
Libertarian Party of California

2000 Convention

**Saturday - Monday, February 19-21, 2000
Doubletree Hotel, 7450 Hazard Center Dr., San Diego**

Officers

**Mark Hinkle
Rodney Austin
Ted Brown
Sandi Webb
Eric Lund**

**Chair
Northern Vice Chair
Southern Vice Chair
Secretary
Treasurer**

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Saturday, February 19

1. Call meeting to order

Mark Hinkle called the meeting to order at 8:20 a.m.

2. Approve Agenda

Skip Consent Calendar, no items received by Chair. (Item 5)

Skip Standing Committees Item 6a , Audit Committee is meeting this weekend and no report is ready.

Move Judicial Committee Report from 6b to Item 8.

Bylaws Committee Report 6c will not be heard until Sunday.

Scott Lieberman noted that the numbering for Monday's Agenda was incorrect. It was noted that the items were in order regardless of numbering.

Agenda approved as amended.

3. Credentials Committee Report

Elizabeth Brierly gave the credentials report.

Elizabeth reported that there were 97 credentialed Delegates and alternates. This makes a simple majority of 49 and a two-thirds majority of 65.

There were several classes of people wishing to be delegates who did not qualify for one reason or another. A vote of the seated Delegates was needed. Voting proceeded with the most acceptable problem first.

1. Regions which were late submitting their list of delegates to the Secretary. This comprised six people. Three from Region 62, David Wire, Bob Weber and Ann Jackson plus late arrivals; Adam Wagner, Region 42; Charles Montgomery, Region 41; Richard Johnson, Region 39. Approved by voice vote.

2. Members whose dues had expired. This comprised two people. Philip Zoebisch, Region 37; Harold Taborsky, Region 65. Philip Zoebisch was seated by voice vote.

3. People not in the database of members. This comprised one person. Ted Warren had an old form of membership. This was a " family " membership. Ted was seated by voice vote.

4. One person joined at the convention. Bylaws state that a person must have been a member 90 days prior to the convention. Gretchen Mora, Region 1 was seated by show of hands.

Number of credentialed Delegates and alternates-106 delegates; simple majority-53; two-thirds majority-70.

Motion: Scott Lieberman, Region 43, moved that on Monday February 21, take 5 b through number 11 moved to number 4 on Sunday; take 5a on Monday and move that to 4a. Mr. Lieberman clarified that the intent of his motion was to move all elections, except Delegates to National Convention and Presidential Straw Poll, to Item 4 Sunday. Bob Weber pointed out that this was a suspension of the convention rules and needed a two-thirds vote.

Motion was seconded and postponed until after the Credential Committee's Report.

Failed to get 2/3 vote.

4. Officers Reports

a) Mark Hinkle-Chair

Mark stated that he wanted to discuss what had happened in the previous year and the role of the LPC Chair. He noted that he had been Chair for four terms. Mark stated that he had served as Chair for two terms in the 80's. Mark noted that over the years the role of Chair and of the Executive Committee has changed. Mark noted that one of his main jobs as Chair of Libertarian Party California is to be "cheerleader". To always put a good face forward for our membership, to sell what our party does to our supporters. This is not always an easy job. He stated that last year was in many ways the best of times and the worst of times. In many respects we gained considerable new ground. Our membership went up to record new highs. Our fundraising is up to record new highs. Our monthly pledge base is up to record in new highs. Our voter registration numbers is up to record new highs. He noted that the new January report showed registration even higher. Mark noted that in California the two ways to maintain ballot status

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are 1. Statewide candidate receives 2 % of vote. 2. Registration equal 1% of the votes for Governor in the previous gubernatorial election. Mark noted that we had just reached the 1% registration requirement. He noted that our current registration number is around 87,000.

Mark said that although we had a lot of highs this year saw some significant problems. He stated that these were some things he felt he should have anticipated. He noted that he had seen this cycle of fundraising prior to a presidential election year fall into the doldrums of activity. Unfortunately at the time this summer that fundraising was in the doldrums, was the time that we actually had to increase expenses. The reason for the this was that the County Registrar of Voters and the County Clerk's had submitted a bill to the legislature that essentially doubled the number of signatures required for our candidates to get on the ballot. He noted that as our goal this year was to get 200 candidates on the ballot, this was a serious threat. He noted that 114 candidate had made on to the ballot in spite of difficulties, and that this was a new record.

Mark stated that we were successful in defeating the bill submitted by the County Registrar of Voters and the County Clerk's. Mark stated that in fighting this bill we spent a lot of money at a time when we really didn't have the money. That put a hardship on the Libertarian Party of California which got passed on down to the regions by delaying membership dues. Mark mentioned that the regions brought this to the Judicial Committee. Mark stated that he felt we had made great progress in professionalizing the Libertarian Party California. He stated that the only way he could see to fulfill our requirements of paying the regions every single month was to shut down some aspect of the Libertarian Party of California. Mark stated that he made the judgment call that this would mean firing our Executive Director, Juan Ros. Mark stated that he feels the work that Juan Ros is doing is so valuable that we've got to keep him on board and that Mark was willing to take the heat for this decision. Fortunately we have now caught up the payments to the regions, thanks in large part to donations of our membership and support we have received from our major donors.

Mark stated that because this is an election year we should have fewer problems with fundraising. He stated that he is committed to getting out 6 fundraising letters this year to support the Libertarian Party California and the work we do.

Mark reiterated that our monthly pledge base is at an all time high. He said that the processing fees that we pay for our credit card pledge program is now down from 6% to around 2%. This means that around 90¢ of every dollar in the pledge program actually goes to Libertarian Party of California. He noted that more members of regions are signing up to the pledge program and this money goes directly to the regions without administrative costs. He noted that the newsletter has provision for contributions directly to regions.

Mark stated that one of the fun things that he gets to do as Chair is to recognize people who helped make this organization run. Mark wanted to recognize two volunteers; one has been virtually a full-time activist to the Libertarian Party of California. The other has done such an outstanding effort in recruiting candidates for the Libertarian Party of California, as noted previously, we are at record highs. Mark presented Ted Brown with a plaque of appreciation on behalf of the Libertarian Party California. Mark than presented Joe Dehn the plaque of appreciation on behalf of the Libertarian Party of California for his outstanding work as an activist.

b) Rodney Austin-Northern Vice Chair

Rodney stated that he would like to endorse the awards that Mark Hinkle just gave. He noted that these individuals have been very helpful to him in his first term as Northern Vice Chair.

Rodney stated that Northern California is very active place. He noted that he was very excited about the progress he sees in the northern regions. He noted that his emphasis this year has been in completing the list of organized regions in the north. He stated that since the last convention we have six new regions organized; Monterey County, Butte County, Nevada County, Salano County, Lake County and El Dorado County. Rodney stated that he was very happy to help the Nevada County organize s as the previous Northern Vice Chair, Jon Peterson, had helped organize Rodney 's region, Fresno County.

Rodney stated that the most significant change is the number of LPC members in organized regions. He stated that a year ago 336 of our fellow members were in unorganized regions. That number is now down to 110. He stated that Mendocino County will be having an organizational meeting on March 14th and that Merced and Tulare Counties will have get-togethers in March as well. He further stated that when these counties organize the number of members in unorganized regions would be down to 25. He noted that the challenge would be to get the other eight very small unorganized regions into organized activities. He hopes that the year 2000 elections will help boost membership in those areas.

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Rodney stated that he had attended the several meetings of the Regional Chairs and other officers in Northern California. He noted that this was a process started by the previous Northern Vice Chair, Jon Peterson, and that they were meeting quarterly up until six months ago. Rodney stated that this is something he wants to regenerate. He noted that those meetings were very helpful for the attendees. Rodney added that he had helped start a Conference of Libertarian Regional Parties to give people who are interested in local activities of forum to get information and to share techniques and help develop. The next conference will be held in Fresno the last weekend of August.

Rodney closed his comments with his thanks to Jon Peterson, Joe Dehn, Eric Lund and Fred Mangels.

c) Ted Brown-Southern Vice Chair

Ted reported that one year ago there were three unorganized regions in Southern California; Region 67, East San Gabriel Valley; Region 68, Antelope Valley; Region 13, Imperial County. All three regions are now organized and every inch of Southern California now has Libertarian organizations. Ted thanked all the people who had helped to make this possible.

Ted reported that we had unfortunately lost the Chair of Region 15, Kern County, Dr. Bob Sheckler due to his death and the Chair of Region 42, Santa Barbara County, Greg Gandrud, who quit to join the Republican Party.

Ted welcomed the new Chairs. Steve John, Region 36, San Bernardino County; Ric Pinkerton, Region 15, Kern County; Eric Fine, Region 62, West L.A.; Karl Lembke, Region 63, Glendale/Pasadena.

Ted reported that he had chaired the committee to select a new newsletter editor. Perry Martin was leaving after a great tenure as editor of California Libertarian News. The committee consisted of the Jack Dean, Joe Dehn, Perry Martin and Ted Brown. Betsy Mill from San Diego was chosen.

Ted reported that this fall he took a leave of absence from his job as Southern Vice Chair to work on candidate recruitment. Ted mentioned that he had been doing this since the 1988 election and it is quite difficult. He said that he has piles of notes from the years of doing this. He reported that it was a lot easier this time to recruit people for positions because we have a lot of new members. He reminded Regional Chairs that a lot of the new members that were brought in from the National Party's "project Archimedes" are not registered Libertarians and they need to be registered. He reported that a record number of people, 136, had agreed to run. In the past it has been around 120. He stated that a lot more members had been able to qualify for the ballot because we were able to keep track of how they were doing because of efforts by Joe Dehn and Juan Ros through a web site. At the last minute the National LP helped with some filing fees for some congressional candidates. He reported that we gained an additional five candidates that way. He stated that the grand total is 114 candidates, which is a record as the previous total was only 100 in 1980 and in 1992. He noted that the other third parties combined don't even come up to that number.

Ted reported that the ballot propositions came up in the fall as well for the March primary. He stated that he had submitted seven ballot arguments and four of those were accepted. He noted that Propositions 13, 15, and 16 were Bond measures and that the phone calls were coming in from the news media wanting interviews. He noted that the most recent was radio station KQED out of San Francisco. He said that Hon. Tom Tryon, Calaveras County Supervisor, will speak on prop 13 and Barbara Less, 12th Congressional District on Prop 15. He also noted that Jack Hickey had done a few radio spots as well. He noted that this was free publicity for the Libertarian Party especially as we are the only opponents of these measures. Ted did note that with Proposition 19 he was given inaccurate information by the Secretary of State and that his ballot argument is irrelevant to the measure. He stated that this has cost him some embarrassment.

Ted said that earlier in the year there had been some discussion of combining the eight Los Angeles County regions into one Region 19 that would entail all of Los Angeles County but that most of the activists within the area did not like the idea. He noted that this might come up again at a later date.

d) Sandi Webb-Secretary

Sandi reported that the Executive Committee had met five times in 1999, February 15th; March 20th; June 19th; September 19th, November 21st. She noted that the minutes of those meetings were available for viewing at the Credential station. She noted that the Operations Committee had held 3 e-mail votes and that the ExCom had held 17 e-mail votes. She noted that the results of those e-mail votes were also available at the Credential station.

Sandi reported that she is trying very hard to put some of our old historical data together. She noted that she did not have a complete set of all of the old of Minutes. She said that she had also found some old original documents and that in the Delegates packets was a commemorative copy of the original temporary platform of the Libertarian Party. She noted that this platform predates California's first convention as well as the first National Convention. She said that she had found copies of the first California newsletter called "Libertale ". She noted that that along

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with other historical documents were also available for viewing at the Credential station. Sandi thanked Starchild for giving her the impetus to collect the old the data.

e) Eric Lund-Treasurer

Eric reported that this year was marred by two unfortunate events. One was poor cash flow, which delayed paying of bills and the other, was that checks had been stolen from his mailbox including Bank reconciliation for late October. He reported that the thieves used that to write approximately \$2,000 in counterfeit checks. Eric was glad to report that as of the previous week the Bank had reimbursed the LP for that loss. He said that he was still in the investigation to hopefully find the counterfeiters. He noted that the loss was reflected on the financial statement because at the time he did not know if the LP would be reimbursed.

Eric noted that in his written report the first page was the balance sheet, the second and third pages were the statement of activities for the past year by fund. The statement of activity is then compared against the budget. The next page is a comparative statement last five years. He then has details broken out for three fundraisers. He also had a statement of the activities for the 1999 convention. He noted that as there were any expenses for that convention in 1998 it might not tally with the 1999 statements. Eric said it that the last three pages of his report are notes to the financial statement to help answer some of the basic questions about the statement and policies.

Eric then opened up the floor to questions. Aaron Starr asked for a clarification of an item titled " free memberships ". Eric replied that for any monthly pledges to the LP over \$10 a month they are not charged the yearly membership fee. Aaron Starr than made a few suggestions for accounting reporting in future years. Aaron Starr questioned the amount for Item " partisan elections ", that we were over budget on this amount for the year. Eric stated that there was an OpCom vote to approve this. Mark Hinkle clarified that this item was because of the five congressional candidates that were having trouble gaining ballot status. He said he believed four candidates actually made it. He said that the agreement that we had reached with National was that they would split the filing fees with us. Mark stated that the LPC paid for 2 1/2 of the filing fees and National pay the other 2 1/2. Mark stated that the filing fees were approximately \$1,365 each. Mark stated that when he noticed that we were over budget he immediately called for a vote of the Operations Committee. He noted that we have had a very good response to the Telemarketing campaign and the last fundraising letter, which were both geared toward getting candidates on the ballot.

Aaron Starr asked that next year the gross totals of expenses and the gross of revenues of projects be included in the report. Aaron commented that otherwise it was a very well put together report.

Dan Wiener asked Eric about an amusing incident that happened with the counterfeit checks. Eric said that the last name used on the checks was " Strange ". Eric also noted that there were fingerprints on the checks but he doubted it if they were of the person who cashed the check and that this was still under investigation.

Bob Weber asked if the net membership dues to the state were less than the expenses of the newsletter and the data processing put together. Bob said that it would be \$49,000 just for the newsletter and data processing and that our net dues are \$47,000. Eric stated that this was correct.

Eric closed his report with the hope that there would be no more problems and with the statement for us to give more money.

f) Executive Director - Juan Ros

Juan Ros reported he had 36 news releases for the year, up 50% from 1998; 1,108 press mentions of the word "libertarian" in CA newspapers; 49 press mentions of the LPC featuring a circulation total of 5.1 million readers; 40 radio and TV appearances, including first national interview on Fox News Channel.

He stated that Libertarian voter registration was up 18% since December 1997 -- now surpassing the Reform Party.

Juan reported the defeat through lobbying in Sacramento of SB365.

He stated that the Libertarian Party joined the Third Party Coalition to push for voting reforms.

He stated that he helped Libertarian Party of California become leading proponent for medical marijuana implementation through 215NOW web site and attendance of Attorney General's Medical Marijuana Task Force meetings.

Juan also mentioned some personal goals he had for 2000, including:

- Increasing media coverage of LPC and LP candidates.
- Helping Rodney Austin find contacts in inactive counties so that LPC has an active region in every county in the state.

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- Helping Scott Lieberman and Aaron Starr recruit candidates for local office to ensure that we meet our goal of 200 in 2000.

5. Welcoming Address

Hon. Howard Kaloogian (California State Assemblyman)

6. Standing Committees Report

b) Judicial Committee Report-Bruce Lagasse

Bruce reported that the Judicial Committee met at one time this year to hear one dispute. This dispute was concerning Bylaw 3, Section 6, and the timely disbursement of Regional dues. Bruce stated that the Judicial Committee issued a ruling on January 13, 2000 stating that the LPC was in fact in violation of the bylaws. He further stated that in the ruling the Judiciary Committee urged the state to become current with the dues disbursement as soon as possible, which Bruce stated he understands has occurred, and admonish all parties to take care not to let this situation occur again in the future. Bruce stated that the fall ruling had been sent to all of the Executive Committee members and the Regional Chairs. Bruce stated that unfortunately a few of the e-mail messages to the Regional Chairs bounced and that copies can be obtained from him or the LPC Secretary.

Bruce discussed a procedural matter that came up during this ruling that caused considerable delays. Bruce stated that the Judicial Committee itself was in violation of the rules. He stated that an unusual occurrence happened in the early December directly after the committee was asked to rule on this matter. Bruce stated that he had had to go in for emergency eye surgery, which put him out of action for more than two weeks. Mary Gingell came down with a debilitating illness, which left her bedridden for three weeks. Dennis Schlumpf, who didn't have an email at the time, had his post office misplace all of his mail whereupon Dennis was not even aware of the problem facing the Judicial Committee until late December. He further stated that David Nolan had to leave town in late December for one week. Bruce said that Ernst Ghermann was most likely wondering what black hole the rest of the committee had disappeared into. Bruce stated that the convention delegates may wish to consider, when picking Judicial Committee representatives on Monday, committee members who have reliable postal service and are not subject to microbial infections as well as not having a disposition to detached retina. One last consideration he stated is making sure that those who are nominated are willing to serve.

Bruce opened the floor to questions. Eric Fine asked what would happen if the state party gets into the same situation began? Bruce answered that the Regional dues have first lien on the assets of the party. He further stated that this must be taken care of first and then other operations of the party. Bruce reminded the convention that the Judicial Committee is not an enforcement or investigative body, that all the Judicial Committee can do is issue rulings and admonishments. If this were to occur again the Judicial Committee may very well be asked to rule on it again and would probably give the same ruling.

Point of information: Ernst Ghermann pointed out that the Judicial Committee had ruled that the dues could be withheld with the permission of the regions. Bruce clarified that the regions could voluntarily waive their portion of the dues. Any Region that wanted to do that would not be in violation of Bylaw 3, Section 6.

Aaron Starr asked which would have a higher priority, money that is donated with certain restrictions or someone who has been contracted to perform duties for the party. Bruce stated that it would be his opinion that donations that came in under specific restrictions would not be subject to Bylaw 3, Section 6. Mary Gingell reminded the convention that the money from the dues comes to the state party each month as a payment from the National Party and that part of that payment is then distributed to the regions. She stated that this has nothing to do with restricted funds, that it is merely a pass through.

7. Keynote Address

David Nolan "The Century of Liberty"

8. Recess until Sunday February 20th at 8:00 a.m.

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Sunday February 20th

1. Call meeting to order

Mark Hinkle called the meeting to order at 8:22 a.m.

2. Credentials Committee Report

Nine new Delegates and alternates were added to the list.

Number of credentialed Delegates and alternates-115 delegates; simple majority-58; two-thirds majority-78.

3. Standing Committee Report

a) Platform Committee Report

Ted Brown reviewed the bylaws related to the Platform.

(Secretary's note: The Platform was printed with legal notation numbering on the left side of the pages for the convenience of the delegates. The Platform Committee Report refers to those numbers for identifying the proposed changes. This numbering is removed for the final official copy. Within each motion, text that is to be added is underlined and in italics, text that is to be deleted has a strike through.)

PLATFORM COMMITTEE REPORT

LPC State Convention

February 18-21, 2000

*Ted Brown, Chair
Vern Dahl, San Luis Obispo
Jason Heath, Region 64
John Scott Ballard, San Bernardino
Larry Baird, Riverside
Carole Brow, San Joaquin
Chuck Montgomery, San Mateo
Eric Fine, Region 62
Karl Lembke, Region 63
Bill Schoeffler, Sonoma*

*Bill Crain, Napa
Starchild, San Francisco
Gary Copeland, Orange
Eric Lund, Yolo
Doris Ball, San Diego
Erich Miller, Region 61
Jim McGee, Region 65
Roger Ver, Santa Clara
George White, Region 67
Bruce Dovner, Region 66*

Item 1. SOVEREIGN IMMUNITY- Page 7 (passed 13-1)

Committee Motion: *Add on line 13, new second sentence:*

"We favor an end to the doctrine of "Sovereign Immunity" which implies that the State, and its agents, can do no wrong, and holds that the State, contrary to the tradition of redress of grievances, may not be sued without its permission nor be held accountable for its actions under civil law.

In judicial proceedings, all government agents must accept liability, both civil and criminal, for their actions, negating the cloak of "official duty" as an excuse. *Neither government agencies nor their representatives can be exempted from laws, statutes and regulations applicable to the citizenry.*

We oppose payment of government (tax) dollars to satisfy judgments against agents of the State."

Discussion: Ted explained that the purpose of this change was because of how the different government bodies, including a legislative bodies, exempt themselves from the laws they impose on everyone else. The committee felt that this was a good place to put it and a timely Amendment.

Motion to amend: Dave Nolan, Orange County, moved to change the word "*can*" to "*should*". Seconded. Change "*should*" to "*shall*" accepted as a friendly amendment. Tom Harmon, Region 37, wanted to change "*can*" to "*will*". Died for lack of a second. Dan Wiener called the question.

Vote on the amendment: **Passes** by voice vote.

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Vote of main motion: Neither government agencies nor their representatives shall be exempted from laws, statutes and regulations applicable to the citizenry. **Passes** without dissent.

Item 2. IMMIGRATION- Page 5 (passed 14- 1)

Committee Motion: *Lines 17 & 23 – move these paragraphs up to follow first paragraph.*

Then, last paragraph would start:

Specifically, we oppose:

a. through g. delete "oppose" at beginning of each.

Lines 9 & 13 – add "so-called" before "illegal aliens."

Line 17 – change "so-called illegal aliens" to "noncitizens of the U. S."

Line 20 – change "aliens" to "people."

Line 21 – change "aliens" to "them."

(current wording)

"We hold that all human beings have rights, not merely the citizens of a particular country. Although private owners have the right to restrict others from trespassing on their property, government restrictions on the liberty of travel, residence, and employment, such as immigration and emigration laws, mandatory identification papers, and work permits, are violations of human rights, and we call for their abolition.

We therefore:

- A. oppose mandatory reporting by employers of their employees' nationalities.
- B. oppose fining employers who hire illegal aliens.
- C. oppose wholesale dragnets that round up immigrants and other people from their homes or workplaces.
- D. oppose any requirement that a first-time applicant for a driver's license must show proof of legal residency.
- E. oppose any requirement that employers who hire illegal aliens forfeit their assets to the government.
- F. oppose any requirement that all employees in California must carry an identification card.
- G. oppose the use of the California National Guard or the U.S. military to control California's border with Mexico.

We defend the rights of so-called illegal aliens to seek work, trade, and live within this country, just as we defend current citizens when they wish to exercise these same rights. We oppose attempts to violate the rights of so-called illegal aliens because they receive the benefit of certain government programs. In any conflict between rights and programs, we support abolition of the government program and affirmation of individual rights. Most aliens come to this country to work, not to collect welfare; nevertheless, we oppose welfare payments to aliens just as we oppose welfare payments to all other persons.

We uphold the right of private property owners to provide sanctuary to persons who face arrest and deportation as aliens, and we applaud those who offer such sanctuary. "

(as proposed)

"We hold that all human beings have rights, not merely the citizens of a particular country. Although private owners have the right to restrict others from trespassing on their property, government restrictions on the liberty of travel, residence, and employment, such as immigration and emigration laws, mandatory identification papers, and work permits, are violations of human rights, and we call for their abolition.

We defend the rights of ~~so-called illegal aliens~~ non-citizens of the U.S. to seek work, trade, and live within this country, just as we defend current citizens when they wish to exercise these same rights. We oppose attempts to violate the rights of so-called illegal aliens because they receive the benefit of certain government programs. In any conflict between rights and programs, we support abolition of the government program and affirmation of individual rights. Most ~~aliens~~ people come to this country to work, not to collect welfare; nevertheless, we oppose welfare payments to ~~aliens~~ them just as we oppose welfare payments to all other persons.

We uphold the right of private property owners to provide sanctuary to persons who face arrest and deportation as aliens, and we applaud those who offer such sanctuary.

~~Therefore, we:~~ Specifically, we oppose :

- A. ~~oppose~~ mandatory reporting by employers of their employees' nationalities.
- B. ~~oppose~~ fining employers who hire so-called illegal aliens.
- C. ~~oppose~~ wholesale dragnets that round up immigrants and other people from their homes or workplaces.
- D. ~~oppose~~ any requirement that a first-time applicant for a driver's license must show proof of legal residency.

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- E. ~~oppose~~ any requirement that employers who hire so-called illegal aliens forfeit their assets to the government.
- F. ~~oppose~~ any requirement that all employees in California must carry an identification card.
- G. ~~oppose~~ the use of the California National Guard or the U.S. military to control California's border with Mexico. "

Discussion: Ted said that there was a great deal of discussion on this motion in committee. Ted stated that this motion does not change the meaning of the plank, it is merely friendlier wording.

Motion: Ms. Stewart moved to divide the question to consider removing the word "oppose" in sentences "A" through "G" before the other wording. Speaking to her motion, Ms. Stewart wanted to make sure it was clear in our plank what we are for and against.

Hearing no objections, Ted ruled the motion was divided.

Motion on the floor: *Lines 17 & 23 – move these paragraphs up to follow first paragraph.*

Then, last paragraph would start:

Specifically, we oppose:

Lines 9 & 13 – add "so-called" before "illegal aliens."

Line 17 – change "so-called illegal aliens" to "noncitizens of the U. S."

Line 20 – change "aliens" to "people."

Line 21 – change "aliens" to "them."

Discussion: Hearing no debate Ted Brown moved to the vote.

Vote: Passes by voice vote.

Motion on the floor: *Change " Therefore, we: " to " Specifically, we oppose: " and a. through g. delete "oppose" at beginning of each.*

Motion to amend: Mr. Ball moved to change the word " all " to " any " and delete the word " ~~must~~ " in line F. Seconded.

Motion to amend the amendment: Terry Savage moved to add the word " government " before the word " identification ". Seconded.

Motion to accept as friendly: Add "required" after "government". Amendment to the amendment now reads; **add the words " government required " before the word " identification " in line F.**

Discussion: Bill Farley, Region 61, argued that the government may require identification cards of its own employees and that we could not take a stand against the government doing so.

Someone pointed out that perhaps it should be " universal " identification card. Ted took this as an argument against the amendment to the amendment.

David Nolan argued that we were entering the Libertarian abyss of trying to make every sentence cover every possible variation on every theme. He further stated that within the context of this plank, which has to do with immigration, we are just adding words for the sake of adding words. He stated that he thought it was very clear in the plank what type of I.D. cards we were talking about. He said that we were just addressing the problem of identification cards regarding citizenship status. He reminded us that we needed to look at these things in the context, always.

Vote on the amendment to the amendment: Motion **fails** by a show of hands.

Discussion: Mark Hinkle argued that the original wording "all" is the wording we want to keep because once we get into "any" we get into the exceptions. He stated that what we are really opposed to is the government saying essentially "everyone who works in California must have an ID card ". All is all-inclusive. He stated that if the governor wants to have the police carry an ID that it's OK by us. If you say all, you include the police and other private employees.

Motion withdrawn: Mr. Ball withdrew his motion to change the word "all" to "any".

Motion on the floor: *Change " Therefore, we: " to " Specifically, we oppose: " and a. through g. delete "oppose" at beginning of each.*

Discussion: Aaron Starr argued that we are not just talking about the document as a written document but also as one that is scanned on a computer and the wording as originally proposed has a good visual effect.

The orders of the day are to move to a vote:

Vote on main motion: Needs 2/3. **Fails** by voice vote.

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Item 3. JUDICIAL- Page 6 (Passed 13-1)

Committee motion: *Line 31, 32, add a new K. and re-letter subsequent:*

The abolition of special penalties or protections in the law based on government employment, status as police officer or any other special category.

Discussion: This was proposed because of the ballot argument for Prop 18 involving higher penalties for killing a police officer then for killing an average citizen. Rather than mentioning specific penalties this provision would say that the penalty is the same no matter who the victim is.

Motion to amend: Dave Nolan moved to delete "~~or any other special category~~" and replace it with "such as a police officer". Mr. Nolan felt that we should leave it at that until we have had time to think about all of the various implications of very broad language.

Discussion: John Ballard argued against the amendment stating that, by the removal of "other special category," we allow the possibility of such initiatives as "kill a cripple".

Mark Hinkle spoke in opposition to the amendment stating that we are either all equal under the law or we are not. He felt that by removing other special category opens the Pandora's box of who is more equal than others are.

Vote on amendment: Fails by voice vote.

Motion to amend: Mr. Albright stated that he would like to see the words "*penalties or*" removed as he feels there are certain government employees that should be subject to certain penalties by virtue of their office.

Discussion: Bob Weber spoke in favor of the amendment. He mentioned that there are special penalties that apply only to government officials such as the Brown Act. He stated that as amended this would advocate getting rid of the Brown Act.

Mr. Lembke opposed the amendment on the principle of equality before the law. He felt that the current differences in liability due to misconduct in office is probably adequately dealt with under SOVEREIGN IMMUNITY (plank 9). That if we got rid of sovereign immunity we would get rid of special protections we would no longer need special penalties to counterbalance these protections.

Ms. Stewart stated that she was originally going to speak against the main motion for the very reason about the penalties. She stated that it addresses two very different things even if you like both parts. She stated that when she first read it she thought that it applied only to the perpetrator until she heard the arguments that implied that it referred to the victim. She stated that it was too confusing with all the different categories.

Ted Brown commented that by not mentioning in the plank that we're talking about the victim it is confusing .

Mr. Wiener spoke in opposition of the amendment stating that he liked the wording of the committee's recommendation. He stated that whether you are talking about the victim or the perpetrator that it is a good principle that the law should apply equally. He stated that this does not mean that you could not have laws about specific actions by government officials such as the Brown Act. It means that if you have any law that has general applicability the penalties in the protections should also be equal.

Kate O'Brien spoke in favor of the main motion as she did not feel that there should be special penalties for killing a police officer as opposed to a citizen.

Mr. Albright stated that by removing the word special penalties does not mean that we automatically support special penalties.

Bill Hajdu spoke in opposition. He stated that our principal is based on the punishment of the violation of rights not punishment based on status and that we did not need this amendment.

Aaron Starr spoke in favor of the amendment because the laws that we are speaking about are specific and they are specifically directed at special penalties for killing people in special categories. He stated that these are not general laws that are being applied in some specific way.

Vote on the amendment: Fails by voice vote.

Discussion of main motion: Dave Nolan spoke in opposition to the main motion. He felt that the wording was too broad and carried a lot of implications, that there were too many things in it to be summed up in one little sentence. He stated that he does not disagree with most of the provisions that people intend to imply. He stated that as we could see from the previous discussion there were a lot of ways to read this plank and that others may not read it the way we wish. He would therefore urge a vote against it.

Motion to amend by substitution: Bill Crain moved to substitute the following language. "The abolition of special penalties imposed for crimes committed against police officers." Seconded.

Speaking to his motion Bill stated that the original intent of the main motion was this specific case, the extended sentence for a crime committed against a police officer. He stated that he agreed with Dave Nolan that the main motion as stated is too broad.

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Motion to amend: Add "[or government employees](#)" after "[police officers](#)." Was not accepted as a friendly amendment. Motion was seconded.

Discussion: Jeffrey Sommer stated that the idea of special status for police officers only is not quite accurate. He stated that there are laws giving special protections to any one who works for the government.

He stated that if you attack your postman you will go to jail for all lot longer than if you attack your milkman.

Motion to suspend that time for 5 minutes: Fails

Vote on the amendment to the substitute motion: Passes.

Vote on the substitute motion as amended: Passes.

Vote on the new main motion: "[The abolition of special penalties imposed for crimes committed against police officers or government employees](#)." **Passes.**

Item 4. JUDICIAL-Page 6 (passed 13- 2)

Committee Motion: [Line 24, add new H. and re-letter subsequent:](#)

[H. Offers by prosecutors of reduced sentences in return for testimony shall be considered bribery of a witness and not allowed.](#)

Discussion: Ted Brown stated that this had been in the platform committee's report at the previous convention but that the convention had run out of time to consider it. He stated that this comes up when prosecutors promise a reduction in sentence, or no sentence, to someone to rat out their buddies in the same crime. Ted stated that a federal court actually ruled that under federal law this was witness tampering and bribery of a witness. He stated that this was the same if the defense offered a bribe of money to a witness. He stated that this went to a higher court because prosecutors were horrified that this would defeat everything that they tried to do as they do this on a daily basis and a higher court overturned the ruling. Ted stated that it truly is bribery as the number of years of a person's life is more of valuable than the money defense could offer a witness. That the prosecution should not be able to bribe a witness.

Ms. Stewart stated that the implication here was that bribery should be illegal or not allowed. She stated that she thought we should think very carefully before proposing such a concept. The idea that the person in a suit and tie explaining why someone is unfit can be paid, while the poor person on the street who saw the crime cannot be paid because it is bribery. She stated that we need to think very carefully before we put anything in the platform that implies that we are against bribery because of the way bribery is often defined.

Ted Brown clarified that what this plank is about is reduced sentences not paying witnesses.

Bill Crain spoke in opposition. He stated that the main problem he has with this is that it is like the drug laws, where you have a willing buyer and a willing seller you will have a transaction. He stated that the police would do this anyway no matter what kind of restrictions are imposed on them. He felt that this would basically drive it underground. He stated that from a criminal justice point of view he would have to oppose it.

Philip Zoebisch stated that he has a problem because this is mainly looking at people who are just giving the prosecution testimony and that we have a much larger problem with the huge sentences that we impose for certain alleged crimes. He further stated that it was larger sentences that gives people an incentive to plead guilty to lesser charge.

Motion to amend: Mr. Zoebisch made a motion to amend by adding "[or pleading guilty](#)" after "[reduced sentences](#)". Seconded.

Discussion: Jay Lindbergh, Region 36, stated that he had been on the receiving end of a good share of malicious prosecution and that this was a really good idea. He stated that the problem is not the testimony but that when you have someone on the witness stand that is getting a deal the testimony is false.

Godfrey Tudor-Matthews asked if we were basically talking about the concept of plea -bargaining. Ted said that it was in some ways.

Bob Weber spoke against the amendment. He stated that, as it is now, if the police have someone up for a murder charge, they can take them all the way to trial or the prosecution can plea-bargain to a lesser charge of manslaughter. He stated that without plea-bargain the person who is accused has no reason to ever plead guilty. That basically what we're saying is that everything should go through a trial. Ted clarified that he believed that it was already in our platform that we advocated the concept of no plea bargaining without the consent of the victim.

Julie John spoke against the amendment "or pleading guilty ". She did not feel that this constituted bribery of a witness. She stated that at the time they pled guilty they would no longer be a witness.

Mark Werlwas, Region 1, stated that he believed what we were looking at was the platform for the party and that we should not be rewriting the California Penal Code. He stated that he would therefore be opposed to this.

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Dave Nolan stated that once again this was an attempt to put too many different thoughts into one sentence or one phrase. He stated that this was a separate issue .

Vote on the amendment: Fails by voice vote.

Motion to amend: Ernst Ghermann moved to substitute "~~not allowed~~" with "subject to relevant penalties". Seconded.

Jeffrey Sommer address the motion as a whole. He stated that as someone who is opposed to the war on drugs, he has seen how this is used egregiously and in the most corrupt manner. He stated that he understands the emotional impact of it. He asked how you might entice someone who has murdered for higher to turning in the person who hired them.

Vote on the amendment: *H. Offers by prosecutors of reduced sentences in return for testimony shall be considered bribery of a witness and subject to relevant penalties.* **Failed.**

Motion to amend: Ms. Ball moved to delete the words " shall be considered bribery of a witness ".

Vote on the amendment: Fails by voice vote.

Vote on the main motion: *H. Offers by prosecutors of reduced sentences in return for testimony shall be considered bribery of a witness and not allowed.* Fails to get two-thirds of delegates voting. **Failed.**

Item 5. INDIVIDUAL RIGHTS & CIVIL ORDER – Page 3 (Passed 14-2)

Committee Motion: *Line 17, change to:*

"No conflict exists between civil order and individual rights. Both concepts are based on the same fundamental principle; that no individual, group, or government may initiate force against any other individual, group or government. ~~Where governments exist, they must be unconditionally limited to prevent the infringement of individual rights.~~ *Governments must be unconditionally limited to prevent the infringement of individual rights.*"

Discussion: Ted stated that there was the desire of the Committee to get rid of the " where governments exist " wording. Even though it is in other parts of the platform, this is the only place where it came up. Seeing no debate Ted moved to a vote.

Vote on the main motion: Passes by voice vote.

Item 6. INDIVIDUAL RIGHTS & CIVIL ORDER - Page 6 (Passed 9-5)

Committee Motion: *Line 52, add new plank and renumber subsequent:*

"8. CAPITAL PUNISHMENT

While Libertarians disagree about the morality and deterrence value of capital punishment, it is well-documented that many innocent people have been falsely condemned to death. For this reason, we call for an end to the death penalty, and its replacement with life in prison without possibility of parole.

We believe that such a punishment would be most cost-effective; adequately protect society; allow the perpetrators to work to pay restitution to the victim's family; and provide opportunity to correct the serious possibility that an innocent person may have been condemned."

Discussion: Ted stated that we had not had a death penalty plank before because the party views seem to be running about fifty-fifty pro and con. He stated, however, that we had come to a point where it is not a question of whether it's good or bad, but a matter of whether the people being executed are guilty. He stated that even the governor of Illinois, a strong conservative Republican death penalty proponent, has suspended executions in that state because just as many people have been released because of not being guilty as have been executed. They also found that half of the lawyers who defended these people had been disbarred or put in jail. The legal representation is poor, the chances of the defendant being sentenced to death improperly for something they did not do is quite high, and Libertarians would never think that killing an innocent person is legitimate. He stated that we should not be trusting the government with the power to kill people, and in this case we are explaining that we disagree about the death penalty. Some people believe it is always immoral, others think it is not immoral. Some believe it is the deterrent to murder, others don't. Recognizing that we don't agree we can still oppose it for the reason that we believe that only the guilty should pay and this does not appear to be the case today.

Motion to the divide the question: Dave Nolan moved to divide the question and take the two paragraphs up separately. Seconded.

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Mr. Nolan stated that without getting into the merits of each paragraph in detail, he felt that the first paragraph is a fairly straight forward statement of position, whereas the second paragraph puts in a lot of reasons which many of us may not agree with. He stated that you could agree with the first paragraph and not agree with the second.

Mr. Wiener stated that he was opposed to division. He stated that the second paragraph certainly could not stand on its own. He stated that if people think that the items in the second paragraph are inappropriate than they should deal with that by amendment, not by trying to divide the question.

Terry Savage spoke in favor of the motion to divide. He stated that although he felt the entire plank was ill conceived, we should limit it to the statement of principle, which the first paragraph is, and not consider what are at least in one case some bogus reasons.

Mr. Carlton spoke in favor of the motion to divide. He stated that he feels that the second paragraph contains language that may or may not be true. He stated that there were a lot of hypothesis in the second paragraph. He felt that the first paragraph was all that we needed.

Vote on a motion to divide the question: Fails.

Motion to amend: Mr. Savage moved to delete the words in the first line of the second paragraph, "~~be most cost effective;~~". Seconded. Mr. Savage stated that he lives in Lake Tahoe that has some of the most egregious government restrictions on the use of private property than anywhere in the country. One could make the argument that it is more cost effective not to develop your property because you have to spend so much money to fight the government regulations. Mr. Savage stated that that it is the same type of economics that is working here.

Ted Brown stated that the reason for that line in this plank is because many people have said that they do not want their tax dollars paying to keep someone in jail for life, but they found that it was more expensive to keep someone on death row.

Erich Miller, Region 61 spoke against Mr. Savage's argument. He stated the argument shows the real problem of the rush to quick justice by the government to take some other citizen's life is actually the problem he is trying to fight as Illinois has stated. He stated the rush to justice has taken many lives, and that they have actually found, because of delays, that 13 people were wrongfully convicted because of the government's anxiousness to take these people's lives. He stated that if the government has one role to play it is to defend life and protect it.

Al Carlan, Region 66, stated that he supports the amendment because he doesn't feel that we are in a position to determine what is cost effective and what is not.

Mr. Bowers spoke in favor of Mr. Savage's motion. He stated that he thought that if you brought in the word cost-effective, people would look at it as a utilitarian argument. If it is determined later that it is cost-effective to kill people, that that may be a reason later for an argument in favor of the death penalty. He stated that he does not think that that is what we are really talking about, that we're talking about protecting society against people who want to kill other people and that locking them up does that just fine.

Motion to amend by substitution: Ray Strong moved to delete the entire second paragraph. Seconded.

Mr. Strong stated that he thought it was evident that if we kept both paragraphs together, which we have voted to do by not voting to divide, there is no chance that this plank would pass. He further stated that he would support having this plank in the platform. He stated that the first paragraph was entirely adequate to state the support for the party being against capital punishment.

Kit Maira stated that he thought it was important to keep the second paragraph because he would like for people to see why we came to the conclusion.

Dave Nolan stated that he has a lot of problems with the wording in the second paragraph.

Julie John stated that if innocent people are being falsely accused, that is not a problem with the death penalty per say, that is a problem with the arguments that are being made by the lawyers and the decisions that are being made by the jury's not by the death penalty itself.

Ms. Stewart stated that in other parts of our platform we do not put in explanations, that they follow from our statement of principles. She stated that she felt it was counterproductive to have an argument that says why we came to certain conclusions, hopefully it is because it is in keeping with the non-aggression principle.

Bill Hajdu stated that he was willing to support the deleting of the second paragraph as long as it was not a strategy to sabotage the entire plank. He stated we need to stand up and say that the system is corrupt, that minorities and people who cannot pay for good judicial defense are losing their rights.

Motion to extend debate by 10 minutes: Passes.

Someone spoke in opposition to deleting the second paragraph. He stated that he thought that people who commit these types of crimes need to be punished and that one thing he liked about the second paragraph was the restitution to the victim's family.

Mr. Wiener called the question on both amendments: Passes. Debate is closed.

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Vote on the motion to substitute: Passes.

Vote on amendment: Amendment is to delete entire second paragraph. **Passes.**

Motion to amend: Starchild moved to add to the end of the last sentence "[until such time as the authorities in charge of implementing such a penalty can be trusted to do so fairly](#)" and eliminate "~~for this reason~~". Seconded.

Starchild stated that the reason for his motion is that there are some of us who are not necessarily opposed, in theory, to the idea that someone who deliberately and repeatedly takes the life of another in egregious manner should be required to forfeit their own life. He stated that he just does not trust the current government in this country or probably any other country to implement that in a fair and just manner. However, under a Libertarian society, we could have a death penalty imposed under certain extraordinary circumstances. Starchild stated that he believed that this would be language that would allow that, at the same time as allowing those who feel that the death penalty could never be implemented fairly.

Ms. Stewart stated that besides all of the obvious reasons to vote against this, it would wind up reading "without possibility of parole until such time as the parties in charge of implementing such a penalty can be trusted to do so fairly".

Mark Hinkle spoke in opposition stating that putting the words "government employees" and "trusted" in the same sentence... Mark stated that even if Libertarians ever takeover every position in the government he still doesn't trust them to pull the switch.

Carol Brow stated that when we have a Libertarians society we could repeal the entire platform if we wanted but that this has just kind of garbaged the whole thing up. She further stated that it dilutes the intention, which is an honest one.

Mr. Wiener spoke in opposition to the amendment and the entire plank. He stated that first of all he believes very strongly in the death penalty. And he stated that he recognizes that there is a potential problem with people being unjustly convicted and sentenced to death and that this was an attempt to deal with that. He stated that his preference was that there should be some thing that says that there should be a higher standard of proof required for the death penalty than just conviction. He stated there is a lot of disagreement within the Libertarian Party over the death penalty and he does not see that his suggestion is likely to pass. He doubted if the one on the floor was likely to pass, and that he does not see a two-thirds majority support for or against the death penalty; therefore at this time he thinks we need to just leave it out of our platform.

Jascha Lee, Region 43, spoke against the motion stating that he thought it was implied by saying "for this reason" and the fact it says that many innocent people have been falsely condemned to death.

Mr. Spielbauer spoke against the amendment as proposed. He stated that first of all it does not set forward any objective standard, at what point do we know that we can trust those in charge. Second, juries are the ones who impose the death penalty right now, so, at what point do we say now we can trust the juries. He stated that he thought that the issue was trusting the skills of the lawyers who represent the cases especially for the defendants.

Kate O'Brien spoke in favor of the motion. She stated that personally she was annoyed that Charles Manson was convicted of murder at a time when there was no death penalty in the State of California. She stated that she could see someone like Charles Manson getting the death penalty in a Libertarians society and rightly so. She stated that even with the awkward wording this amendment speaks to that.

Motion to extend debate for 10 minutes: Seconded. Fails.

Vote on the motion to amend: Add to the end of the last sentence "[until such time as the authorities in charge of implementing such a penalty can be trusted to do so fairly](#)" and eliminate "~~for this reason~~".

Fails by voice vote.

Vote on main motion: Add new plank.

8. CAPITAL PUNISHMENT

[While Libertarians disagree about the morality and deterrence value of capital punishment, it is well-documented that many innocent people have been falsely condemned to death. We call for an end to the death penalty, and its replacement with life in prison without possibility of parole until such time as the authorities in charge of implementing such a penalty can be trusted to do so fairly.](#)

Fails to receive two-thirds vote.

This concluded the Platform Committee's Report and Ted Brown stated that amendments from the floor were now in order.

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(Rule 9. For each main motion, the maker shall have two minutes immediately following to speak to the motion. The Chair shall then request a standing second to the motion. If fewer than 10% of the delegates stand, the motion shall die for lack of a second.)

Item 7. Motions from the floor:

Page 2, line 33. INDIVIDUAL RIGHTS. Mr. Copeland move to replace the sentence "~~There are no group rights, community rights, or rights accruing to any government body~~" with the statement "Groups have no rights beyond the individual rights of their members."

"Only individuals have rights. ~~There are no group rights, community rights, or rights accruing to any government body.~~ Groups have no rights beyond the individual rights of their members. Individuals, whether acting alone or as part of a group or government, must not interfere with the exercise of rights by others. Currently some people define "rights" as a requirement that they receive whatever they desire, no matter at whose expense. We hold that no one has an inherent right to anything which requires access to the life, property or labor of another person. Thus, there can be no right to health care, jobs, housing or other benefits. The recognition, respect, and protection by law of individual rights is necessary for the existence of a free society."

Mr. Copeland spoke to his motion stating that he spoke to this as the owner of a small company, as the owner of a corporation, as a member of the Libertarian Party in a lawsuit, and as the member a Druid cult. He stated that he does realize that groups do exist and that it's important to clarify the fact that a group should have no more rights than its individual members. He stated that in communist and socialist countries they use this as a tool by which to accomplish means to ends by saying that the group is more important than the individual. It must be specified that a group is no more important than an individual and that the individual is supreme. Seconded.

Someone speaking against the motion stated that although he is against socialism and that groups do exist, he did not believe that the existing line 33 addresses the same concerns that are addressed in the proposal.

Ed Moss spoke in favor of the amendment. He stated that a week ago he and some other people were discussing the idea that groups have rights. He stated that some groups do have legal rights, corporations have rights as an artificial individual. He stated that that was not what we're talking about, that we're talking about the importance of individual rights. He stated that he thought the amendment would clarify this.

Erich Miller, Region 61, stated that having taught in a government run school, he knows that repetition is important. He stated that he was in opposition to this motion, restating the opposition by the first speaker. Groups do exist and we recognize that they exist but the obvious this stated was that groups have no rights.

Doug Scribner, Region 30, spoke in favor of the motion. He stated that he thought it was silly to say that groups exist but they have no rights. He said that makes no sense. He said that this motion clarifies the statement that only the individual has rights.

Thomas Spielbauer, Region 43, spoke against the amendment. He stated that he thought the language as it is now is very powerful, is very clear and is very concise. He stated that one of the things that caught his attention when he was drawn to the Libertarian Party was this very platform. Individuals are held responsible and organizations, which in many ways are designed to avoid responsibility, don't have rights. He stated that this is very clean, very clear and very precise and that the language should be left as it is.

Jack Hickey asked if this sentence replaced the entire paragraph, if so he supported it.

Ted clarified that this motion was to replace the second sentence of the second paragraph of INDIVIDUAL RIGHTS plank.

Scott Bieser, Region 33, spoke in favor of the motion. He stated that he felt this wording better covers what we support in terms of our concept of what groups are and what sort of rights they might have without getting into too much detail of the different types of rights.

Saul Rackauskas, Region 56, stated that the first sentence says that only individuals have rights and that if we passed this motion we would have a contradiction.

Aaron Starr called the question. Seconded. Passed.

Vote on the main motion: Failed to get two-thirds vote.

Page 7, line 55. 11 REPRODUCTIVE RIGHTS. Jim Baur made a motion to strike the word "*cloning*".

"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

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contraception, termination of pregnancy, surrogate motherhood, artificial insemination, *cloning* and free choice in all consensual sexual relations. "

Speaking to his motion Mr. Baur stated that he mostly agrees with this plank but that when it gets to cloning he is not sure this is referring to whether the person would be in charge of their clone. He stated that if people were to clone themselves, that person would have their own individual rights. He stated that he knows there are a lot of ethical questions regarding this that have not been clarified. There is concern in the public about cloning in genetics as it relates to food and that we should strike the word cloning because it does not pop up in people's mind. Seconded.

Karl Lembke , Region 64, spoke in opposition to the amendment. He stated that he does not believe that there is a necessary implication that a person would have absolute control over his clone anymore than there was an implication that a person would have absolute control over natural born children.

Carole Brow spoke in favor of the motion to delete the word cloning on the grounds that it is not really relevant to the overall heading which is reproductive rights. She stated that this was an issue that is much larger than just reproductive rights.

Terry Savage spoke against the proposal. He stated that it does belong with reproductive rights platform, that it is a larger issue but that it may well be the most effective method for some people to reproduce. He stated that this was another area where the government was looking for yet another set of intrusions. He stated that we needed to be pro-active instead of reactive. That most of our platform says things the government is currently doing are evil and that they should stop doing them, here is the case where we can say " knock it off " before they do it.

Someone spoke in favor, stating that when medical science gets to the point where cloning is widespread and it becomes an ethical issue, let's put it in; right now it makes us look a little foolish.

Thomas Spielbauer spoke in favor of the motion. He stated that there are a lot of the issues involved in the issue of cloning.

Starchild spoke in opposition to the motion. He stated that he agrees with Terry Savage's comments. He stated that one of the things he loved about the Libertarian Party Platform is that we tend to be a forward thinking Party and that we tend to think about the intellectual implications of things that perhaps may not have been developed yet and that cloning is the one of those. He stated that he did not believe that this would make us look kooky that it would instead make us look prescient. He stated that he did feel that it was a form of reproduction. He stated that it was important to remember that it is part of our basic principle that if it's voluntary we may or may not feel that it is personally moral but that we do not favor laws against it. He further stated that in this context, if it is a voluntary activity, it is a legitimate reproductive right.

Rodney Austin spoke against the amendment. He stated that the argument that our platform is an out reach tool is false. He stated that it is guidance for activists and members of our party to understand what our colleagues believe.

Jeff Sommer spoke against the amendment. He stated that he is not afraid that people will see the word cloning and think we are nuts. He stated that if people are going to think we are nuts this is not the thing that will trigger it.

Vote on the motion from the floor: Amend Page 7, line 55. REPRODUCTIVE RIGHTS. Strike the word "*cloning*". **Fails by voice vote.**

Motion to suspend the rules to consider seating a new Alternate Delegate: Passes.

Eric Fine moved to have Michael Green, who joined that day as a member, added to Region 62's delegation as an alternate delegate. **Passes.**

Section 11, REPRODUCTIVE RIGHTS, Carole Brow moved to strike the words "*termination of pregnancy*".

"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."

Speaking to her motion Carol stated that the reason she was interested in taking this out, is to remove a point that is extremely divisive within our party. She stated that there are people of good faith on both sides of the issue.

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She stated that as a Libertarian candidate, she finds it extremely difficult to promote voting for Libertarian candidate when it strikes many people as being contrary to our own principles. Seconded.

Bob Weber objected to consideration of this motion. Seconded.

Vote on the objection to consideration: Required a two-thirds vote, of those voting, not to consider this amendment. 59-Yes; 22- No. **Passes**, it was not considered.

Page 4, line 7. 4. FREEDOM OF EXPRESSION. Starchild made a motion to add a new paragraph.

".... 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.

We hold that the right of assembly exists not only for the purpose of free speech in the traditional political sense, but also for peaceful purposes such as dancing, playing amplified music, and creating art. When held on public land, all manner of assemblies, including raves and other counter-cultural festivals, celebrations, and gatherings, deserve equal consideration under the law. The fact that an event may occur at 3 a.m., feature joyful hedonism by participants of all ages or be accompanied by music characterized by a series of repetitive beats, is insufficient grounds for governments to impose special controls or restrictions. Therefore we call on government authorities to cease all discrimination against participation in and organizers of such events."

Speaking to his motion, Starchild stated that his intention was to get something into our platform that he feels has been overlooked. He stated that there are millions of young people not only in this country but all over the world who are enjoying raves and other counter cultural type dance activities. He stated that this type of activity is met with a great deal of hostility from the authorities and that by reaffirming their right to peaceably assemble we would be the only political organization standing up for these types of rights. He stated that it was not only an outreach matter but also a statement of principle and something that deserves to be in our platform. Seconded.

Kim Goldsworthy moved to table all pending platform questions so as to take up the Bylaws Committee Report: Seconded. **Passes.**

Dave Nolan moved for 10 minutes recess: Seconded. **Passes.**
Reconvened at 10:46

b) Bylaws and Rules Committee Report

Bob Weber outlined the procedures for modifying the convention rules and bylaws.

(Secretary's note: The Bylaws were printed with legal notation numbering on the left side of the pages for the convenience of the delegates. The Bylaws Committee Report refers to those numbers for identifying the proposed changes. This numbering is removed for the final official copy. Within each motion, text that is to be added is underlined and in italics, text that is to be deleted has a strike through.)

BYLAW AND RULES COMMITTEE REPORT

LPC State Convention

February 18-21, 2000

Bob Weber, Chair
Mark Hinkle, LPC Chair
Philip Zoebisch, Region 37

Jeff Sommer, Region 1
Joe Dehn, Region 43
Jon Petersen, alternate

Item 1. Rule 10 Agenda - Page 15 (passed 3-0)

Bob Weber stated that the first proposal would change the order of the agenda.

(current wording)

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Rule 10: AGENDA

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

- A. Credentials report.
- B. Reports of the Party officers and working committees.
- C. Consent Calendar.
- D. Platform Committee report in even-numbered years, followed by Bylaws and Rules Committee report. Bylaws and Rules Committee report in odd-numbered years, followed by Platform Committee report.
- E. Resolutions and other matters.
- F. Elections, in the following order:
 1. National Convention delegates, National Committee representatives and alternates, National Platform Committee representative, and National Credentials Committee representative at Party conventions immediately preceding National conventions;
 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;
 3. At-large members of the Executive Committee for one-year terms;
 4. At-large alternates of the Executive Committee for one-year terms; and
 5. Judicial Committee members for one-year terms.
- G. Presidential Straw Poll, Presidential year, roll call vote, one vote only
- H. Endorsements of candidates
- I. Style Committee appointment

(proposed wording)

Rule 10: AGENDA

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

- A. Credentials report.
- B. Reports of the Party officers and working committees.
- C. Consent Calendar.
- D. Platform Committee report in even-numbered years, to be followed by elections. ~~followed by~~ Bylaws and Rules Committee report, in odd numbered years, to be followed by elections. ~~Bylaws and Rules Committee report in odd-numbered years, followed by Platform Committee report.~~
- ~~F.~~E. Elections, in the following order:
 - ~~2.~~1. Party officers in odd-numbered years for two-year terms, and in even numbered years to fill the unexpired terms of vacated Party officers;
 - ~~3.~~2. At-large members of the Executive Committee for one-year terms;
 - ~~4.~~3. At-large alternates of the Executive Committee for one-year terms; and
 - ~~2.~~4. Judicial Committee members for one-year terms.
- ~~4.~~5. National Convention delegates, National Committee representatives and alternates, National Platform Committee representative, and National Credentials Committee representative at Party conventions immediately preceding National conventions;
- F. Platform committee report in odd numbered years, Bylaws and Rules Committee report in even numbered years.

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G. Presidential Straw Poll, Presidential year, roll call vote, one vote only

H. Endorsements of candidates

~~E-I.~~ *Resolutions and other matters.*

~~I-J.~~ Style Committee appointment

Rule 17: ELECTION OF PARTY OFFICERS

1. (No change.)

2. (No change)

3. (No change)

4. "Officer's elect shall assume office upon adjournment of the convention." (deleted by friendly amendment)

Discussion: Bob Weber stated that that the committee made this change because of the order of business in Robert rules of order.

J R Graham spoke in favor of the motion. He stated that although the committee's report was a little confusing it is actually a simple change that should have been done years ago. He stated that the last few times this change was proposed the confusion was what killed it. He stated that it was important to have all of the delegates present when officers were elected.

Motion to amend: Motion to amend by deleting "*change to Rule 17*". Bob Weber accepted this change as a friendly amendment and struck it from the committee's report.

Motion to amend: Motion to amend both sections D and F so that the Platform Committee Report is in the even numbered years when all of the initiatives are going down. Bob Weber ruled that this amendment was not germane to the proposal on the floor and should be made independently.

Aaron Starr objected to the chair's ruling stating that it was part of this Bylaw. Bob Weber stated that the intention of the committee was to move the elections. Aaron Starr stated that it didn't matter what the intention of the committee was. Bob Weber put this to a vote and the convention upheld his ruling.

Point of information: Someone asked if this meant that the Platform Committee Report could come up on Monday.

Mark Hinkle stated that he was on the Bylaws and Rules Committee and had voted to send this to the floor so that it could be discussed. He stated that people are interested in voting on officers for the coming year. He stated that traditionally we have a 3 ½ day convention although next year we may go from Friday night through Sunday. He stated that if we he moved elections to Sunday there is a very good likelihood that something will be moved to Monday. Because we alternate the starting of the convention with the Platform Committee Report in even numbered years followed by the Bylaws, it very well could be the situation that alternately the Bylaws or Platform will be voted on, on Monday. He stated that the same problem we have with people having to go back to work is going to affect the Bylaws or Platform. He stated that if you consider the election of officers more important, perhaps you do want to move it to Sunday.

Motion to amend: Scott Lieberman moved to change Section 2 to read "The following items will be the first order of business on the penultimate calendar day of the convention immediately following that days Credential report:" Bob Weber ruled that this was not germane at this time and could introduce it later.

Aaron Starr noted that this was a substitute motion. Bob Weber stated that this would pose problems because there is nothing anywhere in the Bylaws that states how many days for convention. He stated that he thought we needed extra language in the Bylaws that would specify that you'd have more than a one day convention. Scott Lieberman withdrew his motion.

Aaron Starr spoke against the main motion. He stated that an unintended consequence of this motion would be that sense people do tend to leave on Monday, and Bylaws or Platform are shifted to Monday, it will become very difficult to get the majority number to pass anything.

Edward Teyssier, Region 37, spoke in favor of the motion. He stated that Aaron Starr just gave him the best reason for voting for this. He stated that the emphasis right now on our well-developed Party should be on leadership. He stated that we have refined and developed our platform and bylaws over the last 25 years and that right now the demand is for leadership that reflects the membership. Everyone agrees that people leave on Sunday, so we

should put the most important selection process earlier on when most of the members are here.

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Kit Maira , Region 61, spoke against the motion stating that he felt that the Platform was the most important issue.

Motion to extend debate for 5 minutes: Fails

Vote on the main motion:

Rule 10: AGENDA

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

- A. Credentials report.
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- C. Consent Calendar.
- D. Platform Committee report in even-numbered years, to be followed by elections. ~~followed by~~ Bylaws and Rules Committee report, in odd numbered years, to be followed by elections. ~~Bylaws and Rules Committee report in odd numbered years, followed by Platform Committee report.~~

~~F.E.~~ Elections, in the following order:

- ~~2-1.~~ Party officers in odd-numbered years for two-year terms, and in even numbered years to fill the unexpired terms of vacated Party officers;
- ~~3-2.~~ At-large members of the Executive Committee for one-year terms;
- ~~4-3.~~ At-large alternates of the Executive Committee for one-year terms; and
- ~~2-4.~~ Judicial Committee members for one-year terms.

~~4-5.~~ National Convention delegates, National Committee representatives and alternates, National Platform Committee representative, and National Credentials Committee representative at Party conventions immediately preceding National conventions;

F. Platform committee report in odd numbered years, Bylaws and Rules Committee report in even numbered years.

G. Presidential Straw Poll, Presidential year, roll call vote, one vote only

H. Endorsements of candidates

~~E-I.~~ *Resolutions and other matters.*

~~I-J.~~ Style Committee appointment

Passes.

Item 2. Bylaw 3 Membership -Page 3 (Passed 3-0)

Committee Motion: *Bylaw 3, section 3, change "may" to "shall" in line 27, page 3.*

"The county central committee's membership list ~~may~~ shall be provided to the national Libertarian Party, a Libertarian candidate, campaign committee, or initiative committee, or an interested Party member, with the approval of three Party officers or two county officers, in conjunction with Party activities to facilitate the Party organization, provided that this list shall not be sold or furnished to any other group, organization, government official or agency. The Executive Committee may provide mailing lists to other individuals or groups, but not to any government official or government agency. Counties may exchange lists."

Discussion: Ed Moss spoke in favor of the motion. Ed stated that this arises from two perspectives. He stated that the original paragraph was a revolutionary addition approximately 10 years ago when the party held that the membership list was a secret and could not be released. At that time with the permission of the officers and this section language, the membership list became available to our candidates. The use of the word "may" at that time was to give the Secretary the permissiveness that the list may, under certain conditions, be provided to candidates. Ed stated that we now have another generation of Libertarians who wish to protect the sanctity of the membership list. He stated that as a member of the Campaign Committee list was denied even after permissions were granted.

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He stated that the word "may" is only a permission, and implies "may not". He stated that if all the permissions are granted, and all the safeguards met, our list should be provided.

Vote on the main motion: Passes.

Item 3. Bylaw 15 Convention and Platform - Page 11 (Passed 3-1)

Committee Motion: *Bylaw 15, Section 3, add or a person appointed by the chair of that County Central Committee who is otherwise qualified as a delegate under Rule 3, in line 24, page 11.*

Every county shall be entitled to send delegates to the convention according to the following criteria:

- B. In addition to the foregoing, each holder of an elective public office who is registered to vote as a Libertarian, each chair of a county central committee *or a person appointed by the chair of that County Central Committee who is otherwise qualified as a delegate under Rule 3,* and each member of the Party Executive Committee, at the time the convention is held, shall be a delegate from his or her respective county."

Bob Weber explained that the justification for this was that if a county chair could not make it to the convention he could appoint a second to go to the convention in his place.

Point of information: Aaron Starr asked if this would allow a county chairman to appoint any person whether or not they are member of their Region. Bob Weber stated that you have to look at Rule 3, Delegates. He stated that yes you would have to be a member of that Central Committee.

Dave Wire asked how we're supposed to know that the chair of the region appointed a person. Would they notify the Secretary in writing or was someone just to show up. Bob Weber pointed out Rule 3, Delegates certification of delegates and alternates selected shall be submitted to the party secretary at least two weeks prior to the convention. It would require suspension of the rules to seat any one who had not been submitted to the party secretary prior to the convention.

Discussion: Someone stated that he is from a Region with a Chair who works in the tax industry and is not able to make conventions this time of year even if it's in town, they lose a delegate at every convention just because they're Chair cannot go. He stated that he is sure that other regions, especially outlying regions, have the same problem. He stated that there should be a vote for that Chair position even if the chair cannot make it.

Motion to substitute: Joe Dehn moved to replace the proposed wording with *"or the Vice Chair if the chair is unable to attend"*. Seconded.

Bob Weber stated that regions can decide not to have a Vice Chair.

Joe Dehn argued in favor of his motion. He stated that the problem he has with the proposal that came out of the committee is that it seems that we have two kinds of delegates specified in this section of the Bylaws. We have the ex-officio delegates who get delegate status by virtue of being something else, i.e. being on the State Executive Committee, being an Elected Official, regional Chair. Then there are those who are allocated for general use by the regions so that they can get represented proportionally to their size. He stated that the section we're talking about is in the ex-officio Section. If the point of this is to just make sure that the region as a whole is not losing representation if the chair is not able to come to the convention, then we need to consider this a matter of fairness to all the regions. The current allocation formula, which is not shown on screen, already gives small regions an extra delegate over what they would have otherwise because of the rounding. If you have a region that has only five members they get one delegate while the region that has 500 members under the same allocation formula only gets nine Delegates. Even though it has 100 times as many members, it gets only nine times as many delegates. An argument could be made that this is ok, that every region should be represented and that he agreed with this. But to say that every region no matter how small should get two Delegates, while large regions get no additional representation, misses the point of why the chair is given this status. He stated that he believes the reason the original wording is there is because it is important for the convention to include the specific individual who has responsibility in his region. The person whose job is to implement whatever comes out of the convention, a person who has the authority to speak for his Region. That the chair is a special position and that is recognized in this provision. In most organizations the Vice Chair is given the responsibility for sitting in for the Chair. He stated that in the spirit of this, if a Region wanted to take advantage of this, they should take the time to inform the State Secretary of whom they consider to be there Vice Chair for this purpose. All Regions needed to do to take advantage of this, is include in their report of delegates assignments, the name of their Vice Chair. He further stated that to give the chair the authority to appoint

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anyone in his Region effectively gives the chair of the region the power to create an additional general-purpose delicate. He stated that this also provides an incentive for regions to inform the Secretary of the party officers.

Philip Zoebisch spoke against the motion. He stated that in San Diego they pick their officers according to different activism according to what people want to do in San Diego, not according to whether they're going to get to the convention. He stated that as far as he could see the purpose of this amendment is to prevent the loss of the delicate at the convention by small regions. He stated that if San Diego loses a delegate because the chair cannot be there, they only lose 7% of their delegation whereas a small region that only has two Delegates loses 50% if the chair is unable to be at the convention.

Motion to amend the amendment: Scott Bieser moved to amend the amendment by changing the word "*Vice Chair*" to "*next ranking member of the Regions*." Seconded.

Speaking to his motion Scott stated that this should take care of the objections that some regions have two Vice Chairs or none at all.

Aaron Starr spoke against the amendment stating that he felt we were over complicating the amendment as proposed by Mr. Dehn.

Rodney Austin spoke in favor of the motion stating that at the last annual meeting in his Region they had a proposal to eliminate the Vice Chair position and he didn't know what his region would do in this case.

Jeff Sommer stated that the position he held when they were debating this in committee was that the chair should have a right to choose the proxy who most closely approximates his or her own position on most items.

Godfrey Tudor-Matthews, Region 12, stated that his region is 100 miles away from the convention and that there have been chairmen that he has never personally met. He stated that they have talked on the phone and through e-mail. He stated that he felt it was definitely up to the chairman to be able to pick whoever he can that is a member of the party, and active in the party, to represent that county.

Call for the question on the amendment to the amendment: Passes. (Debate is closed.)

Vote on the amendment to the amendment: "*next ranking member of the Regions*." **Fails** by voice vote.

Further discussion on the substitute motion: Someone pointed out that a person generally becomes Chair because of the commitment that they have demonstrated and that their viewpoints should be heard. He stated that one thing that had not been discussed in light of the rules is that a Chair could simply not notify the Secretary in a timely manner who the Vice Chair was and it would be voted on at the convention.

Someone from Region 37 stated that he was speaking for their Chair, Steve Green, who would definitely be in favor of appointing his own instead of having the Vice Chair automatically be his replacement.

Someone pointed out that in his Region the Vice Chair is an Executive Committee Member and therefore an ex-officio delegate. They would be locked out because of this wording.

Motion to extend debate for 5 minutes: Fails.

Vote on the substitute motion: "*or the Vice Chair if the chair is unable to attend*." **Fails.**

Vote on the main motion:

Every county shall be entitled to send delegates to the convention according to the following criteria:

- B. In addition to the foregoing, each holder of an elective public office who is registered to vote as a Libertarian, each chair of a county central committee *or a person appointed by the chair of that County Central Committee who is otherwise qualified as a delegate under Rule 3*, and each member of the Party Executive Committee, at the time the convention is held, shall be a delegate from his or her respective county."

Passes.

This concluded the Bylaw and Rules Committee Report and Bob Weber stated that amendments from the floor were now in order.

(Rule 9. For each main motion, the maker shall have two minutes immediately following to speak to the motion. The Chair shall then request a standing second to the motion. If fewer than 10% of the delegates stand, the motion shall die for lack of a second.)

Item 4. Motions from the floor:

Page 11, line 19. BYLAW 15: CONVENTION AND PLATFORM. Dave Nolan moved to change "one" to "*two*".

"Every county shall be entitled to send delegates to the convention according to the following criteria:

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A. Each county central committee shall have ~~one~~ two delegate for each 1% or fraction thereof of the total number of all members of all county central committees. These delegates shall be selected by counties in such manner as the county organizations may provide."

Speaking to his motion, Dave stated that one for each 1% was a reasonable representation in the days when we had 1500 or 2000 members in the state. He stated in that with 7000 members we have a convention with only 100 or so delegates. He stated that perhaps we would have more delegates if we created more Delegate spots.

Aaron Starr asked how many delegates we might wind up with. Bob Weber stated that it would be roughly 175 delegates.

Rodney Austin asked what the financial implications of this motion would be. Bob Weber stated that this was beyond the scope of this amendment.

Ted Brown stated that he that we should encourage as many people as wanted to be delegates as possible. He stated that this is why delegates generally vote to seat those to have not met the proper qualifications. He stated that he didn't know how many regions had more people that wanted to be delegates then they had slots for, but this could easily happen in the medium size regions.

Someone spoke against the motion stating that he hoped our party would grow in the next several years as we move into the presidential elections and that we could wind up with an unwieldy body if we go to the two delegates per 1%.

Motion to substitute: Joe Dehn moved to change "1% to 0.5%". Arguing in favor of his motion Joe stated that this would have the same effect of doubling the number of delegates allocated to regions. He stated that this proposal would avoid the problem of the delegate count always going up in steps of two. He stated that this would make for smoother increase.

Vote on the substitute motion: Passes.

Someone spoke in opposition stating that twice zero was still zero, and if the party grows to the extent that he thinks it will, the current totals will be adequate.

Someone from Region 43, spoke against the motion stating that what it would mean is that the larger regions would dominate the conventions at the cost of the smaller regions. He stated that his delegation would double where as the smaller regions would still be faced with the same problem.

John Ballard , Region 33, stated that they had a person that wanted to be a delegate but that they had already filled their slot and the person was not interested in being an alternate. She stated that they are having people being discouraged from coming to the convention. He stated that he thought increasing the number of delegates from 100 to 200 was a reasonable number given the growth of our party.

Vote on closing debate: Passes.

Vote on substitute motion as main motion:

Every county shall be entitled to send delegates to the convention according to the following criteria:

A. Each county central committee shall have one delegate for each ~~1%~~ .5% or fraction thereof of the total number of all members of all county central committees. These delegates shall be selected by counties in such manner as the county organizations may provide."

Passes.

Page 14, line 20 Rule 3: DELEGATES, Section 4. Kim Goldsworthy moved to insert the word "immediately" between the words "at least 90 days " and "prior to the convention". Speaking to his motion Kim stated that at least one member had argued that the 90 day period could mean "any 90 day period" , and therefore elapsed members could join immediately and participate. Others interpret the 90 day period to be "90 contiguous days" prior to the opening of the convention. Seconded.

Aaron Starr offered a friendly amendment to delete the words " at least ". Not accepted as a friendly amendment.

Discussion: Ted Brown spoke in opposition to the motion. He stated that he didn't think that the delegates at the convention were particularly sympathetic to the entire section four, as we had already seated several delegates who had even just joined the Party this weekend. He reiterated that we should encourage as many people who want to be delegates as we can.

Motion to close debate: Passes.

Vote on Motion:

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"Delegates to the Party's state convention shall have been central committee members at least 90 days immediately prior to the convention." **Failed.**

Page 14, line 49 Rule 5: REGISTRATION OF DELEGATES, Section 1. Terry Savage moved to change Section 1. "Each delegate shall register personally at the convention with the Secretary or a duly authorized representative." to read "Delegates shall register each day of the convention."

Speaking to his motion Mr. Savage stated that he did not think that someone "sleeping one off " should be able to hold up our getting a quorum. Seconded.

Ted Brown spoke in opposition asking how unwieldy can you get? He stated that it was hard enough to register once and with a lineup we would never get started with the convention business.

David Wire spoke in favor of the motion saying that he realized the logistics of the motion would not be good but that every convention he was at there is a problem with the numbers on the board not reflecting the number of people in the room.

José Castañeda spoke against the motion stating that it would create a lot more work for the party secretary and that a better way might be with the Secretary to ask the delegates what days they intend to be there.

Ray Strong Region 43 spoke in favor of the motion. He stated that he thought we could solve the logistic problem fairly simply. He stated that it would only be those who would have other problems who would have to lineup for the Secretary to credential them.

Someone stated that they were opposed because they did not think it would solve the problem. He stated that people could still register in the morning and then leave. He asked to hear from the Secretary .

Sandi Webb, LPC Secretary, stated that she did think it was asking for an awful lot of trouble. She stated that the reason that we don't have the people on the floor of the convention was because they were out wandering around, not because they are not registered or have left the convention. She stated that this is why we have quorum calls.

Elizabeth Brierly stated that there would be an easy way to tell how many delegates each region has, if each region submitted their own total at the beginning of each session.

David Nolan spoke against the motion stating that all logistical problems aside, it is a long standing Libertarian principle that a delegate should be able to effectively vote no by just being absent. He stated that he thinks it should be difficult to pass things.

Motion to close debate: Passes.

Vote on the motion: Fails.

Motion to extend 10 minutes: Fails.

Recess until Monday, February 21st at 8:00 a.m.

Monday, February 21

1. Call Meeting to Order

Mark Hinkle called meeting to order at 8:25a.m.

2. Credentials Committee Report

Number of credentialed Delegates and alternates-114 delegates; simple majority -58, two-thirds majority-77.

Motion to suspend the rules: It was moved to suspend the rules to change the Bylaws and Rules, Rule 10: Agenda, by moving Item F, 1. Selection of National Delegates to after Item F, 5. Judicial Committee.

Vote on Motion to suspend the rules: Passes.

Vote on Motion: Passes.

Motion to suspend the rules: Aaron Starr moved to suspend the rules to change the order of business to allow the voting of National Delegates (Bylaws and Rules, Rule 10: Agenda Item F, 1.) to after Item F, 5. Judicial Committee when the ballot will be available. Seconded.

Vote on suspension of the rules: Passes.

Those on the motion: Passes.

Motion to suspend the rules: Edward Teyssier moved to suspend the rules to consider changing the Bylaws to elect the Southern California Vice Chair in even numbered years. Add Section 2b to Bylaw 7: "[The Southern California Vice Chair shall be elected in even numbered years.](#)" Change existing section "2" to "2a".

Vote on suspension of the rules: Passes.

Discussion: Mr. Teyssier stated that the makers of this motion would like to see elections of the Southern California Vice Chair, be held in Southern California where those he would be representing live. He stated that Ted Brown had agreed to resign so that an election could be held at this convention to elect the Southern Vice Chair. It was stated that the San Diego delegation was unanimous on this measure.

Mark Hinkle stated that this was an item that was brought up to the Bylaws Committee and that the committee had concluded that there were problems in the wording constituting massive changes throughout the Bylaws to accomplish this change.

Bob Weber spoke against the proposal by stating that this was an intricate solution to a problem that does not exist. He stated that it was not the case where these elections are sprung on us at the last minute. He stated that he thought that dedication should count for something and that those who are willing to make the trip to the north deserve to have their votes.

Ed Moss spoke in against the motion stating that although our conventions in the past have been held above and below the line separating Northern California from Southern California, it is conceivable to have a convention in a central location.

J. R. Graham spoke in favor of the motion stating that he thinks it is ridiculous to have the election of the Southern Vice Chair at the time when we have about one-third fewer delegates at the convention. He stated that it should be at our end of the state and that it should have been done a long time ago when we went to two-year terms.

Jonathan Richter spoke in opposition of the motion stating that he is not in favor of continually altering our Bylaws.

Ted Brown spoke on this matter stating that this issue came up at the last convention. He stated that he thought this was a good idea in theory, but he questioned whether it would truly have any affect. He noted that on Sunday we had changed the Bylaws to move the elections from Monday to Sunday at future conventions and this should solve part of the problem.

Philip Zoebisch spoke in support of the motion stating that the Chair, Secretary, Treasurer and Northern Vice Chair are always voted on in the north. He stated that the vast majority of membership is in the South. He stated that it would actually be fairer to have all the elections done in the South.

Joe Dehn spoke in opposition to the motion pointing out that the delegate allocation system gives equal representation to all regions and that no matter where the election is held only those in regions from the South vote for the Southern Vice Chair.

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Jonathan Zwickel, Region 20, spoke in favor of the motion stating that he felt we should pass it as a matter of courtesy to those members from the South.

Motion to extend debate by 10 minutes: Fails.

Vote on the motion : Add Section 2b to Bylaw 7: "[*The Southern California Vice Chair shall be elected in even numbered years.*](#)" Change existing Section "2" to "2a".

Failed to get the necessary majority.

3. Resolutions from the floor.

Requires a two-thirds of the vote's cast, but not less than a majority of all delegates registered.

Pave2000 Resolution.

Jack Hickey stated that this was an initiative that he is trying to qualify for the November ballot. He stated that Pave2000 is an education voucher system with accountability built in. He stated that he was the voucher that parents could redeem for \$4,000 only if their children learn how to read and write. He stated that this was a temporary voucher plan to help make the transition over to a market-based system of education. He stated that this initiative was completely different from the other voucher system plan that is currently being circulated.

Discussion: Paul Studier, Region 30, spoke in opposition to the resolution stating that nothing was as permanent as a temporary government program. He stated that he particularly objected to the testing requirement in the initiative. He stated that although he is generally in favor of a voucher system he felt that this was one of the worst he had seen.

Joe Dehn stated that he was concerned about the provisions in the resolution that required that this be posted on the web page. He stated that there were problems with this as a requirement. He stated that it was too specific about the exact place on the web page .

Jack Hickey stated that he was looking for a link to his web page from the LPC web page and hoping to also have a link on the web pages of the candidates.

Mary Gingell spoke in opposition to the resolution stating that voucher plans are a redistribution of income and that she did not feel that the Libertarian Party of California should be promoting this.

Gene Trosper, Region 33, spoke in opposition to the resolution stating that he had home schooled his children and would have a moral problem with excepting anything from the state and would rather see tuition tax credit.

Daniel Beeman, Region 37, spoke in favor of the resolution stating that he was from Milwaukee and had seen the voucher system implemented. He stated that it was not the best but it was much better than having to send children to public schools.

Motion to extend debate for minutes: Fails.

Vote on the Pave2000 Resolution: Fails.

Native American Resolution.

Be it resolved that the Libertarian Party of California, assembled in convention, reiterates its support for California State Proposition 1A, Gambling on Tribal Lands, Legislative Constitutional Amendment.

The Party is proud of its long tradition of respect for the sovereign status of the state's Native American Indigenous tribal Nations and People and welcomes working with them to achieve the greatest opportunity for securing self reliance.

Motion to amend: Change the word "reiterate" in line 2 to "[*enthusiastically voices*](#)". This was accepted as a friendly amendment.

Lori Adasiewicz spoke in opposition to the resolution because of the term "sovereign."

Gene Trosper spoke in favor of the resolution stating that he lives near a reservation and that their ability to have gambling has completely turned their lives around.

Godfrey Tudor-Matthews spoke in favor of the resolution stating that he considers himself sovereign and that the Indians have every right to consider themselves sovereign.

Motion to amend: Godfrey Tudor-Matthews moved to change the word "of " in the second to last line to "[*for*](#)". Seconded.

Vote on the amendment: Passes.

Motion to amend: Starchild moved to change the word "sovereign" to "[*independent*](#)" in line 4.

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José Castañeda spoke in opposition to the amendment stating that when he wrote this resolution, he sent it to some American Indian friends to help with the wording and terminology. He stated that within a very short time, the person he sent the resolution to, e-mailed it out to hundreds of Native Americans. He stated that this is the terminology that they use and it is important when doing outreach to use the terminology of those we are speaking to.

Starchild asked to withdraw the motion but was ruled out of order because there had already been debate.

Vote on the amendment : Failed.

Vote on the resolution as amended : Passed.

Motion to suspend the rules : Aaron Starr moved to suspend the rules to change the Rule 18 in the Bylaws regarding the election of At-Large Executive Committee Members. Currently there are no speeches made by the candidates for At-Large Executive Committee Member, and he would propose that each candidate get two minutes and that this be incorporated into this procedure.

Mark Hinkle stated that he was going to suggest that if there was no objection each of the candidates the given up to 2 minutes to speak. Aaron Starr withdrew his motion.

Veto The Governor Resolution.

Resolved that the LPC endorse the California constitutional amendment initiative by " Veto the Governor "

Dana Albrecht, author of the resolution, pointed out that the Veto the Governor group has had two ballot initiatives, the first one being a referendum on SB 23 that the Libertarian Party endorsed. He pointed out that this was the second initiative, which is an amendment to the California Constitution in support of the right to keep and bear arms.

Speaking to his motion Mr. Albrecht stated that the majority of the State Constitutions, in the United States, have provisions similar to the Second Amendment of the U.S. Constitution protecting at the state level the right to keep and bear arms, California is not one of them.

Thomas Spielbauer spoke in support of the resolution stating that this wording would make it very clear in the California Constitution a citizen's right to keep and bear arms.

Vote on the resolution: Passed.

Motion to repeal a Standing Resolution:

Mark Hinkle proposed to repeal the standing resolution regarding the prohibition of events scheduled during convention business.

Speaking to his motion Mark stated that the reason for this standing resolution was because in the past we had trouble getting a quorum to conduct business because of speakers and seminars going on at the same time. He stated that at the last couple of conventions, two-thirds of those attending were not delegates and we have nothing for them to do during the business session. He stated that this also poses problems for the convention organizers as they depend on people going to the seminars to help pay for the convention.

Discussion: David Nolan spoke against the motion stating that we had just voted to double the number of delegates at the next convention which may take care of the problem.

Terry Savage spoke in favor of the motion stating that we should have more time for floor business. He stated that we windup compressing the elections at the end, we don't have time to hear from those candidates and that convention organizers ought to be sensitive to the scheduling problems.

Ted Brown spoke in opposition stating that the first convention after this standing resolution was implemented was the first convention to finish all of the business.

Ray Strong spoke in favor of the motion stating that the main effect of this motion was to give the convention organizers more flexibility.

Dave Bowers spoke in opposition noting that we had just changed the Bylaws to change the order of business and that we should see how well that works first.

Aaron Starr spoke in favor of the motion saying that to vote in favor is to say to the delegates "I trust you to be here to fulfill your responsibility."

Vote on the motion: Failed

Art Olivier resolution.

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Whereas, Art Olivier won a hard-fought campaign for City Council in Bellflower and then endured years of harassment (by agents of the local political establishment) as he worked to bring fiscal responsibility and honesty to city government there; therefore, be it

Resolved, that the LPC commend Region 65 member Art Olivier for his service in the cause of liberty.

Michael Everling spoke on the motion, stating that Art Olivier was a local elected Libertarian who recently retired from office. He stated that Mr. Olivier served on the Bellflower City Council, and as Mayor of Bellflower.

Seconded. **Passed without descent.**

4. Election of National Convention Delegates and Committee Representative

a) National Convention Delegates

Per Rule 16: Election Of Delegates To The National Convention, 430 names were submitted, 105 names were dropped from the list because they failed to receive 3 or more votes. California is entitled to 256 Delegates. The final list is posted on the LPC WebPage at: <http://www.ca.lp.org/conv/2000/elections-natdel.html>

b) National Committee Representatives and alternates

Joe Dehn, current National Committee Representative, stated that by the national formula, California is entitled to 1.9 representatives to the committee. He stated that the way we have deal with this is to act as if we are entitled to two, elect two and work with another state within our Region. Joe stated that he believed that Nevada was in agreement to work with us.

Results for Representative:

<u>Nomination</u>	<u>Vote</u>	<u>Rank</u>	<u>Resulting Committee</u>
Scott Lieberman	52	2	
Joe Dehn	67	1	*
Terry Savage	43	3	
Jeffrey Sommer	4	4	
NOTA	3		

There was a lot of discussion on how to select the Alternate. Rodney Austin moved to allow California delegates to configure our national representative delegation at the national convention and that Joe Dehn be one of the two delegates and that Scott Lieberman be either the second representative or the first alternate. **Passed.**

Motion to remove an item from the table. Starchild moved to remove his Platform motion from the table. **Failed.**

c) National Platform Committee Representative

Results:

<u>Nomination</u>	<u>Vote</u>	<u>Rank</u>	<u>Resulting Committee</u>
Craig Casey	10	4	
Bill Hajdu	7	6	
Eric Lund	10	3	
Jack Hickey	6	8	
Doris Ball	9	5	
Starchild	12	2	Alternate
Erich Miller	41	1	*
Dennis Triglia	7	7	
NOTA	1		

This required a majority vote, which no one got. Erich Miller was appointed by voice vote following balloting. It was moved and seconded to appoint Starchild as alternate.

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d) National Credentials Committee representative

Results:

<u>Nomination</u>	<u>Vote</u>	<u>Rank</u>	<u>Results</u>
Sandi Webb	53	1	*
Carol Brow	30	2	Alternate
NOTA			

5. Election of At-large members of the Executive Committee

Because there was a tie between John Ballard and Elizabeth Brierly for alternate, the order of alternate was decided by a coin toss.

Results:

<u>Nomination</u>	<u>Vote</u>	<u>Rank</u>	<u>Resulting Committee</u>
Jonathan Richter	16	8	
Bruce Dovner	19	5	*
Brian Lee Cross	16	9	
José Castañeda	21	3	*
Eric Fine	8	14	
Lori Adasiewicz	30	1	*
Starchild	13	11	
Jack Hickey	10	12	
John Zwickel	16	10	
John Ballard	18	7	2 nd Alternate
Elizabeth Brierly	18	6	1 st Alternate
Terry Savage	8	15	
Aaron Starr	23	2	*
Joe Dehn	21	4	*
Marv Rudin	9	13	
NOTA	0		

6. Election of Judicial Committee members

Results:

<u>Nomination</u>	<u>Vote</u>	<u>Rank</u>	<u>Resulting Committee</u>
Ernst Ghermann	40	5	*
Dennis Schlumpf	36	6	1 st Alternate
Mary Gingell	59	2	*
Richard Boddie	46	3	*
Bob Weber	61	1	*
Mark Dierolf	17	7	2 nd Alternate
Ray Strong	43	4	*
NOTA	0		

Motion to suspend the rules: Ted Brown moved to defer announcement of Judicial Committee until the Executive Committee Meeting immediately following the convention and the 6th and 7th place to be 1st and 2nd alternates.

Passes.

7. Presidential Straw Poll

Results:

<u>Nomination</u>	<u>Vote</u>
Harry Browne	73
Barry Hess	1

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Jacob Hornburger	8
Don Gorman	13
Mary Ruwart	5
Other	1

8. Endorsement of Candidates

Motion to endorse Gail Lightfoot for U.S. Senate. **Passed without descent.**

9. Adjourn

Resolutions passed by the Libertarian Party of California Convention 2000

Native American Resolution.

***Be it resolved** that the Libertarian Party of California, assembled in convention, enthusiastically voices its support for California State Proposition 1A, Gambling on Tribal Lands, Legislative Constitutional Amendment.*

The Party is proud of its long tradition of respect for the sovereign status of the state's Native American Indigenous tribal Nations and People and welcomes working with them to achieve the greatest opportunity of securing self reliance.

Veto The Governor Resolution.

***Resolved** that the LPC endorse the California constitutional amendment initiative by " Veto the Governor "*

Art Olivier resolution.

***Whereas**, Art Olivier won a hard-fought campaign for City Council in Bellflower and then endured years of harassment (by agents of the local political establishment) as he worked to bring fiscal responsibility and honesty to city government there; therefore, be it*

***Resolved**, that the LPC commend Region 65 member Art Olivier for his service in the cause of liberty.*