

Minutes

Executive Committee Meeting, April 13, 2008

Hyatt Regency Hotel
1209 L Street
Sacramento, California
916-443-1234 Fax: 916-321-3099
<http://sacramento.hyatt.com>

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Call to Order

Chair Takenaga called the meeting to order at 1:10 p.m.

Attending

Officers

Chair Kevin Takenaga
Northern Vice Chair Richard Newell
Southern Vice Chair Zander Collier (absent)
Treasurer Don Cowles
Secretary Beau Cain

At-large Representatives

Matthew Barnes
Eric Bresson
Ted Brown (absent)
T. J. Campbell

Brian Holtz
Cam McConnell
Mike McMahon
Rob Power
Lawrence Samuels
Jesse Thomas

Alternates

Donna Orlando (seated for Ted Brown)

Guests

Allen Hacker, Fundraising Consultant
Carolyn Marbry, Style Committee
Starchild

Comments

MOTION: Holtz moved to allow guests to sit at the committee's table because there were empty seats. McConnell seconded.

Newell spoke against the issue, noting that the issue had been addressed many times before, despite the committee's policy of permitting only committee members to be seated at the table, allowing guests to be seated elsewhere in the room.

Power spoke in favor, noting that past practices should not constrain current practices.

Campbell spoke against, noting that he attended previous meetings, seated separately from the committee, and had no problem.

Barnes spoke for and against, noting that allowing others to sit at the committee table is egalitarian, but that seating others at the table should not interfere with business.

Samuels spoke against the motion, expressing his hope that in the future Starchild would honor known Executive Committee protocol.

McConnell noted that today's meeting offered more seats than there were committee members present.

VOTE: The vote to allow guests to sit at the committee's table failed.

MOTION: There was a call for division.

VOTE: Division showed 5 for, 5 against, and 5 abstentions. The motion failed.

Starchild spoke, noting that others have said they didn't attend EC meetings because they didn't find them interesting because they didn't feel included.

Hacker spoke, noting that the body is representative, elected by the members, and that advocating for a different process or structure should be done at convention rather than at the Executive Committee.

Starchild noted that nothing in the bylaws says the Executive Committee meetings must be conducted in a particular way, and that if there is some confusion about who is on the committee, then perhaps they should all get to know each other better. He stated his preference for all members to be treated equally, and for all members to be seated at the table so that they can be seen and heard better.

Chair Takenaga closed comments at 1:22 p.m.

Approval of Agenda

Chair Takenaga added “FEC Compliance” after “County Metrics”.

MOTION: Barnes moved to suspend the rules so that throughout the meeting the gallery can be recognized nonverbally by raising their hands, with the Chair recognizing them at his discretion, which was seconded.

VOTE: The motion to suspend the rules for the purpose of recognizing guests passed with one objection.

VOTE: The motion to allow the Chair to ask guests to be recognized by raising their hands passed without objection.

Chair Takenaga noted that Treasurer Cowles would need to leave at 3:00 p.m., and asked if there were others who needed consideration to speak early and leave early. There were none.

MOTION: Power moved to accept the agenda as amended, which Barnes seconded.

VOTE: The motion to accept the agenda passed without objection.

Approval of Previous Meeting's Minutes

Secretary Cain announced that because of technical problems with the printer, he couldn't print the previous EC meeting minutes to bring them to the meeting for approval, and so he will post them for approval as soon as he's back in the office.

Officers Reports

Chair's Report

Chair Takenaga (15 minutes)

Capitol Steps Rally

Chair Takenaga described some of the efforts that some volunteers gave to make the previous day's rally happen. In particular, he mentioned Barbara "Miss Joy" Waymire's extensive involvement and competence. In particular, the Capitol Morning Report, a subscription-only daily journal of events in Sacramento, called her to publicize the rally, possibly.

It's likely that the Capitol Morning Report published a news release because a reporter named Steve Norman recorded the audio portion of Freedom Festival, and shared the recording with Chair Takenaga. A video was recorded, but it hadn't been shared as of the Executive Committee meeting. Norman suggested that the audio recording might be broadcast through his local radio show.

Marketing efforts for the rally were minimal. We mailed 811 postcards to registered Libertarians in Davis, Woodside, West Sacramento and a few ZIP Codes in the downtown Sacramento area. The cost of the mailing was slightly over \$220.

The Chair also cited in-kind donations by Curt Cornell, who deftly attracted passers-by with his karaoke services. The Party didn't use anywhere near the \$1,500 allocated for the event, but got 37 members to attend, plus news media attention, and our candidates had the opportunity to address the public. This was the first time in Party memory that this has been done.

Jane Heider is writing an article about Freedom Fest.

Barnes asked which candidates spoke, and Chair Takenaga stated that Holtz spoke on behalf of Congressional candidates, Thomas spoke on behalf of the State Senate candidates, and Mike Mendez spoke on behalf of the State Assembly candidates. Wayne Allyn Root spoke as the winner of LPCA's presidential straw poll, and Steve Cottrell spoke as a Libertarian who is currently in elected public office and has served in elected public offices for many years, and with whom the Party hasn't interacted for 20 years.

Chair Takenaga noted that Steve Cottrell brought the best story about the rally, telling of his encounter with a stranger on public transit en route to the rally. The stranger mentioned that he'd heard of the Libertarian Party, and asked if we were holding our rally in a phone booth. Cottrell told him proudly that the rally would happen on the Capitol steps.

Some participants wish to produce another rally in October, before the next general election. Chair Takenaga wished them good luck and said that he would not be in charge of the effort.

Secretary of State Elections Division Visit

Chair Takenaga and fundraising consultant Allen Hacker visited the California Secretary of State's Elections Department Friday, and Secretary Cain will visit them Monday.

Asian Pacific American Legal Society Presentation

Chair Takenaga reported that he has been extremely busy for the past month. He spoke on a panel for the Asian Pacific American Legal Society conference at Harvard University in Cambridge, Massachusetts. He presented alongside a White House correspondent, a world-renowned forensic scientist, and the mayor of Fitchburg, Massachusetts' first female Asian mayor. Power's partner Kai Lee arranged the invitation for Chair Takenaga to speak on the panel, who believes that this is a positive sign that community outreach is working.

Candidate Support

In briefly reviewing many other opportunities, Chair Takenaga mentioned he and Northern Vice Chair Rich Newell attending a breakfast presentation with former Democratic Party member Mike Gravel, who recently joined the Libertarian Party and announced his candidacy for the office of President of the United States.

Chair Takenaga asked members to consider hosting house parties to promote candidates' campaigns.

Conclusion

Chair Takenaga called for a resolution to thank Barbara "Miss Joy" Waymire for her work on the rally and Freedom Fest, to which everyone agreed.

ACTION: Chair Takenaga to draft a resolution thanking Barbara Waymire for her work on the rally and Freedom Fest.

Northern Vice Chair's Report

Northern Vice Chair Newell (5 minutes)

Newell reported being relatively busy, with Takenaga taking him somewhere on Party business almost every weekend.

Northern California LPCA Chair's Retreat

Notably, the Northern California Chair produced a Chairs' Retreat in Oakland, where the Northern California chairs who attended and their

guests spoke about what was working and not working in their counties. Newell collected index cards on which chairs wrote their ideas regarding best practices, which can be compiled into a manual of best practices.

Mike Gravel

As was mentioned in the Chair's report, Newell attended the breakfast presentation where Mike Gravel spoke to local Libertarians and answered questions about his candidacy.

Contra Costa County Meeting

The Contra Costa County meeting hosted 12 attendees, fairly informal brunch meeting.

Southern Vice Chair's Report

Southern Vice Chair Collier was unable to attend the meeting.

Treasurer's Report

Don Cowles, Treasurer

[The second page of the P&L Statement was accidentally missing from the agenda, but is included in the minutes below.]

Balance Sheet

Treasurer Cowles reported that \$32K in LPCA's Wells Fargo Business Checking Account, came from deferred membership revenue, which comes from \$20K, which will be recognized as income over the next 12 months, but is currently deferred, and explains why we have a relatively large bank balance.

Net Income

LPCA made a profit of \$1,224. Its Total Equity is only \$6,000 so currently the Party's financial situation is tenuously positive.

P&L Statement

YTD Income is \$3785, and we've committed to increasing Recurring Gifts 25% this year. Deferred gifts (Coffee Club gifts and other recurring donations) brought in \$5,400 so far this year, with Recurring Gifts bringing in about \$1,800 monthly.

Convention

The state Party Convention in San Diego actually made money, or broke even, largely due to two things: modest expenditures and unrecorded in-kind donations. The convention planning committee budgeted a \$2,000 loss, but we didn't lose money.

Thomas explained that the cost savings that led to the financial success arose largely from not including hotel accommodations in the convention prices. Brief discussion ensued during which Treasurer Cowles explained that with some convention packages, organizations guarantee that their attendees will rent a minimum number of rooms at a discounted rate in order to get further discounted rates on the meeting facilities. Conventions and conferences lose money when the minimum number of rooms are unclaimed, and the organization has to pay for them anyway.

Despite the persistent idea that our Party must lose money on conventions, Treasurer Cowles and others in the meeting observed that last year's convention in San Ramon made money for the convention consultant, and produced a \$700 surplus that was given to this year's convention planning committee as seed money. Therefore, LPCA now claims two consecutive years' of Party conventions that didn't lose money.

Conclusion

Treasurer Cowles reported that despite the convention's modest successes, within the next three months, the Executive Committee will have to make some major decisions regarding expenses if we cannot generate major income. The Executive Committee approved a very tight budget, so even though LPCA is operating within that budget, it isn't increasing its income. He stressed the importance of increasing pledge income by 25%, as planned.

Comments

Starchild offered to join the Coffee Club if the seated Executive Committee agrees to allow guests to sit at the table and speak as part of the conversations without special recognition.

10:55 AM
04/06/08
Accrual Basis

Libertarian Party of California
Balance Sheet
As of March 31, 2008

	<u>Mar 31, 08</u>
ASSETS	
Current Assets	
Checking/Savings	
11100 · Cash	
11101 · Wells Fargo Checking -Main	32,185.36
Total 11100 · Cash	<u>32,185.36</u>
Total Checking/Savings	32,185.36
Other Current Assets	
14000 · Investments	
14001 · E-Gold Account	1.00
Total 14000 · Investments	<u>1.00</u>
Total Other Current Assets	<u>1.00</u>
Total Current Assets	32,186.36
Other Assets	
18000 · Other Assets	
18001 · Security Deposits	395.00
Total 18000 · Other Assets	<u>395.00</u>
Total Other Assets	<u>395.00</u>
TOTAL ASSETS	<u><u>32,581.36</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
21102 · WF Credit Card -2365	-29.12
Total Credit Cards	<u>-29.12</u>
Other Current Liabilities	
21000 · Current Liabilities	
21103 · Payroll Liabilities	-150.31
21109 · Current Liabilities	6,483.47
Total 21000 · Current Liabilities	<u>6,333.16</u>
21600 · Deferred Membership Revenue	
21601 · Current Year Dues Renewal	6,409.19
21602 · Current Year Dues New	785.65
21603 · Current Year Subscription	8,384.76
21604 · Next Year Dues Renewal	52.39
21607 · Life Members Renewal	4,535.00
21609 · Current Year County Dues Share	-10.00
Total 21600 · Deferred Membership Revenue	<u>20,156.99</u>
Total Other Current Liabilities	<u>26,490.15</u>
Total Current Liabilities	<u>26,461.03</u>
Total Liabilities	26,461.03
Equity	
31000 · Beginning Net Assets	4,895.89
Net Income	1,224.44
Total Equity	<u>6,120.33</u>
TOTAL LIABILITIES & EQUITY	<u><u>32,581.36</u></u>

11:00 AM
04/06/08

Libertarian Party of California
Statement of Cash Flows
January through March 2008

	<u>Jan - Mar 08</u>
OPERATING ACTIVITIES	
Net Income	1,224.44
Adjustments to reconcile Net Income to net cash provided by operations:	
21000 · Current Liabilities:21103 · Payroll Liabilities	-870.76
21000 · Current Liabilities:21109 · Current Liabilities	5,553.47
21600 · Deferred Membership Revenue:21601 · Current Year Dues Renewal	6,409.18
21600 · Deferred Membership Revenue:21602 · Current Year Dues New	785.67
21600 · Deferred Membership Revenue:21603 · Current Year Subscription	8,384.79
21600 · Deferred Membership Revenue:21604 · Next Year Dues Renewal	-5,752.61
21600 · Deferred Membership Revenue:21605 · Next Year Dues New	-165.00
21600 · Deferred Membership Revenue:21606 · Next Year Subscription	-6,670.00
21600 · Deferred Membership Revenue:21609 · Current Year County Dues Share	-10.00
21600 · Deferred Membership Revenue:21610 · Next Year County Dues Share	-2,205.00
Net cash provided by Operating Activities	<u>6,684.18</u>
Net cash increase for period	6,684.18
Cash at beginning of period	25,501.18
Cash at end of period	<u><u>32,185.36</u></u>

10:53 AM
04/06/08
Accrual Basis

Libertarian Party of California
Profit & Loss
January through March 2008

	Jan - Mar 08
Income	
41000 · Memberships	
41001 · Annual – Renewal	1,723.86
41002 · Annual – New	53.98
41003 · Annual Subscriptions	2,007.49
Total 41000 · Memberships	3,785.33
42000 · Recurring Gifts	
42001 · General	5,426.47
Total 42000 · Recurring Gifts	5,426.47
45000 · Convention	
45001 · Admissions	11,335.49
45046 · Miscellaneous	2,542.50
Total 45000 · Convention	13,877.99
46000 · Events	
46009 · Other Events	290.00
Total 46000 · Events	290.00
47000 · Unrestricted Donations	
47001 · General	3,231.07
Total 47000 · Unrestricted Donations	3,231.07
48000 · Other Revenue	
48001 · Membership List Rental	5,000.00
48003 · Interest Income	3.09
48004 · Magazine Advertising	452.00
48009 · Other	691.53
Total 48000 · Other Revenue	6,146.62
Total Income	32,757.48
Cost of Goods Sold	
51000 · Member Acquisition	
51066 · Printing	61.73
Total 51000 · Member Acquisition	61.73
53100 · Direct Mail	
53154 · Outside Services	658.64
Total 53100 · Direct Mail	658.64
54000 · Convention Costs	
54001 · Facilities	3,165.00
54035 · Meals	5,482.55
Total 54000 · Convention Costs	8,647.55
55000 · Event Costs	
55900 · Other Events	1,141.78
Total 55000 · Event Costs	1,141.78
Total COGS	10,509.70
Gross Profit	22,247.78
Expense	
61000 · Administrative	
61200 · Convention	
61246 · Miscellaneous	803.30
61266 · Printing	1,108.36
Total 61200 · Convention	1,911.66
61600 · LPC Headquarters	
61612 · Payroll Taxes	-114.94
61613 · 1099 Payments	9,000.00
61614 · Rent	1,260.00
61616 · Bad Debts Expense	-720.00

10:53 AM
04/06/08
Accrual Basis

Libertarian Party of California
Profit & Loss
January through March 2008

	<u>Jan - Mar 08</u>
61618 · Bank and Credit Card Fees	507.92
61622 · Data Processing	814.50
61628 · Equipment	107.25
61646 · Miscellaneous	273.58
61650 · Office Supplies	220.73
61658 · Postage	166.25
61666 · Printing	344.24
61670 · Professional Services	330.30
61678 · Taxes & Licenses	103.00
61682 · Telephone	489.15
61690 · Utilities	89.85
Total 61600 · LPC Headquarters	<u>12,871.83</u>
Total 61000 · Administrative	14,783.49
65000 · Media Relations	
65054 · Outside Services	440.00
Total 65000 · Media Relations	440.00
66000 · Member Communications	
66100 · Magazine	
66146 · Miscellaneous	10.98
66154 · Outside Services	1,366.66
66158 · Postage	1,242.43
66166 · Printing	1,895.00
Total 66100 · Magazine	<u>4,515.07</u>
66200 · Website	
66254 · Outside Services	249.90
Total 66200 · Website	<u>249.90</u>
Total 66000 · Member Communications	4,764.97
67000 · Outreach	
67046 · Miscellaneous	226.68
67054 · Outside Services	290.13
Total 67000 · Outreach	516.81
99999 · Suspense	518.07
Total Expense	<u>21,023.34</u>
Net Income	<u><u>1,224.44</u></u>

Secretary's Report

Database

Secretary Cain reports that he's currently investigating the possibility of changing LPCA's membership and income tracking database. Although DonorPerfect is a good tool for non-profit membership and income tracking, there are more affordable tools that can do that for LPCA less expensively.

LNC Convention Delegates

Cain reported that Kelly Barnes and he are finalizing the list of nominees for the California delegation to the LNC convention.

Comments

Treasurer Cowles asked if Secretary Cain had sent the mailing list to JEJ Print, Inc., to mail the latest issue of California Freedom. He was concerned because he hadn't received a bill from them, which they usually send as soon as they've mailed the print run, Secretary Cain affirmed, saying that he e-mailed the updated list and called CiCi to make sure she had it.

Committee Reports

Operations Committee

The Operations Committee convened for a retreat in January in San Francisco. A result of that meeting is the collection of index cards that the Executive Community can use for guided brainstorming.

The cards should address the following county Party needs:

1. Engage with local politics/politicians/measures.
2. Campus Outreach
3. Candidate Support
 - i. Re-elect incumbents
 - ii. Elect local officials
4. Partisan "educational" campaigns
5. Media Outreach
6. Immigration Outreach
7. Precinct Organization

Fundraising Consultant Report

LPCA fundraising consultant Allen Hacker reported that we have started to implement the Party's fundraising plan, and almost is ready to distribute his third fundraising appeal. The two previous e-mails were surprisingly unresponsive.

Hacker asked the Executive Committee to extend and get our product out so that he can sell it. He observed that LPCA sells hope, encouraging voters to cause something to change. There are 112 libertarian think tanks that need to cross-connect. Our job as a political party is to stimulate voters to act.

Hacker waived the non-disclosure clause of his contract because the contracts don't reveal enough proprietary detail about his operations to jeopardize their confidential nature.

Treasurer Cowles pointed to the Current Liabilities on the Balance Sheet, calling attention to \$6,483 that will be disbursed to the county Parties.

Cowles left the meeting to catch his flight home at 15:10.

Style Committee

Chair Takenaga announced that he appointed Beau Cain, Carolyn Marbry, and Mike Seebeck to the Style Committee. Cain reported progress both in planning document reviews and in recommendations for improvement. LPCA's Bylaws and its Platform are under review, and its Program will be reviewed in the future.

Secretary Cain reported that the first thing the Style Committee did was to agree to use The Chicago Manual of Style, 15th Edition, as our authority for correcting the documents.

Bylaws

Mike Seebeck is Project Lead for reviewing and recommending changes to LPCA Bylaws. He submitted the current bylaws as amended at the state Party convention, which was included as an attachment to the agenda for this meeting. The copy was printed with MS Word's "Track Changes" feature active, showing the approved additions and deletions.

Platform

Carolyn Marbry is Project Lead for reviewing and recommending changes to LPCA Platform. Her status and progress report follows:

Status: *Completed* 04/08/08

Comments: This was a first comprehensive pass through the platform for stylistic issues. I identified over 65 problems ranging in severity from extremely minor (typos, misplaced commas) to moderately severe

(incorrect parallel structure that "broke" the sense of the sentence) and offered solutions to those problems. Those that required major revision I've tagged in my report as possibly needing platform committee review.

Respectfully submitted April 9, 2008,

Carolyn Marbry, Project Lead

Marbry asked for the 2007 Platform, which wasn't available on the LPCA website.

Program

The Style Committee has not yet begun reviewing the LPCA Program.

Comments

Discussion ensued after Cain reported that the Style Committee would ask the Bylaws Committee and the Platform Committee to review their work to ensure that the proposed stylistic changes don't alter the intent of the content. Chair Takenaga read from Bylaw 14 that the Style Committee is responsible for submitting the results of their work to the Executive Committee instead.

Power asked if the committee was reviewing only those document changes approved at the convention, or if it was reviewing the documents in their entirety. The question centered on whether the Style Committee would be responsible for changing such things as the controversial requirement for delegates to the state Party convention to be LPCA members "90 days before the beginning of the convention." Cain responded that the committee can point out ambiguities and suggest corrections, but would leave changes in content to the respective committees.

Marbry briefly described her recommended style changes, clarifying that she identified changes in spelling, grammar, and punctuation. In particular, she noted one sentence where passive voice obscures the intention of the bylaw, and which should be corrected to active voice.

Convention 2009 Committee

Chair Takenaga has not yet appointed a Chair for the committee, but he knows of members who are interested, including the previous committee's Chairs Thomas and Orlando. He wishes to appoint a Chair before the next Executive Committee meeting, someone from the San Francisco Bay Area or perhaps in Sacramento.

Chair Takenaga noted that this year's convention made money largely by careful spending. He would prefer next year's convention to be held after April 15.

Newell, Power, and Starchild volunteered to serve, and Takenaga appointed Newell Chair *pro tem*.

Old Business

There was no old business.

New Business

Appoint Financial Standards Committee

Chair Takenaga noted that the Executive Committee changed the name of the Audit Committee to Financial Standards Committee, to review the Party's financial records and processes.

There is about one month remaining for appointment to this committee. Brian Darby, Jerry Dixon, and Mark Johnson were the committee.

T.J. Campbell volunteered to serve on the committee.

Newell asked for volunteers who are not on the EC, and suggested opening nominations for them leaving them open after this meeting.

Power asked if it's inappropriate to ask Brian Darby to suggest volunteers, since Darby should be aware of who would be competent to take over the position. Chair Takenaga suggested that the committee might delegate some of its authority to make the final selection, subject to Darby's approval.

Hacker suggested that selecting a committee isn't binding on selectees who are unwilling or unable to serve, but that the Executive Committee could meet the statutory requirement by selecting a committee even if one or two of the selectees declines.

Power asked if we can select the committee by e-mail after the meeting, which Takenaga affirmed.

ACTION: Chair Takenaga called for nominations to be submitted to the Secretary.

Newell suggested that volunteers must be able and willing to spend some time in the office to examine processes. He also noted that the Executive Committee's purpose in changing the name of the committee was to establish a non-adversarial role.

Cain repeated that working on the committee was less about finding accounting errors and more about examining bookkeeping and accounting processes. Essentially, LPCA as a business operation is divided into two parts: Cain and volunteer Kelly Barnes manage income, and Treasurer Cowles manages disbursements.

Chair Takenaga noted that Santa Clara County treasurer Bearden might be willing to serve, which Darby corroborated by text message.

Power offered to recruit more nominees after the meeting by e-mail.

Bresson asked if the Executive Committee can approve the two nominees mentioned and add others to the committee later.

Barnes countered by noting that there are others who will want to be on the committee and so would want more time to consider volunteering.

MOTION: McMahan moved to appoint Darby, Bearden, and Campell to the committee, which Bresson seconded.

McConnell spoke in favor, expressing his gratitude that volunteers will do this.

VOTE: The motion passed without objection.

ACTION: Secretary Cain shall notify the appointees.

ACTION: The Executive Committee shall continue to nominate committee members.

Elect Bylaws Committee

Chair Takenaga quoted Bylaw 14, Section 2, which directs the Executive Committee to appoint not more than 5 members of the Bylaws Committee within 60 days of the close of the convention. He called for further discussion.

McConnell asked if anyone had expressed interest in serving, to which Chair Takenaga responded that Southern Vice Chair Collier expressed interest.

Secretary Cain suggested that this election be handled the same as the election of Financial Standards Committee, opening nominations now and leaving them open after the meeting if there aren't sufficient nominees to fill the positions.

Power asked if this was open only to state central committee members, which Chair Takenaga affirmed.

Chair Takenaga then opened the floor for nominees.

Barnes nominated Marbry, who accepted.

Newell nominated Barnes.

McMahan nominated Starchild, who accepted.

McConnell nominated M Carling

Bresson nominated Collier

Newell nominated himself.

Holtz nominated Wiener and Starr

Power nominated himself.

Thomas nominated Angela Keaton.

VOTE: Election results:

Barnes (elected)	10
Marbry (elected)	10
Collier (elected)	9
Newell (elected)	9
Power (elected)	8
Keaton	7
Carling	4
Starchild	4
Starr	1
Wiener	1

ACTION: Secretary Cain shall notify Southern Vice Chair Collier of his appointment to the Bylaws Committee.

Chair Takenaga called a fifteen minute recess at 4:00 p.m., and the body reconvened at 4:15 p.m.

Nominating National Convention Delegates

Chair Takenaga reminded the body of the change to Bylaw 23: National Convention Delegates, which now reads, “Delegates to the national convention shall be selected at the state convention preceding the national convention. Section 2, After the state convention has selected delegates, the Executive Committee may fill any vacancies in the delegation prior to the deadline for reporting the names of delegates to the national Party.”

We have 30 days to submit a list to the national Party, after which we can’t submit a delegation.

In keeping with the 9th paragraph of LPCA Convention Rule 12, volunteer Kelly Barnes and Secretary Beau Cain determined the eligibility of nominees to serve as California delegates to the LNC convention in Denver this May. This list includes all delegates voted on at the state Party’s convention, minus those who are not LPCA members in good standing (current dues paid or the elected equivalent, plus the signed Non-Initiation of Force certificate on file, plus currently being registered to vote Libertarian or DTS), plus a few new nominees submitted since the last Executive Committee meeting.

As of Sunday morning, April 13, 2008, LPCA has 144 nominees on their delegate list, which is 2 more than their allocation. However, 65 nominees are not yet validated.

Kelly Barnes and Secretary Cain will collect membership dues and certifications from them, and will check the voter registration for those who are California residents. At this point, we can't add nominees as delegates, but we can take their names and let them know that we can hold a spot for them as delegate seats become available.

One valid nominee has declined his nomination, and one invalid nominee has confirmed that he will not attend the convention.

Newell asked if the invalidations are from not being members in good standing, which Cain affirmed.

Samuels asked about alternates and the deadline to nominate, to which Cain responded that at this point, the only way we can include nominees is as alternates, but as delegates are confirmed as invalid or not attending, we can change the status of alternates to delegates. The deadline to submit the initial list of delegates to the convention is April 23rd, but Cain asks nominees to submit their nomination by April 20th to allow him time to verify their eligibility.

Cain announced that he will submit the list that the Executive Committee approves today will be submitted tomorrow, and then the Executive Committee can change it as we need to.

Chair Takenaga read Bylaw 24: 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 2/3rds vote of the California delegates and alternates then registered at the convention. 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."

Power asked if there was a "the" in the stated lead time, which Chair Takenaga confirmed there was not. Power then noted that this language is the same as the controversial language about qualifying membership in which anyone who had been a member for any 30-day period prior to the convention was qualified.

Newell asked about Kate O'Brien's qualification, being a person serving in a California public office which she won running as a Libertarian. Cain affirmed that O'Brien is eligible.

Cain informed the body that he combined the list of qualified nominees from the state Party convention with other eligible nominees who were nominated since that convention, so the list for the Executive Committee to approve today is a

mixture of previously approved eligible nominees plus newly identified eligible nominees.

Newell raised a point of information, asking why we are voting on this list, noting that if some of the people on the list were approved at the previous convention, wouldn't that be the list? Chair Takenaga responded that we have 30 days to submit delegates and alternates.

McMahon raised a point of information, asking if he needs to be appointed as an alternate now, since he doesn't know if he can attend the convention, which Chair Takenaga affirmed.

Holtz repeated that the deadline for the state to submit their initial list of delegates is 30 days before the convention, but that we can add to that list up until credentialing opens at the convention, which Chair Takenaga affirmed.

Chair Takenaga opened nominations for an LPCA alternates.

Bresson nominated himself.

Barnes nominated McMahon.

Power nominated Richard Winger and Brian Miller.

Barnes asked if we need to vote on alternates, or is the entire process done at the convention. Chair Takenaga re-read Bylaw 23, and stated that we can fill vacancies in the delegation prior to the deadline for reporting the names of delegates to the national Party. He then observed that since Bylaw 23 refers to delegates and Bylaw 24 refers to alternates, what applies in Bylaw 23 doesn't apply to Bylaw 24.

Therefore, we can appoint the delegation and submit the names of alternates, but that alternates will be chosen to be seated at the convention on an as-needed basis.

Barnes raised a point of information, asking about the time between now and the 22nd (or between our first delegate list submission and our final delegate list submission). He asked if we will put the alternates that we choose now into the category of those who that would be moved into the official delegation. Chair Takenaga opined that he believes that the Executive Committee can move to make that happen as space becomes available.

McConnell raised a point of information, asking if this is contingent on not succeeding on getting a sign-up from all the people who are on the invalid list now. Cain affirmed that any nominee whose eligibility he can't verify is out. McConnell asked if that would create the vacancies for the people who we're calling alternates right now to be moved onto the delegate list.

Power raised a point of information, asking if the reason we need to vote for alternates is not because our bylaws require it, but because we want to avoid the whole convention having to approve our alternates, which Chair Takenaga

corrected by saying that only our state delegation would approve our alternates. Power further questioned if we don't put them in our list to national, then the whole convention will have to seat them, which Chair Takenaga corrected by saying that the convention cannot add delegates, only the delegations can add delegates.

Power then asked what the vote in Portland was wherein Starchild was invited to join the Nevada delegation. Chair Takenaga asked Starchild, and Starchild explained that what happened was

Hacker stated that generally what happens is that those who are named as alternates who arrive, not having been upgraded by the Executive Committee, at the beginning of the convention, our delegation can seat alternates, and that can continue throughout the convention, which is why the bylaws say that alternates are seated by 2/3rds vote of the delegates and alternates.

Cain suggested a change of language about the list of what we've been calling alternates, and instead call the list a waiting list. Chair Takenaga then read the bylaws and described that recurring process for seating alternates. Part A states that each morning of the convention we will meet to approve the alternates.

Cain then stated that by the end of this week, we're unlikely to have 142 qualified delegates, and so there will be delegate seats available. Ergo, the word "alternate" doesn't apply to the list we're compiling, but that "waiting list" does.

Power asked if the list Cain will submit tomorrow will consist only of valid nominees. Chair Takenaga said that we're submitting the entire list, because we can change the list afterward. Cain added that everyone on the list was nominated at the convention and so should be submitted.

Power asked by what will be the cut-off date for contacting nominees. Takenaga repeated that the Secretary has announce April 20th as his cut-off date for nominees, so that he will have time to determine their eligibility before submitting the list on April 23rd.

Power clarified his question, asking on what day we will notify national that the ineligible nominees should be removed from the list of delegates. Takenaga said he would say that needs to be part of a motion.

Holtz added to what Power asked, stating that we probably need a motion that covers the possibility of the waiting list being longer than the list of vacated seats, and being able to convert them into alternates.

Samuels raised a point of information, saying he assumes it's easier to take someone off that list after it's been submitted than it is to add someone to it. Cain responded, saying yes, after we submit the list, we can notify LNC to remove any who we find ineligible, and add any who are eligible. Cain added that he hopes this is what he'll be doing as the convention date approaches.

Barnes raised a point of information, asking if the Secretary will submit a finalized list on the 22nd, or will he just submit an updated list of names. Cain responded that when he reaches the point where he can't handle any more changes because there's only two days left, anybody who's disqualified will be off the list, and the nominees on the waiting list replace them.

Newell noted that it seems we're going about this backwards. Valid nominees should be submitted, and invalid nominees should not be submitted, and if we have a waiting list of qualified nominees, they should be submitted in the places left by the removed invalid nominees.

Takenaga clarified that the bylaws are specific in that the convention is the authority to nominate delegates; the Executive Committee cannot subtract from the list, we can only fill vacancies. All we're doing is verifying each nominee's eligibility. If we could have verified each nominee's eligibility at the convention, this wouldn't be a problem now.

Holtz stated that it seems to him that what we need to define now is a date by which the Secretary stops attempting to verify a nominee's eligibility.

Power noted that according to the bylaws, anyone who was nominated at the convention who was not at that time eligible should be removed from the list, but we can put them back if they become eligible. Takenaga ruled that Rule 12: Convention Delegates, specified the process for submitting ranked nominees to the LNC Secretary. However, since the convention delegates suspended the list to avoid the time it would take to rank the nominees, the parts of the process dealing with ranking nominees don't apply to the current process.

McConnell raised a point of information, asking if the list of nominees at the state Party convention was less than our allotment, and if now we have filled our allotment, does that mean that names have been added to the list, which Takenaga affirmed. Takenaga added that the Executive Committee has not yet approved the additional nominees.

Newell raised a point of information, asking if [the last sentence of the 3rd paragraph of] Rule 12 settles the matter, stating that only state central committee members shall be nominated. Takenaga clarified by stating that [the 9th paragraph of] Rule 12 further stipulates that the Secretary shall determine the eligibility of each nominee, and that since that couldn't be done at the convention, it must be done afterward.

Secretary Cain clarified that this is what's happening, that since there were fewer nominees than our allocation, the delegates approved the entire list in good faith. Now he and volunteer Kelly Barnes are reviewing the nominees' information and determining who is eligible and ineligible, according to the bylaws.

MOTION: Newell moved to submit valid nominees by the deadline and subsequently submit other valid nominees as they are

identified up to five days before the national convention, which was seconded.

Holtz asked if Rule 12 was suspended at the state Party convention, which Takenaga affirmed, noting that he could rule the current motion out of order.

MOTION: Holtz offered a substitute motion to follow the state delegates will and Submit the list of nominees from the convention and if at five days before the national convention any of the nominees are invalid, then replace them with valid people from the waiting list., which Campbell seconded.

MOTION: McConnell moved the previous question, which died for lack of a second.

MOTION: Newell asked to amend the substitute motion, specifically to remove all invalid nominees five days from the beginning of the convention, which Holtz accepted.

VOTE: The amendment to the substitute motion was accepted without objection.

MOTION: The amended substitute motion then reads: Submit the list of nominees from the convention and five days before the convention remove all the invalid nominees and replace them with valid nominees from the waiting list.

McMahon raised a point of information, asking if Secretary Cain, who would be doing the work prescribed by either of these two motions, preferred either, and if so if the Executive Committee could adopt that method. Secretary Cain stated that he had no preference.

VOTE: The voice vote for the substitute motion failed.

MOTION: Holtz asked for a roll call vote.

VOTE: The voice vote for a roll call vote failed.

Secretary Cain re-read the main motion to submit valid nominees by the deadline and subsequently submit other valid nominees as they are identified, up to five days before the national convention.

MOTION: McMahon called the question, which McConnell seconded.

VOTE: Takenaga called for objections to calling the question, of which there were none.

VOTE: The voice vote for the main motion passed with few objections.

MOTION: Holtz called for a roll call vote, as a possible appeal to the Judicial Committee, in case this action disobeys the will of the delegates in San Diego.

Hacker stated his belief that the Judicial Committee would not concern itself with who voted how, but rather only whether the vote was correct. Members might question the vote.

Barnes observed that a roll call vote could be used to hurt members of the Executive Committee for their decision.

MOTION: The call for a roll call vote met with objections.

MOTION: McConnell called for the orders of the day.

VOTE: The motion for a roll call vote failed.

ACTION: Secretary Cain to submit valid nominees by the deadline and subsequently submit other valid nominees as they are identified up to five days before the national convention.

Chair Takenaga called for a motion to extend time.

MOTION: Power moved to extend time 10 minutes, which was seconded.

VOTE: The vote to extend time 10 minutes passed without objection.

LNC Representation

Chair Takenaga reported that state Party representation to the LNC is based on the number of members, and that we're currently in a region that holds more than 20% of national membership. The numbers are calculated December 31, after which regions can coalesce to achieve certain ends.

We're in a period when regions can be rearranged. Takenaga has negotiated with other states, who want to nominate one of the two regional reps.

MOTION: Barnes moved to permit the Chair to proceed at his discretion, which Bresson seconded.

McMahon raised a point of information, asking if we form a super region, would it be California and one other state. Takenaga clarified that the combined membership of the states would have to be 20% or more to be effective.

Power spoke against the motion to protect the Chair from having to defend his decision.

Bresson raised a point of information, asking how the Chair feels about this motion. Takenaga suggested that the Executive Committee could enter Executive Session to deliberate how the Chair should proceed.

Cain spoke in favor of the motion, noting that Chair Takenaga is the one person on the Executive Committee who is knowledgeable about forming a region. Asking the Executive Committee to be responsible for deciding how to proceed would be putting that decision in uninformed hands.

Newell asked if there's any benefit in forming a super region unless we can negotiate some right to an additional delegate. If we can't get an additional delegate, he doesn't see the benefit. Chair Takenaga suggested that there are perceptual benefits for LPCA.

Barnes noted that the more the Executive Committee decides in the matter, the less would be Chair Takenaga's ability to negotiate with other state Parties.

MOTION: McConnell called the orders of the day, and asked to extend to a time certain at 5:30 p.m.

VOTE: The motion to extend to a time certain at 5:30 p.m. passed without objection.

Hacker noted that the discussion hasn't included the fact that there are also two alternates in play, so giving up one appointment of a representative and retaining one rep and two alternates is a desirable objective.

Newell noted that this is considerable because sometimes alternates do serve.

Holtz asked if there a need to make a decision about this now, or to make the decision by e-mail later. Chair Takenaga responded that this is fluid until the end of the convention, and since he doesn't know what the other state Parties may decide to do, he should know ahead of time what he can and can't do.

Power asked whether the Chair wishes the Executive Committee to tell him who he wants, or whether he's allowed to choose just one. Chair Takenaga responded that he believes it's still valid for him to keep his hand open to negotiate the formation of a region, but that he needs to know whose name to submit in the event that he can form the region.

MOTION: Barnes called the question.

Campbell raised a point of info, asking who the representatives would be. Chair Takenaga named Mark Hinkle, M Carling, Scott Lieberman, and Dan Wiener

VOTE: The motion to allow the Chair to proceed at his discretion carried with few objections.

ACTION: Chair Takenaga shall proceed at his discretion in the matter of forming regional alliances with other state Parties.

County Metrics

Chair Takenaga pointed the Executive Committee members to read Treasurer Cowles' report on the "Red Light-GreenLight" proposal.

FEC Compliance

Takenaga spoke about FEC regulations and how it can eventually affect on our operation.

Carol McMahon is treasurer of Massachusetts LP, and can provide education about how to approach FEC compliance.

Adjournment

Next Meeting

TBD

Chair Takenaga adjourned the meeting at 5:32 p.m.

Action Items

All

Review, revise, and approve Executive Committee meeting minutes by Monday, May 12, 2008.

Submit Financial Standards Committee nominees to the Secretary. See page 16 and 17.

Secretary

Prepare meeting minutes and submit to Executive Committee for approval before Monday, May 5, 2008.

Secretary Cain shall notify Southern Vice Chair Collier that he is elected to the Financial Standards Committee. See page 17.

Secretary Cain shall submit valid nominees by the deadline and subsequently submit other valid nominees as they are identified up to five days before the national convention. See page 24.

Chair

Chair Takenaga shall proceed at his discretion in the matter of forming regional alliances with other state Parties. See page 25.