

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There was discussion of the motion, and it passed in a voice vote.

Note: The Bylaws Committee report continues in item O of these minutes.

L. Keynote Address (Mr. Michael Cloud)

Mr. Michael Cloud gave the session's keynote address, "Responsibility is the cost of Freedom."

The Saturday session was adjourned at 11:57 A.M.

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The Sunday session was called to order by the Chair, Mark Hinkle at 8:28 A.M.

M. Delegate Credentialing

Two members from Region 65 were approved, by means of a count-off vote, to be seated as delegates for Region 62.

Several tardy delegates were approved, by means of a voice vote, to be seated for today's session

N. Report of the Treasurer

Mr. Fine has published a written report. The report was distributed and Mr. Fine answered questions, and there was a discussion of pledge income.

O. Bylaws Committee Report (continued from item J of these minutes)

Mr. Adam Chacksfield made a motion to suspend rules to move immediately to the Platform Committee report; the motion failed in a voice vote.

1. Bylaw 13 (Campaign Financing), Section 1 (continued from Saturday; see section J, item 4)

The proposal is to remove the word "statewide" from the first sentence of Bylaw 13, Section 1, which currently reads:

"The Executive Committee shall establish a Libertarian Party campaign fund from which funds may be allocated to statewide candidates of the Libertarian Party."

The proposal passed in a voice vote.

2. Bylaw 16 (Nominations), Section 1 (continued from Saturday; see section J, item 10)

The proposal to amend Bylaw 16, Section 1 to allow the Executive Committee to decide not to hold nominating convention/caucuses for partisan public office passed.

3. Bylaw 9, Section 2

The proposal to amend Bylaw 9, Section 2 to reduce the time for an Executive Committee mail ballot from fifteen days to seven days passed in a voice vote.

4. Bylaw 9, Section 4

The proposal to delete Bylaw 9, Section 4 was considered. An amendment was proposed to merely removed the subcommittee service requirement, while retaining the attendance requirement. The amendment passed. The new main motion passed.

5. Bylaw 3 (Membership), Section 5 (lists)

Proposal was to add new first paragraph:

"Upon request, the Party shall provide one copy of a county central committee's membership list monthly at no charge, or by mutual arrangement, or to any officer of that county at cost within 10 days of a request."

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And to delete second sentence of existing first paragraph.

Mr. Maira made a motion to delete the words "upon request" from the proposal. His amendment passed. The new main motion passed; the new first paragraph is:

"The Party shall provide one copy of a county central committee's membership list monthly at no charge, or by mutual arrangement, or to any officer of that county at cost within ten (10) days of a request."

6. Bylaw 3 (Membership), Section 5 (Membership Lists)

Proposal was to delete from the first paragraph the sentence:

"The Party shall mail a list of county Central Committee and associate member within 10 days, upon request, to any officer of that county."

...and to add a new first paragraph in that section: "Upon request, the Party shall provide one copy of a county central committee's membership list monthly at no charge, or by mutual arrangement, or to any officer of that county at cost within ten (10) days of a request."

An amendment was proposed to delete from the newly proposed paragraph the first two words, "upon request." The amendment was passed.

The new main motion was passed.

7. Bylaw 3 (Membership), Section 6 (Dues)

Proposal was to delete the first three sentences, and

Delete from the fourth sentence the phrase: "through a join membership arrangement," and

Add after the fourth sentence the phrase: Dues shall be disbursed monthly to the active regions."

The motion passed in a voice vote.

8. Bylaw 10 (Operations Committee), Section 1

Existing language:

"The Operations Committee shall have the powers of the Executive Committee between meetings of the Executive Committee except for the following:

"A. Establishment or modification of the Party budget, except that the Operations Committee shall have a discretionary amount of one thousand dollars (\$1,000) per quarter in the budget;"

Change Subsection A from its existing language (as above):

"A. Establishment or modification of the Party budget, except that the Operations Committee shall have a budgeted discretionary amount of ten thousand dollars (\$10,000) per quarter. Any expenditure over \$2,000 shall require the approval of at least four members."

Mr. Starr proposed a substitute motion:

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- “A. Establishment or modification of the Party budget, unless the modification is less than \$10,000 per year, any modification over \$2,000 shall require the approval of at least four members.”

The substitute motion failed in a voice voted.

The original motion passed in a standing vote.

Note: That concludes the Bylaws Committee Report.

P. Motion to Move to Platform Committee Report

Mr. Rodney Austin made a motion to suspend the rules to end consideration of Bylaws and to move to the Platform Committee report. The motion failed in a counted vote (59 in favor and 41 opposed).

Q. Bylaws Proposals from the Floor

1. On-Line Convention

Mr. Jack Hickey (Region 41, San Mateo) made a motion to provide for an on-line convention.

- A. Add to the end of Bylaw 15 (Convention and Platform), Section 1, whose existing language is:

“The Party shall hold an annual convention of delegates of the State Central Committee to conduct such business as may properly come before it, at a time and place set according to the Bylaws and in conformance with the Bylaws and Convention Rules. (2/3 required to amend)”

...this new paragraph:

“In addition, the Party, upon request by $\frac{3}{4}$ of the Regional Executive Committees, shall hold an on-line convention addressing urgent issues involving a single issue. Adoption of a new Platform is the issue intended for the first use of this provision. Any additional issues for future conventions may be enumerated at any convention so convened.”

- B. Section 3, first sentence: Change “send delegates” to “assign delegates.”
- C. Convention rules 7 and 9 (voting procedure and debate procedure) are to be determined by the LPC Executive Committee.

Mr. Ted Brown objected to consideration of this motion; the objection was sustained by 2/3 or more of the delegates in a standing vote.

2. Executive Committee Decisions: Reduce to Simple Majority

Mr. Starr proposed striking subsection C of Bylaw 9, section 7, thus defaulting that subsection’s items to the Bylaw 9, section 8 statement that:

“On all other matters, main motions shall require a simple majority of the eligible positions on the Executive Committee.”

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Existing language of Bylaw 9, section 7, from which subsection C would be stricken:

“A two-thirds majority of the eligible positions on the Executive Committee shall be required to pass the following:

- “A. Removal from office, censure, or suspension of a Party officer, Operations Committee member, Executive Committee member, National Committee representative or county central committee member.”
- “B. Endorsing or rescinding the endorsement of any candidate for public office.
- “C. Annual budget, financial liability or contractual obligation.
- “D. Provide the Party mailing list to non-Libertarian groups or individuals.”

Mr. Dehn made a substitute motion to retain subsection C but to add at the end of the existing sentence, “lasting more than three months.” The substitute motion passed in a voice vote. Mr. Dehn’s substitution was now the main motion.

The new main motion passed. Subsection C shall now read:

- “C. Annual budget, financial liability or contractual obligation, lasting more than three months.”

3. Consistency in Light of Previous Motion

Ms Mary Gingell proposed a motion to add the same language, “lasting more than three months,” to Bylaw 8, Section 3.

Existing language:

“The Party shall not enter into any contract, incur any expense in a non-budgeted category, or incur any expense in a budgeted category greater than the amount budgeted by more than \$1,000.00 without a two-thirds vote of the entire Executive Committee. Anyone who incurs such financial liability without such approval shall be personally liable.”

The proposal is to add the phrase “lasting more than three months” after “enter into any contract....”

The motion passed in a voice vote.

4. Term of the Southern Vice Chair

Mr. J.R. Graham and Mr. Ted Brown proposed a motion to allow the Southern Vice Chair to be elected at a convention held in the southern part of the state, which traditionally occurs every second year. The Northern and Southern Vice Chairs thus would be elected at alternate conventions.

Mr. Brown indicated that the appropriate place to document this is Convention Rule 10, Section F, subsection 2, whose existing language is:

“Rule 10:

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“The business of the convention shall consist of the following items, which shall be conducted in the following order:

“F. Elections, in the following order:

“2. Party officers in odd-numbered years for two year terms, and in even numbered years to fill the unexpired terms of vacated Party officers;”

Proposed language:

“2. Party officers, except for the Southern Vice Chair, in odd-numbered years for two year terms, and in even numbered years for the Southern Vice Chair and to fill the unexpired terms of vacated Party officers;”

A motion was proposed by Scott to add “and treasurer” after “Southern Vice Chair.”

Mr. Starr objected saying that amendments require a standing 2nd. Mr. Weber ruled that they do not. The ruling of the chair was sustained in a voice vote.

Scott’s amendment to add treasurer failed in voice vote.

Back to Mr. Graham’s original motion.

Mr. Brown commented, as candidate for Southern Vice Chair, that he would not object to serving a one-year term.

Mr. Joe Dehn made a point of information, that this proposal conflicts with Bylaw 4, Section 2:

“The officers of the Party shall be a Chair, a Northern Vice-Chair, a Southern Vice-Chair, a Secretary, and a Treasurer. All of these officers shall be elected for two year terms beginning in odd numbered years at an annual convention of the state central committee of the Party by attending delegates and shall take office immediately upon the close of such convention.”

Mr. Joe Dehn suggested declaring calling the motion out of order; Mr. Weber did not do so.

The motion failed in a voice vote.

R. Straw Vote

Mr Edward Teyssier (of Region 37) made a motion to suspend the rules to take a straw vote on the election of party officers by on Sunday or to allow proxy voting. Mr. Weber ruled the motion out of order as being dilatory.

S. Mr. Ted Brown made a motion to suspend the rules to move to the Platform Committee report; the motion passed with without dissent.

T. Platform Committee Report (Mr. Ted Brown, Chair)

Note: For more detail on any of these proposals or the text of the Platform, see the Platform Committee report or the Platform itself.

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Mr. Ted Brown reviewed the bylaws related to the Platform.

1. Package of eight minor corrections (grammatical and punctuational in nature).

There were no objections to the changes, so they are to be adopted.

2. Statement of Principles

Substitute the national Libertarian Party's Statement of Principles for the existing California Statement of Principles, so that it becomes our statement.

The first three paragraphs retain the existing language, which already matches that of National.. The remainder would be replaced by following:

"We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate the rights of any individual; namely

“(1) the right to life--accordingly we support the prohibition of the initiation of physical force against others;

“(2) the right to liberty of speech and action--accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and

“(3) the right to property--accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud and misrepresentation.

Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders; and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.”

Mark Simon, Secretary of Region 61 proposed an amendment.

In paragraph 4, replace “where governments exist, they must not violate the rights of any individual” with “governments shall not violate the rights of any individual.”

The amendment failed in a voice vote.

Mr. Steve Marsland proposed an amendment. Replace the first sentence of the proposed final paragraph 8, which currently reads:

“Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals.”

with:

“We hold that there is no violation of individual rights that is legitimate, and we oppose all interference by any entity in the areas of voluntary and contractual relations among individuals.”

The amendment failed in a voice vote.

The original main motion, to substitute the national Libertarian Party's Statement of Principles for the California Statement of Principles, was passed in a voice vote.

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U. Convention Schedule

Mr. Starchild proposed a motion to cancel seconding speeches during officer elections during Monday's session in order to have more time to debate the platform. Mr. Hinkle said he would recognize him at the beginning of Monday's session to propose that since the hall needed to be vacated momentarily.

V. Recognition and Presentation of Appreciation Awards

The Chair thanked Mr. Perry Martin for his indefatigable hard work and superior quality of product as editor and publisher of *LPC Monthly* from 1997 to 1999 and Ms Sandi Webb, in recognition of her eight years of public service on behalf of liberty on the Simi Valley City Council, from 1990 to 1998.

W. The Sunday session was recessed at 12:02 P.M.

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MONDAY, FEBRUARY 15, 1999

The Monday session was called to order at 8:29 A.M.

X. Mr. Steve Kubby

Mr. Steve Kubby made an fund-raising announcement about his and Michele Kubby's medical marijuana trial, the government's ignoring of the ballot results, and his intention to forego dismissal and to take the case as far as possible to expose law enforcement's abuses.

Y. Credentials Committee Report

1. The committee proposed seating Ms Kate Woods of Region 35 (San Benito), who arrived at the convention today. This morning her regional chair conveyed to Mr. Nygren her authorization as a delegate. Ms Woods was seated as a delegate in a voice vote.
2. The committee proposed seating two individuals as delegates of regions other than their own. Ms Pam Pescosolido of Region 54 has authorized Mike Nefatty (sp?) of region 43 (Santa Clara) to sit with the Region 54 delegation. Mr. Eric Fussel of Region 68 has authorized Steve Bedolla of region 43 to sit with the Region 68 delegation. Mr. Marv Rudin of Region 43 has agreed to this arrangement.

A headcount vote was taken:

In favor:	59
Opposed:	34

59 constitutes only 63% of the current delegation of 111, in a matter that requires a two-thirds majority to pass, so the individuals were not seated as delegates

Note: This concludes the official Credentials Committee Report

3. Mr. Starchild proposed a motion to pre-seat as a delegate David Rose (Rhodes?), a member of the LP of San Francisco region, in the event that he does arrive. The motion passed by acclamation.

Z. Suspension of Rules to Permit Platform Debate during Ballot Counting

- I. Mr. Starchild proposed a motion to:

1. Allow the Platform Committee report to continue while ballots are being counted;
2. Limit debate to five minutes per platform committee proposal, including amendments;
3. Continue with the Platform debate once the election has been completed, time permitting; and
4. Limit the election's seconding speeches to one minute per speaker and to limit each candidate's speech to five minutes.

The motion passed in a standing vote of 2/3.

- II. A motion was proposed to divide the question on the previous motion, combining item 1, 2, and 3, and separating item 4. There was discussion as to whether that should be permitted after the vote had been completed. The motion passed by acclamation.
- III. Mr. Starchild's first three motions were reconsidered:

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1. The Platform Committee report shall continue while ballots are being counted;
2. Debate on each platform committee proposal, including amendments, shall be limited to five minutes; and
3. The Platform debate shall continue once the election has been completed, time permitting.

The 3-part motion passed in a voice vote.

IV. Mr. Starchild's last motion was reconsidered:

4. The officer candidates' seconding speeches shall be limited to one minute per speaker and each candidate's campaign speech shall be limited to five minutes.

Mr. David Bergland proposed an amendment to the motion:

The limit on the combination of nominating speech, seconding speech, and candidate's speech for each candidate will be ten minutes.

The amendment was passed in a voice vote; it is now the main motion. The motion was passed in a voice vote.

AA. Maggie McIntyre and Treasurer's Report

Mr. Brian Lee Cross requested a point of personal privilege. He reported that his region's treasurer, Maggie McIntyre, had assisted with the LPC treasurer's report being presented at this convention, but she had not granted permission for her name to be used in a formal manner on the report itself. Since she did not review the final report, she requests that her name to be removed from the report.

BB. Resolution to Support Repeal of Proposition 10

Mr. Wayne Nygren made a motion to suspend the rules to devote five minutes to considering a resolution to support the repeal of Proposition 10. The motion failed.

CC. Election of Officers

Mr. Hinkle passed the gavel to the Southern Vice Chair, Mr. Bob Weber, to chair the elections.

1. Chair

Ted Brown nominated Mark Hinkle, and Steve Alexander seconded him. Mr. Hinkle gave a campaign speech.

Al Swain nominated Jon Petersen, and Gail Lightfoot seconded him. Mr. Petersen gave his campaign speech.

Mr. Weber reviewed the convention rules applicable to elections, including an explanation of voting for "none of the above."

Results:	Mark Hinkle	62	<i>Retains chairmanship</i>
	Jon Petersen	49	
	None of the Above	3	

Note: Officer elections continue in Section FF of these minutes.

DD. Suspension of Rules

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Mr. Terry Savage made a motion to suspend the rules to permit the Platform Committee report to continue during the balloting of the election for Chair. Seeing no objection, Mr. Brown resumed the Platform Committee report.

EE. Platform Committee Report (continued from section T of these minutes)

3. **Tort Law Reform** (plank 8 under the “Individual Rights and the Economy” section)

The motion is to replace the fourth paragraph, which now reads:

“We call for the abolition of strict liability for manufacturers and distributors of products. There can be no liability in law where there has been no proof of fault. This is not intended to preclude any action where the consumer alleges breach of sales contract or warranty provision.”

with:

“We call for the abolition of the legal doctrine of strict liability. No action should lie against a manufacturer, distributor, or builder for harm resultant from use of his product without proof of fault. This is not intended to preclude any action where a consumer alleges breach of a sales contract or express warranty.”

Mr. Bill Crane explained that this is not a change in the meaning, just a clarification.

Result: The motion passed in a voice vote.

4. **Secession** (plank 21 under the “Individual Rights and Civil Order” section)

The motion is to strike the second sentence as it is the same as the last sentence.

The motion passed in a voice vote without dissent.

5. **Aliens** (plank 5 under the “Individual Rights and Civil Order” section)

The motion is to change the title of the plank from “Aliens” to “Immigration.”

Mr. Starchild (of Region 38) proposed an amendment to the motion:

Replace the word or words “aliens” and “illegal aliens” wherever they appear with the words “undocumented immigrants or non-citizens,” and to strike the word “as aliens” from the final sentence of the plank.

The amendment failed in a voice vote.

The main motion passed in a voice vote.

6. **Insurance** (plank 21 under the “Individual Rights and the Economy” section)

The motion is to reverse the positions of the first and second paragraphs:

Current paragraph 1:

We oppose government-mandated insurance, including auto liability insurance. Failure to obtain insurance, however, does not relieve drivers from responsibility to pay restitution to the victims of their actions. We oppose no-fault auto insurance, which represents an attempt to relieve people of responsibility for their own actions.

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Current paragraph 2:

We call for complete deregulation of the insurance industry, including abolition of the Department of Insurance and the office of Insurance Commissioner. Government has no right to set or approve insurance rates, force insurance companies to write any particular lines of insurance, or regulate who may sell insurance or found an insurance company.

The motion passed without dissent in a voice vote.

7. Marriage (plank 13 in the “Individual Rights and Civil Order” section)

The motion is to strike the word “adult” in the phrase “all consenting adult persons.”

Results of the head-count vote:	In favor:	58
	Opposed:	34

That was 63% and not two-thirds, so the motion failed.

8. Police (plank 8 under Individual Rights and Civil Order” section)

The motion is to strike the word “government” from the phrase “government police officers” in the last paragraph.

Mr. Bruce Dovner, the originator of this motion in committee, spoke to his motion.

Mr. Welch proposed an substitute amendment:

Replace “government police officers” with “government and private police officers using force.”

The amendment failed in a voice vote.

The main motion from the committee report passed in a voice vote.

9. Insurance (plank 21 under the “Individual Rights and the Economy” section)

In what is now the second paragraph, third sentence, replace:

“we opposed no-fault auto insurance”

with:

“we oppose no-fault insurance laws.”

The motion passed without dissent.

10. Reproductive Rights (plank 11 in the “Individual Rights and Civil Order” section)

The motion is to replace the entire plank, currently as follows:

“We defend the right of all persons to privacy in and control over every aspect of their biological nature, such as contraception, abortion, or other termination of pregnancy, and free choice in all consensual sexual relations. No laws regulating these areas can be justified.

“We specifically oppose laws which mandate giving information to or receiving information from a woman seeking abortion, or other termination of pregnancy, or

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mandating the consent of any other party. In addition, we oppose all restrictions on the sale of medications which terminate pregnancy, such as RU486.”

with:

“The State of California should neither regulate, prohibit, subsidize nor encourage any reproductive choice.

“We defend the right of all persons to privacy in and control over every aspect of their biological nature, such as contraception, termination of pregnancy, surrogate motherhood, artificial insemination, cloning and free choice in all consensual sexual relations.”

An amendment was proposed:

Substitute “adult persons” for “all persons” in the second sentence.

The amendment failed in a voice vote.

The main motion passed in a voice vote.

11. Tort Law Reform (plank 8 under the “Individual Rights and the Economy” section)

The motion is to add two paragraphs to the end of the plank:

“We call for repeal of the Unfair Competition Act (U.C.A.). No attorney, public or private, should be allowed to bring suit against a company for its marketing practices, without representing a named plaintiff. No such action should succeed absent proof that a real consumer has actually been harmed or misled.

“We call for repeal of the Medical Injury Compensation Reform Act of 1975 (MICRA). Artificially imposed limitations on recovery for actual and proven wrongs are inappropriate mechanisms to lower medical malpractice insurance premiums.”

Mr. Crane spoke about the issue.

Amendment was proposed:

Delete this sentence, the last in the first paragraph:

“No such action should succeed absent proof that a real consumer has actually been harmed or misled.”

The amendment failed in a voice vote.

The main motion passed in a voice vote.

Division was requested on the vote on the main motion, but fewer than ten delegates supported that request so it was denied.

FF. Election of Officers (*continued from section CC*)

1. Chair (cont.) The Secretary announced the results of the election for Chair.

Mr. Hinkle made a brief acceptance speech. He emphasized Mr. Petersen’s value to the Party and expressed his desire that he will remain involved.

2. Northern Vice Chair

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Mr. Nygren nominated Mr. Rodney Austin of Fresno, whose nomination was then seconded from the convention floor. Mr. Austin gave a campaign speech.

Mr. Jon Petersen nominated Mr. Jeffrey Sommer. Mr. Kit Maira seconded the nomination. Mr. Sommer gave a campaign speech.

Mr. Jon Petersen was nominated by Steve Marsland but declined the nomination, making a brief speech committing to continue to be involved, but as a non-officer.

Results:	Rodney Austin	40	<i>New Northern Vice Chair</i>
	Jeffrey Sommer	16	
	None of the above	2	

3. Southern Vice Chair

Mr. Philip Zoebisch nominated Mr. John "J.R." Graham. Mr. John Scott Ballard seconded the nomination. Mr. Graham made a campaign speech, acquiescing to being assistant Southern Vice Chair, and...

...nominating for Southern Vice Chair Mr. Ted Brown. Mr. Perry Martin seconded the nomination for Mr. Brown, who then gave a campaign speech.

A motion was made to suspend the rules to allow for election of Mr. Brown by acclamation, which was manifested. Ted Brown will be the new Southern Vice Chair.

4. Treasurer

Mr. Adam Chacksfield nominated Mr. Eric Lund, who made a campaign speech.

Mr. Philip Zoebisch nominated Mr. Eric Fine, whose nomination was seconded by Mr. Dave Larkin from Region 61. Mr. Fine made a campaign speech.

Mr. Terry Savage nominated Mr. Aaron Starr. Mr. Dan Wiener seconded Mr. Starr's nomination. Mr. Starr made a campaign speech.

Results:	Eric Fine	30	
	Eric Lund	42	
	Aaron Starr	43	
	None of the above	1	

A run-off election was warranted. **Results:**

	Eric Lund	55	<i>New Treasurer</i>
	Aaron Starr	46	
	None of the above	8	

GG. Secretary

Current Secretary Ms Elizabeth Brierly nominated Ms Sandi Webb, whose nomination was seconded from the floor. Ms Webb made a campaign speech.

Mr. Jeffrey Sommer nominated Tammy Austin, whose nomination was seconded by Jonathan Zwickel. Ms Austin made a campaign speech.

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Results: Tammy Austin	51	
Sandi Webb	58	<i>New Secretary</i>
None of the above	4	

HH. At-Large Representatives

It was noted that in this election “none of the above” does not apply, and that the members of the five (5) largest regions are not eligible to vote.

<u>Nominator</u>	<u>Nominee</u>	<u>Number of votes</u>	<u>At-Large Representative</u>
Ted Brown	Perry Martin	40	X
Bob Weber	John Scott Ballard	38	X
David Bergland	Sharon Ayres	27	-
Richard Venable	Vernon Dahl	25	-
David Mallard (?)	José Castañeda	40	X
Dan Westphal	Steve Marsland	51	X
Jack Dean	Jonathan Richter	32	Alternate
Aaron Starr	Steve Alexander	32	Alternate
Marv Rudin	Jack Hickey	24	-
Sharon Ayres	Elizabeth Brierly	34	X
David Bergland	Jack Dean	30	-

It was noted that “none of the above” does not apply in this election, and that the members of the five (5) largest regions are not eligible to vote.

JJ. Alternate At-Large Representatives

A motion was made to suspend the rules to vote for up to seven nominees assign the alternates from the 6th- and 7th-place candidates from the election for At-Large Representatives. This motion passed in a voice vote (requiring 2/3), so this method was accepted.

The sixth- and seventh-place candidates were tied between Mr. Alexander and Mr. Richter. Mr. Alexander volunteered to be the second alternate, and this was accepted by the delegates and Mr. Richter.

KK. Judicial Committee

Nominees: Ernst Gherrman
Sharon Ayres nominated David Nolan
Mary Gingell nominated Bruce Lagasse
Bruce Lagasse nominated Mary Gingell
Saul Rackauskas nominated Dennis Schlumpf.

Election was presented *en masse*, and passed. All five nominees have been elected to the Judicial Committee.

LL. Repeal of Proposition 10: Tobacco Tax

Mr. Wayne Nygren moved to suspend the rules for three minutes for consideration of a resolution in support of the repeal of Proposition 10, the tobacco tax initiative.

The suspension of the rules was passed (two-thirds’ majority required) in a voice vote. The proposed resolution is as follows:

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“Whereas we, the membership of the Libertarian Party of California, assembled at San Jose this 15th day of February 1999 for our annual convention have been resolutely opposed to the new taxes imposed on cigarettes by the passage of Proposition 10 at the November 3, 1998 general election and,

“Whereas the Libertarian Party opposes all taxes on moral and philosophical grounds and,

“Whereas this tax is discriminatory, in that it targets a minority of individual consumers for the purported benefit of the general population and,

“Whereas the alleged benefits of providing funding for government controlled care for preschool children is certain to have the opposite result and,

“Whereas this proposition establishes a whole new bureaucracy and adds thousands of bureaucrats to the already bloated government payroll and,

“Whereas Ned and John Roscoe, owners of the *Cigarettes Cheaper!* chain of retail stores, have initiated a campaign to repeal Proposition 10 and,

“Whereas the planned repeal by initiative is well organized and substantially funded by the Roscoe family and,

“Whereas the proposed signature gathering at *Cigarettes Cheaper!* stores includes a voter registration system that could result in a tremendous increase in Libertarian voter registration and,

“Whereas the initiative repeal campaign has a high probability of success,

“Be it therefore resolved that:

“The Libertarian Party of California hereby endorses the campaign to repeal Proposition 10 and that,

“The Libertarian Party of California Executive Committee shall cooperate with the repeal effort by encouraging the membership to participate in signature gathering, voter registration and absentee ballot distribution activities and that,

“The Libertarian Party of California at its next Executive Committee meeting shall form an ad hoc committee to establish goals, coordinate activities and act as liaison between the LPC and the repeal campaign and that,

“The Libertarian Party of California commends *Cigarettes Cheaper!* and the Roscoe family for their commitment to the repeal of Proposition 10, for their unwavering stand in support of free markets, and for their eloquent expression and wide dissemination of our shared ideal of liberty for all.”

Mr. Weber made a motion to close debate on the resolution and to conduct a vote by acclamation. There was no objection. The acclamation was garnered (with some dissent) so the resolution passed.

MM. Resolution regarding Proposition 215 and Mr. Steve Kubby

Mr. Hinkle made a motion to suspend rules to introduce a resolution concerning Steve Kubby. The motion to suspend the rules passed in a voice vote without dissent.

“Whereas Steve Kubby was the 1998 Libertarian Party candidate for Governor of California, and

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“Whereas Steve and his wife, Michele, were arrested January 19, 1999 and charged with unauthorized cultivation, harvesting, and processing of marijuana, possession with intent to sell, conspiracy, and

“Whereas Steve and Michele have written authorization from a physician to use marijuana as a medicine and treatment of various ailments, and

“Whereas medical marijuana was made legal in California in November, 1996 by passage of Proposition 215 by a resounding 56%, and

“Whereas the Libertarian Party of California endorsed Proposition 215 and further advocates the repeal of all drug prohibition laws,

“Therefore be it resolved,

“That the Libertarian Party of California condemns the police action against Steve and Michele Kubby as a direct affront to the will of the voters of the state of California, and

“That the Libertarian Party of California calls for all charges against Steve and Michele to be immediately dropped, and

“That the Libertarian Party of California calls on Attorney General Bill Lockyer to intervene in the Kubby case and investigate Placer County law enforcement for ignoring the law, and

“That the Libertarian Party of California demands similar exculpatory action for any legitimate medical marijuana patient that has been the subject of criminal proceedings or police action since November, 1996, and

“That the Libertarian Party of California calls for governor Gray Davis to pardon any convicted marijuana charges prior to the passage of Proposition 215, and

“That the Libertarian Party of California calls on all state and local law enforcement agencies to honor the will of the people to stop prosecuting and persecuting medical marijuana users.”

Mr. Jack Hickey made a motion to amend the resolution to strike the phrase “will of the people.” The motion failed to be seconded.

The original resolution was passed in a voice vote without dissent.

NN. Convention Logistics

Mr. Hinkle made a motion to delete a standing resolution regarding speaker conflicts, which originally had been adopted in convention in 1990:

“This body instructs the Executive Committee to place a restraint on all subsequent convention managers not to schedule speakers, seminars, or workshops at times that conflict with state party central committee business.”

The motion was seconded. Mr. Ted Brown spoke against the motion. The motion failed.

OO. Election Results Announcement

At 12:00 P.M. Mr. Hinkle called for the meeting to be adjourned. However, since the results of the elections for Treasurer and At-Large Representatives had not yet been determined, a motion was made to suspend the rules to recess for lunch and for the Secretary to announce and record the remaining elections’ results at 2:00 P.M. in the luncheon hall.

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The motion passed in a voice vote with greater than a two-thirds' majority.

- PP.** The convention was adjourned at approximately 12:00 P.M. It was reconvened at approximately 2:05 P.M. for announcements, and convention business was closed at approximately 2:10 P.M.