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# **Libertarian Party of California**

## **2001 Convention**

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**Saturday - Monday, February 17-19, 2001  
Doubletree Hotel, 2050 Gateway Place, San Jose CA 95110**

### **Officers**

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

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

**Saturday, February 17**

### **1. Call meeting to order**

Mark Hinkle called the meeting to order at 8:56 a.m.  
Mark Hinkle appointed Bill White as Parliamentarian.

### **2. Approve Agenda**

**Agenda approved.**

### **3. Credentials Committee Report**

Elizabeth Brierly gave the credentials report.

The number of credentialed delegates and alternates: 111 delegates; simple majority - 56; two-thirds majority - 74.  
There were several people who wished to be seated. They were voted on by category of difficulty.

1. Regions 10 and 44 were late in sending in their delegate list: A vote was taken to seat members in those regions. Passed.
2. One person whose dues had expired and who had brought it current: Wayne Nygren, Region 1. Passed.
3. Two new members: Jason Beeler and Mimi Ji, Region 1. Passed.
4. One alternate wanted to be seated as a delegate: Steve Perry, Region 63. Passed.
5. One alternate whose name was not sent in by his region: Chris Strong, Region 1

**Number of credentialed Delegates and alternates-116 delegates; simple majority-58; two-thirds majority-78.**

### **4. Officers Reports**

#### **a) Mark Hinkle - Chair**

Mark Hinkle outlined the successes and failures of the State LP over the last four years. He said that when he took over as Chair four years ago the state party had stagnated for about a decade. There were only around 2300 dues paying members. This number remain about the same for most of the 1990's. Currently the state LP has around 6000 dues paying members and our registration is at an all time high of around 90,000. He attributed the high number of registered LP to the high number of candidates and media. He said that the overall activism has increased the overall awareness of the LP to the general population. He said that this was a tribute to all the fine work done by those activists.

Mark said that it had been his goal on taking over as Chair to professionalize the party. We now have a paid Executive Director, Juan Ros. He said that there were projects that would not have been possible without paid professional staff. Things such as "Operation Breakthrough" and successfully lobbying Sacramento against very restrictive ballot access. We now have a part time bookkeeper. He also thanked Thea McLean who has done our bookkeeping for many years. We now have a new, full time office open in the LA area. Mark thanked Betsy Mill for the wonderful newsletter that she puts out.

Mark said that when he took over four years ago the state LP budget was around \$70,000. At present it is around \$275,000. He thinks that the reason that the pledge and major donor base is so high is that the state LP is delivering a product that the members want. He said that last year we received an unsolicited \$10,000 pledge and just recently someone signed up for a \$1,000 a month pledge.

Mark said that four years ago we typically ran 100 candidates, most of whom were recruited by Ted Brown. Last election, with a plan from Aaron Starr, we created "Operation Breakthrough" and ran over 305 candidates. He noted that the National LP had asked California LP to run 200 candidates which they helped fund.

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The monthly pledge base four years ago was less than \$2000, recently we passed the \$6000 a month mark. We never used to keep track of media that was garnered by the LP and our candidates. We now have a clipping service and last year they sent us over 2000 references.

Mark explained how a person wanting to be a LP Presidential Candidate missed the deadlines to get on the ballot in California, is now suing the State LP, National LP, Mark Hinkle and various others. He said that this is in some sense a sign of our success. The bigger we get and the more influential we become, the more opposition will come after us. He said that he, like many other Libertarians, wants to see a Libertarian win a seat in the State Legislature. He cautioned that this, like the Green Party's Audi Bock, would be a one term legislator because the Democrats and Republicans will spare nothing to make sure that doesn't happen again. He said that when we get to be a threat they will dump on us.

One of the projects that he has heard of was bringing the accounting procedures into the LP office so that we don't have to count on volunteers. He said that he supports this. He wants to relieve the volunteers to do the outreach.

**b) Rodney Austin-Northern Vice Chair**

Rodney thanked Mark Hinkle as the outgoing LPC Chair. He said that it had been a pleasure working with Mark and that he was glad that Mark was still going to be on the Executive Committee. He said that Mark had enhanced the LPC.

Rodney said that two years ago he made a promise to endeavor to organize all of the unorganized counties in Northern California. He said that he has had some progress. Mendocino County became a new region this year with Ed Kuwatch as Region 23 Chair. He said that there were still 10 unorganized regions. Mono is now a separate unorganized region. The unorganized regions have only a total of 100 members combined. Tulare County has had about 5 meetings with about 10 people attending per meeting. He thought that they could become organized but the meeting that was set up to elect officers only had 3 people attend. He said that they would try again. He said that they did have a contact in each of the regions except Kings County. He thanked Juan Ros and other individuals for helping to distribute letters and made phone calls.

Rodney gave a brief report on the Conference of Libertarian Regional Parties that he started two years ago. He said that the conference takes place in August in Fresno. It is to be a forum for the people in the regions to network and learn about techniques for activities in their regions to become more successful. He said he was always open to suggestions about the content of the conference or a different type of conference. He hoped that whoever the two Vice Chairs are that they work together to develop forums and activities that will help regional activists learn from each other. In particular with the success of Operation Breakthrough in developing new local officeholders, we need to find a way of leveraging improvement into larger things, such as getting more elected officials or helping those elected to interact among themselves. The tentative date for this year's conference is August 25-26 in Fresno.

**c) Ted Brown - Southern Vice Chair**

Ted Brown reported that all of the regions in Southern California are now organized. He said that when he took over as Southern Vice Chair, Regions 67, 68 and Imperial County were not organized. He said that his main activity was in recruiting candidates. He said that we had a record number of partisan candidates.

Ted said that when he first heard of Operation Breakthrough he didn't think many people would run. He was pleased that in Southern California we had seven people win local elections. The 2002 elections will be coming up soon. He outlined some of the problems that will be faced in getting people to run.

**d) Sandi Webb - Secretary**

Sandi Webb gave a brief report on the Executive Committee meetings and votes. She said that the Executive Committee had meet five times since the last convention. The Operations Committee held five email votes and the Executive Committee held 15 email votes. All minutes and other documents are available on the Secretary's Corner Web Page at <http://www.peoplesveto.org/lp/>

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e) Eric Lund - Treasurer

Eric Lund reported that although we have been getting a larger pledge base the budget is still very heavily dependent on major donor fundraising. He said that this had fallen far short of the goal. The main area of budget cutting was to reduce the Newsletter to a paper copy every other month. The cash flow has been difficult. There were four good fundraisers other than Operation Breakthrough. The fund balance is in the negative. We still owe more than we have.

## 5. Standing Committees Report

b) Bylaws and Rules Committee Report

Dan Wiener outlined the procedures for modifying the convention rules and bylaws.

**BYLAW AND RULES COMMITTEE REPORT**

*LPC State Convention*

*February 17-19, 2001*

Dan Wiener, Chair  
José Castañeda, Region 65  
Bruce Dovner, Region 37

Bob Weber, Region 62  
Joe Dehn, Region 43

### Item 1. Bylaw 8 Finance and Accounting- (passed 5-0)

**Committee motion:** [Add new Section 6.](#)

[Section 6.](#)

[\*The Executive Committee shall select an Audit Committee of at least three people during the first three months after a convention. The Audit Committee shall review the financial records and processes of the Party and report at each subsequent Executive Committee meeting and at the next state convention.\*](#)

**Discussion:** Dan Wiener explained that the committee felt that there should be a more formal process to make sure that there was an Audit Committee that took a look at the records and reported what they found.

Aaron Starr asked if there was a reason that the three individuals not be a member of the Executive Committee or be somehow be independent. Dan explained that this had been left open because in the past competent people were hard to find to serve as the Audit Committee. It was asked if these people had to be members of the LP. Dan answered that here again they had left it open. Robert Burk, Region 29, asked if there was any time table set for the completion of the audit. Dan said that here again they didn't try to say how to have formal audits, leaving this up to the ExCom. They thought it was a good idea to appoint the Audit Committee soon after the convention and for them to give a report at each quarterly ExCom meeting and at the next convention.

**Motion to amend:** Starchild moved to amend. After [select an Audit Committee of at least three people](#) insert the words "[not currently serving as officers of the state party or members of the Executive Committee](#)". Seconded.

**Motion for friendly amendment:** Ed Teyssier, Region 37, offered that the wording be "[at least one members of the Audit Committee not be from the Executive Committee](#)". Starchild said he would accept it if it was that one member of the Audit Committee can be serving on the ExCom. No friendly amendments were accepted.

Speaking against the amendment. First the wording is redundant as the officers are all on the ExCom. Second this is micro-management. Aaron Starr said that we should just go ahead and try it as proposed and we can always change it next year.

**Vote on amendment:** Failed

**Vote on main motion:** Passed.

### Item 2. Bylaw 9 Executive Committee, Section 7- (passed 5-0)

**Committee motion:** [Add new item C and re-letter subsequent:](#)

[C. Endorsing or opposing any proposed ballot measure, but rescinding such action shall be considered a normal main motion.](#)

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**Discussion:** Dan Wiener explained that the ExCom frequently takes positions on initiatives, ballot measures, and proposed bills in the State Legislature. Currently the ExCom can take a position with a simple majority vote. This would change this to a two-thirds vote but that the position could be rescinded by a simple majority vote. He said that we should have a strong consensus when taking a position on things.

Ray Strong, Region 43, asked if passing this has any effect on party officers or anyone else signing ballot arguments. Ted said that ballot arguments are submitted before the party knows they are there. He said that he normally get someone to sign them. He said that there has never been a problem.

Aaron Starr, Region 56, said that he sees some problems as to how this will work. He said that the State Party puts out press releases on a regular basis taking positions on current legislation. He said that he didn't see a problem currently with our opposing legislation.

Someone said that they didn't see any problem with the ExCom delegating this to someone.

Bob Weber said that the proposed change only affects what the ExCom can do as the Executive Committee. He said that anyone can state a position on legislation.

Sandi Webb explained the problem that had occurred in the past with endorsements by the ExCom of ballot measures. She said that she was in support of the amendment.

Someone said that they were glad for the clarification. She said that she didn't realize that currently the ExCom was taking votes on ballot measures.

Mary Gingell clarified that this could not be delegated as someone suggested earlier but suggested that the OpCom could take positions if a vote was needed quickly. Dan Wiener agreed with her.

Sandi Webb reminded the convention that all this amendment would do was increase the vote from a simple majority to a two-thirds majority on endorsements that the ExCom already have authority to do.

**Motion to amend:** Aaron Starr moved to strike the words "or legislation." Seconded. He said that he agreed that ballot measures need a two-thirds vote to endorse. He said that he didn't want something that could prevent our Executive Director from taking a position on bad legislation on a timely basis.

Tim Lloyd, Region 44 spoke in favor of this amendment.

**Vote on amendment: Passed.**

**Motion to amend:** Scott Wilson, East Bay, moved to add "statewide" before "ballot measure". Seconded.

Ed Bowers, Region 62 spoke against the amendment. Mark Hinkle gave some information on how ballot arguments get on the ballot.

**Motion to extend debate for 5 minutes: Failed.**

**Vote on amendment: Failed.**

**Vote on main motion: Passed**

**Item 3. Bylaw 3 Membership, Section 5- (passed 5-0)**

**Committee motion:** Change the second paragraph by deleting "~~with the approval of three Party officers or two county officers;~~" and add: under the following conditions:

(a) that three Party officers or two county officers give approval to the request.

(b) that the requesting individual or group agree to pay the amount for receiving the list in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, and

(c) that the requesting individual or group agree to terms, in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, that are solely intended to assure that the membership ~~provided that this list shall not be~~ is not sold or furnished to any other group, organization, government official or agency.

*(Current wording)*

The county central committee's membership list 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.

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*(As proposed)*

The county central committee's membership list 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 under the following conditions:

- (a) that three Party officers or two county officers give approval to the request,
- (b) that the requesting individual or group agree to pay the amount for receiving the list in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, and
- (c) that the requesting individual or group agree to terms, in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, that are solely intended to assure that the membership ~~provided that this~~ list shall not be ~~is not~~ 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:** Dan Wiener explained that the intent of this was to clarify the use of the LP mailing list. He said that the most important part of this change is that this would make it the responsibility of the ExCom to set in the Standing Resolutions terms for the cost of the use of the list, establish the terms and procedures that would be agreed to by anyone using the list, and retain the current approval requirements.

Aaron Starr asked if item (a) meant that three officers of one region could O.K. the list for another region. Dan said No. Only the state officers could O.K. the use of the state list and only officers of a region could ok the list for THAT region. Juan Ros said that the language only referred to county central committee lists not to state lists. Mark Hinkle asked about item (c). He asked if the group we sell the list to can then sell the list to an individual. Dan said that this was part of the current language that the committee didn't change. Rodney Austin said that he would like to address the concern about the county central committee list vs. the statewide list. He said that there had been some issues this last year with statewide candidates and the list.

**Motion:** Laura Stewart moved to add "is not used for any other purpose nor" after "is not". Seconded.

**Vote on the amendment: Passed**

**Motion:** Aaron Starr proposed to substitute paragraph (a) with "(a) that one party officer give approval for the list." Aaron spoke to his motion saying that he would like to simplify the process. Mark voiced a problem with only one officer being able to give out the list.

**Vote on the amendment: Failed.**

**Motion to extend time for 5 minutes: Failed**

**Vote on main motion as amended: Passed.**

**Item 4. Program Committee- (passed 5-0)**

**Committee motion:**

Change Bylaw 4: Organization, Section 5, second paragraph after Executive Committee to strike ~~or the~~ and add after Platform Committee , or Program Committee.

Change Bylaw 7: Officers, Section 4, second paragraph after Platform to add , Program.

Change Bylaw 12: Committees, Section 3 to add and Program Committee; change ~~The~~ to Each; add of each committee

Change the title of Bylaw 15: Convention and Platform to Convention, Platform, and Program and add new Section 5.

The Party Program shall consist of up to five planks which state interim and incremental measures and practical policies, designed to implement the Party position on issues of interest to California. The Program shall not conflict with the Statement of Principles or the Platform. The Program shall be in effect until the next convention.

Change Rule 10: Agenda, add new item G. Program Committee. Re-letter subsequent letters.

Add new Rule 15 and re-number subsequent numbers.

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**Rule 15: PROGRAM COMMITTEE**

Section 1.

The adoption of a plank shall require approval of two-thirds of the votes cast, but not less than a majority of all delegates registered.

Section 2.

Challenges of adopted planks believed by a delegate to be in conflict with the Statement of Principles of the national Libertarian Party or with the Statement of Principles or Platform of the Libertarian Party of California shall be referred in writing, during the convention, to the Judicial Committee by the delegate(s) requesting action for consideration. The challenge shall specify in what manner the plank is believed to conflict. The Judicial Committee shall decide whether the plank in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the plank is vetoed by the Judicial Committee, it will be declared null and void, but can be reinstated in the Program by a three-fourths vote of the convention.

Section 3.

The Chair of the Program Committee shall report the committee's recommendations to the floor, plank by plank, and each recommendation shall be voted upon separately. Consideration of the Program shall end once five planks have been adopted. After all recommendations of the Program Committee have been considered, and if less than five have been approved and if time permits, any delegate may propose a new plank or amendment.

**Discussion:** Dan Wiener explained that what is being proposed is a Party Program as well as a Party Platform. This Program would consist of interim measures and practical policies. The bylaw committee agreed that it would be good to have a shorter set of planks that would deal with current hot topics. This would also provide some focus for the LP for the year.

Bruce Dovner said that he had proposed this on the bylaw committee. He said that this would give us a new product to market so we can win the market place of ideas. He said that we need both the "radical" Platform and the more "watered down" Program.

Starchild said that he wasn't opposed to the idea of a Program but had problems with some of the specific language of the proposal. Namely the provision that it be "interim and incremental measures" and "practical policies." He thought it inappropriate to have the bylaws dictating the type of Program we have. He said that there was no language that specifies the Platform to be a radical document.

Wayne Nygren spoke in favor of the proposal. He said that this is something that is long overdue. If we are going to be in the real world of politics we need to act like real politicians. He said we could do this without being in conflict with our principles. We can be radical and still have a Program that will help us obtain our goals. We are not a debating society, we are a political party.

Dave Bowers said that he was only in opposition to the order that had been set. He felt that it needed to be on the convention agenda before the Platform or Bylaws. He felt we would never have time for it this way.

JR Graham said that this was very overdue. He agreed with the amendments that had been talked about so far.

Laura Stewart said that she worried about contradictions between this and the Platform. She said that there already contradictions in the Platform. She said that making it "incremental" puts it into contradictions.

**Motion to amend:** Wayne Nygren moved to delete the words "**and incremental**" from the proposed Bylaw 15, Section 5. Seconded.

Starchild proposed a friendly amendment that to delete the words interim and practical. Not accepted as a friendly amendment.

Bob Weber said that we should leave it up to the delegates to decide what is incremental.

**Motion to extend debate for 10 minutes.** Seconded. **Failed**

**Motion to extend for 5 minutes:** Seconded. **Passed.**

**Vote on motion to amend: Passed**

Section 5.

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The Party Program shall consist of up to five planks which state interim ~~and incremental~~ measures and practical policies, designed to implement the Party position on issues of interest to California. The Program shall not conflict with the Statement of Principles or the Platform. The Program shall be in effect until the next convention.

**Motion to amend:** Change New Rule 15: PROGRAM COMMITTEE, Section 3, second sentence to read "Consideration of the Program shall end once all planks have been presented and five planks have been adopted."

**Motion to extend debate by 5 minutes:** Seconded. **Failed.**

**Vote on amendment:** Failed

**Vote on the main proposal as amended:** Passed.

**Item 5. Election of Party Officers- Speeches**

**Committee motion:**

Change Rule 17: Election of Party Officers, Section 2, second and third sentences to read " For each candidate, there may be one nominating speech and one seconding speech, ~~neither to the total time for which shall not~~ exceed five minutes. The candidate may then speak for a maximum of ~~fifteen~~ ten minutes." - (passed 5-0)

Change Rule 19: Nominations And Endorsements Of Candidates For Public Office, Section 1, second and third sentences to read " For each candidate there may be one nominating speech and one seconding speech, the total time for which shall not ~~neither to~~ exceed five minutes. The candidate may then speak for a maximum of ~~fifteen~~ ten minutes." - (passed 5-0)

Change Rule 18: Election of At-Large Executive Committee Members, add new second sentence to read " For each candidate there may be one nominating speech and a speech by the candidate, the total time for which shall not exceed three minutes." - (passed 4-0-1)

**Discussion:** Dan Wiener said that these were three related things that would be voted on separately but presented as a group. The overall proposal is to redistribute some of the maximum time that is allotted to speeches.

**Vote** on changing the total amount of time for nominating and seconding speeches to 5 minutes in Rule 17 and Rule 19: **Passed.**

**Vote** on changing the maximum time for a candidate from fifteen minutes to 10 minutes in Rule 17 and Rule 19: **Passed.**

**Vote** on adding a sentence in Rule 18 to allow a total of up to 3 minutes for one nominating speech and a speech by the At-Large Executive Committee candidate: **Passed.**

Dan Wiener said that it had been the intent of the committee to have this take affect at this convention. The other members of the Bylaw Committee agreed. A two-thirds vote is required to have a change in the bylaws take affect immediately.

**Vote** on having the bylaw change take affect for this convention. **Passed by two-thirds.**

**6. Recess until Sunday February 18th at 8:30 a.m.**



## **Sunday February 18th**

### **1. Call meeting to order**

Mark Hinkle called the meeting to order.

**Motion to suspend the rules:** Scott Lieberman moved to change the Agenda for Sunday and Monday to immediately hold the election for LPC Chair, then as the votes are being counted resume the Bylaw Committee Report. As soon as the results for LPC Chair are announced, proceed immediately to the election of LPC Northern Vice Chair. This process would continue for the elections. Seconded.

Dan Wiener said that he didn't think this would actually save any time as we only had about one hour left on the Bylaw Committee Report.

**Vote to suspend the rules:** Requires a two-thirds vote. **Failed.**

**Motion to suspend the rules:** Ted brown moved to move immediately to the elections.

**Vote to suspend the rules:** Requires a two-thirds vote. **Failed.**

**Motion to suspend the rules:** Starchild moved to suspend the rules to change the Agenda to take up a resolution prior to the last item in the Bylaw Committee Report. Seconded.

**Vote to suspend the rules:** Requires a two-thirds vote. **45 Yes, 25 No. Failed.**

### **2. Credentials Committee Report**

Not ready at this time.

### **3. Standing Committee Report**

b) Bylaws and Rules Committee Report - (continued)

#### **Item 6. Bylaw 3 Membership, Section 5- (passed 4-0-1)**

**Committee motion:** [Replace second sentence with "Dues shall be disbursed to active regions monthly for amounts over \\$50, and at least quarterly."](#)

Section 6.

Dues revenue received shall be shared 40% to the state Party and 60% to the regions. [Dues shall be disbursed to active regions monthly for amounts over \\$50, and at least quarterly.](#) ~~Dues shall be disbursed monthly to the active regions.~~ Contributions shall be used for their designated purposes or, if not designated, as decided by the state Executive Committee or county organization which receives the contribution. Dues shall not be used for financing individual campaigns.

**Discussion:** Dan Wiener said that there is a lot of expense for the LP to write small checks monthly. The committee didn't want the regions to go too long without getting the dues split.

Mark Dierolf, Region 27, opposed this because the dues for his region were only a dollar or so from the minimum. He said that they only get enough now to barely send out mailers to the members monthly. He said that they are already putting their own money out for advertising. Dan Wiener pointed out that this was not to be mandatory for the Treasurer. He pointed out that the Treasurer could still send out the checks each month.

There was discussion that this would involve about 20 regions. The cost saving was discussed.

Cullene Lang spoke against this motion. She said that it brought a sense of false economy and it can look like there is more in the account than there is. She said that this was to fix a problem that wasn't broken. She pointed out that the money was not the State LP's but that it belonged to the regions. She said that this would affect the small regions the most and these are the regions that need it the most.

Ray Strong, Region 43, spoke in favor of the motion. He said that as a volunteer organization we cannot depend on dues as the major source of funds. He said that we have to raise more money than dues at both the state level and the region.

Jack Hicky, Region 41, said that it is a waste of time to discuss this proposed change. He said that sending a check to the regions every month makes them feel like a part of the organization.

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Kevin Bastian, Region 12, said that he is from a small region and this makes sense. He said that we just are not talking about enough money.

Mary Gingell, Region 43, said that this causes too many problems and that hopefully all of the regions would be over the \$50 threshold and the question would be moot.

**Motion to amend:** Starchild moved to substitute the proposed new sentence with "[Regions can opt to have checks sent to them monthly only for amounts over \\$50 in order to reduce mailing costs, but checks shall be dispersed to regions at least quarterly in any case.](#)" Seconded. Starchild said that this is a problem that can be solved voluntarily. He said that regions should have the choice.

**Motion to extend debate by 5 minutes:** Seconded. **Failed.**

**Vote on substitute motion: 47 Yes, 40 No. Passed.**

**Credentials Committee Report.**

There were several people who wished to be seated. They were voted on by category of difficulty.

1. One alternate wanted to be seated as a delegate: Mark Baldwin, Region 61. Passed.
2. Three new members: Jason Gonella, Region 68; Kile Beckley; Hillary Hotlz, Region 1. Passed

**Number of credentialed Delegates and alternates-139 delegates; simple majority-70; two-thirds majority-93.**

**Main motion as amended.**

Section 6.

Dues revenue received shall be shared 40% to the state Party and 60% to the regions [can opt to have checks sent to them monthly only for amounts over \\$50 in order to reduce mailing costs, but checks shall be dispersed to regions at least quarterly in any case.](#) ~~Dues shall be disbursed monthly to the active regions.~~ Contributions shall be used for their designated purposes or, if not designated, as decided by the state Executive Committee or county organization which receives the contribution. Dues shall not be used for financing individual campaigns.

**Vote on main motion: Failed.**

**Item 7. Rule 17, Section 2- (passed 4-1-0)**

**Committee motion:** [Incorporate Instant Runoff Voting in LPC officer elections.](#)

*( current wording)*

RULE 17

Section 2.

Nominations shall be made from the floor. For each candidate, there may be one nominating speech and one seconding speech, neither to exceed five minutes. The candidate may then speak for a maximum of fifteen minutes. For each office, a majority vote shall be necessary and sufficient for election. In cases in which no candidate receives a majority vote on the first ballot, run-off ballots will be held, eliminating the lowest running candidate after each ballot. A majority vote for "None of the Above" shall cause nominations for that office to be reopened.

*(proposed wording)*

RULE 17

Section 2.

Nominations shall be made from the floor. For each candidate, there may be one nominating speech and one seconding speech, neither to exceed five minutes. The candidate may then speak for a maximum of fifteen minutes. [Elections will be conducted using Instant Runoff Voting \(IRV\).](#) For each office, a majority vote [of all the ballots cast](#) shall be necessary and sufficient for election. [Ballots will allow delegates to rank their choices of candidates in order of preference, such as First Choice, Second Choice, Third Choice, etc. All individual ballots shall be turned in to the Secretary along with the regional tabulations of the first choice votes.](#) In cases in which no candidate receives a majority ~~vote on the first ballot, run-off ballots will be held, eliminating~~ [of First Choice votes,](#) the lowest running candidate ~~after each ballot~~ [shall be eliminated and his/her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on](#)

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[those ballots and then recounting shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or](#) a majority vote for "None of the Above" shall cause nominations for that office to be reopened.

**Discussion:** Dan Wiener said that the main advantage to this procedure is symbolic and shows LPC support for IRV. He said that the substantive changes are minor for the LPC. He explained the mechanics of how the procedure would work.

Mary Gingell asked for clarification on what happens to "None of the Above." Dan Wiener said that it never gets dropped. She asked if the same people could be nominated if the nominations were to be reopened. Dan said that this provision doesn't deal with this. He said that they most likely could.

There were several questions as to the technical working of this procedure.

Rick Nical, Region 36, spoke against the proposal. He didn't like that there would be no "horse trading" between votes.

Ed Teyssier said that the horse trading is done ahead of the vote instead of in the middle.

Steve Watanabe asked how this would affect the election for LPC Chair at this convention. Dan Wiener said it would not affect this convention. It would take effect at the next convention.

David Kokot said that this is basically the same as we have now.

**Vote on the main motion: Passed.**

**Motion to suspend the rules to consider adopting the change to Rule 17 effective at this convention: Passed.**

**Discussion:** Aubri Webb asked if the LPC Secretary would be able to implement this. Sandi Webb, LPC Secretary said that she had no idea but that Ed Teyssier would most likely be able to help.

JR Graham, San Diego, agreed that we should do it this convention.

Mary Gingell, said that this changes the rules for campaigning.

Jack Hicky, said we could get good publicity for it. He said that he thought the candidates could handle it. Dana Albret, Region 43, asked if the candidates were opposed.

Sandi Webb said that after looking at the current, pre-printed ballot forms, she could see no problem with implementation for this convention.

**Vote on the motion to have IRV take effect at the current convention: (requires a two thirds vote) Passed.**

### **Item 8. Bylaw 3 Membership, Section 6- (passed 3-1-1)**

#### **Committee motion:**

#### **BYLAW 3: MEMBERSHIP**

##### Section 6.

[40% of dues revenues shall be retained by the state party. Each region shall receive the portion of the 60% attributable to the people in that region.](#) ~~Dues revenue received shall be shared 40% to the state Party and 60% to the regions.~~ Dues shall be disbursed monthly to the active regions. Contributions shall be used for their designated purposes or, if not designated, as decided by the state Executive Committee or county organization which receives the contribution. Dues shall not be used for financing individual campaigns.

**Discussion:** Dan Wiener explained that the ExCom recently took action to revise the distribution of region dues. He said that this had not yet taken effect. He said that this would reverse that decision.

John Scott Ballard spoke in favor of this motion. He said that the action that the ExCom took was a re-distribution of wealth. He said that he believed that this proposal would bring the party back to its ideals.

Scott Wilson, East Bay, spoke in opposition to the motion. He said that the money doesn't belong to either the State Party or the Regions, it belongs to the members. He said it takes a lot of money to promote liberty.

Mark Hinkle gave some background on the UMP dues split.

There was a great deal of discussion of whether the dues belong to the State Party or the regions.

**Vote on main motion: Passed.**

**Motion to suspend the rules to end discussion on the Bylaws for the purpose of taking up the election of officers: Passed.**

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#### **4. Election of Party Officers**

a) LPC Chair

JR Graham nominated **Jeff Sommer**. Linda Lee Grau seconded the nomination. Mark Deroff also seconded the nomination.

Rodney Austin nominated **Brian Lee Cross**. Ed Teyssier seconded the nomination.

Dan Wiener nominated **Aaron Starr**. Kate O'Brien seconded the nomination.

Each candidate gave a campaign speech.

**Results for Chair:**

<u>Nomination</u>	<u>Vote</u>	<u>1<sup>st</sup> round</u>	<u>2<sup>nd</sup> round</u>	<u>3<sup>rd</sup> round</u>	<u>4<sup>th</sup> round</u>
Jeffrey Sommer		29	0	0	0
Brian Lee Cross		46	57	57	0
Aaron Starr		53	63	64	98*
NOTA		0	7	7	28
Write-in		0	1	0	2

**Motion to suspend the rules:** Bob Weber moved to suspend the rules to consider voting on both the Northern Vice-Chair and Southern Vice-Chair at the same time. **Passed.**

a) LPC Northern Vice-Chair

Lori Adasiewicz nominated **Rodney Austin**. Dolores Comstok seconded the nomination.

**Motion to suspend the rules:** Jack Hickey moved to suspend the rules to consider voting Rodney Austin by acclamation. Mark Hinkle pointed out that as this would eliminate the secret ballot, it would need to be unanimous. There were no objections. The motion to suspend the rules **Passed.**

**Vote:** Rodney Austin was voted Northern Vice-Chair by acclamation.

a) LPC Southern Vice-Chair

Irv Rubin nominated Mark Selzer. Melissa Gilligan seconded the nomination.

JR Graham nominated NOTA

**Motion to suspend the rules:** Ted Brown moved to consider electing Mark Selzer by voice vote. There were objections. Motion **failed.**

Mark Selzer gave a campaign speech.

**Results for Southern Vice-Chair:**

<u>Nomination</u>	<u>Vote</u>	<u>1<sup>st</sup> round</u>
Mark Selzer		62*
NOTA		3

#### **5. Recess until Monday February 19th at 8:30 a.m.**

**Monday, February 19**

**1. Call Meeting to Order**

Mark Hinkle called meeting to order.

**2. Credentials Committee Report**

Elizabeth Brierly gave the credentials report.

There was one person who was not included in the list from his region.

Rick Newhouse, Region 30, was voted in as a delegate.

**Number of credentialed Delegates and alternates-121 delegates; simple majority -61, two-thirds majority-81.**

**3. Election of Party Officers (continued)**

a) LPC Secretary

Ted Brown nominated Sandi Webb. Aaron Starr seconded the nomination.

**Motion to suspend the rules:** Rodney Austin moved to suspend the rules to consider voting Sandi Webb by acclamation. Mark Hinkle reminded the convention that this would eliminate the secret ballot, it would need to be unanimous. There were no objections. The motion to suspend the rules **Passed**.

**Vote:** Sandi Webb was voted Secretary by acclamation.

a) LPC Treasurer

Elizabeth Brierly nominated Lori Adasiewicz.

Lori gave a campaign speech.

**Results for Treasurer:**

<u>Nomination</u>	<u>Vote</u>	<u>1<sup>st</sup> round</u>
Lori Adasiewicz		75*
NOTA		13
Eric Lund (write in)		5

**4. Election of At-Large Executive Committee Representatives**

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

<u>Nominator</u>	<u>Nominee</u>	<u>Number of votes</u>	<u>At-Large Representative</u>
Brian Lee Cross	John Scott Ballard	22	-
Rodney Austin	Jonathan Zwickel	17	-
Mary Gingell	Cullene Lang	13	-
Wayne Nygren	Elizabeth Brierly	24	X
Aaron Starr	Dan Wiener	30	X
no name given	Starchild	36	X
José Castañeda	Al Carlan	23	Alternate #1
Richard Venable	José Castañeda	16	-
Mark Selzer	Eric Fine	8	-
Mark Selzer	Doug Scribner	34	X
Lori Adasiewicz	Bruce Dovner	23	Alternate #2
Aaron Starr	Frank Manske	12	-
Mark Selzer	Ted Brown	38	X
Linden Hsu	Jack Hickey	11	-

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## 5. Election of At-Large Alternate Executive Committee Representatives

By a suspension of the rules the 6<sup>th</sup> and 7<sup>th</sup> place candidates from the election for At-Large Representatives were to be voted as alternates. The sixth- and seventh-place candidates were tied between Al Carlan and Bruce Dovner.

**Motion:** Ted Brown moved that Al Carlan be elected Alternate #1 and Bruce Dovner be elected Alternate #2. Seconded. **Passed.**

**Motion to suspend the rules:** Bob Weber moved to suspend the rules for the duration of the convention to allow a vote of 2/3 of delegates voting to pass Resolutions and Platform changes instead of the required majority of registered delegates.

**Challenge to the ruling of the Chair:** The Chair ruled that it requires a 2/3 vote and no less than a majority of delegates registered to suspend the rules. **Upheld.**

**Vote on suspension of the rules: Failed.**

## 6. Election of Judicial Committee

<i>Nominee</i>	<i>Number of votes</i>	<i>Judicial Committee</i>
Gail Lightfoot	66	X
Mark Dieroff	46	X
Bill White	39	X
Bob Weber	60	X
Tammy Austin	22	-
John Scott Ballard	63	X
Cullene Lang	37	-
Amber Tsujioka	36	-
Mary Gingell (write in)	8	-
Kip Lee (write in)	1	-

## 7. Standing Committee Report

### a) Platform Committee Report

PLATFORM COMMITTEE REPORT  
Libertarian Party of California State Convention - 2001

Committee Members:

Ted Brown, Chair	Bill Crain, Reg. 28	Hilary Holz, Reg. 1
Brian Lee Cross, Reg. 30	Jim McGee, Reg. 65	Laura Stewart, Reg. 43
Jonathan Zwickel, Reg. 10	Dolores Comstock, Reg. 20	David Molony, Reg. 38
Vern Dahl, Reg. 40	Dave Schrader, Reg. 66	Doris Ball, Reg. 37
David Kocot, Reg. 36	Erich Miller, Reg. 61	Mark Selzer, Reg. 64
Jack Hickey, Reg. 41	Jane Heider-Samuels, Reg. 27	

Alternates: Linda Lee Grau, Reg. 30 and Jason Heath, Reg. 64

### Item 1 - DISCRIMINATION- Page 4 (Passed 14-0)

Replace 3rd paragraph with:

[We call for the repeal of the Americans With Disabilities Act \(ADA\), since it imposes mandates on employers to hire individuals they may not wish to hire, such as alcoholics, drug abusers and people with personality disorders. Additionally, businesses are told what type of facilities to provide, which violates private property rights, and also discourages employers from hiring low skilled or disabled people.](#)

**Discussion:** Ted Brown explained that the committee felt this was a better reason for opposing the ADA.

**Motion:** Mark Baldwin moved to replace the word "alcoholics" with "alcohol and drug abusers." Seconded.

Mike Acree, Region 38, favored changing "abusers" to "users." He felt this was a moral judgement.

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**Motion to amend:** Wayne Nygren, Region 1, moved to change "and" to "or." Seconded.

**Motion to call the question on all pending questions:** Passed.

**Vote on the amendment "or" instead of "and.":** Passed.

**Vote on amendment to replace "alcoholics" with "alcohol and drug abusers":** Passed.

**Motion to suspend the rules to re-open debate to make another amendment:** Seconded. Failed

**Vote on main motion as amended:** Passed.

**Item 2 - JUDICIAL - Page 6 (Passed 14-0)**

L. Replace 2nd sentence with:

However, this would not preclude considering a convicted criminal's age when determining the most appropriate place for their incarceration.

**Discussion:** Ted Brown explained that this was more clear as to the Libertarian principal.

There was no debate.

**Vote on main motion:** Passed.

**Item 3 - JUDICIAL - Page 7/8 (Passed 13-0)**

In the 5th paragraph, change 3rd sentence to read:

Extended prison sentences and life imprisonment for multiple criminal acts should be reserved for perpetrators of violent crimes.

*We support the concept that law should impose penalties proportional to the gravity of the violation of others' rights, and prison sentences should be served in their entirety, unless the victim pardons the perpetrator. Unfortunately, the existing Three-Strikes-and-You're-Out law fails to focus on the truly violent career criminals who are the greatest threat to their victims. Extended prison sentences and life imprisonment for multiple criminal acts should be reserved for perpetrators of violent crimes. ~~Extended prison sentences and life imprisonment for multiple criminal acts should be reserved for perpetrators of first and second degree murder and attempted murder; kidnapping and attempted kidnapping; forcible rape and attempted forcible rape; armed robbery and attempted armed robbery; mayhem and attempted mayhem; and aggravated assault. Prison space for these enhanced sentences should be made by pardoning those prisoners who were incarcerated for victimless crimes.~~*

**Discussion:** Ted Brown explained that the committee was wanting to remove the long list of laundry items.

**Motion:** Jack Hickey moved that we change "extended" to "enhanced." Seconded. Jack thought it best to be consistent. It was noted that the word "extended" was the same as in the original platform.

**Vote on amendment:** Passed.

**Vote on main motion as amended:** Passed.

**Item 4 - JUDICIAL - Page 6 (Passed 13-0)**

In the 7th paragraph, rearrange to read:

Until such time as persons are proven guilty of crimes, their individual rights shall be accorded full respect. We therefore advocate the following judicial reforms:

A. The repeal of all civil asset forfeiture laws ...

and re-letter existing "A" to "B" and so forth down the line.

**Discussion:** Ted Brown explained that this would not change any wording, only the arrangement of the sentences.

There was no debate.

**Vote on main motion:** Passed.

**Item 5 - JUDICIAL - Page 6 (Passed 12-0)**

In N, delete the last sentence, and reword the first sentence as:

That the serious crime of forcible rape should not be confused with cases of psychological pressure or persuasion if there was no threat of violence or other violation of rights.

N. That the serious crime of forcible rape should not be confused with cases of psychological pressure or persuasion if there was no threat of violence or other violation of rights.

~~The serious crime of forcible rape should not be confused with cases of psychological pressure or persuasion. Nor should it be confused with cases in which an alleged victim was voluntarily under~~

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*the influence of alcohol or other drugs, but was not incapacitated. "Psychological pressure or persuasion" shall not include threats of violence.*

**Discussion:** Ted Brown explained that the committee were trying to condense this and make it clearer what was intended.

**Motion:** Kate O'Brien moved to add a new last sentence "[Date rape drugs inserted into the victims drink without his/her knowledge shall be considered force.](#)" Seconded. Kate wanted to make it clear that sneaking a drug into a persons drink should not be considered " *Psychological pressure.*"

Scott Wilson says the existing second sentence covers this.

**Vote on the amendment: Failed.**

**Vote on the main motion: Passed.**

**Item 6 - ENERGY- Page 15 - (Passed 12-0)**

Delete 1st paragraph and replace with:

California's energy crises are caused by the state's interference in energy markets.

After "we support," replace A with the following:

A. [The creation of free markets for all energy types through the repeal of all government controls over energy prices to consumers and costs to distributors.](#)

B. [The right of persons to build, own or use refineries, pipelines, power-generation units, or any other asset, as long as they don't violate the rights of others.](#)

C. [The abolition of the federal Department of Energy and its component agencies, without the transfer of their powers elsewhere in government.](#)

D. (Existing B)

E. (Existing C)

Delete existing D and E

F. (No change)

**Discussion:** Ted Brown yielded the floor to Dave Schrader, Reg. 66, who had proposed the change. Dave said that the original plank had dealt more with the oil embargo instead of the current electricity shortage.

**Motion:** Bob Weber moved to insert the words "[and the California Public Utilities Commission](#)" after "Department of Energy " in section "C" and change "its" to "their." Seconded.

**Vote on amendment: Passed.**

**Vote on main motion as amended: Passed.**

**Item 7 - ALCOHOL - Page 8 (Passed 11-1)**

Change title to ALCOHOL AND TOBACCO

and add new 2nd paragraph:

[The State of California has gone overboard in trying to discourage tobacco use, which is an individual right. We oppose any further state litigation against tobacco companies, support the repeal of all tobacco taxes and the end of all state-funded advertising to convince people to adopt non-smoking lifestyles. Instead, private groups and individuals are welcome to promote their viewpoints. We support the right of employers and business owners to decide rules for smoking at their businesses and properties, without government input.](#)

**Discussion:** Ted Brown said that alcohol and tobacco need to be together.

The use of the word "input" was discussed.

**Motion:** Moved and seconded to change "input" to "coercion."

**Motion to substitute:** Moved and seconded to substitute "involvement" for "coercion." **Passed.**

**Vote on amendment: Passed.**

**Motion:** Reword the sentence to say "[We oppose the State of California trying to discourage tobacco use, which is an individual right. And further we oppose any further state litigation against tobacco companies, support the repeal of all tobacco taxes and the end of all state-funded advertising to convince people to adopt non-smoking lifestyles. Instead, private groups and individuals are welcome to promote their viewpoints. We support the right of employers and business owners to decide rules for smoking at their businesses and properties, without government involvement.](#)"

**Motion to amend:** Moved and seconded to add "efforts of" before "State of California."

**Vote on amendment to the amendment: Passed.**



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**Motion:** Moved and seconded to change "discourage" to "suppress"

**Vote on the amendment: Failed.**

**Motion:** Moved and seconded to change "which is" to "that use being".

**Motion to table: Failed.**

**Vote on amendment to the amendment "which is" to "that use": Passed.**

**Vote on amendment as amended: Passed.**

**Vote on main motion as amended.**

ALCOHOL [AND TOBACCO](#)

["We oppose the efforts of the State of California trying to discourage tobacco use, that use being an individual right. And further we oppose any further state litigation against tobacco companies, support the repeal of all tobacco taxes and the end of all state-funded advertising to convince people to adopt non-smoking lifestyles. Instead, private groups and individuals are welcome to promote their viewpoints. We support the right of employers and business owners to decide rules for smoking at their businesses and properties, without government involvement."](#)

**Passed.**

**Item 8 - ENERGY -Page 15 (Passed 11-2)**

After "We oppose:"

Delete B

Replace existing C with:

B. [Any government requirements intended solely to conserve energy, such as artificially low speed limits, subsidies for insulation, and preferential treatment for users of "alternative" energy sources.](#)

Add new C:

C. [Any taxes on energy producers, just as we oppose all taxes.](#)

Replace existing D with:

D. [Implementation by California of federal programs for coercive government control of energy production, distribution or use.](#)

Delete E, F, G, H, I, J

**Discussion:** Ted Brown yielded the floor to Jane Heider-Samuels, Reg. 27, who had proposed the change. Jane said that her only reason for this change was to make the plank shorter and more efficient.

**Motion:** In "D" change "transportation" to "distribution." Seconded.

**Vote on amendment: Passed.**

**Motion:** Delete "artificially low speed limits." Seconded.

**Motion to substitute:** Change comma to a period and delete everything after the comma. Seconded.

**Vote on substitute amendment: Failed.**

**Vote on amendment: Failed.**

**Motion to amend item "C":** Remove the last part of the sentence ", just as we oppose all taxes." Seconded.

Mark Hinkle objected to consideration of this amendment. Seconded. It was ruled that only a main motion can have a "objection to consideration"

**Vote on amendment: Passed.**

**Motion to suspend the rules to endorse candidates: Seconded. Passed.**

Ted Brown moved to endorse Carl Marty Sweeney for State Senate, 24<sup>th</sup> District, Special Election.

John Graham seconded the motion. **Endorsed by acclamation.**

Steve Watanaube was endorsed for Sacramento City Council. **Passed.**

**Motion to suspend the rules to consider a resolution: Failed.**

**Item 9 - JUDICIAL -Page 6 (Passed 11-3)**

Add new "M" and re-letter subsequent:

[M. The repeal of all "hate crime" laws. It is not the proper function of government to punish criminals for their personal views and thoughts.](#)

**Discussion:** Ted Brown explained the reason the committee added this.

Laura Stewart said that she opposed this in committee because all "hate crimes" are already a crime and this makes it seem as though we are claiming that there are "hate crimes" without any other real crime.

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**Motion to amend:** Add third sentence ["We further oppose the introduction into courts of a person's personal views as evidence."](#) Seconded. Bob Weber said that one of the problems with hate crime laws is that prejudicial testimony can be introduced which would not ordinarily be admissible.

**Vote on amendment: Passed.**

Elizabeth said that the wording looks like we are asking for the repeal of laws such as murder when we only want to restrict the reclassification of certain murders.

**Motion to amend:** Elizabeth moved to change the first sentence "The repeal of the classification of some crimes as "hate crimes"." Seconded.

**Motion to substitute:** Rodney Austin moved to change the wording to

M. The repeal of all "hate crime" laws, [which enhance prison sentences solely on the basis of the personal views and thoughts of the convicted offender.](#) ~~It is not the proper function of government to punish criminals for their personal views and thoughts.~~ Seconded.

**Vote on substitute amendment: Failed.**

**Vote on amendment: Failed.**

**Vote on main motion as amended:**

Add new "M" and re-letter subsequent:

M. [The repeal of all "hate crime" laws. It is not the proper function of government to punish criminals for their personal views and thoughts. We further oppose the introduction into courts of a persons personal views as evidence.](#) **Passed.**

**Motion** to suspend the rules for 10 minutes to consider the remaining Platform Committee Report on a strictly up or down vote: **Failed.**

**Motion to suspend the rules to consider a resolution: Passed.**

Joseph Miranda introduced a resolution " A RESOLUTION ON POLITICAL PRISONERS"

**Vote on resolution: Passed.**

## **9. Adjourn**

## **Resolutions passed by the Libertarian Party of California Convention 2001**

### A RESOLUTION ON POLITICAL PRISONERS

Given that:

- \* Federal, state and local governments are prosecuting medical marijuana patients and providers in direct violation of the will of the people as expressed in Proposition 215.
- \* The government is responsible for negligent homicide in the case of Peter McWilliams.
- \* The government conducts blatantly unconstitutional law enforcement actions, to include censorship, gun control, profile searches, asset forfeiture, and the denial of life and liberty by paramilitary police assaults.
- \* Government agencies and law enforcement conduct pre-emptive arrests and malicious prosecutions of political activists, use excessive force against protesters, and apply the death penalty for political cases.
- \* Amnesty International has declared the United States to be a human rights abuser in the course of its "war on crime" [ <http://www.amnesty-usa.org/> ].

It is resolved that:

- \* The Libertarian Party of California states its support for political prisoners both in the United States and abroad, and to furthermore demand freedom for all such political prisoners.
- \*The Libertarian Party of California declare as political prisoners medical marijuana patients and providers who have been prosecuted under local state and federal law.
- \* The Libertarian Party of California declare as political prisoners any persons prosecuted by the state for his/her political activities, or in violation of the Bill of Rights.
- \* The Libertarian Party of California issue a declaration of solidarity for all other groups fighting for the rights of political prisoners.
- \* The Libertarian Party of California create a support committee for political prisoners.