

## LIBERTARIAN PARTY OF CALIFORNIA

### Saturday, November 19, 2005 Executive Committee Meeting at the LAX Gateway Sheraton Hotel

1. The meeting was called to order at 10:07 am. The following Executive Committee members were present:

Officers: Aaron Starr, Chair  
Lawrence Samuels, Northern Vice Chair (late)  
Mark Selzer, Southern Vice Chair  
Willard Michlin, Treasurer  
Daniel Wiener, Secretary

Representatives: Ted Brown  
M Carling  
Bruce Cohen  
Bruce Dovner  
Allen Hacker (late)  
Paul Ireland  
Mark Johnson  
Richard Newell  
W. Rick Nichol  
Kevin Takenaga

Alternates: Frank Manske (*absent*)  
Erich Miller (*absent*)

Executive Director: David Ruprecht

Guests: Allen Rice

2. Announcements: Allen Rice distributed a petition asking M Carling, Aaron Starr, and Daniel Wiener to step down from the Operations Committee until they received a vote of confidence from the Executive Committee. Allen Rice compared lapse dates for various Santa Clara county members and pointed out ten members who had lapse days which had been set back, and wanted an explanation; he was concerned about the validity of the information. Ted Brown mentioned the Doo-Dah parade in old-town Pasadena on November 20th; libertarians will be involved. The Bylaws Committee will meet Sunday in room 2119.

3. Agenda review: It was moved to add Item 8(a)(1) for 5 minutes to discuss the Platform structure. Adopted as amended. Item 5(h), the *California Freedom* report, was deleted. Selection of LPC Platform and Program coordinators was added to Item 7(a). Item 6(c), BCRA discussion, was added.

4. The minutes for the 2005 convention, as well as the minutes for the November 20, 2004 and February 20, 2005 Executive Committee meetings, were approved.

#### 5. Staff & Officers Reports

- a. Chair Aaron Starr – Aaron has been busy with membership separation issues resulting from the end of the UMP; there are serious problems with the national database. None of reform ballot measures passed. Adrian Moore from the Reason Foundation will be the state convention keynote speaker. Over thirty cabins have been booked already. Periodic ExCom telephone conferences are being suspended for now.
- b. Executive Director David Ruprecht – Monica Kadera comes into the office a couple of days a week. Monthly statements were mailed. Dave suggested contacting Monica at [Mkadera@gte.net](mailto:Mkadera@gte.net) and giving her an “atta-girl” for all her hard work. We now have a wonderful TV commercial and potential donors for it, with plans to target Logo, History Channel, and MSNBC in San Francisco, West Side Los Angeles, and Los Feliz. However, there are BCRA problems. Dave cohosted two shows of Libertarian Alternative. 1683 membership renewal letters were outsourced to Dennis Bolton printer; M did huge amount of work with the data. There were bulk permit problems and we received rushed bar codes from the Post Office. Wells Fargo’s proposed caging operation was too expensive. Instead we’re paying Monica an hourly fee (at a very fair rate, especially since she doesn’t really want to do it). 4000 voter registration forms were mailed, and Bruce Dovner wrote a great article. So far we’ve gotten back \$20,875 in renewals from 397 people. Membership cards are being designed. Dave fields lots of membership questions by phone and mail. 1, 2, and 3 month membership renewal notices went out; M Carling supplied the data and Richard Newell provided the letter. Dave did the mail merge in-house. \$1,075 has been received from seventeen people. A second computer crashed and is gone, but we saved the data. We got a new computer and installed software, etc.

There were problems recovering history files for one month and Monica had to recreate them. Black Box Voting wanted to inspect Diebold machines in six counties; we helped them get into San Joaquin. There was a registered libertarian mailing out of Orange County. Dave attended a Cal State Channel Islands event. We're looking at a possible new newsletter printer. The cruise itinerary has changed; we'll be at sea Sunday and in Ensenada Saturday. Mark Johnson placed a convention insert in the newsletter. Ray Melissa of Melissa Data.com will be experimenting with Google search ads. At a cost of 5 cents per click, Ray will cover costs for 60 days. Dave attended a Reason event in Las Vegas with Kevin Takenaga, and connected with Drew Carry, Penn Gillette, and John Stagliano. Dave attended the Southern California Public Affairs convention, and notes that columnist Daniel Weintraub is a small-l libertarian. We need back-up on the office computers. Dennis Bolton hasn't gotten us a quote on the newsletter yet. The national treasurer has objected to their paying postage for including *California Freedom*; it is no longer a wrap-around. There will be no fundraising event tonight, since Dave hasn't had time to make fundraising appointments. We need more support staff.

- c. Northern Vice Chair Lawrence Samuels – There will be a mini-convention on Jan. 28<sup>th</sup> in Fresno, with 1500 flyers to current and past members. Placer County became active, others became inactive. Lawrence met with an Indonesian delegation which wanted to meet some libertarians in Sacramento (see Lawrence's website); Art Tuma was also involved. Lawrence mentioned the Freedom1776.com web site, and attended the Junior Statesman convention. Lynette Shaw will be running for Lt. Governor; she has connections with Hollywood and money sources.
- d. Southern Vice Chair Mark Selzer – Mark has been ill and wasn't able to do much. He may have to remove the LP 800 number from his TV show due to BCRA. Mark went to the Advocates for Self-Government event. He did a show with a Catholic priest who wanted to bring back flogging. Mark is putting shows on DVDs (4 shows per DVD), but it's difficult to make copies. Paul Studier and Lawrence Samuels and Paul Ireland were thanked for their donations. Terry Floyd is looking at putting the shows on BitTorrent for downloads.
- e. Secretary Daniel Wiener reported on the results of recent Executive Committee email ballots (results are listed as Yes-No-Abstain-NVR, where NVR means No Vote Received prior to close of balloting):  
An August 29, 2005 email ballot "State membership renewal remittances of less than \$50 but not less than \$25 shall extend a member's LPC membership by 12 months if postmarked by no later than September 30, 2005 or by 6 months if postmarked thereafter. Life Memberships shall be offered for \$2000, effective October 1, 2005." Passed 11-1-0-3.  
An August 29, 2005 email ballot requiring that the text of the resolution passed at the August 20<sup>th</sup> ExCom meeting titled "A Resolution Affirming the National Libertarian Party Principles and Platform Concerning Foreign Intervention and the Invasion of Iraq" be placed on the front page of the next possible issue of *California Freedom*. Failed 5-8-0-2.  
A Sept. 2, 2005 email ballot to approve the Executive Committee minutes from the August 20, 2005 meeting passed 9-0-0-6.  
A Sept. 12, 2005 email ballot "Resolved, that Placer County be recognized as an active Libertarian Party county organization" passed 13-0-0-2.  
An Oct. 19, 2005 email ballot "The Nevada, San Joaquin, Santa Cruz, Shasta, Siskiyou, Sonoma, and Stanislaus county organizations have not held elections for more than a year and are hereby classified as inactive in accordance with Bylaw 8 Section 4." Passed 9-0-0-6.  
On Sept. 28, 2005 the Operations Committee unanimously passed a motion to pardon and restore the membership of Mark Selzer for violation of Bylaw 5, Section 10. The OpCom unanimously passed a second motion to appoint Ted Brown to fill the vacancy in the position of Southern Vice Chair on an interim basis.  
On Oct. 1, 2005 the Operations Committee unanimously rescinded both motions passed on Sept. 28<sup>th</sup>.  
On Sept. 24, 2005 the Judicial Committee ruled 3-2 not to uphold the appeal of Mark Selzer concerning plans adopted by the Executive Committee for the 2006 LPC convention to be held on a cruise ship.
- f. Treasurer Willard Michlin – Membership dues are front-loaded. Willard noted that the cost of support is 60% of the \$2,410 listed in the financial statement. We need to get creative with trying to trade free services for the lack of interest on our cash balance. Several corrections were noted to the categorizations of program expenses in the financial statement.

It was recommended that Monica Kadera and her husband be comped for the state convention. Passed.

- g. LNC Representative M Carling – There has been no movement towards hiring a new Executive Director. Everyone is happy with Shane Correy as acting ED. The LP office will move upstairs. The LP gets a ton of free interns (eight) because the office is right next to Washington University; that's about \$4000/month of free labor. The national LP is not outsourcing *LP News* for now. The LP will outsource material sales via *lpstuff.com* (which is not up yet). The Treasurer has unilaterally assumed most of the powers of the Chair. Aaron and M persuaded the LNC to elect Bruce Dovner to the national Program Committee. A motion to pay bills from outside parties before paying inside parties failed 7-7.

#### 6. Old business:

- a. BCRA -- Bruce Dovner moved to go into closed session. Passed. The ExCom discussed BCRA issues and a possible lawsuit over write-in candidates. The ExCom emerged from closed session.

#### 7. New business:

- b. There was a discussion of the status of Marin County. It has no newsletter yet. Lynette Shaw will be active there and is setting up an office.

The meeting was recessed for lunch until 1:30 pm.

Allen Hacker moved: All persons in the room must comport with the procedure we have established or leave the room. Passed 10-3-1.

New Business was resumed:

- a. LPC Platform – Ted Brown was nominated for Platform Coordinator. The vote was: 12-Brown, 2-NOTA. LPC Program – Bruce Dovner was nominated for Program Coordinator. The vote was: 11-Dovner, 3-NOTA. National Credentials Committee -- Kevin Takenaga was nominated. The vote was: 11-Takenaga, 3-NOTA. National Platform Committee – Starchild and Brian Holtz were nominated. The vote was: 3-Starchild, 9-Holtz, 3-NOTA.
- c. The 2006 proposed Budget was discussed. Ted Brown and Kevin Takenaga will talk to an insurance agent about general liability insurance. A motion was made to change Outreach from \$3,000 to \$6,000; passed 8-3. A motion was made to increase Litigation from \$1,000 to \$5,000; passed 8-3-2. Allen Hacker moved to adopt the budget as amended; passed 14-0 by roll-call vote (Lawrence Samuels was not present). See attached spreadsheet.
- d. A *Standing Resolution Regarding Rental of the LPC Mailing List* was approved unanimously as amended (the amendment struck the words “unless the Executive Committee established some other rate”). See attached resolution.
- e. It was decided without objection to create an Eminent Domain committee as a working committee. Jay Eckl was appointed as chair and will recommend two others for the committee.

Mark Selzer moved to adjourn. The motion failed 4-6.

#### 8. Committee Reports

- a. Candidate Recruitment (Ted Brown) – Recruitment is going very well, with 70 partisan candidates so far. Art Olivier is running for Governor; Lynnette Shaw is running for Lt. Governor; Donna Tello is running for Controller; Kenneth Weissman is running for Attorney General; Dale Ogden is running for Insurance Commissioner; and Gail Lightfoot may be running for Secretary of State. “nurse” and “teacher” are good ballot occupations.
  - a1. Platform structure. The possibility of emulating the new structure/format of the national LP Platform was discussed.
  - b. Campus Coordinator (vacant).
  - c. Candidate Support (Frank Manske) – no report.
  - d. Coalition Building (Erich Miller) – no report.
  - e. Media Relations (Richard Newell) – The 27<sup>th</sup> *Libertarian Perspective* column is coming up. One press release on the ballot propositions was issued. Richard wrote two articles for *California Freedom*. The *Ventura Star* newspaper picked up a column, as did some smaller papers and some websites and blogs. It was suggested that Richard use “Google Alert”.
  - f. Member Communications (Bruce Cohen) – Cruise information has been sent out. *California Freedom* continues to get better.

A motion was made to go into closed session. Passed. BCRA issues were discussed. The ExCom emerged from closed session.

- g. Membership Recruitment (M Carling) -- Registered Libertarians represent the best opportunity to recruit new members. We’ll drop a 4,000 piece test mailing to four sections of the list of registered Libertarians: Orange County 42<sup>nd</sup> district new registrants and high propensity Libertarian voters; high propensity Libertarian voters in inactive counties; high propensity Libertarian voters in MARA counties. There will be two sets of mailings.
- h. Membership Retention (M Carling) – The September mailing was great. The renewal mailings have been very disappointing, and we will have to try out a different set of letters. There was no outer-envelope teaser for the renewal mailings, so they will have to be resent. We need to inform life members and monthly pledgers about the UMP breakup.
- i. Political Education (Lawrence Samuels) – no report.
- j. Public Access Television (Mark Selzer) – Mark summarized recent activities.
- k. Legal (vacant).
- l. Volunteer Development (Allen Hacker) – nothing to report.
- m. Voter Registration (Bruce Dovner) – Bruce arranged for a voter registration mailing and article in *California Freedom*. We need a separate 527 committee for voter registration, or else have it done by federal candidates, due to BCRA.
- n. Website & Infrastructure (Kevin Takenaga) – For a database solution, we’ll have to write all of it ourselves to get everything we want. It will hopefully be ready in the next week or two. Membership issues were discussed.
- o. Marketing & Branding (Mark Johnson) – Efforts will focus on marketing the convention on the cruise ship.
- p. Conflict Resolution Committee (Willard Michlin) – Allen Hacker is helping to keep the conflicts down.

9. The meeting was adjourned at 4:49 pm. The next ExCom meeting will be held at the state convention on February 26, 2006.

**Libertarian Party of California**  
**FY 2006 Proposed Budget 11/19/2005**

	Unrestricted General	Unrestricted Op-Com	Unrestricted Chairs Fund	Total General	Restricted Operation Breakthrough	Totals (Memo Only)
<b>Support and Revenue</b>						
Membership Dues	75,000			75,000		75,000
Membership Bounties	0			0		0
Pledges	42,000			42,000		42,000
Convention	0			0		0
Direct Mail Fundraising	20,000			20,000		20,000
Telephone Fundraising	9,000			9,000		9,000
Convention Fundraising	3,000			3,000		3,000
Event Fundraising	0			0		0
Bequests	0			0		0
Personal Solicitation	10,000			10,000		10,000
Other Revenue and Support	10,000			10,000		10,000
<b>Total Support and Revenue</b>	<b>169,000</b>	<b>0</b>	<b>0</b>	<b>169,000</b>	<b>0</b>	<b>169,000</b>
<b>Cost of Support and Revenue</b>						
Membership Dues	41,250			41,250		41,250
Membership Bounties	0			0		0
Pledges	3,250			3,250		3,250
Convention	0			0		0
Direct Mail Fundraising	20,000			20,000		20,000
Telephone Fundraising	9,000			9,000		9,000
Convention Fundraising	500			500		500
Event Fundraising	0			0		0
Bequests	0			0		0
Personal Solicitation	1,000			1,000		1,000
Other Revenue and Support	2,000			2,000		2,000
<b>Total Cost of Support and Revenue</b>	<b>77,000</b>	<b>0</b>	<b>0</b>	<b>77,000</b>	<b>0</b>	<b>77,000</b>
<b>Net Support and Revenue Available for Programs (1)</b>	<b>92,000</b>	<b>0</b>	<b>0</b>	<b>92,000</b>	<b>0</b>	<b>92,000</b>
<b>Program Expenses</b>						
Administrative						
Convention (1)	4,000			4,000		4,000
Executive Committee	2,000			2,000		2,000
Other Committees	1,000			1,000		1,000
LPC Office (1)	60,000			60,000		60,000
Total Administrative	67,000			67,000		67,000
Campaigns & Elections (1)	35,000			35,000		35,000
Litigation	5,000			5,000		5,000
Lobbying	0			0		0
Media Relations	3,000			3,000		3,000
Member Communications	30,000			30,000		30,000
Member Recruitment (1)	10,000			10,000		10,000
Outreach	6,000			6,000		6,000
Party Development	0			0		0
Voter Registration	0			0		0
Other	0		0	0		0
<b>Total Program Expenses</b>	<b>156,000</b>	<b>0</b>	<b>0</b>	<b>156,000</b>	<b>0</b>	<b>156,000</b>
<b>Net Surplus (Deficit)</b>	<b>(64,000)</b>	<b>0</b>	<b>0</b>	<b>(64,000)</b>	<b>0</b>	<b>(64,000)</b>

(1) Authorization to spend on Membership Recruitment and Campaigns & Elections to be automatically increased by 1/2 of the amount Net Support and Revenue Available For Programs Less Convention Program Expense exceeds \$88,000. Authorization to spend on LPC Office to be automatically increased by 1/2 of the amount Net Support and Revenue Available For Programs Less Convention Program Expense exceeds \$88,000. Campaigns & Elections includes Elected Official Conversion Costs.

(2) Funds will be raised for Operation Breakthrough during 2006. This budget authorizes the expenditure of funds raised. Amounts can be combined with general fund Campaigns & Elections expenditures.

## STANDING RESOLUTION REGARDING RENTAL OF THE LPC MAILING LIST

Whereas, Bylaw 6\* requires that an individual or group requesting the use of the Libertarian Party of California's mailing list agree to terms established by a Standing Resolution of the Executive Committee which are intended to safeguard the information contained therein; therefore, be it

Resolved, that the Renter of the list must agree in writing that the list will only be used for the purpose it was requested, and that any material intended to be sent to the list shall first be submitted to the LPC for review and approval to verify that it is appropriate and limited to that purpose; and, be it further

Resolved, that prior to use of the list the Renter shall pay to the LPC a total amount for each mailing of \$0.10 per name, and that the list shall only be used for the number of mailings contracted for with the LPC; and, be it further

Resolved, that following receipt of payment the LPC shall deliver the list directly to a professional and reputable mailing house designated by the Renter, and that the list shall be kept confidential and neither the mailing house nor the Renter shall make copies of the list nor extract, retain, or use in any way, any information contained in the mailing list beyond that needed to effectuate the specific mailing(s) contracted for with the LPC, except that information about respondents to a mailing shall belong to the Renter; and, be it further

Resolved, that the Renter must agree in writing to any other restrictions or limitations established by the Executive Committee as a condition of renting the mailing list; and, be it further

Resolved, that the Renter must acknowledge and agree in writing that any violation of the rental contract which would endanger the propriety and confidential nature of the LPC mailing list will cause irreparable harm to the LPC, and that it would entitle the LPC to preliminary and permanent injunctive relief as well as monetary damages including the cost of litigation and reasonable attorney's fees.

### **\* Bylaw 6: MEMBERSHIP LISTS**

#### **Section 1.**

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

**The Executive Committee may also provide mailing lists to individuals or groups, but not to any government official or government agency. Counties may exchange lists.**

#### **Section 2.**

**The county central committee's membership list shall be provided to the national Libertarian Party, a Libertarian candidate, campaign committee, or initiative committee, or an interested Party member in conjunction with Party activities to facilitate the Party organization under the following conditions:**

- (a) that three Party officers or two county officers give approval to the request,**
- (b) that the requesting individual or group agree to pay the amount for receiving the list in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, and**
- (c) that the requesting individual or group agrees to terms, in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, that are solely intended to assure that the membership list is not to be used for any other purpose, nor sold or furnished to any other group, organization, government official or agency.**

#### **Section 3.**

**If maintenance of the State Central Committee membership database is delegated to someone other than the Secretary, the Secretary as the official keeper of Party records and the Chair as the Chief Executive Officer of the Party shall be provided with current membership information in keeping with their Party duties.**