

LPC 2005 state convention minutes

The 2005 state convention of the Libertarian Party of California was called to order at 8:47 am on Saturday, February 19, 2005 in Los Angeles, CA.

Steve Cicero gave the initial Credentials Committee Report: 76 delegates and 1 alternate were registered as of 8:50 am. That didn't count members of the San Diego delegation, since their list was not received at least two weeks prior to the convention.

Several public announcements were made: A very successful San Diego County convention was held two weeks previously, with over 160 attendees. San Bernardino and Alameda counties are each hosting hospitality suites.

Bruce Cohen moved to suspend the rules to immediately consider Bylaw Proposal 19. Passed.

Bylaw Proposal 19 would amend Bylaw 15 by adding a new Section 4:

The state convention itself may add any number of additional delegates and alternates with the approval of three-fourths of the already-registered delegates present and on the floor.

Passed.

A motion was made to seat listed San Diego delegates as they arrive. Seconded and Passed.

A motion was made to seat David Bowers as a delegate. Seconded and Passed.

A motion was made to seat Dave Hollist as a delegate. Seconded and Passed.

Aaron Starr gave the Chair's report:

Prop 62 threatened the LPC's survival, and the successful fight against it consumed a lot of time and effort. Eight Libertarians were elected to local offices. However, we chose not to burn out our new Executive Director Dave Ruprecht on a major Operation Breakthrough effort. National Membership is finally up slightly. The LPC is almost \$100k in the black, after being \$18k in the red four years ago. The Chair's vision for the LPC is to recruit elected officials to the Libertarian Party from among the twenty nine thousand local officials in California. The Chair praised "random acts" of Libertarianism, such as public access TV shows, press releases, etc. The Chair thanked people. There are ongoing problems with the national membership database.

Lawrence Samuels gave the Northern Vice-Chair's report:

Monterey County proposed a sales tax hike for roads. Libertarians threatened to fight it, and thereby kept it off the ballot. Front groups can be useful. People shouldn't be scared of taking on government.

Mark Selzer gave the Southern Vice-Chair's report:

Efforts are on-going for recruiting new members, getting expired members to rejoin, and responding to inquiries, especially volunteer inquiries. Many young people are joining. Efforts are being coordinated with regional chairs. The Southern Vice-Chair talked at various schools. He thanked various people for their efforts.

Daniel Wiener gave the Secretary's report:

The results of various email ballots were summarized.

Monica Kadera gave the Treasurer's report:

A preliminary budget for fiscal year 2005 was adopted at the November 20, 2004 Executive Committee meeting. Total Support and Revenue was projected at \$188,700, including \$61,200 in membership dues. Total Cost of Support and Revenue was projected at \$73,700, including \$36,200 in membership dues disbursements to the counties. Total Program Expenses were projected at \$159,600, including \$35,000 for

Campaigns and Elections and \$10,000 for Member Recruitment, for a drawdown of \$47,00 from the current cash surplus of \$97,200.

Al Carlin gave the Audit Committee report for the year 2003, with Dave Oden concurring: The Audit Committee concluded that disbursements were correct and properly documented. Overall LPC accounting records are well-organized. The Committee recommended a requirement for a second signature for large expenditures of \$3,000 or more.

Ray Strong gave the Judicial Committee report:

A hearing was held regarding LNC representation and an ambiguity in Bylaws as to termination points of Libertarian National Committee (LNC) Representative terms. The Judicial Committee arbitrated between the LPC and the Vendor from the 2004 convention as called for in the contract. As Judicial Committee Chair, Mr. Strong declined to have the Committee rehear a previous ruling by a previous Judicial Committee. The Judicial Committee scheduled a hearing of an appeal on the membership suspension of Daniel Avila, but when no response from the appellant was received in a timely fashion, took that to mean that the appeal was dropped. The Judicial Committee declined to treat as urgent an issue of floor access fees.

The Keynote Speaker, Ben Brandon, was introduced by M Carling. Mr. Brandon is the Dade County, Georgia CEO. Dade has no zoning, and Mr. Brandon killed an attempt to pass an extremely strict zoning law. Strict ballot access laws impose a 5% requirement to get on ballot in Georgia. Mr. Brandon said that name recognition is the most important factor in getting elected. Libertarians should become known by writing, writing, writing, but being nice. A successful candidate for public office needs a good background.

The Credentials Committee reported that there were 92 delegates and 1 alternate as of 9:54 am.

Starchild moved to suspend the rules for 10 minutes to consider the issue of floor pass fees. Failed.

The Credentials Committee reported at 1:50 pm that there were 103 delegates (including 1 alternate). The Convention added four delegates (Donald Coules, Reg 64; Adam Wagener, Reg 42; Andrew Jacobs, Reg 61; Dave Ruprecht, Reg 63) for a total of 107 delegates (including 1 alternate).

Chairman M Carling presented the Bylaws Committee Report:

Proposal # 1 – passed. *Adds “Operations Committee”:*

Bylaw 4: ORGANIZATION

B. Section 5.

The Judicial Committee shall be composed of five county central committee members elected at a convention of the Party by the attending delegates. The term of a member of the Judicial Committee shall begin at the close of each convention and end at the close of the next convention. Vacancies in the committee shall be filled through appointment by the remaining committee members.

A member of the Judicial Committee may not be a member of either the Executive Committee, Operations Committee, Platform Committee, or Program Committee. The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the committee may be overturned by a three-quarters vote of a convention. (2/3 required to amend)

Proposal # 2 – passed. *Adds “10th Ed.”:*

Bylaw 24: PARLIAMENTARY AUTHORITY

Robert’s Rules of Order, Newly Revised (10th ed.) shall be the parliamentary authority for all matters of procedure not specifically covered by these Bylaws.

Rule 1: PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised (10th ed.) shall be the parliamentary authority for all matters of procedure not specifically covered by these Convention Rules.

Proposal # 3 – passed. *Moves language from Convention Rules to Bylaws:*

~~Rule 21: STYLE~~Bylaw 12: COMMITTEES

Section 4.

The Chair shall appoint a Style Committee of no more than five ~~delegates~~members which shall propose stylistic changes to the Platform, the Program, and the Bylaws and Convention Rules. The proposed changes shall be submitted to the Executive Committee for ratification.

Proposal # 4 – passed. *Sections 1 and 2 of Rule 14 moved to Bylaw 16:*

Section 1.

The Platform may be amended by deletion, substitution, or addition of any plank at any Party convention. A plank may be deleted by a simple majority vote of the convention. The substitution of a new plank for an old plank, or the addition of a new 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 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 Statement of Principles and shall make a report to the floor of the convention stating the justification of its decision. If the plank is vetoed by the Judicial Committee, it will be declared null and void, but can be reinstated in the Platform by a three-fourths vote of the convention.

Proposal # 5 – passed. *Sections 1 and 2 of Rule 15 moved to Bylaw 17:*

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.

Proposal # 6 – passed. *Wording cleaned up and moved from Rules to Bylaws:*

Bylaw 15: CONVENTION

Section 3.

- A. Each county central committee shall have one delegate for each 0.33% or fraction thereof of the total number of all members of all county central committees. ~~These delegates shall be selected by counties in such a manner as the county organizations may provide. An active county central committee shall select these delegates as provided in its own Bylaws. Any delegates from inactive county central committees shall be selected by the appropriate state Vice-Chair.~~

Rule 3: DELEGATES

Section 5.

~~In the case that a region is inactive, the appropriate state Vice Chair may choose to appoint otherwise qualified members from that region as delegates or alternates at the convention.~~

Proposal # 7 – passed. *Added “California” to subsection B:*

Bylaw 3: MEMBERSHIP

Section 3.

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

- A. Election to the committee by Libertarian voters in a primary election pursuant to the relevant parts of the election code, provided they have signed the statement described in item C below,
- B. Becoming a holder of California public office that is subject to election other than county central committee, provided they have signed the statement described in item C below, or
- C. Making application, paying such dues as prescribed by the Executive Committee and signing the following statement: “I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals.” The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement.

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

Proposal # 8 – passed. *Fixed problem with revoking endorsements:*

Bylaw 4: ORGANIZATION

Section 3.

The Executive Committee shall be responsible for the control and management of all the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse, ~~or rescind the endorsement of,~~ any registered Libertarian’s who is a candidate ~~for public office, or it may rescind the endorsement of any candidate for public office.~~

Proposal # 9 – Passed after extensive debate. *Changes were recommended by counsel to ensure compliance with campaign finance law:*

Bylaw 6: COUNTY ORGANIZATIONS

Section 2.

Each county central committee may maintain one or more campaign finance funds independent of any campaign finance funds maintained by the state central committee or other committees of the Party. Each county central committee shall be responsible for compliance with any applicable election and campaign finance laws.

Proposal # 10 – passed. *Changes were recommended by counsel to ensure compliance with campaign finance law:*

Bylaw 13: CAMPAIGN FINANCING

Section 1.

The Executive Committee shall establish ~~one or more~~ Libertarian Party campaign funds from which funds may be allocated to candidates of the Libertarian Party. Such funds shall be independent of any campaign funds maintained by county central committees or other committees of the Party. Such allocations among the various candidates will be determined at the discretion of the Libertarian Party of California Campaign Committee. The campaign fund may also be used to support Libertarian Party campaign publicity not specifically promoting an individual candidacy.

Proposal # 11 – passed. *Changes were recommended by counsel to ensure compliance with campaign finance law:*

Bylaw 3: MEMBERSHIP

Section 4.

Membership in any county central committee confers membership in the Libertarian Party of California State Central Committee. ~~Any reference to central committee in these Bylaws refers to both the state and county central committees.~~

Section 13.

Notwithstanding anything to the contrary, a county central committee member shall be suspended indefinitely if, without the permission or pardon of the Executive Committee, the member:

- A. Is registered in any political party other than the Party or one of its affiliates;
- B. Intentionally involves, or threatens to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- C. Has unpaid debts over 90 days old outstanding to the Party.

Members suspended under this section will be reinstated when the offending condition(s) has (have) been resolved.

Bylaw 18: NOMINATION FOR PARTISAN PUBLIC OFFICE

Section 4.

The Executive Committee shall set the dates of the district caucuses. Regional and county Party organizations shall be responsible for preparing their own rules governing nominations for House of Representatives, State Legislature, and Board of Equalization, but such rules must provide for advance notice of at least 30 days to all county central committee members in the district of the time and place of the nominating caucus.

Bylaw 21: NATIONAL CONVENTION ALTERNATES

In the event that duly selected California delegates or alternates are unable to attend or be seated at the national convention for which they were selected, additional alternates may be selected. Additional alternates may be selected by a two-thirds vote of the California delegates and alternates then registered at the national convention.

- A. Those seeking additional alternate delegate status under this section shall have been a state central committee member at least 30 days prior to the national convention.

Rule 3: DELEGATES

Section 4.

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

Rule 17: ELECTION OF DELEGATES TO THE NATIONAL CONVENTION

Nominations shall be submitted to the Secretary by placing the name and regional affiliation of the nominee on a ballot as designated by the Secretary. Such ballots shall be displayed conspicuously for easy access. Only state central committee members of the Party shall be nominated and elected to serve.

Proposal # 12 – passed. *Changes were recommended by counsel to ensure compliance with campaign finance law:*

Bylaw 3: MEMBERSHIP

Section 2.

All Party candidates for public office, officers, county ~~and regional~~ chairs, Libertarian National Committee representatives and judicial committee members shall be registered in the Libertarian Party in California if eligible.

Section 6.

40% of dues revenues shall be retained by the Party. Each ~~region~~ county central committee shall receive the portion of the 60% attributable to the ~~people~~ members and associate members in that ~~region~~ county. However, if the Party participates in a joint membership arrangement which allows for a portion of initial dues to be retained, that portion shall be retained by the Libertarian Party state or ~~regional~~ county organization which recruited the new member or associate member. Dues shall be distributed to any active ~~region~~ county central committee upon request, or whenever the total amount owed to the ~~region~~ county central committee exceeds \$50. 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.

Bylaw 6: COUNTY ORGANIZATIONS

Section 1.

~~Subject to the consent of the Executive Committee, counties may combine or subdivide into regions as they see fit. These regions shall be treated in the same way as are counties in all functions of the state Party, particularly in representation at conventions and in the division of dues monies. Regional organizations~~ County central committees shall conduct their business in any manner they choose consistent with these Bylaws and national Bylaws, particularly in that county central committees may not endorse any candidate who is a member of, or otherwise affiliated with, another political party for public office in any partisan election. The appropriate Vice-Chair may appoint a county chair pro tem for any county in which there is no active county organization. It shall be the responsibility of said chair to promote the development of a county organization in that county.

~~C. Section 2.~~

~~In the event the county's duly adopted and published bylaws don't specify a different procedure, as soon as is convenient following the California primary, the chairs of the various regions in subdivided counties shall elect a county chair who shall be responsible for:~~

~~A. Effecting liaison between the regions and the county election officials on such matters as monitoring and following up on election law violations, coordinating poll watchers, and producing sample ballots; and~~

~~B. Any additional duties approved by two thirds vote of the regional chairs unless the county's duly adopted and published bylaws specify otherwise.~~

Section 3.

A county is deemed as having selected its officers, Executive Committee representatives and convention delegates only if an election notice has been mailed to the members at least 30 days but no more than 60 days in advance of the election. The election notice must also be sent to and received by the Party Secretary at least 30 days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election must be held every year. The results of the election must be reported to the Party Secretary within 15 days after the election. Any member of the central committee of that county may challenge the legality of an election by bringing the issue before the Judicial Committee. The Executive Committee may declare a county inactive if it fails to hold elections in accordance with this section.

Bylaw 7: OFFICERS

Section 4.

For the purpose of representation at the annual convention, the number of members affiliated with each county shall be determined by the Secretary as of the end of the third month prior to the opening session of the convention. The Secretary will notify each ~~region~~county central committee of its eligibility for delegates by mail, no later than the 20th day of the second month prior to the opening of the convention.

Bylaw 18: NOMINATION FOR PARTISAN PUBLIC OFFICE

Section 3.

It shall be the responsibility of the Executive Committee to determine which ~~region and~~ county Party organizations shall be responsible for organizing the caucus nominations for particular House of Representatives, State Legislature, and Board of Equalization seats.

Section 4.

The Executive Committee shall set the dates of the district caucuses. ~~Region and e~~County Party organizations shall be responsible for preparing their own rules governing nominations for House of Representatives, State Legislature, and Board of Equalization, but such rules must provide for advance notice of at least 30 days to all central committee members in the district of the time and place of the nominating caucus.

Rule 3: DELEGATES

Section 5.

A county may authorize its officers, in whatever number and by whatever procedure it chooses, to appoint additional alternates at the convention, provided such alternates are otherwise qualified under this rule.

In the case that a ~~region~~county central committee is inactive, the appropriate state Vice-Chair may choose to appoint otherwise qualified members ~~from~~of that regioncounty central committee as delegates or alternates at the convention.

Rule 8: POLLING PROCEDURE

In all cases where a roll call vote is required, polling shall be conducted by county. The Secretary will solicit the vote from each county in alphabetic order, and a representative for each county shall report the vote for that county. Convention seating will be by county and each county's delegates shall elect a representative for their county. If any delegate challenges the vote reported by any county's representative, the Secretary shall poll the delegates from that ~~region~~county individually.

Rule 17: ELECTION OF DELEGATES TO THE NATIONAL CONVENTION

Nominations shall be submitted to the Secretary by placing the name and ~~regional~~county affiliation of the nominee on a ballot as designated by the Secretary. Such ballots shall be displayed conspicuously for easy access. Only central committee members of the Party shall be nominated and elected to serve.

Rule 18: ELECTION OF PARTY OFFICERS

Section 2.

Nominations shall be made from the floor. For each candidate, there may be one nominating speech and one seconding speech, the total time for which shall not exceed five minutes. The candidate may then speak for a maximum of ten 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 by county of the First Choice votes. In cases in which no candidate receives a majority of First Choice votes, the lowest running candidate shall be eliminated and his or 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 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.

Rule 19: ELECTION OF AT-LARGE EXECUTIVE COMMITTEE MEMBERS

- A. Each delegate from all but the five largest ~~regions~~counties may cast up to five votes, but no more than one vote for any one candidate.
- B. Each county delegation shall tabulate its total vote, and the delegation chairs shall deliver a written total to the Secretary, who shall conduct a roll call vote of the ~~regions~~smaller counties. When all of the county delegations have submitted their votes, the Secretary shall declare the voting closed.

Proposal # 13 – This eliminated Executive Committee representatives from the five largest counties and instead have ten at-large representatives elected to staggered two-year terms:

Bylaw 4: ORGANIZATION

Section 3.

The Executive Committee shall be responsible for the control and management of all the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse, or rescind the endorsement of, any registered Libertarian's candidacy for public office.

The Executive Committee of the Party shall be composed of the following members of the county central committees:

- A. The five elected officers of the Party;

~~B. One representative from each of the five largest counties, as determined for representation at the most recently held convention; but if a county fails to have a representative in attendance at two successive meetings, or if the county declines to be represented, the position on the committee shall, through the next convention, pass to the next largest county not already having a county representative;~~

~~C. Five~~ B. Ten representatives and two alternates. Five representatives shall be elected for two year terms at each convention. ~~alternates elected at large to represent all of the other regions in the state except the five largest regions. These representatives and a~~ Alternates shall be elected for a one-year term. There will be free substitution of alternates in ranked order at an Executive Committee meeting.

Rule 19: ELECTION OF AT-LARGE EXECUTIVE COMMITTEE MEMBERS

Nominations for the at-large members of the Libertarian Party of California Executive Committee shall be made from the floor, with all State Central Committee members eligible for nomination. 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. The election shall be conducted in the following manner:

- A. Each delegate ~~from all but the five largest regions~~ may cast up to five votes, but no more than one vote for any one candidate.
- B. Each county delegation shall tabulate its total vote, and the delegation chairs shall deliver a written total to the Secretary, who shall conduct a roll call vote of the ~~smaller~~ regions. When all of the ~~eligible~~ county delegations have submitted their votes, the Secretary shall declare the voting closed.

Starchild moved to amend the proposal by having Bylaw 4 Section 3 (B) say “One representative from each county.” and deleting the rest of the subsection as well as subsection C. There was an Objection to Consideration of Starchild’s amendment, and the Objection passed with at least a two-thirds majority.

Ed Tyssier proposed proportional voting for at-large representatives, but didn’t have language on hand.

A motion to extend debate for 10 minutes passed 50-35. Proposal 13 passed 68-21.

Proposal 14 – *Election as a delegate to the national convention will require a net affirmative vote of at least three votes:*

Rule 17: ELECTION OF DELEGATES TO THE NATIONAL CONVENTION

Nominations for the position of delegate shall begin immediately following the call to order.

Nominations shall be submitted to the Secretary by placing the name and regional affiliation of the nominee on a ballot as designated by the Secretary. Such ballots shall be displayed conspicuously for easy access. Only central committee members of the Party shall be nominated and elected to serve.

The Party officers shall be automatically nominated as delegates to the national convention by reason of their official status within the Party.

The Secretary shall call for the nominating ballots at the close of convention business on the penultimate day.

The Secretary shall provide a printed list of all nominees to each delegate on the last day of the convention. Additional nominations shall be made from the floor.

The Secretary shall calculate the number of votes allowed each delegate to cast by determining one-third of the number of California delegates at the national convention and rounding upward.

Each delegate shall cast one vote per nominee up to the number determined by the Secretary.

The Secretary shall rank the nominees for delegate in order of the vote received by each nominee and shall make this ranking, without the number of votes received, available to interested members within 30 days of the close of the convention.

After receiving notice of the number of delegates allotted to California at the national convention, and determining which nominees are eligible, the Secretary shall submit to the national Secretary that number of nominees, starting at the top of the list, as delegates to the national convention, and the remaining nominees, in rank order up to the number of delegates, as alternate delegates to the national convention. No nominee for delegate or alternate to the national convention shall be elected without receiving a minimum of three Yes votes greater than No votes.

Rodney Austin moved to amend paragraph seven as follows:

Each delegate shall cast either one yes vote or one no ~~one~~ vote per nominee up to the number determined by the Secretary.

The amendment passed.

A motion to extend debate for 5 minutes failed.

Proposal 14 passed.

Proposal 15 – *Would base convention representation on newly registered Libertarians instead of members:*

Bylaw 7: OFFICERS

Section 4.

For the purpose of representation at the annual convention, the number of ~~members~~ new Registered Libertarians affiliated with each county shall be determined by the Secretary as of the end of the third month prior to the opening session of the convention. The Secretary will notify each region of its eligibility for delegates by mail, no later than the 20th day of the second month prior to the opening of the convention.

Bylaw 15: CONVENTION

Section 3.

A. Each county central committee shall have one delegate for each 100 Registered Libertarians newly registered in that county since those counted the prior year ~~0.33% or fraction thereof of the total number of all members of all county central committees~~. These delegates shall be selected by counties in such a manner as the county organizations may provide.

Jason Gonella moved to amend by restoring the deleted text and inserting the words “and also” thereafter; and adding “and the number of” in the first sentence of Bylaw 7 Section 4. Failed.

Proposal 15 failed.

Proposal 16 – passed. *LNC representation was modified:*

Bylaw 14: NATIONAL COMMITTEE REGIONAL REPRESENTATION

Section 1.

The Party may enter into an agreement with other affiliates of the national Libertarian Party (LP) in accordance with LP bylaws, in order to form a region for representation on the Libertarian National Committee (LNC). The terms of any new LNC Representation Agreement shall be reported by the Party Secretary to the Chair and Secretary of the LNC without delay.

Section 2.

~~Two representatives to the LNC shall be elected by delegates to each Party convention that immediately precedes a national convention. Those elected shall replace previous office holders and take office as soon as consistent with LP bylaws and the provisions of the current LNC Representation Agreement. The results of such an election shall be reported by the Party Secretary to the Chair and Secretary of the LNC without delay. Representative(s) and alternate(s) to the Libertarian National Committee shall be elected by the delegates to the convention of the Libertarian Party of California at the time prescribed in the agenda. The results shall be reported to the national convention at the time prescribed.~~

Section 3.

~~Two alternates to the LNC shall be elected by delegates to each Party convention that immediately precedes a national convention, in an election which is separate from that of the representatives. Alternates shall be ranked by the number of votes received, provided that no one shall be ranked who does not receive a majority of the votes cast.~~

Section 4.

~~If a reduction occurs in the number of office holders that the Party is entitled to, the Party Executive Committee shall select the office holders from those elected at the convention. Any vacancy, including a vacancy resulting from a change in the LP bylaws or the current LNC Representation Agreement, shall be filled by the Party Executive Committee. Any changes to Party representation to the LNC shall be reported by the Party Secretary to the Chair and Secretary of the LNC without delay. Vacancies among the representatives shall be filled by the highest ranked alternate available. Vacancies among the alternates shall be filled by the Executive Committee starting at the bottom of the rank order.~~

Section 5.

~~A National Regional Executive Committee Representative may be recalled by the Executive Committee.~~

Section 6.

~~If the Executive Committee enters into an agreement with other affiliates of the Libertarian National Committee as permitted by the Bylaws of the latter in order to form a region, then the provisions of this Bylaw shall apply only to those representatives and alternates allocated to the Party by such agreement.~~

Proposal 17 – passed. *The scope of the Judicial Committee's authority is clarified:*

Bylaw 4: ORGANIZATION

Section 5.

The Judicial Committee shall be composed of five county central committee members elected at a convention of the Party by the attending delegates. The term of a member of the Judicial Committee shall begin at the close of each convention and end at the close of the next convention. Vacancies in the committee shall be filled through appointment by the remaining committee members.

A member of the Judicial Committee may not be a member of either the Executive Committee, Platform Committee, or Program Committee. The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the committee may be overturned by a three-quarters vote of a convention. (2/3 required to amend)

The Judicial Committee review of a Party action or inaction is limited to the consistency of that action or inaction with the governing documents of the Party, including these Bylaws and documents to which they refer, the only exceptions being Judicial Committee duties mandated by these Bylaws and arbitration of Party contracts that explicitly call for arbitration by the Judicial Committee.

Proposal 18 – passed. *At least two members of the Judicial Committee must agree to accept a hearing:*

Bylaw 4: ORGANIZATION

Section 5.

The Judicial Committee shall be composed of five county central committee members elected at a convention of the Party by the attending delegates. The term of a member of the Judicial Committee shall begin at the close of each convention and end at the close of the next convention. Vacancies in the committee shall be filled through appointment by the remaining committee members.

A member of the Judicial Committee may not be a member of either the Executive Committee, Platform Committee, or Program Committee. The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the committee may be overturned by a three-quarters vote of a convention. (2/3 required to amend)

It shall require at least two members of the Judicial Committee to agree to hold a Judicial Committee hearing or consider an appeal to the Judicial Committee.

Proposal 20 – failed. *Would have modified Bylaw 2:*

Bylaw 2: PURPOSE (2/3 required to amend)

The Party's purpose is to peacefully restore civil and economic liberty and property rights as proclaimed in the Statement of Principles through efforts to elect Libertarians to public office.

To carry out this mission, the Party shall:

- A. Prepare a statewide political environment to facilitate the election of Party candidates by cost effectively increasing the number of Registered Libertarians and state central committee members in California.
- B. Recruit, nominate, endorse, and promote candidates who are registered Libertarians who pledge to proclaim and implement the Statement of Principles and are dedicated to winning their races, whenever the demographics of a district suggest that a race is winnable.
- C. Recruit, nominate, endorse and promote candidates who are registered Libertarians who pledge to proclaim and implement the Statement of Principles and are dedicated to increasing the number of Registered Libertarians and state central committee members, whenever the demographics of a district suggest that a race is not winnable.

~~The Party exists to uphold, promote, and disseminate the philosophy and principles of libertarianism. To that end, it will proclaim and implement the Statement of Principles of the national Libertarian Party by engaging in political and informational activities in California.~~

~~The Party shall do so by:~~

- ~~A. Developing an on-going political strategy to identify, expose, combat, and defeat the opponents of liberty in the political arena.~~
- ~~B. Engaging in political activity in all segments of the population.~~
- ~~C. Identifying, persuading, and recruiting influential individuals and opinion leaders to become members of the Party.~~
- ~~D. Identifying and developing coalitions with other organizations in order to realize the ideas of liberty as proclaimed in the Statement of Principles.~~
- ~~E. Employing media experts, political tacticians, field workers and others, as needed.~~

- ~~F. Preparing a statewide political environment to enhance the election of Party candidates pledged to the Principles for the singular purpose of abolishing statist law, and restoring civil and economic liberty and property rights as proclaimed in the Principles and defined in the Platform.~~
- ~~G. Nominating, endorsing and promoting registered Libertarians who pledge to proclaim and implement the Statement of Principles of the Libertarian Party of California as candidates for public office in California.~~
- ~~H. Promoting, chartering, and coordinating county central committees throughout the state.~~

Proposal 21 – failed. *Would have constituted year-round Bylaws, Platform, and Program Committees:*

Bylaw 12: COMMITTEES

Section 2.

~~For each convention the Executive Committee shall appoint, not later than 30 days after the close of the previous convention, a committee of five members of county central committees to committees to recommend changes in the Bylaws and Convention Rules, Platform, and Program. The Bylaws, Platform, and Program committees shall each adopt and submit a Report for publication on the LPC website not less than 60 days before the convention.~~

Section 3.

~~There shall be a Each convention delegate may join one of the Bylaws Committee, Platform Committee, or and Program Committee for each convention, the choice being declared upon registration as a delegate. Each committee shall meet at the convention to consider amendments to its Report. consist of a coordinator and one delegate from each county central committee. The coordinator of each committee shall be appointed by the Executive Committee at least 30 days before the convention. The county delegates shall be selected at least 30 days prior to the convention in such a manner as each county shall provide.~~

Proposal 22 – passed.

Bylaw 9: EXECUTIVE COMMITTEE

Section 5.

~~The Secretary shall cause the minutes of each Executive Committee meeting to appear on the Party website not more than 30 days after adoption. A summary of the results of the Executive Committee meetings, votes, and mail ballots shall be furnished, emailed by the Secretary to all county officers within 10 days at cost to any county central committee member.~~

Proposal 23 – passed. *Sets minimum size of Audit Committee at one:*

Bylaw 8: FINANCE AND ACCOUNTING

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.~~

Proposal 24 – passed. *Executive Committee members and county officers must be registered Libertarians:*

Bylaw 3: MEMBERSHIP

Section 2.

All Party candidates for public office, ~~officers~~Executive Committee members, county and regional ~~chairs~~Party office holders, Libertarian National Committee representatives and judicial committee members shall be registered in the Libertarian Party in California if eligible.

Proposal 25 – failed 41-28. *Would have set minimum length-of-membership requirements:*

Bylaw 4: ORGANIZATION

Section 2.

The officers of the Party shall be a Chair, a Northern Vice-Chair, a Southern Vice-Chair, a Secretary, and a Treasurer. All of these officers shall be elected for two-year terms beginning in odd-numbered years at an annual convention of the State Central Committee of the Party by attending delegates and shall take office immediately upon the close of such convention. No one shall be eligible to serve who has not been a county central committee member for at least two years.

Section 4.

The Operations Committee shall consist of the Chair and four other county central committee members chosen by the Executive Committee. No one shall be eligible to serve who has not been a county central committee member for at least two years.

Section 5.

The Judicial Committee shall be composed of five county central committee members elected at a convention of the Party by the attending delegates. The term of a member of the Judicial Committee shall begin at the close of each convention and end at the close of the next convention. Vacancies in the committee shall be filled through appointment by the remaining committee members. No one shall be eligible to serve who has not been a county central committee member for at least five years.

A member of the Judicial Committee may not be a member of either the Executive Committee, Platform Committee, or Program Committee. The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the committee may be overturned by a three-quarters vote of a convention. (2/3 required to amend)

The convention was adjourned for the day at 5:51 pm.

The convention was called back to order at 8:54 am on Sunday, February 20, 2005.

The Credentials Committee reported that there were 124 delegates at 9 am.

A motion was made to suspend the rules to consider Proposal 26 of the Bylaws for 25 minutes. *This proposal would have placed a cap on floor pass fees:*

Rule 6: VOTING ELIGIBILITY

All delegates in good standing and on the floor shall be eligible to vote on all matters. ~~In order to vote on a given matter, a delegate must be present on the floor at the time that the vote is taken.~~ Floor access fees may not exceed the expected pro rata cost of the meeting room including audio/visual costs. Each delegate present shall have one vote. Any delegate from a county, including delegates sent to the convention as provided in Bylaw 15, Section 3, Paragraph B, may be replaced by an alternate from that county with the consent of the county delegation.

The motion to suspend the rules failed.

A motion was made to suspend the rules to consider a resolution titled “Equal Custody & Placement of Children” for 15 minutes. Failed.

Elections were held for State Chair. Aaron Starr was elected on the second ballot using IRV:

Candidate	1st ballot	2nd ballot
Aaron Starr	56	60
Mark Whitney	43	47
BJ Wagener	15	
NOTA	8	11
Totals	122	118

Elections were held for Northern Vice-Chair. Lawrence Samuels was elected on the first ballot:

Candidate	Votes
Lawrence Samuels	28
NOTA	3
Totals	31

The Credentials Committee reported that there were 131 delegates at 10:28 am.

Elections were held for Southern Vice-Chair. Mark Selzer was elected on the first ballot:

Candidate	1st ballot
Mark Selzer	52
Bruce Cohen	38
NOTA	3
Totals	93

Elections were held for Secretary: Daniel Wiener was the only person nominated and was elected on the first ballot:

Candidate	Votes
Daniel Wiener	81
Bruce Cohen (write-in)	1
NOTA	7
Totals	88

Elections were held for Treasurer: Willard Michlin was the only person nominated and was elected on the first ballot:

Candidate	Votes
Willard Michlin	74
Monica Kadera (write-in)	1
NOTA	14
Totals	89

The Credentials Committee reported that there were 134 delegates at 11:28 am.

Elections were held for five At-Large Executive Committee representatives who will serve two-year terms:

Candidate	Votes
Ted Brown	73
M Carling	38
Bruce Cohen	54
Allen Hacker	43
B.J. Wagener	28
Bruce Dovner	52
Richard Newell	38
Kevin Takenaga	56

Mark Whitney	60
Rick Nichol	20
Frank Manske	25
Norm Westwell	12
Ed Ronquillo	20
Paul Ireland	44
NOTA	0

Ted Brown, Mark Whitney, Kevin Takenaga, Bruce Cohen, and Bruce Dovner were elected.

Elections were held for five At-Large Executive Committee representatives who will serve one-year terms:

Candidate	Votes
Mark Hinkle	37
Paul Ireland	54
M Carling	53
Richard Newell	54
Allen Hacker	40
B.J. Wagener	26
Rick Nichol	47
Frank Manske	42
Smith	37
Norm Westwell	10
Ed Ronquillo	42
NOTA	0

Richard Newell, Paul Ireland, M Carling, and Rick Nichol were elected. In a runoff for for the fifth slot, Ed Ronquillo was elected with 51 votes, Frank Manske received 46 votes and NOTA received 2 votes.

Elections were held for two Executive Committee alternates who will serve one-year terms:

Candidate	Votes
Eric Miller	41
Frank Manske	61
Steve Cicero	33
NOTA	0

Frank Manske was elected First Alternate and Eric Miller was elected Second Alternate.

Elections were held for five Judicial Committee members who will serve one-year terms:

Candidate	Votes
Bob Weber	31
Sander Woren	11
Ray Strong	27
Kate O'Brien	22
B.J. Wagener	16
Allen Rice	14
Rodney Austin	54
Gail Lightfoot	47
Mark Hinkle	28
Monica Kadera	14
Starchild	30
NOTA	0

Rodney Austin, Gail Lightfoot, Bob Weber, Starchild, and Mark Hinkle were elected.

A Quorum Call at 4:19 pm showed 73 delegates present.

A motion to suspended the rules to consider the Platform Committee's report passed. Chair Ted Brown presented the report:

Proposal 1 passed. A request for division failed. *A sentence was added to the second-to-last paragraph of the Protection of Privacy plank:*

We call for the repeal of the law requiring the Department of Motor Vehicles to collect an individual's social security number or thumb print for the purposes of obtaining a driver license or register a vehicle or vessel. We oppose any federal requirement that states adopt special driver's licenses with biometric indicators, which would substitute for a national identification card.

Proposal 2 passed. *It modified the last paragraph of the Family Life plank:*

We call for the repeal of all family leave laws, ~~which impose the cost of mandatory benefits on business and industry~~ since they interfere with the rights of employers and employees to enter into voluntary employment contracts.

Proposal 3 *would have changed the name of the Draft plank to "Military" and added a new first paragraph:*

Since the California National Guard and California Air National Guard are the military of the state of California, we oppose the nationalization of the guards and their call-up for federal service absent a declaration of war.

A motion was made to amend by deleting the words "absent a declaration of war".

A motion was made to amend the amendment by substituting "issuance of letters of marque & reprisal".

There were insufficient seconds for the amendment to the amendment.

The original amendment failed.

The proposed Platform amendment failed by a vote of 54 in favor and 18 against, having failed to receive a majority of the delegates registered.

A motion to suspended the rules for 15 minutes to consider the Program Committee's report passed. Chair Bruce Dovner presented the report.

The Credentials Committee reported that there were 120 delegates at 4:47 pm.

A motion to suspended the rules to adopt the existing Program for 1 year passed. The motion then passed by a vote of 62 to 10.

A motion to suspended the rules to first consider Section IV, Item 6 passed. The following item was added:

CIVIL CASES

Government fines, civil commitments and prosecutions can be as damaging as criminal prosecution. While in cases of criminal prosecution, the defendant is entitled to representation, no such right exists in civil cases.

To remedy this, in all cases of government civil prosecution, civil commitment, or regulatory fines, the defendant shall be entitled to representation and funding equal to that of the prosecuting agency's, to be paid from the agency's budget.

The 6th bullet point in Section I, Item 1, was amended as follows:

Education regulations shall be regularly reviewed and/or streamlined to allow more options and efficiencies via the process of sunseting.

The Convention was adjourned *sine die* at 5 pm.