

4-23-94

The Libertarian Party of California
Executive Committee Meeting

Mailing Address:
655 Lewelling Blvd. #362
San Leandro, Calif.
94579

Meeting Location:
Long Beach, Calif.

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The Executive Committee of The Libertarian Party of California met on Saturday April 23, 1994 in Long Beach. The following are the minutes of that meeting.

Chair Kim Goldsworthy opened the meeting by noting that there were sufficient members present to constitute a quorum. Kim noted that Brian Schar and Dick Halvorson would not be present, but that Orange County would be represented by Eric Sprik.

APPROVAL OF THE MINUTES

Kim asked Ray to read the minutes of November 20th, January 8th, February 21st, and the Convention minutes for approval. Ray said that copies of all these minutes had been mailed to all members, and asked instead for corrections or up-grades. Kim said that he did not have a copy of the November 20th minutes; Ray said he would mail him a set. There were no corrections to the November 20 minutes, and so they are considered approved as written. Laura asked that the January 8th minutes be corrected where it indicates that she proposed a motion. Inasmuch as she was not a member of the Ex-Com at that time, she believes the minutes are in error. Ray said that he would check with Marion McEwen to see if she made the motion. There were no other corrections, and so pending the requested change, the January 8th minutes should be considered approved. Jon asked Ray to correct some typographical errors in the February 21st minutes; and also to correct the proportions of the debt that had been repaid. Pending these corrections, the February 21st minutes should be considered approved.

On the Convention Minutes, Jon asked for corrections concerning the Southern Vice Chair's report: the minutes state that \$37,100 was raised via fundraising; this is incorrect. The Northern Vice Chair's report states that the Asset Forfeiture Law was successfully challenged in court; this is incorrect. Gail asked that correctors specify whether the minutes are in error, or the information is in error. She did report the \$37,100 was raised via fund raising, but that this amount may not match the Treasurer's budget items because it includes all funds raised outside of membership dues. George said that in his report, he may have implied that the Asset Forfeiture Law was successfully challenged in court, but that is not technically correct. The law was not renewed, in part because of a large turn out of people opposed to the renewal of the law. It was agreed that the minutes should correctly report on what was said, but do not guarantee the accuracy of the speaker's information.

Jon noted that the Convention Minutes misspelled Dr. Lieberman's name, and that the motion by Brian Schar to close debate and move

on, needs to state that in addition to Brian's motion passing, that the pending motion also passed. Jon also noted some typographical errors or errors in tense. Pending these corrections, the Convention Minutes were considered approved.

Ted said that in the Platform, two paragraphs of the Aliens plank appear to have been omitted. Ray said that aliens abducting planks sounds like a tired conspiracy theory, but that he would get with Ted and correct the oversight.

CHAIR'S REPORT

Kim distributed the Chair's report, and asked for questions. Kim noted that he had brought the Standing Rules up to date.

NORTHERN VICE CHAIR'S REPORT

George reported that FIJA has been active in Northern California, and many of the Regions have reported back to him of the excellent job they are doing. 60 people turned out for a rally in Redding. Most of the Regions had a tax-protest day on April 15. There were major protests in West Sacramento and in Fremont, and several in Santa Clara County. George was at the protest in San Francisco, where they carried signs saying: "HONK IF YOU HATE TAXES", and he was interviewed by KCBS radio.

Many of the Northern California Regions have become active in writing ballot arguments. They have inserted the 1-800 number into the argument, and this has generated a few calls from people asking for more information. The Alameda Region has challenged a street lighting assessment, and now it will have to appear on the ballot. Wayne has challenged the local school board in Hayward. Others have been working with the Taxpayers Protection Initiative, by the Gann people, and that looks like it will make the ballot.

The San Mateo Region is sponsoring a High School Essay Contest about which of the 10 Bill of Rights is most at risk. Lake County has been active on FIJA and fighting local bond issues. In Humboldt County, Brian Knotts, who works for a TV station, has been interviewed a number of times. The Bickfords in Marin County are actively fighting against the Clipper-Chip. Yolo County has organized and Lauri McClinton, a UC Davis graduate student, is the interim Chair. The new chair of Placer County is Priscilla Falconi, and she is working to distribute our newsletter. Santa Cruz County recently participated in a Militia Day Rally, an event sponsored by gun rights advocates which proposes that anyone with a gun is a private militia, and is therefore protected by the Constitution. A militia is by definition private citizens organized for the common defense, so Libertarian gun clubs should be renamed as Libertarian Militias.

The Santa Clara Region is continuing to fight the Orchard School District. The school district is trying for the fourth time to get a tax increase past the voters. Terry Savage is conducting a strong campaign for State Assembly, and is being recognized by the local papers as a serious candidate. Calaveras County will be holding an organizing meeting; Calaveras has always just been Tom Tryon. Also attempting to organize is Inyo County; they will be holding a meeting in Bishop.

In San Benito County, Steve Gordon is fighting the Redevelopment District. He has forced the issue to be placed on the Ballot as proposition U, and the local paper has picked up on the slogan "Screw U". Because of opposition to Redevelopment, the City Manager of Hollister has been fired, the head of the Redevelopment Agency has been fired, the head of the Downtown Business Association, which receives 80% of its money from the Redevelopment Agency, has resigned, and one city councilmember is going to resign.

In San Francisco, a local talk radio station proposed that the city provide "free" bus service. George spoke against the idea, but it was interesting to note that most of the callers said they would be happy with just bus "service".

SOUTHERN VICE CHAIR'S REPORT

Gail reported that the first Libertarian city council person elected in the County of Los Angeles occurred in Bellflower; Art Olivier came in third in a six-person race, a race that threw out the the mayor and two incumbents. The five person city council already has a near-libertarian, so the future voting pattern appears to be two to three.

Gail distributed copies of the new newsletter, which contained further details of Southern California activities.

REGION SPLIT

Robert Leet presented a petition from Region 61 asking for permission to split in two. The two resulting Regions would be the San Fernando Valley Region and the High Desert Region. Ray pointed out that if Region 61 splits, after next November, it may not qualify as one of the five largest Regions, and would therefore lose it's seat on the Executive Committee. Robert presented a list of Zip codes that would comprise the new Region. Robert also pointed out that this split had the approval of the members of Region 61, as configured today. Kim recommended that the new Region consider another name, as the Mojave Region is also know as the High Desert. Ted pointed out that one of the proposed officers of the new Region is not a member of the Party. **The motion to allow Region 61 to split passed unanimously.** Ray was charged to inform Hugh and Thea McLean of the change and to assign the next available number.

SECRETARY'S REPORT

Ray reported that, per the By-Laws, he was submitting the mail ballots of the Standing Resolutions and Proposed Budget, to the Ex-Com for review and disposition. John Webster said he would like to review the ballots. Kim said that the ballots should be maintained in the Party Archives. Kim instructed John to return the ballots to Ray after he finished reviewing them, and instructed Ray to file them appropriately.

Ray announced that the Platform and the By-Laws have been up-dated and are available for distribution. (with the exception of the missing alien plank) Ray asked if there were any more corrections or up-grades. Jon updated the By-Laws, and Kim updated the

Standing Rules. Ray said that all members of the Ex-Com were mailed copies of the Platform, By-Laws, and Standing Rules. Corrected copies of the Platform will go out to the members of the Ex-Com with the next minutes.

Gail said that she has old copies of previous Ex-Com minutes that she would give to Ray to complete the Party Archives. She will also place an article in the LPC news asking prior officers to forward their archives to Ray.

TREASURER'S REPORT

Jon distributed the budget report, and asked the Ex-Com to note that the outstanding debt was only about \$2,000. That money is owed to only three Regions: San Diego County, Santa Clara County, and Santa Cruz County. It was Jon's intent that the smaller Regions be paid back first, however, Santa Cruz was inadvertently not repaid, and Jon apologized for that oversight. Kim asked Jon when the debt would be completely repaid. Jon answered that that depends on incoming revenues. The last fundraising letter to the most recent registered Libertarians, mailed in January, has not turned a profit. Also, the start-up costs for the new newsletter were higher than anticipated.

Jon explained some of our bank charges, noting that the bank charges us when our pledger's credit card fails to clear. This usually happens when the credit card expires, and the card is assigned a new expiration date. Jon is working on the problem.

Jon announced that we have switched our 1-800 number provider. Thrifty Tel was billing us \$0.17 a call instead of the \$0.14 a call they advertised. Even though they always corrected the bill when asked, Jon said he got tired of asking each month. CAS System will only charge us \$0.1033.

Jon did a study of members who do not re-new, and came up with the following: 50% of our new members drop out within the first year. Of new members completing 1 year, 20% drop out in the second year, leaving 40% of the original new members. For the third and fourth years, the drop out rate is 15% each year, leaving 31% of the original group. After that, the drop out rate is about 10%. More discouraging however, is that the large membership push of 1991 and 1992, that caused us to go into debt with bounty hunters, has a drop out rate approaching 70%. Jon said that two conclusions could be drawn from these numbers: 1.) We are not doing enough to welcome and educate our new members, or 2.) We are not doing enough to screen our new members for full understanding of what we are about. The first year is critical, because the retention rate for a new member who renews for a second year is 90% for the third year.

Jon was asked the status of the Audit Committee. Jon said that there is no Audit Committee. Kim said that he thought Jerry Douglas or Aaron Starr were going to be asked to audit our books. Jerry is working out of State, and is unavailable. Kim asked that the books be audited every other year, at the end of the Treasurer's term. Wayne so moved. Several names were mentioned as possible auditors. Eric Lund volunteered to perform an audit of

1993, but said he would not be interested in performing a two year audit. It was noted that the Stand Rules have two rules concerning the audit of the books, and that they appear to be in conflict. George recommended that a new Stand Rule be written that would resolve the conflicts, and supersede the two rules. Bob moved to postpone to become the first item after lunch.

OPERATIONS COMMITTEE

Kim noted for the record that the Operations Committee did not meet during the last quarter.

NEWSLETTER OVERSIGHT

Dick Venable recapped how the Ex-Com awarded the Newsletter contract to the Dave Nolan group, over Mike Hodges and Joe Dean. Because of conflicts with Mike Hodges, an interim issue of LPC News was produced by Gail Lightfoot for the month of March. Dick distributed the latest copy of the new LPC news, along with the new David Nolan outreach paper California Liberty. A contract for the LPC News is being prepared, and should be ready for signature by the next Ex-Com meeting. Dick said that the newspaper is being printed on the facilities of the Orange County Register. The Manager of the Printing facilities told Dick that the Register is considering putting out a monthly libertarian-oriented publication.

David Nolan addressed the Ex-Com to introduce the new newspapers. He said he was proud of the first publication, and wished to thank the people involved: Joe Maranda, the Managing Editor; Ed Bisizoff, Layout and Design; Dick Venable, Production Manager; Lawrence Goldberg, Advertising and distribution; Marge Henler, Advertising. David noted that the first issue costs were within \$50 of the proposed costs, even though the first issue was mailed to 4,000 people instead of the proposed 3,000.

David also distributed cassettes of his radio program. His program will soon be broadcast live at 9 p.m. instead of its tape play at midnight, so it should be easier to keep and maintain an audience. Michael Herrison, publisher of the talk-radio industry association newsletter, has told David that he will be running a front page article in David's show.

Don asked David if there was some way that the LPC could have some oversight on California Liberty, so that California Liberty could speak for the Party on current issues, and so that both California Liberty and the Party would always move together. David said that he thought the mission of the two papers was different: California Liberty will present libertarian ideas as they relate to California issues, while the LPC news is more of an internal "whats happening" thing. California Liberty will always encourage readers to join the Libertarian Party, but it will not carry Party news, or discuss internal Party operations. California Liberty will have articles or interviews with non-libertarians who can speak knowledgeably on specific issues of interest to Libertarians. But the Party will not be allowed to have veto power on any articles. Still, the hope is that the Party will always be proud enough of California Liberty to continue to send it to its members.

Ted asked why we went to the expense of obtaining a new bulk mail

permit, when the Party already has several such permits. Dick explained that the mailing is done by the Orange County Register, and they have a working relationship with the Anaheim Post Office. It is more economical to use this arrangement, than it would be to ship the entire load of papers to one of the other Post Offices where we have our permits.

Kim asked Dick about the status of the Publications Manual. Dick said that he has made the requested changes, and supplied each Ex-Com member with an upgraded copy.

NATIONAL COMMITTEE

Kim said Thea McLean could not be present, but she provided a written report. Jon noted from Thea's report that National's fundraising is ahead of target, something we should try to emulate. Jon also noted that the back page of Thea's report had a list of Goals that National extends to complete this year. Jon moved that the Ex-Com similarly develop a list of Goals that it wishes to complete this year. Ted said that such a list was developed in 1989; this list should be located and updated. There was no seconded to Jon's motion. Lawrence suggested we work with National as often as possible, especially in the area of media contacts. Since we do not have any media contacts, we should request that National assist us in establishing such contacts.

George said he wished to go on record as objecting to National's comments on the New York Party and Howard Stern. George said he did not disagree with what National said, but fears it creates bad precedent by implying that state parties need National's approval.

MEMBERSHIP COMMITTEE

Ted Brown reported for the committee consisting of himself, Laura McFadden, and Dick Halvorson. The committee did not meet during the last quarter as Ted was occupied with candidate qualification. The committee will meet during the next quarter, and have a full report then. Ted commented on Jon's membership retention figures, and said in his quest to recruit candidates, he called Libertarians recruited during the membership drive, and encountered many dissatisfied individuals.

COURTESY RESOLUTION

Don Myer moved that the Ex-Com extend its thanks to Mark Emdee for providing the lunch. The motions passed with a unanimous aye vote.

AUDIT COMMITTEE RESOLUTION

George O'Brian introduced the following new Standing Rule for consideration: **That Stand Rules 89-11.4 and 90-11.2 be rescinded, to be replaced with: The LPC Ex-Com shall appoint an Audit Committee at the November/Fourth Quarter Ex-Com meeting. The Audit Committee shall serve at the pleasure of the Ex-Com. The Audit Committee shall review no later than the first of March of the following year, the financial records of the LPC for the fiscal year ending December 31. A written report shall be prepared as to the Audit Committee's findings to be submitted to the LPC Secretary no later than two weeks prior to the April/Second Quarter Ex-Com meeting. Additional audits shall be performed upon request by the Ex-Com or the Op-Com. The Audit Committee shall have access to all**

financial records as required to perform the required audits. The responsibilities of the Audit Committee include: 1.) Review the receipts and expenditures for authorization and proper coding according to the LPC budget. 2.) Verify the existence and valuation of the assets and liabilities of the LPC. 3.) Review and evaluate that the system of internal control, and make recommendations as needed. 4.) Review the reports generated, and provide an opinion as to their accuracy and adequacy.

Jon moved to amend by changing: "shall review no later than the first of March" to "shall obtain no later than the first of March, etc." George accepted the change as friendly, there was no objection, so the amendment passed.

Laura asked if George's motion would also rescind Standing Rule 81-28.2. George answered that he would accept as friendly this addition to his list of rescinded rules. There was no objection, so the amendment passed.

Cullene Lang was given permission to address the Ex-Com. She said that the proposed Standing Rule lacks direction as to what the Ex-Com should do with the Audit Committee's report. In addition, there is no direction as to how the Audit Committee should treat our contractor WithEase. Bob suggested that item 3 allows the Audit Committee to review internal controls and make recommendations.

On a hand-up vote, the motion, as amended, passed without dissent.

FUNDRAISING

Lawrence Goldberg reported for the committee: As a Party, we have not been raising enough money. Currently, mailing labels are priced at 4 cents a label from WithEase. Most of that is profit that goes to WithEase, but that pricing should be restructured so that the profit goes to the Party.

Lawrence suggested that a painless way to increase our funding would be to increase the number of Libertarians who subscribe to Exuline Long Distance. He encouraged all Ex-Com members to sign on, and asked that all Region Chairs be asked to sign on. There is a sign-up form in the LPC News. Bob suggested solicitation to sign up was insufficient, but that a personal endorsement and personal contact is necessary.

Lawrence suggested that we look into merchandising. We should be offering gifts for members who renew and make extra contributions above their dues. We need ideas that would motivate members to buy the gifts, whether it be Tee shirts, coffee cups, ball caps, or whatever. Kim asked Lawrence to proceed cautiously, as there are tax consequences when offering merchandise for sale.

Lawrence also suggested that we look into a 1-900 information number. He knows a group that would put up the start up costs for half the profits. What kind of messages could we provide that people would be willing to pay to call?

California Liberty is proposing a money making opportunity for the

Local Regions. If the Local Region would invest in news-racks for California Liberty distribution, the Region would keep the profits. The sale of one paper a day would generate about \$15 a month in profits. One person should be able to maintain 10 news-racks. Initially, the Regions will be given the papers free, with the cost going up to 5 cents later. Lawrence said that he is aware of about 300 news-racks that are for sale. He hopes to get investors to purchase these racks, and re-sell them to the Regions, with a commission to the State Party.

Bob was critical of Lawrence for his fundraising for California Liberty. In his letter, he did not clearly state that California Liberty has no connection with the Libertarian Party. There was the implication that this was a LPC project. Lawrence said that that would not happen again. California Liberty would not solicit Libertarians again, and that any money obtained from his solicitation would be used to purchase ad space in California Liberty, for the benefit of the Party. The solicitation grossed about \$5,000 and netted about \$3,500.

Ted asked Gail why the last mail solicitation netted a \$2,500 loss. Gail said that this mailing was done through a professional mail house, and did not use volunteer labor. The letter went out to the 10,000 most recent registered Libertarians, and the response was poorer than expected. \$4,700 was spent for the mail house, which included a charge to read the magnetic tape, a charge for writing the tape onto disk, a charge to create the labels, and a charge to affix the labels. The response rate was less than 1%. The amount of dollars per reply was the second lowest we have ever had.

THE DONOR LIST

Lawrence moved that our donor list be kept confidential within the State Organization, and not released, even to Libertarian Candidates. The list of Libertarians who regularly give money to the Party should be considered a Party asset, and treated with great care. Kim disagreed, saying that he had no objection to releasing our donor list to Libertarian Candidates. Bob moved to amend to say: except to LPC candidates for partisan offices. John moved to amend the amendment to say: LPC candidates who are members of the State Central Committee (dues paying members). The vote was 9 to 3 in favor of the John Webster amendment. The vote was 8 to 3 in favor of the amended Bob Weber amendment, so it became the main motion. The vote was 8 to 4 in favor of keeping the list of donors confidential within the State Organization, except to LPC candidates for partisan offices who are members of the State Central Committee. Kim noted that this was now a Standing Rule. Laura objected to the ruling of the Chair, saying that several Ex-Com members who voted in favor of the motion are candidates for office, and as such, they have a conflict of interest. George wished to state for the record, that when three officers are requested to approve the release of the donor list, he will be reluctant to release the list without a clear and compelling argument. Lawrence moved that the fundraising chair be consulted prior to the release of the donor list. The vote was 12 to 0 in favor of the motion.

Jon said that there is a Nationals Donor list that is available to

the Party for \$60 per 1,000 names for only one mailing. The list can be sorted in various ways to include or exclude as one prefers. This list has 3,700 California names. National will sell this list to anyone, but non-Libertarians pay \$125 per 1,000. There was discussion as to whether the Nationals list would simply duplicate our list, but it was felt that there are people who choose to donate to the National, but not to the State Party.

LEGAL

Ted reported on legal matters. The only legal question that came up was that Kim asked for a legal opinion on the WithEase contract, and whether we have an obligation to purchase mailing labels every month. Ted referred Kim to Richard Burns, our Attorney General Candidate, and yes, we have an obligation to purchase mailing labels every month, whether we use them or not. Gail disagreed, saying that the intent of the contract was that one of WithEase's obligations was to provide labels for the newsletter. When we decided to publish every other month, WithEase did not charge us for labels.

Ted noticed an interesting article in the newspaper that may be of interest to Libertarian candidates who stand a chance of winning. The State Department of Education has threatened to remove three members of the Antelope Valley School Board who voted this week not to administer the Department's controversial CLAS exams. This is significant because it allows an administrative agency to remove an elected official from office. Something like this has happened before back east, where a city council did not wish to implement a Federally mandated order, so a judge threw the council into jail until they voted to fund the project.

Bob said he heard an interesting item of legal importance. Clark Hanley was soliciting Libertarians for signatures to run for Assembly District 51, and failed to get the necessary signatures. It seems alot of the people registered as Libertarians told Clark that they did not know they were registered Libertarians, and apparently these people were registered by bounty hunters. Ted noted in a similar manner, that the City of Hawthorne now has the third largest number of registered Libertarians in Los Angeles County, 500, all registered on June 19, 1992. These people were probably all registered by a bounty hunter, who turned the names in after the June primary, and so they probably will not find out they are Libertarians until they get their sample ballots for this June. These people are going to be angry at us, and we will have been ripped off for 3 bucks a head. This has also happened in Fresno and in Riverside. Ted asked if we had copies of the registrations obtained from the bounty hunters. If we could determine that the fraudulent registrations came from specific bounty hunters, we might have a cause for a suit. The consensus was that if the people who were registered Libertarian against their knowledge never had face-to-face contact, we and they might have a strong cause for action. However, if the people registering were not observant enough to notice the bounty hunter checking the party box, we probably do not have much to gain. In either case, pursuing this legally would require much time and effort. Lawrence suggested we might be better served by writing to each of these individuals, apologize for the error, and enclose a blank

registration form, and suggest they re-register in the party of their choice. If we have some extra brochures available, we should include those too. Jon said he could check the records to see if any checks were written for bounty work in Hawthorne. Ted said he would compose a letter of apology.

CAMPAIGN 94

Ted distributed the list of Libertarians running for partisan offices in California this year. 109 announced their intention to run, but only 86 qualified. All seven Statewide Offices have candidates, 3 of the 4 boards of Equalization, and 30 of the 52 Congressional Districts. There will be three races where we will be the only candidate opposing the Democratic candidate. New this year, all the Statewide candidates will have their photograph and a 100 word statement in the ballot pamphlet that goes out to all the voters. For the Primary, the photos will appear by Party. In November, the photos will appear by Office.

Ted asked for \$200 to mail all the Libertarian candidates the State Party Platform. There was no formal vote, but there were no objections.

We were allowed to write two ballot arguments this year. However, they are not in the main pamphlet, but are in a supplemental pamphlet. Three Bond measures were submitted late by the Legislature, so a supplemental pamphlet was required at taxpayer expense. Measure 1A proposes 2 billion for earthquake aid, and Tom McClintock wrote the argument against it. Ted wrote the arguments against 1 billion dollars for schools (1B), and 900 million dollars for colleges (1C). The pro-1C people got Dr. Jonas Salk and Steve Wozniak of Apple Computers to sign their arguments.

LIBERTARIAN POSITIONS ON THE PROPOSITIONS

The following positions were taken by the Executive Committee:

PROP 175	Renters' Income Tax Credit	Support
PROP 176	Taxation: Nonprofit Organizations	Support
PROP 177	Property Tax Exemption Disabled Persons	Support
PROP 178	Property Tax Exclusion Water Conservation	Support
PROP 179	Murder Punishment	No Position
PROP 180	Bonds for Park Lands, Historic Sites etc.	Strongly Oppose
PROP 1A	Bonds for Earthquake Relief	Oppose
PROP 1B	Bonds for Schools	Oppose
PROP 1C	Bonds for Colleges	Oppose

800 NUMBER OVERSIGHT COMMITTEE

Don Meyer reported that he has had discussions with Jim Elwood and Vince Miller of ISL concerning 800 operations. They get about 100 calls a month. The number acts as our "office", and a lot of the

calls are from Libertarians asking for internal information. Don asked that they mail their reports more consistently. He had a sample packet of information, which he distributed for review. He felt that some of the pamphlets are dated, and some are redundant. He proposed to re-work them to use standard envelopes, and less postage.

CONVENTION OVERSIGHT

Gail reported that she had nothing to report, as she had not received any information from either the 1994 or 1995 Convention Committees. Cullene Lang said that her contract to produce the 1994 Convention requires that she submit a report, and she has received correspondence from Gail Lightfoot requesting reports, but Cullene disagrees with the type of information that Gail has requested, and so has not responded. The 1994 Convention lost money for the producer, and so there are no profits to share with the Party.

Wayne Nygren spoke on behalf of the 1995 Convention production company, LCS, and submitted the following contract for review and approval:

The following terms and conditions shall serve as the agreement between the Libertarian Party of California (LPC) and Liberty Convention Services (LCS). LCS is a private partnership consisting of the Libertarian Party of Alameda (one-quarter interest), and two private individuals: Eric Lund and Cullene Lang, possessing a three-eighths interest each.

- 1.) The LPC wishes to stage the annual Convention February 17 thru February 20, 1995, in the Oakland area.
- 2.) LPC contracts with LCS to host that convention. LCS shall be responsible for engaging the necessary services and facilities as stated in this agreement to accommodate the Convention. **The LPC shall not contract with the contractor or potential providers of said facilities and services, or make or imply obligations or payment on the part of LCS to said providers.** When signed by representatives of LPC and LCS, this agreement shall constitute formal contract. Any changes to this agreement must be in writing, and signed by both parties.
- 3.) The LPC has agreed that the Convention site shall be in Alameda County. Choice of the hotel shall be at the discretion of, and the decision of, LCS. LCS may, should it so choose, attempt to arrange hotel accommodations as a discount rate for convention attendees. Should LCS elect to provide such services, it shall publish the discount room rate in its convention advertising.
- 4.) LCS shall be responsible for:
 - 1.) Guaranteeing that all Convention Program Speakers shall address topics of interest to Libertarians.
 - 2.) **Reserving a vendor table for LPC use during the Convention for the purpose of promoting the Party.**
 - 3.) Assuring space for general Party business, meetings, banquets, speaker events, and vendor exhibits.
 - 4.) Arranging a fundraising banquet to occur on Sunday February 19, 1995.

LCS shall have sole control over all aspects of the Convention except the conduct of regular Party business meetings and the fundraising portion of the Sunday banquet. **LCS shall**

coordinate the choice of speaker for the Monday awards banquet with Jack Dean, which shall otherwise have sole control of the luncheon speaker portion of that event. The LCS shall provide a written report to the Contract Services Committee within 90 days of the close of the Convention.

- 5.) In return, LPC shall:
 - 1.) Provide advertising space equivalent to two 8" x 11" advertisements or inserts in the LPC Newsletter.
 - 2.) Furnish two complete sets of mailing labels from the LPC data-base, including prospects, members, persons whose membership lapsed in 1994, not to exceed a total of 10,000 and selected per LCS instructions.
 - 3.) Allow use of the LPC credit card clearing account, provided LCS pays for all associated bank processing fees and data processing costs.
 - 4.) Not sell, give, or distribute food or beverages on the hotel premises not purchased through the hotel.
- 6.) In the event the LPC chooses to cancel, reschedule, or delay the Convention, they shall hold the LCS harmless from, and shall be responsible to pay any damages resulting from those LPC actions with the hotel, or any other individual or entities.
- 7.) Except as provided in Section 6 above, LPC shall in no way be responsible, nor shall they serve as guarantor to LCS, or on LCS's behalf for any debt, profit, loss, or any other monetary or other consideration.
- 8.) In the event of a disagreement between LCS and LPC as to the terms of this contract, those differences shall be resolved by binding private arbitration agreeable to both parties, without recourse to the Courts of the State of California.
- 9.) Performance of this agreement shall be required from both parties except when made impossible or impracticable by acts of God, war, or government regulation, disaster, strikes, civil disorder [unclear] transportation facilities preventing unreasonable delay [unclear] at least 50% of the advance room reservations for attending other similar cause beyond the control of the party inadvisable [unclear] impossible to hold this convention or to provide convention facilities (we're talking about earthquakes, fires, etc.).
- 10.) This agreement may be terminated for any one or more of the reasons in section 9 [unclear] following written notice from one party to the other. Should LPC choose to terminate this agreement, they shall agree to assume LCS's contractual liabilities arising from that cancellation, including cancellation penalties, if any, imposed on LCS by the hotel; liabilities estimated to be \$5,000 to \$10,000 which includes hotel guarantees, non-refundable [unclear] etc.
- 11.) LCS appoints Wayne Nygren to act as liaison between LPC and LCS, with either Lund or Lang having signing authority on contracts relating to this convention.

With the exception of the bold print, the contract is identical to last years contract. Wayne said that some of the members on the LCS production company had changed. The Contract was amended as follows:

Section 3 INSERT between the words "banquets" and "speaker":

"and, subject to consultation of a committee to be appointed by the LPC Executive Committee."

Section 4 INSERT paragraph numbered 5:

"5.) Paying to the LPC \$10.00 for each full meals & speakers convention package purchased."

Section 4 STRIKE "Jack Dean" and INSERT "Samuel Adams Society"
Section 4 STRIKE "Contract Services" and INSERT "Convention Oversight".

Section 5 APPEND to paragraph numbered 1: "professional quality camera ready copy provided by LCS in a timely manner".

The amended contract was approved by a hands-up vote of 10 to zero. It was decided that the selection of the consultation committee would be an agenda item at the next Ex-Com meeting.

CONFIDENTIALLY OF THE DATABASE

Mark Hinkle addressed a letter to Kim Goldsworthy discussing a security lapse of the database. A recent "dump" of the database resulted in several names in the database flagged with a "never mail anything to these people" was inadvertently ignored, resulting in complaints from people who assumed confidentially.

John Webster recently visited the WithEase premises, and was impressed with their operations; they are technologically up-to-date. He recommended that they need to make better use of e-mail; also that a separate field be dedicated in the database for an e-mail address (currently such addresses are entered in the remarks field). He also recommended that WithEase update their software from SMARTS I to SMARTS II, or PARADOX. Gail asked if switching would lower our costs. John said switching would make WithEase more efficient, which should lower our costs. Lawrence said he is concerned with the high charges for printing labels, and asked John if he had reviewed WithEase billing to determine if we are getting our money's worth. John said he could only speak to the software efficiency. Wayne said that WithEase's charges are based on a negotiated payment schedule, based on unit prices and hourly work. During negotiations, it was recognized that some of the unit charges are high, but these charges subsidize some of the other incidental work that WithEase does. Lawrence said he would like to see the the pricing schedule renegotiated because the current schedule which charges by name, hinders our efforts to reach out to our members. Kim asked that he and Lawrence discuss this further off-line. John also recommended that WithEase develop a report which would assist them in re-newing credit card pledges, so that monthly card charges don't bounce.

INITIATIVE ENDORSEMENT

Three groups attempting to get initiatives on the ballot have asked for our endorsement. On April 9, 1994, a sub-committee consisting of Kim Goldsworthy, Gail Lightfoot, Richard Halvorson, Jane Henson, Jose Castaneda, Laura McFadden and Eric Lund meet to discuss the issues, and to make a recommendation to the Ex-Com.

The sub-committee recommended that we decline to endorse the Taxpayer's Reform of Illegal Immigration because it proposes an ID card for all California citizens. We are already opposed to "Free Rides", and it was felt that enforcement would violate civil rights and lead to abuses. The Ex-Com voted to oppose the initiative with a vote of 11 to 0.

The sub-committee recommended that we decline to endorse the Open Primary because it has no benefit to "third parties" and could result in lower vote total for "third parties" as voters could cast protest votes with the major parties. This proposal would eliminate Party ballots in the Primary election, and all voters would get identical ballots. The Ex-Com voted not to endorse by a vote of 10 to 1.

The sub-committee recommended that we support the Pesticide Regulation & Application Act as it puts the burden on the State to justify and be liable for all State spraying. Support of this initiative is consistent with libertarian view of property rights. The Ex-Com voted to endorse by a vote of 8 to 1.

MONEY PAID TO MIKE HODGES

Jon said he will be writing an official notice to Mike Hodges demanding that he refund money advanced to him to publish the March 94 issue of the LPC news. The letter will also offer Mike the option of returning the money in "easy payments".

LIBERTARIAN CANDIDATE FOR GOVERNOR

Dick Rider has publicly said that if Ron Unz wins the Republican nomination for Governor, he will withdraw from the election. It was pointed out though, that he will not be able to withdraw his name off the ballot. Still the possibility exists that our Governatorial Candidate will not campaign.

MEMBERSHIP FOR DONORS

Gail asked for the Ex-Com to direct WithEase to change a policy. When she asked WithEase to include in the labels for the LPC News, donors who are not Party members, WithEase said that anybody who donates \$100 or more to the Party is automatically made an associate-member, since our Standing Rules say that any member who is a pledged does not have to re-new their membership, this implied that a non-member contributor would not have to pay for membership. So WithEase is assigning contributors memberships. The last fundraising letters to the Reg-Libs asked for money and did not ask them to join the Party. So now we have contributors, who did not know they joined the Party, getting solicitations to re-new their membership. This is upsetting fundraising efforts, which is attempting different solicitations from dues-paying members, and from non-member past contributors.

EXECUTIVE COMMITTEE ENDORSEMENT OF LIBERTARIAN CANDIDATES

Eric Sprik said that in addition to being a Libertarian, he is also a member of the Orange County Gun Owners Action Committee (OCGOAC). This committee fully supports Second Amendment Rights, and has endorsed Libertarian candidates. Recently, however, Republican Lawrence Platt wrote an article for Gun & Ammo magazine criticizing Libertarians for their inconsistent support of gun owner rights. Because of this article, and several Libertarian candidate questionnaires, OCGOAC, is considering withholding endorsement of all Libertarian candidates.

OCGOAC says that three Libertarian candidates scored so poorly on their questionnaires, that OCGOAC will not endorse Libertarian candidates unless the Ex-Com disavows or expels these three

particular candidates: Daniel Dalton, Pam Prost, and Charles Harris.

Eric therefore moved for passage of the following resolution:

Whereas the Libertarian Party of California has always clearly supported the letter and spirit of the Second Amendment of the Bill of Rights, i.e., that sovereign individuals do not need the approval of any governments to own or use guns in all their forms, whether it be for defense purposes or recreational purposes.

And, whereas the Libertarian Party Candidates are the de-facto spokesmen of the Party Platform and for the philosophy of libertarianism.

And whereas one of the Party strengths and consistency of the Party's Planks is the maximization of individual liberty and minimization of monopolistic state regulation.

Therefore be it resolved that the Libertarian Party Candidates for public office who publicly advocate the imposition of government restriction and regulation upon peaceful and private individuals regarding the ownership and use of guns and ammunition, run the risk of having their endorsement rescinded and/or being censured by the Party for hindering the promulgation and adoption of Libertarian Philosophy.

This resolution was approved by a vote of 8 to 1.

Eric also introduced a second resolution, similar to the first, but more generic, regarding candidates speaking against any Party planks risking censure. The text of this motion is included as an attachment to the minutes. This resolution was not approved by a vote of 5 to 4, 8 votes being required to approve.

Eric next moved that Daniel Dalton be censured, and that his actions be condemned and that his candidate endorsement be rescinded by the Libertarian Party. Eric was asked which questions Daniel failed. Eric said Daniel favors increased restrictions on firearms, he does not favor the repeal of current registration laws, he does not favor the repeal of the waiting period and background check, in fact he favors a lengthening of the waiting period. He opposes the right of individuals to carry firearms. He favors legislation requiring manufactures to have safety devices on firearms, and include certain anti-gun literature with the firearm. He was not in support of firearms safety classes being provided by the private sector. Eric said that most Libertarians did not score a perfect pro-gun stance, but Daniel Dalton scored the worst. There was no second to this motion.

Ted moved that the Executive Committee resolves that the views of Daniel Dalton on the issue of gun owners rights is inconsistent with the Libertarian Party Platform, and we therefore repudiate his views on that issue. Eric asked that we also say that we revoke our endorsement. It was pointed out that the Ex-Com does not endorse candidates. The only candidates with 'endorsements' are the seven Statewide Candidates, and they are endorsed by the Convention. Eric asked for censure. Kim read from our By-Laws: a two-thirds majority of the eligible members on the Executive Committee shall be required to pass the following: Removal from

office, censure, or suspension of a Party member, and endorsing or rescinding the endorsement of any candidate for public office. It was felt that before any Libertarian was censured, that that individual should be informed of the action against him, and be allowed to speak in his own defense. **The Ted Brown motion passed with a 9 to 0 vote.**

Eric moved that the Executive Committee resolves that the views of Pam Probes on the issue of gun owners rights is inconsistent with the Libertarian Party Platform, and we therefore repudiate her views on that issue. Pam was individually known to several members of the Ex-Com, so this motion failed by a vote of 1 to 5.

Eric moved that the Executive Committee resolves that the views of Charles Harris on the issue of gun owners rights is inconsistent with the Libertarian Party Platform, and we therefore repudiate his views on that issue. This motion failed with only 2 aye votes.

STANDING RESOLUTIONS

Kim's changes suggested changes to the Standing Rules was taken from the Table, and the changes were passed unanimously. The changes are attached to these minutes.

NEXT MEETING

The next Ex-Com meeting will be on Saturday, July 23 in Oakland at the site of the 1995 Convention; 10 a.m.

Ted Brown
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Pasadena, Calif.
91106-2210

Kim Goldsworthy, Chair
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Rosemead, Calif.
91770-2628

Gail Lightfoot,
P.O. Box 3207
San Dimas, Calif.
91773-7207

Mike Everling
2816 Vaquero Ave.
Los Angeles, Calif.
90032

Lawrence Goldberg
2219 W. Olive Ave. #218
Burbank, Calif.
91506

Jon Petersen, Treasurer
141 Hayes Ave.
San Jose, Calif.
95123-2124

George O'Brien,
553 41st Ave
San Francisco, Calif.
94121-2526

Laura McFadden
5601 Cerritos Ave.
Long Beach, Calif.
90805

Richard Halvorson
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San Diego, Calif
92117-3528

Robert Leet
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Monrovia, Calif.
91016

John Webster
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Santa Clara, Calif.
95051

Brian Schar
16692 Blanton #B
Huntington Beach
92649-3324

Wayne Nygsen
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Hayward, Calif.
94541-6812

Bob Weber
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Hugh & Thea McLean
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San Leandro, Calif.
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Ed Moss
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