

Minutes

Executive Committee Meeting, March 21, 2009

Libertarian Party of California

Long Beach Courtyard by Marriott
500 E. First St
Long Beach CA 90802

(562) 435-8511, (562) 901-0269 Fax

<http://www.marriott.com/hotels/travel/lgbcy-courtyard-long-beach-downtown/>

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Call to Order

The meeting was called to order at 10:47 a.m.

Attending

Officers

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

At-large Representatives

Matthew Barnes
Eric Bresson, absent
Ted Brown
T. J. Campbell
Brian Holtz
Cam McConnell, absent
Mike McMahon, absent (preparing for next weekend's fund raiser)
Rob Power
Lawrence Samuels
Jesse Thomas

Alternates

Donna Orlando
Mark Selzer

Guests

M Carling, seeking nomination to LNC Credentials Committee
Bruce Dovner, LPLAC Chair
Scott Lieberman, LNC Region 2 Alternate Representative
Don Patterson, Southern District Chair, Orange County
Mike Seebeck, LPCA Legislation Analysis Team, California Revolution, LP RC

Ali Shams, Domestic Partnership Initiative
Aaron Starr, LNC Treasurer

Comments

Brown brought archival material, which Barnes took with him before submitting to LPCA archive.

ACTION: Barnes shall surrender Brown's archival material to the Party.

Takenaga announced the 13th Annual Conference on Redevelopment Abuse, produced by Municipal Officials for Redevelopment Reform (MORR), Saturday, April 25th, 8:30 a.m. to 5 p.m., at the Long Beach Airport Marriott, 4700 Airport Plaza, in Long Beach. Registration is \$65, contact 714-871-9756 or 714-834. This is Chris Norby's group, who is the Supervisor of Orange County's Fourth District, and who is very libertarian-friendly. Anyone nearby who won't be at LPCA's annual convention in Visalia should consider attending this conference.

Seebeck announced the following.

- Outright Libertarians seeks volunteers to staff a booth at Los Angeles Pride, Saturday, June 13, Noon to midnight, and Sunday June 14, 11 a.m. to 10 p.m. www.outrightusa.org.
- The California Revolution group is arranging a Riverside tax revolt event to follow up the Fullerton Tax Revolt, Saturday, April 11, University Avenue at Main Street (pedestrian mall) in Riverside.. www.californiarevolution.com. As the news media reported, there was a huge turnout at Tax Revolt at Slidebar, at least 12,500 attendees.
- Chris Agrella is running for 32nd Congressional District, and needs support. He participated at a candidates forum, and although he wasn't allowed to speak as part of the panel of candidates, he was interviewed afterward by news media and got airtime. Agrella needs signatures to qualify as a candidate without paying exorbitant filing fees by Monday, March 23rd. Cowles asked if the LNC will fund Agrella's signature campaign. Starr explained that Alicia Mattson is the chair of that committee and the suggestion should be sent to her.
- Power announced that 10th District Congresswoman Ellen Tauscher (D) has accepted a position with the Obama administration, which opens another congressional seat if she's confirmed. Takenaga reported that he's already notified two county chairs to watch developments.
- Starr requested that the bylaws proposals be published on the Party's website. Takenaga is adding a live link.

ACTION: Takenaga or Cain shall add a live link on the Party's website to the LPCA's Bylaws Committee proposals.

Approval of Agenda

LNC Alternate Representative Scott Lieberman requested 15 minutes for his report and subsequent questions, to be delivered between 11:30 AM and 2:00 PM.

MOTION: Newell moved to schedule the Domestic Partnership Initiative report as the last item before lunch for the convenience of the presenting guest Ali Shams, which Barnes seconded.

VOTE: The motion to schedule the Ali Shams Domestic Partnership Initiative report as the last item before lunch passed with no objection.

Barnes asked to correct the Bylaws Committee report, page 11, to show that Carolyn Marbry e-mailed report to the Secretary on February 14th.

MOTION: Holtz moved to adopt the agenda as revised, which Newell seconded.

VOTE: The motion to adopt the agenda as revised passed with no objection.

Approval of Previous Meeting's Minutes

The minutes of the December 13th, 2008 Executive Committee meeting were approved February 5th, 2009, with the understanding that they will be revised to include the following corrections.

- Page 22, under Volunteers, should be "Crystal Updegraff"
- Page 27, Tom Sipos' monthly is \$350 not \$300
- Page 28, "get he milk free" should read "get the milk free"
- Page 38, "Takenaga ten" should read "Takenaga said ten"

ACTION: Cain shall correct and re-publish the December 13th Executive Committee meeting minutes.

Officers Reports

Chair's Report

Takenaga reported that a lot of activity took place since the December 2008 Executive Committee Meeting.

- Campbell, Newell, and others attended John Ink's installation on the Mountain View City Council.

- Takenaga and others visited Marin, Butte, and San Francisco County LP meetings. Butte County LP successfully marketed their meeting for a large turnout.
- The Judge Gray retirement party in Fullerton at Tony and Freydel Bushala's home drew attendees from several Southern California counties, plus Supervisor Chris Norby, and Norm Westwell. Gray's message was for candidates to seek local offices before seeking higher offices. Many former Party members attended and contributed generously.
- Judge Gray headlined a fund raising reception and dinner in Carmel at Savva Vassiliev's grandmother's home. Earlier in the day, Gray presented at the Libertarians for Peace Coalition panel on gang violence. Samuels described how Gray changed the focus of the panel discussion from gun control to drug legalization. The Libertarians for Peace Coalition's founder noted that this was the most successful event the Coalition produced.
- Samuels reported that the next joint LP Monterey County/LPCA fund raiser will be at Vassiliev's other home in Carmel, headlined by Ed Clark.
- Carol Ruth Silver was a notable participant at the Carmel event. Silver was a Supervisor in San Francisco during Mayor Moscone's administration, so she served with fellow Supervisor Harvey Milk. She auctioned a six-person dinner at Toads in San Francisco, with herself as the hostess, which was won by Phil Berg.
- While at the LSLA Convention in Charleston, South Carolina, Takenaga invited Ed Coleman to speak at LPCA convention, who accepted. Coleman is the Indianapolis Cily County member who switched his party affiliation from Republican to Libertarian. The next LSLA meeting will be in Texas the last weekend in January 2010, then in Seattle, Washington.
- LPCA's next fundraiser will be a joint effort with San Bernardino County LP, with Ed Clark headlining the event, at the home of Rick Nichol in Cherry Valley.
- Power and Takenaga attended the Free and Equal Election Foundation in San Francisco, which included a lawyer who opposes the Top-two initiative in Washington state. Richard Winger wishes to host another LPCA event in his home.
- Chris Agrella came to the Party's office to receive some help improve and record his image. Barnes and Brown each commented on Agrella's energy, enthusiasm and engagement.
- The Party's immediate future focus is on local elections this year. Brown mentioned that spring is for city council races, and November will be for school board races. LPCA needs to earn 2% of the vote to maintain uncontested ballot access. Takenaga mentioned the Hundred Club: we need one hundred Libertarian candidates for public office. The public is going to be primed for libertarian messages because of the drastically deteriorating

financial circumstances. LPCA needs to produce another rally in Sacramento. Brown announced that he will remain in candidate recruitment, even though he's retiring from the LPCA Executive Committee. Collier noted that we need strong coordination with county Parties to avoid duplicating effort. Brown noted that Campbell has already announced his candidacy for Assembly.

- Superintendent of Public Education and six other such offices will be available.
- LPCA needs to begin planning a candidate rally in Sacramento in 2010. We can triple attendance over our previous rally in Sacramento, plus get commitments from all LP candidates to attend, and get better media exposure.
- Veteran candidates for municipal offices for 2010 are John Zukoski, Susan Marie Weber, and Norm Westwell so far. Starr asked if this is statewide candidacy.

Takenaga spoke about Maslow's Hierarchy of Needs. He believes that for the LPCA, Self-Actualization (the pinnacle of the hierarchy) will manifest as implementing public policy. The most basic needs in the hierarchy include volunteers, fundraising, and Party operations. Next is Strong County Presence, Voter Registration, and Outreach. Melissa Data will help with data hygiene and candidate support. LPCA needs to be more involved in such outreach events as the recent Reason Foundation gala.

Takenaga closed by mentioning that some of our immediate challenges include: how to make a \$100K budget look like \$1MM, how to make volunteers look like professional staff, and focusing on a limited set of political goals.

Northern Vice Chair's Report

11:50, submitted by Rich Newell, March 19, 2009

County Visits

Marin County

Marin County LP Bi-Monthly Meeting: January 2009

Newly Elected Marin County LP Chair: Sandy Keating (left)

Kate Moore from Santa Rosa in Sonoma County

John Inks Swearing In Ceremony

Mountain View City Council Chambers: January 2009

Newly Sworn-in Councilman Inks Accepts Award

Judge Gray Events in Monterey/Carmel

- Peace Center

- KION-TV (Salinas)p
- Fundraiser at Savva Vassiliev's home
- Carol Ruth Silver, former San Francisco Supervisor

County Activity - Sonoma County

- Elections to be held Wed. April 1st
- Kate Moore expected to run for Chair
- First step towards reactivating Sonoma County

The California Domestic Partner Initiative

Summary

Approved by the CA SoS for Petitioning

- Submitted to the SoS by Ali Shams and Kaelan Housewrite
- Approved. Needs nearly 700,000 signatures by Aug. 6
- Kaelan has agreed to speak at our 2009 convention
- BTW... Equality California was asked first, but turned us down
- Then, the news about the Domestic Partnership Initiative hit the news, and we contacted Ali about speaking to us

Libertarian Party of California Platform

13. MARRIAGE

We support the rights of individuals to form private relationships as they see fit, either by contract or by mutual agreement. We regard marriage as one such private relationship. The State of California should not dictate, prohibit, control, or encourage any such private relationship. To implement this principle, we advocate:

National LP Platform, 13 Personal Relationships

Sexual orientation, preference, gender, or gender identity should have no impact on the rights of individuals by government, such as in current marriage, child custody, adoption, immigration or military service laws. Consenting adults should be free to choose their own sexual practices and personal relationships. Government does not have the authority to define, license or restrict personal relationships.

Analysis

Clearly, the Domestic Partnership Initiative represents the most Libertarian public position expressed so far in the culture war over same-sex marriage

Reaction

The two entrenched sides are aghast:

- Frank Schubert, the Yes on 8 campaign manager, told the San Francisco Chronicle that eliminating marriage for everyone was "fundamentally a dumb idea" and unlikely to gain broad public support.
- "We wouldn't want to see anyone stripped of the dignity and respect that comes with marriage," said Geoff Kors, executive director of Equality California, which worked to defeat Proposition 8.
- "We are committed to marriage, marriage equality, and we aren't interested in taking away anybody's rights," said Andrea Shorter, a coordinator with Equality California, the state's largest gay rights group. "We are calling for equal rights for everyone and we don't want to settle for anything less than marriage."

Premonition

But, even if the protagonists are opposed, the CA Supreme court may be ready for it. Just before the initiative was published, there were hearings held on Prop. 8:

- Chin, who was not part of the court majority that ruled last year to legalize same-sex marriage, twice asked whether the court should direct the state "to employ non-marriage terminology" and instead make only civil unions or domestic partnerships available to all.
- Gay-rights lawyers and Pepperdine University law school dean Kenneth Starr, who was representing Proposition 8's sponsors, agreed that making marriage the province of religious institutions was one way, however unanticipated, around the problem

Introductions

Ali Shams

- Senior at UC San Diego
- Poly-Sci major; pre-law

Kaelan Housewrite

- Senior at the California Institute of the Arts

Motion

Whereas the position of the Libertarian Party has always been that the role of government in the institution of marriage should be minimized, **and**

Whereas the California Domestic Partnership Initiative is the boldest public proposal to date in that direction, **and**

Whereas the Libertarian Party of California objects to unequal treatment under the law of same-sex and opposite sex couples, as exemplified by the unanimous position taken by this board in opposing Proposition 8, **and**

Whereas the California Domestic Partnership Initiative specifically overturns Proposition 8, **therefore**

Be it Resolved that the Libertarian Party of California be on record as supporting the California Domestic Partnership Initiative.

Discussion

Newell introduced Ali Shams from Domestic Partnership Initiative, whose partner Kaelan Housewrite will speak at our convention. The DomPar Initiative repeals Prop 8 and changes all instances of “marriage” in California's legislation with “domestic partnership”. It needs 700,000 signatures by August 6th to get onto the ballot.

Shams explained DomPar's strategy. See www.dompar.org.

Selzer asked if there are competing measures on the ballot. Shams replied that the Marriage Equality Act seeks to repeal Prop 8. Starr stated his curiosity about what the Initiative promoters will do to get signatures, volunteers, and money. Shams admitted that the very young effort has loose organization because they didn't expect to get onto the ballot.

Power asked Shams to clarify whether the DomPar Initiative decouples relationships, or just changes terminology. Shams replied it's a change of terminology only. Power asked what the next step is in the strategy to make sure that marriage/domestic partnership is honored beyond national borders. Shams replied that DomPar.org is pushing for national level application, and that they hope the U.S. government will recognize it and end DOMA. Shams added that they investigated foreign countries practice of honoring domestic partnership, marriage, and civil union regardless of the terminology.

Thomas questioned why anybody would want to get married, and suggested that it's to get a government recognized relationship and related benefits that others don't get. It seems more in line with the LP Platform to recognize individual rights rather than group rights.

Campbell noted that there might be something brewing in the youth community, that discussion in college classes indicates that youngsters are awakening to political power. He recommended developing outreach to youngsters, alternative groups, folks who stand to lose by having this back-and-forth fight every two years when we need to deal with economic problems instead.

MOTION: Newell moved to endorse the Domestic Partnership Initiative, which Selzer seconded.

Power spoke against the motion, noting that the DomPar Initiative will turn “marriage” into a strictly religious term. Adopting the DomPar Initiative will entail asking voters if they want to surrender Federal tax benefits. The LP should try to get government out of personal relationships instead.

Cowles noted that an all-or-none attitude won’t produce progress, therefore the DomPar Initiative is good interim step toward getting government out of personal relationships.

Campbell rebutted Power, opining that marriage already isn’t a secular term. He asked Power what he would change in the DomPar Initiative to make it more palatable, and specifically, how does the DomPar Initiative take federal tax benefits away.

Barnes spoke in favor of the motion, noting that even if the initiative doesn’t demonstrate pure libertarian philosophy, it’s important for LPCA to reach out to other groups trying to change the situation in our direction.

MOTION: Collier called the question, Holtz objected, wanting more consideration of Power’s initiative.

VOTE: The motion to call the question carried.

MOTION: Power moved for roll call vote, which Collier seconded, Barnes objected

VOTE: The motion for a roll call vote passed without objection.

Barnes aye
Brown aye
Cain abstain
Campbell aye
Collier aye
Cowles aye
Holtz aye
Newell aye
Orlando nay
Power nay
Samuels aye
Selzer aye
Takenaga aye
Thomas nay

VOTE: The motion to endorse the Domestic Partnership Initiative passed with 10 ayes, 3 nays, and one abstention.

Brown asked to reassign time for the remaining items.

Reconvened at 13:55

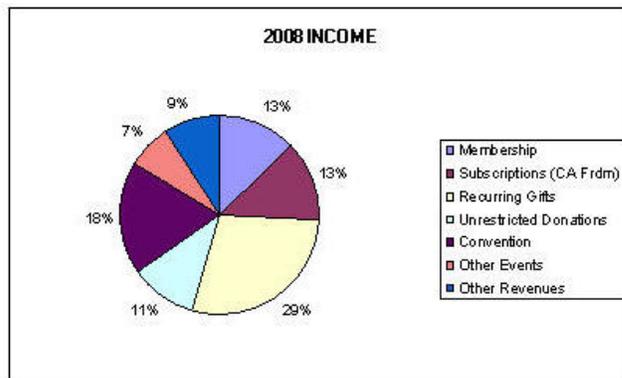
Southern Vice Chair's Report

Collier reported that he attended the Gray Retirement event in Fullerton, and made certain that convention preparations progressed smoothly.

Treasurer's Report

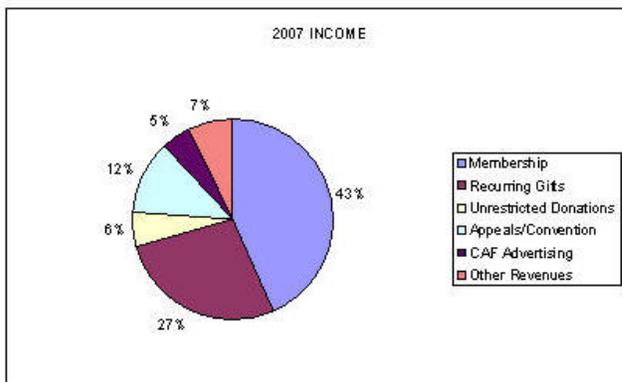
2008 INCOME

Membership	10,598	13%
Subscriptions (CA Fdm)	10,762	13%
Recurring Gifts	23,845	29%
Unrestricted Donations	8,991	11%
Convention	15,153	18%
Other Events	6,063	7%
Other Revenues	7,500	9%
Total Income	82,912	



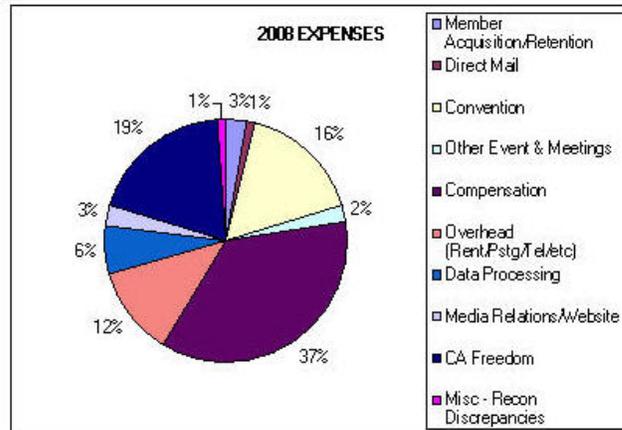
2007 INCOME

Membership	33,631	43%
Recurring Gifts	20,886	27%
Unrestricted Donations	4,357	6%
Appeals/Convention	9,165	12%
CAF Advertising	3,863	5%
Other Revenues	5,485	7%
Total Income	77,387	



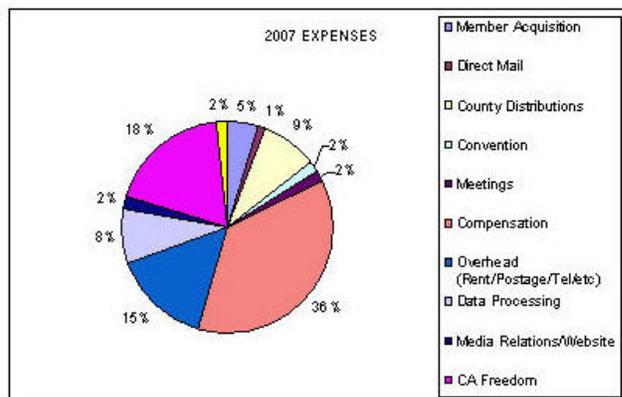
2008 EXPENSES

Member Acquisition/Retention	2,595	3%
Direct Mail	890	1%
Convention	14,838	17%
Other Event & Meetings	1,867	2%
Compensation	32,600	37%
Overhead (Rent/Postg/Tel/etc)	10,834	12%
Data Processing	5,612	6%
Media Relations/Website	2,664	3%
CA Freedom	17,218	20%
Misc - Recon Discrepancies	-1,026	-1%
Total Expenses	88,092	



2007 EXPENSES

Member Acquisition	4,954	5%
Direct Mail	1,184	1%
County Distributions	9,122	9%
Convention	1,847	2%
Meetings	1,662	2%
Compensation	38,706	37%
Overhead (Rent/Postage/Tel/etc)	15,843	15%
Data Processing	8,856	8%
Media Relations/Website	2,225	2%
CA Freedom	19,508	18%
Member Retention	1,850	2%
Total Expenses	105,757	



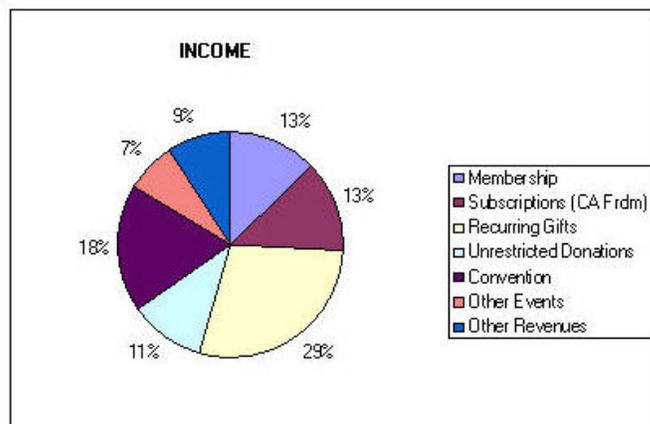
1:25 PM
01/06/09
Accrual Basis

Libertarian Party of California
Balance Sheet
As of January 6, 2009

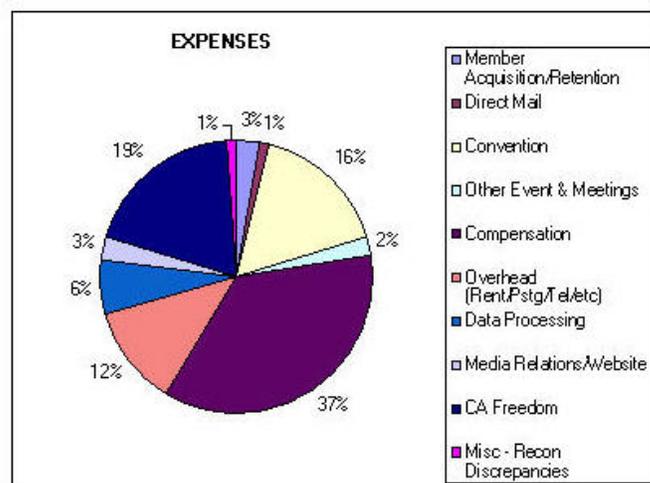
	<u>Jan 6, 09</u>
ASSETS	
Current Assets	
Checking/Savings	
11100 · Cash	
11101 · Wells Fargo Checking -Main	13,498.38
11100 · Cash - Other	898.85
Total 11100 · Cash	<u>14,397.23</u>
Total Checking/Savings	14,397.23
Other Current Assets	
14000 · Investments	
14001 · E-Gold Account	1.00
Total 14000 · Investments	<u>1.00</u>
Total Other Current Assets	<u>1.00</u>
Total Current Assets	14,398.23
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>14,793.23</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
21102 · WF Credit Card	4.54
Total Credit Cards	<u>4.54</u>
Other Current Liabilities	
21000 · Current Liabilities	
21103 · Payroll Liabilities	-150.31
21109 · County Dues Share	1,565.00
Total 21000 · Current Liabilities	<u>1,414.69</u>
21600 · Deferred Membership Revenue	
21601 · Current Year Dues Renewal	3,236.63
21602 · Current Year Dues New	3,062.59
21603 · Current Year Subscription	4,160.55
21604 · Next Year Dues Renewal	85.00
21606 · Next Year Subscription	30.00
21607 · Life Members Renewal	4,370.00
21610 · Next Year County Dues Share	20.00
21600 · Deferred Membership Revenue - Other	-692.34
Total 21600 · Deferred Membership Revenue	<u>14,272.43</u>
Total Other Current Liabilities	<u>15,687.12</u>
Total Current Liabilities	<u>15,691.66</u>
Total Liabilities	15,691.66
Equity	
31000 · Beginning Net Assets	-215.10
Net Income	-683.33
Total Equity	<u>-898.43</u>
TOTAL LIABILITIES & EQUITY	<u>14,793.23</u>

2008

INCOME		
Membership	10,598	13%
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Unrestricted Donations	8,991	11%
Convention	15,153	18%
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EXPENSES		
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Data Processing	5,612	6%
Media Relations/Website	2,664	3%
CA Freedom	17,218	20%
Misc - Recon Discrepancies	-1,026	-1%
Total Expenses	88,092	
Net Income	-5,180	



Cowles reported that we now keep track of subscriptions and production expenses. We lost ~\$7k last year.

Secretary's Report

- January 9, e-mailed abbreviated minutes of December 13, 2008 Executive Committee minutes to county Party officers.
- January 1 through March 20, 2009, compiled, revised, and printed Agenda for March 21, 2009 Executive Committee meeting in Long Beach.
- January 6 and February 13, compiled and distributed county Party rosters.
- March 15, called for LPCA Platform Committee delegates.

Votes

- January 31, 2009, motion failed: that the Libertarian Party of California Chair sends a letter to Deborah Seiler, the Registrar of Voters of San Diego County, stating that the Libertarian Party of California prefers to nominate our candidates by convention instead of by primary.

- February 5, 2009, voted to approve minutes of December 13, 2008 Executive Committee meeting minutes.

Representatives Reports

MOTION: At 13:55, Cain moved to suspend the rules to allow LNC Alternate Representative Lieberman time to present his report, which Collier seconded

VOTE: The motion to suspend the rules to allow LNC Alternate Representative Lieberman time to present his report passed with no objection.

Scott Lieberman, LNC Region 2 Alternate

Election of LNC At-Large Replacement

Nominees: Emily Salvette; Alicia Mattson; Rob Power; Susan Hogarth

Instant Run-off Voting!

Round 1:

Alicia Mattson, 8 top-choice votes

Emily Salvette, 6 top-choice votes

Rob Power, 1 top-choice vote

Susan Hogarth, 1 top-choice vote

Round 2:

Alicia Mattson, 9 top-choice votes (winner)

Emily Salvette, 7 top-choice votes

Ed Coleman

Ed Coleman, Indianapolis-Marion County City-County Councilman, addressed the group. He is a disabled veteran who had just defected from the Republican Party. He is a real character, and he is already causing trouble on his county council, in a good way. That is because he opposes most of the spending that is being proposed by the Republicans, who have a slight majority on the Council.

Bill Hall - Counsel's Report

Bill Hall will no longer be the LNC Counsel, having served in this challenging capacity for about 20 years. The LNC is currently voting on a replacement.

Staff Changes

Donny Ferguson is the new LP Communications Director. Donny noted he has focused on items for press releases that ‘appeal to the public’. Also, Donny has been producing campaign materials for LP office seekers. I have already e-mailed Mr. Ferguson about a few topics, and he is very responsive to questions and requests from LP members.

Libertarian National Committee - Membership Report Feb-28-09

Dues paying membership of National LP

Sep-07 13492

Nov-08 16079

Dec-08 15358

Jan-09 15178

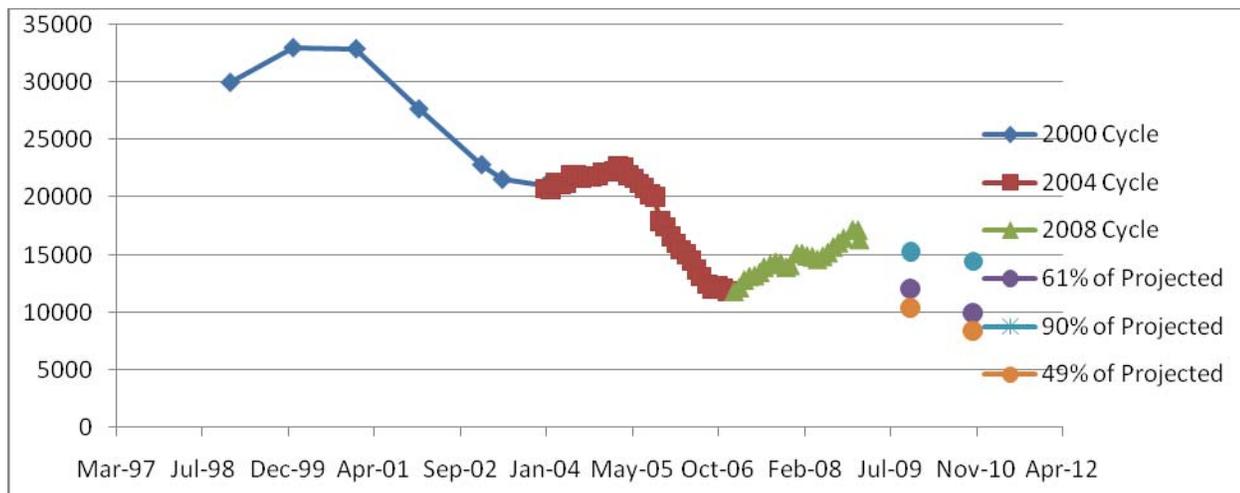
Feb-09 15004

There are another 900 or so people who are donors to the National LP, but who have not signed the membership certification.

Membership Recruitment and Renewal Presentation

Dr. Mary Ruwart presented the results of her analysis on membership retention and acquisition. She used membership data for roughly a decade. After adjusting for ups and downs experienced in presidential election years, the forecast for membership, even aside from accounting for the downturn in the economy, is less than rosy.

Dr. Ruwart’s graph, worth a thousand words, shows the following 12-year decline in membership:



Aaron Starr presented some confounding variables that might be making the downturn seem worse than it actually is, but it is very clear that the National LP needs to get very aggressive with its membership recruitment over the next couple of years.

LP Marketing

Michael Jingoian presented his analysis and recommendations on how the LP might use marketing techniques to promote the Party. Key to his recommendations are using volunteers better and just 'getting our name out there'.

After having been Vice Chair for 8 months and coming on the heels of his LP Presidential run, Michael recommends the Party start by 'making the Libertarian Party more fun'. This can be accomplished by having more parties at state and national events, putting cartoons in LP News and direct mail, funny videos at conventions, and entertaining MCs at national conventions.

Convention – Memorial Day Weekend 2010

The LP National Convention will be at the Renaissance Grand Hotel in St. Louis, formerly owned by Kimberly Clark and managed by Marriott.

But – the hotel recently defaulted on its debt payment. The bond holders bid on the property in an auction, bidding the \$92M that was owed. The Convention Center Acquisition Company, LLC now owns the property and continues to run it.

Admiral Colley requested and received a written statement that the current owners still intend to honor the arrangements for the 2010 convention. So, we are cautiously optimistic that the Hotel will be able to host the next National Convention, as planned.

LNC - Lawsuits

The proposal is to amend the LNC Policy Manual to add a new section
Section 9: Authorization of Lawsuits

Prior to the filing of a lawsuit, or the joining of a lawsuit filed in any court, in which the LNC or the national Libertarian Party is proposed to be a named plaintiff, to the preparation and filing of a friend of the court brief, or to providing material (costing in excess of \$1,000) financial support for the litigation, the Chair shall:

(1) Advise all LNC members (including alternates) of the proposed lawsuit, its purpose, and its estimated cost;

- (2) Confirm, or seek and obtain approval for, the budgetary authority for the expenses of the lawsuit as provided for in Article V, Section 2 of this Policy Manual; and
- (3) Seek and obtain approval of the Executive Committee for participation in the lawsuit.

There was no objection to the revised main motion.

Bylaws Committee Report (Karlan)

Dan Karlan thanked the LNC for populating the Bylaws Committee with an unusually collegial and high-performing group. Dan provided the draft of Bylaws changes to the LNC. The Bylaws will be disseminated to members via LP News, a survey and a blog.

Next LNC Meeting

The July 18, 2009 LNC meeting will be in St. Louis, MO.

The LSLA will meet in Austin in 2010 the last weekend of January or first weekend of February. The LNC will NOT be meeting at that time – instead we will be meeting in early December.

Scott Lieberman, Region 2 Alternate, LNC

(For Mark Hinkle, Region 2 Representative, LNC)

Discussion

M Carling announced that LNC Bylaws Committee proposals are available at Lpbylaws.blogspot.com.

Takenaga observed that we need to increase LNC membership by end of October in order to improve our seating at the next LNC convention.

Committee Reports

Operations Committee

The Operations Committee presented no report.

Candidate Support Committee

Discuss donor intent of past fundraisers

Takenaga noted that we have considerable funds in the Candidate Campaign Support Fund. Some donations were donated with this particular intent, and so they must be kept and used separately from General Operations funds. Gray's donations are for non-partisan races. There are no current recommendations for consuming our Candidate Campaign Support funds, so they will be held until next year.

Campbell suggested producing an Internet fund raiser.

Collier raised a point of information, asking if this money is for the Candidate Campaign Committee. Takenaga answered yes.

Barnes asked who is on this committee. Takenaga informed that all the Executive Committee is on the Candidate Campaign Committee.

Collier stated that we as that committee must have a separate meeting.

Financial Standards Committee

Mike Bearden reported to Cain that the Financial Standards Committee will report after this meeting. Committee Chair Brian Darby was ill and couldn't meet with Bearden to produce a report in time for the meeting, but is well now and will compose a report.

Membership Committee

Bruce Dovner offered no formal report, but spoke about Los Angeles County operations. He spoke with Scott Rojas regarding hiring personnel to do voter registration. As well, he mentioned that the Party sought and got mentions on KIIS FM. He is still seeking ways to raise funds.

Newsletter Committee

Zander Collier reported that the Newsletter Committee will hold a meeting prior to convention.

ACTION: Newsletter Committee shall hold a meeting prior to the LPCA's Annual Convention.

Website Committee

Rob Power provided his printed report. Essentially, it contained the following.

LPC Electronic Communication Committee Report

Rob Power, Beau Cain, Dan Minkoff

March 21, 2009

We have used the LP San Francisco as the "guinea pig" to test the open-source software that I recommended at the last meeting, Joomla 1.5 CMS to replace the current ca.lp.org proprietary content management system, CiviCRM plugin for Joomla to replace DonorPerfect for contact and member management, and PHPList to replace ConstantContact for the eFlyer and other mass e-mail.

Joomla has been extremely easy to manage for the past several months, and the LPSF website's features have met all of our needs.

PHPList has an easy-to-use WYSIWYG interface that can send either HTML or plaintext e-mails.

The CiviCRM system has an interesting feature in that contacts can be totally segregated from members.

These tests have all worked well, and we recommend installing all three systems on the LPC's Siteground hosting account. The first two steps, which would have minimal impact on existing processes, would be to install Joomla into a /beta/ directory on the server, and to install PHPList and send a small-volume mailing. The CiviCRM system can also be installed, with member management set up for a handful of volunteers (ExCom members would be a good place to start) so that we can validate that membership management functions work with existing processes.

MOTION: Power moved to adopt the features as recommended at the end of the report.

Barnes stated that at the last meeting he had asked Power if he had asked the people currently using the systems for their input on the proposal; and asked if Power had had the opportunity to do so since then. Power responded that he had not.

Newell questioned the acceptability of PHPList as compared to Constant Contact, specifically that PHPList may not be as widely whitelisted as Constant Contact.

Newell also asked about PHPList's delivery volume. Constant Contact delivers thousands of e-mails within minutes, but it will take several days for PHPList to deliver the same volume of e-mail.

Takenaga noted that he wasn't consulted regarding the proposed technology, even though he has been the central and most generally knowledgeable user on the Executive Committee. He also observed that we have working tools that are successfully raising money. He cautioned about making untested changes,

argued against the motion as stated, and said the Chair would entertain amendments to the motion. Power responded that he consulted the Chair at first meeting after Power was elected to the Executive Committee.

Holtz stated that he prefers that we test the new system in tandem with the existing system.

Newell observed that the money we spend on Constant Contact and DonorPerfect isn't the only cost involved in using those or any other tools, labor is involved. For instance, Newell spent many volunteer hours building the Constant Contact database.

Barnes asked if the Chair had recommendations for improving online tools.

Power reported that Media Coordinator Minkoff said he can use the system, and that Cain can use the system, since he has access to Outright Libertarians' Joomla installation.

Barnes stated that he would be most comfortable supporting the recommendation had current users reviewed or endorsed it.

MOTION: Collier moved to amend the recommendations to allow county Parties to test system, which Thomas seconded.

VOTE: The motion to amend the recommendation to allow county Parties to test the system passed.

Takenaga observed that since we're not spending money on new tools, we needn't involve the Executive Committee. However, he wishes to avoid a non-seamless transition, even if it means months of testing, so long as we maintain the current working infrastructure.

MOTION: Barnes moved to adopt the recommendations as revised and refer them to the Operations Committee.

Newell observed that saving money isn't the entire benefit to consider, citing his experience in managing IT departments.

Holtz raised a point of information, asking if the substitute motion prevents subcommittees from helping test the systems. It was agreed that it doesn't.

Barnes spoke in favor of the substitute motion, supporting getting the tool into the hands of people who will test, and putting it under the auspices of the Operations Committee.

MOTION: Selzer called the question, which was seconded by several.

VOTE: The motion to call the question passed without objection.

VOTE: The motion to adopt the recommendations as revised and refer them to the Operations Committee passed without objection.

ACTION: The Operations Committee shall assume testing of the tools recommended by the Electronic Communication Committee.

Bylaws Committee

Carolyn Marbry e-mailed the following report submitted by the Bylaws Committee Saturday, February 14, 12:30 am.

Friday, February 13, 2009

By-laws Committee:

Matthew Barnes, Chair

Zander Collier

Carolyn Marbry

Richard Newell

Rob Power

The By-Laws Committee presents and recommends the following amendments for consideration by the body, along with arguments for and against each, as discussed in committee:

Proposal 1: Amend Bylaw 18 Section 3 by substitution: State Party Convention Delegate Eligibility

Submitted by Committee Member Rob Power

"Delegates to the convention shall be current State Central Committee members, and shall either hold public office or shall have been State Central Committee members for the ninety days prior to the convention. State Central Committee members whose memberships expire during the calendar year of the convention shall have a grace period that extends to the end of business on the first day of the convention to renew their memberships and regain delegate status. Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate."

Argument For: The original by-law was ambiguous in that it allowed for those who had been members of the state central committee for any 90 days prior to the convention to be seated as delegates, even if their memberships were no longer current. By adding the explicit "the" before "ninety days," this amendment allows only current members of the state central committee to be seated as delegates and helps to ensure that delegates are those who have a vested interest in the long term health of the party.

Argument Against: This bylaw is not considered by all to be ambiguous and the present wording requires that all delegates be established and current members. By not allowing those whose memberships may have lapsed prior to

the grace period to be seated as delegates, especially those who may have lapsed because of personal circumstance, we are discouraging otherwise valuable members from reconnecting with the party. This change would create a barrier keeping good libertarians from becoming active in the party again. This proposal adds complexity to the bylaws with regard to delegates and would also politicize membership database maintenance.

Proposal 2: Amend Bylaw 11 Section 4 by substitution: E-mail Votes to be Roll Call Votes

Submitted by Committee Member Rob Power

"The Executive Committee may, without meeting together, transact business by mail by voting on questions submitted by the Secretary at the request of at least two members of the committee. Unless a secret ballot is requested when the question is moved, which will require either postal mail ballots or technical capabilities beyond standard email, all such votes shall be counted and recorded by the Secretary as Roll Call votes. The Executive Committee will complete voting any time after forty-eight hours from the transmission time of the mail ballot:

A. If the motion has received Yea votes from two-thirds of the members of the Executive Committee,

or

B. If the motion has received Nay votes from two-thirds of the members of the Executive Committee,

or

C. After one hundred twenty hours in all other cases.

An alternate's vote will not be counted towards the two-thirds requirement unless it is definitely known that the corresponding voting member will not be participating. Members may change their vote up to the close of the voting period. If, at the expiration of the applicable period, a quorum of the Executive Committee has not voted, the measure being voted upon shall be deemed to have failed.

The Secretary shall preserve all such votes until the next meeting of the Executive Committee at which meeting the Executive Committee shall order the disposition of such votes."

Argument For: This amendment corrects another ambiguity in language. The Secretary is already required to preserve all email ballots, but before this amendment, it was not clear how or whether the Secretary should report the results. By requiring the results of email ballots to be counted as roll call votes,

this amendment increases accountability for executive committee members to their constituencies.

Argument Against: This bylaw is not ambiguous. This amendment increases the reporting requirement and the workload for the Secretary. Additionally, roll call votes can be used to bully minority voting members to suppress their votes and voices.

Proposal 3: Amendment to Bylaw 23 by substitution: National Convention Delegates

Submitted by Committee Member Carolyn Marbry for M Carling

Section 1 Eligibility

No person shall be a national convention delegate who is not a sustaining member of the national Libertarian Party and a central committee member at the time of selection and at the time of the national convention.

Section [1] 2 Selection

Delegates to the national convention shall be selected at the state convention preceding the national convention. The procedures in Rule 12 shall be used for such election.

Section [2] 3 Vacancies

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 the delegates to the national Party.

Section [3] 4 Elections Code

Sections 6760 through 6798 of the California Elections Code are superseded.

Argument For: Ensures that those chosen by California to be delegates to the national convention will surpass the present national credentialing requirements and sets a tone and an example for the Libertarian National Committee to require all delegates in all states to be national committee members.

Argument Against: Credentialing delegates to the national convention is the responsibility and authority of the Libertarian National Party and its bylaws. Requiring the state party to credential delegates based on information only available to national party authorities causes a confusion of jurisdiction. This proposal would unnecessarily limit California Party's choice of representatives.

Respectfully submitted, Libertarian Party of California Bylaws Committee

-- Alive Free Happy

Carolyn Marbry Treasurer, San Bernardino County Libertarian Party

Discussion

Dovner asked if there will be opportunities to introduce proposals to the Bylaws Committee before the convention. Barnes replied that changes proposed after the 70-day lead time must be passed by 2/3rds rather than a simple majority.

Convention Committee 2009

Power asked if all voting will be on Saturday. Newell answered no, that voting on Saturday is to elect officers, and voting on Sunday is to elect At-large reps and Judicial Committee members.

Seebeck announced that the Holiday Inn-Visalia offers a weekend rate wherein one can buy 2 nights and get 1 free. Ask HI-V about this.

Barnes asked if we get any benefit from booking rooms at HI-V. Newell answered no.

Samuels asked if we are working with the Fresno LP? Newell answered not yet, but that we will. Cain mentioned that he sent postcards to Kings, Fresno, and Tulare County seeking on-site volunteers.

Takenaga announced that the whole golf course is ours for the Friday afternoon golf tournament.

Newell thanked Takenaga, Cain, and Samuels for help solidifying speaker programs.

Convention Committee 2010

Collier announced that we can take a brief tour of the facility. Redevelopment efforts in Long Beach have been mixed, producing a convention city with budget prices. The Long Beach Courtyard by Marriott is close to Long Beach Airport, offers varied nightlife, and the room prices should be similar to those of the Holiday Inn - Visalia. The body agreed to postpone the tour of the facility until after the meeting.

Barnes thanked Collier for his good work.

MOTION: Barnes moved for a 10-minute recess, which Cain seconded.

VOTE: The motion to recess passed with few objections.

Office Report

Priorities in the office are:

1. Staffing: identify volunteers to assist with membership data management, fundraising, and candidate assistance
2. Fundraising: develop and implement ideas to raise funds and revitalize member interest in Party operations
3. Clerical: maintain office operations to support membership, volunteer, and elected officials' needs

Staffing

Volunteers

Lance Keating, Data Entry

Lance came to the office three times and spent about 8 hours each time entering the accumulated volunteer information into our database. This seemingly mundane effort is very valuable, because it allows users to query the database for volunteers with particular skills and interests in particular locations.

Nima Sepassi, MS Access Programming

Nima came to the office twice to create a Visual Basic function that quickly extracts records by County and copies them into a spreadsheet. This effort, which took about 8 hours, should reduce the monthly time spent on producing county Party rosters by about 4 hours. Nima allowed us to use his personal copy of MS Access for this custom feature until we buy a discounted copy of MS Office XP Pro.

Wayne Meyers, Multimedia Production

Wayne Meyers and his mother, Marian Meyers, interviewed Judge Jim Gray and produced a script and ultimately a multimedia presentation that debuted at Judge Gray's retirement fund raiser in Fullerton in January. Since then, Wayne and Cain converted the presentation and burned it onto CD, and distributed it to a limited group of recipients.

The presentation serves as the basis for a more polished presentation being managed by volunteer Amy Sue Fall, with help from the AV Department at Idylwild High School for the Performing Arts.

Amy Sue Fall, Fund Raising

Amy attended Judge Gray's retirement fund raiser and distributed Support forms, pens, mail-in envelopes, and helped people document their donations and pledges.

Fundraising

Dinners and Receptions

LPCA produced two dinner/reception fund raisers since our December EC meeting.

- Fullerton, honoring Judge Jim Gray's retirement from the Orange County Superior Court, January 14th
- Carmel, featuring Jim Gray introduced by Dr. David Henderson, Professor of Economics at the U.S. Naval Postgraduate School, February 28th

The next fund raiser will be Saturday, March 28th, 5:30 pm – 9:00 pm, at the home of Rick Nichol, 10710 Noble Street, Cherry Valley, featuring Ed Clark and a fund raising auction.

The following scheduled fund raiser is for Saturday, August 29, in Carmel, featuring Ed Clark.

ACTION: Cain will report the metrics of the fund raisers after this meeting.

Direct Appeals

Cain redesigned the Support enrollment form so that they are on one card, front and back, identical except for the heading. One states that the donation is to support General Operations, the other states that the donation is to support Candidate Campaigns. They were very well received at the fund raiser in Carmel February 28th.

Renewal Mailings

The renewal mailings for the first quarter of 2009 produced 332 renewals so far. The next renewal mailing will go out in early April.

Clerical

Mail

Although incoming mail increased noticeably following the first quarter renewal postcards and e-mails, they have dwindled to about two a day. However, there will be an increase when the convention program is published. Online renewals and other gifts seem to be making up for the apparent decrease in mail-in donations, although there are no metrics to support that perception.

Phones

Phone traffic remains manageable by Cain alone. However, as one might expect, calls seem to come in groups, so that he often puts people on hold to answer other lines, then juggles the calls or asks to return a call. This happens only a few times a day, and for only a few minutes at a time.

Files

Cain reports that he is behind on filing paper. After scavaging as many hanging files as he could, he bought single-cut file folders and more hanging files so he can continue to organize our reference documents.

MOTION: Barnes moved to suspend the rules to consider Selzer's suggestion to thank Ted Brown for 21 years of service to this committee, and running for public office 16 times, which Collier seconded.

MOTION: The motion to thank Ted Brown for his extraordinarily lengthy service to the Party passed without objection.

Old Business

State Platform Committee Coordinator

State Platform Committee Delegates

County Parties nominated the following LPCA Platform Committee delegates.

Los Angeles County LP nominated Tom Sipos

Orange County LP nominated Norm Westwell

Placer County LP nominated Roberto Leibman

Sacramento County LP nominated Gale Morgan

San Bernardino County LP nominated Boomer Shannon

San Francisco County LP nominated Starchild

San Mateo County LP nominated Harland Harrison

Ventura County LP nominated Dana McLorn

Nomination

MOTION: Brown nominated Dovner for LPCA Platform Committee Coordinator, which was seconded.

MOTION: Selzer moved to close nominations, which Dovner seconded

VOTE: The motion to close nominations passed without objection.

VOTE: The motion to appoint Bruce Dovner as LPCA Platform Committee Coordinator passed without objection.

Selection of Platform Committee Representative to the National Convention

Submitted March 18, 2009 by Bruce Dovner

Mr. Secretary,

Please put my name into nomination for Platform Representative to the national LP Platform Committee. Below are three suggested changes to existing national platform planks.

Thank You,

Bruce Dovner

I.

In 2.2 Environment, substitute "property" rights for "individual" rights. Property is an individual right but more specific to the issue at hand. Another change would be to simply add the word "property" after individual to read "individual property rights". But the concept of property rights are more relevant as individual rights also involve such things as right one's body or freedom of speech i.e. liberty of action whereas property specifically concerns rights to material objects, at least in this case.

2.2 Environment

...Protecting the environment requires a clear definition and enforcement of individual /property/* *rights in resources like land, water, air, and wildlife. Free markets and property rights stimulate the technological innovations and behavioral changes required to protect our environment and ecosystems. We

realize that our planet's climate is constantly changing, but environmental advocates and social pressure are the most effective means of changing public behavior.

II.

In 2.3 Energy and Resources, add at the end ", and military defense of foreign sources of energy."

2.3 Energy and Resources

While energy is needed to fuel a modern society, government should not be subsidizing any particular form of energy. We oppose all government control of energy pricing, allocation, and production/, and military defense of foreign sources of energy/.

III.

The wording of 3.1 National Defense is somewhat ambiguous:

3.1 National Defense

...The United States should both abandon its attempts to act as policeman for the world and avoid entangling alliances....

Does this mean we should abandon our attempts to avoid entangling alliances? I would reverse the two clauses and suggest the following rewording:

...The United States should both avoid entangling alliances and abandon its attempts to act as policeman for the world....

This would be clearer.

The following proposed change I would take under the advisement of this committee and will not propose it if there is significant objection from this committee.

I would add to the last sentence of 1.6 Self-Defense, "by those who respect the rights of others" to read as follows

IV.

1.6 Self-Defense

...We oppose all laws at any level of government requiring registration of, or restricting, the ownership, manufacture, or transfer or sale of firearms or ammunition /by those who respect the rights of others./

Over the years in the course of 2nd Amendment activism and libertarian activism, I've learned that people do not support repealing all restrictions against convicted violent felons possessing firearms. At Libertarian booths, I've heard members of the public specifically objected to the current Libertarian position on this.

There is nothing unlibertarian about restricting access to firearms of people who have infringed the rights of others. In general, I support the restoration of civil rights after a period of time. But do you want to have to defend a position that a convicted murderer who is out on parole should have unrestricted freedom to possess arms? That is the current Libertarian position.

The above suggestion does NOT put the Party in favor of such restrictions, rather does not put the Party in opposition. Lastly, it still opposes restrictions of the freedom of victims of the drug war and people convicted of victimless non-compliances, since such people have respected the rights of others.

Again, I will take the above under the advice of the LP Executive Committee and not propose such a change if this committee opposes it.

V.

I would add the following to 3.1 National Defense, "We favor the fulfillment of promises of benefits to veterans, made as inducements to enlist and as compensation for involuntary service."

Since national defense is a legitimate purpose, expenses related to it are valid expenditures. If promises were made to induce people to serve in the military, such promises should be fulfilled. In the case of the draft, such benefits are owed as compensation for the wrong of involuntary servitude.

As above, I will take this matter under the advice of the LPC Executive Committee and not propose it if this committee opposes it.

Bruce Dovner

Discussion

MOTION: Brown nominated Dovner as LPCA Platform Committee Representative to the National Convention, which Barnes seconded.

MOTION: Holtz moved to close nominations, which Newell seconded.

VOTE: The motion to appoint Bruce Dovner as LPCA Platform Committee Representative to the Nation Convention passed without objection.

MOTION: Holtz moved to appoint Aaron Starr as LNC Platform Committee Alternate, which Barnes seconded.

Newell asked if this is in order. Holtz noted that the LNC recently defined its need for alternate representatives. Barnes asked if Holtz can describe the change in the LNC Bylaws. Holtz mentioned that at the LNC convention in Denver, the LNC Bylaws were clarified so that alternates can step in under any circumstances where a delegate steps out.

Barnes spoke in favor of the motion, praising Starr's lengthy service.

Brown spoke against the motion, noting that he and Starr hold contrary views.

MOTION: Barnes moved to allow Starr to speak, which was seconded.

VOTE: The motion to allow Starr to speak passed without objection.

Starr thanked the body for its support, and mentioned that his views are similar to ours.

MOTION: The Chair called for division.

VOTE: The divided vote failed, with 5 in favor, 7 against, and 1 abstention.

New Business

National Credentials Committee

Takenaga briefly described the duties.

MOTION: Brown nominated M Carling, which was seconded. Holtz mentioned that he would have nominated him too.

MOTION: Holtz moved to close nominations, which Brown seconded.

MOTION: The motion to close the nomination for LPCA's LNC Credentials Committee delegate passed with no objection.

Newell asked if Carling is willing to serve. Carling answered that he is willing to serve, and cited his expertise.

VOTE: The motion to appoint M Carling as LPCA's LNC Credentials Committee delegate passed without objection.

Candidate Recruitment

MOTION: Barnes nominated Brown, which was seconded.

Takenaga mentioned that Ray Melissa of Melissa Data offered to help with the recruitment effort.

Brown noted that the system was used to identify non-partisan candidates previously. Partisan candidates need to be selected more carefully, and that they should more likely be due-paying members.

Barnes asked what we are deciding. Takenaga answered that we are deciding essentially nothing. A team will determine how to approach and effect candidate recruitment. We need to prepare to hit the ground running when nominations open.

Barnes asked if we are looking for volunteers for a committee. Collier answered yes.

Brown noted that there was never really a committee attached to being the recruitment chair, but that he has no objection to establishing one.

Newell noted that we're getting more inquiries from people who wish to run for office. Brown observed that many of the online volunteers are too-recently registered Libertarian to qualify.

Barnes asked to what extent Brown is willing to participate. Brown answered he'd participate nearly as much as before, but that he needs more help if he's to do more than he has previously.

MOTION: Barnes moved to recommend to the Chair to appoint Brown as Chair of the committee, which died for lack of second.

MOTION: Collier moved to create a Candidate Recruitment Committee, which Power seconded.

MOTION: Barnes called the question, which was seconded.

VOTE: The motion to call the question passed with no objection.

VOTE: The motion to create the LPCA Candidate Recruitment Committee passed.

ACTION: The Candidate Recruitment Committee shall meet to decide how to approach and effect candidate recruitment so that LPCA candidates for public office can prepare to hit the ground running when nominations open.

Takenaga appointed Brown, and Brown accepted.

Newell pointed out that, to avoid objections of appointing someone who county Parties may dislike, that we should try to develop some rapport with the county Parties.

Candidate Training

Wellstone Action

Sara Scanlon offers liberal candidate training workshops. They cost \$1,200 per weekend, one in NorCal, one in SoCal.

Allen Hacker's Training

Hacker tried candidate training in Texas, and those efforts might be viable for our use in California.

Legislation Analysis Team Report for May 19, 2009 Special Election

Michael Seebeck submitted the following report and recommendations on March 11, 2009.

Proposition 1A: Spending Cap

On Ballot By: Legislature (2009-10 ACA 1, Niello)

Details: Establishes a spending cap on the Legislature in the following manner:

- Limits spending based on revenues that are expected based on the trending of the past ten years, or in other cases, by increasing the previous year's spending level by the percentage rate of increase of population plus inflation.
- Excess revenues would be directed to be spent in the following priority:
 1. Funding obligations not met for education under Proposition 98
 2. Budget Stabilization Account/Fund (BSF, was BSA) created by Proposition 58 (2004) up to the annual of 12.5% of revenues (currently at \$8B or 5% of revenues, whichever is larger).
 3. Outstanding Bond or Debt reduction.
- Once priorities 1-3 are met, any remaining excess revenues may be spent however the Legislature chooses.
- Limits the Governor's ability to stop a funds transfer to the BSF to years when revenues do not meet spending limits.
- Limits spending out of BSF from current "anything goes" approach to 1.5% of state revenues for education (see Proposition 1B), up to \$9.3B total, and the Governor could not stop the payments. Would require 1.5% of General Fund to be transferred into the BSF each year to cover these costs, making the BSF a pass-through of the Proposition 1B funds. If Proposition 1B fails, the 1.5% in the same way goes to pay for infrastructure or debt reductions.
- Up to \$5B of the BSF would be used to pay off bonds from Proposition 57 (2004), but those payments would be reduced if Proposition 1B passes.
- BSF funds could be used in case of natural disaster.
- BSF funds could be used to bridge spending gap if revenues do not meet spending levels as adjusted above.

- Governor would have new ability to cut spending on general state operations or capital outlays by up to 7%.
- COLA adjustments in the budget, not including state employee salaries.
- The increases to the sales tax, vehicle registration fee, and the personal income tax would extend two additional years through FY 2012-13 for the vehicle fees, through CY 2012 for the income tax, and through FY 2011-12 for the sales tax.

Recommendation: OPPOSE

Reason(s) for Recommendation: Ordinarily a spending cap would be a good thing, but this one has far too many strings attached.

For starters, the ten-year trending measurement is inappropriate since the trend may not necessarily be an accurate reflection of the current economic joys or woes of California. Furthermore, the population plus inflation formula as applied by the BSF bridging the gap does not take into account the situation of population and inflation growth' increase on spending outpacing the combined dollar amounts of the General Fund and the BSF with its restrictive commitments. The end result of that situation would result in a repeat of the budgetary mess that spawned this proposition in the first place.

Next, the restrictive priorities of the BSF are incorrect, with debt reduction being the lowest instead of the highest priority, and public education being the highest instead of the lowest priority. Education must take a backseat to red ink in lean times, and it can be addressed properly in fat times, even beyond the boondoggle of mandatory spending increases from Prop 98.

Next, the inability to cut state employees salaries will create a bloated area in the budget. State employees should be subject to the same salary cuts as their programs, else the programs will collapse under a burden of too much salary and not enough actual program work, which is poor management and maintains state jobs as a jobs program rather than actually serving the people of California.

A contrast to the gold standard of spending caps, Colorado's TABOR, illustrates the vast differences in approaches and results. Colorado's TABOR, enacted in 1992, allowed government to grow 69% from 1992-2003 while returning \$7B in excess revenues to taxpayers, with no debt. It relied on the population plus inflation formula, but it also required voter approval of all tax increases, and if revenues dropped, so did government spending. When revenues finally did drop in 2004, the deficit that required spending cuts was only \$1B. That same year California faced an \$11B shortfall and it's been downhill ever since.

Had this spending cap simply limited increases to all state spending to population plus inflation across the board, with excess revenues going into the BSF and to debt reduction, then to the taxpayers in the form of tax refunds, then this spending cap would be supportable. As it currently stands, it is not.

Discussion

Newell asked if this is a case where we're letting the perfect get in the way of the good. Is having the proposal worse than not having it? Seebeck answered no.

MOTION: Barnes moved to accept the report and adopt the committee's recommendations as stated, which Holtz seconded.

VOTE: The motion to accept the Legislation Analysis Team's report and adopt the committee's recommendations as state carried with one objection.

Proposition 1B: Education Finance Amendments to Proposition 98

On Ballot By: Legislature (2009-10 ACA 2, Bass)

Details: Amends Proposition 98 in the following manner:

- Creates \$9.3B additional education payments for K-14 education, starting in FY 2011-12, which would become part of the base used to calculate the Prop 98 minimum.
- Funding mechanism established by Proposition 1A using the BSF.
- If Proposition 1A fails, Proposition 1B fails as well automatically.

Recommendation: OPPOSE

Reason(s) for Recommendation: This Proposition would require \$9.3B to be added to the Prop 98 base for determining public education funding minimums. The Party is long-opposed to government-run education, and that opposition logically extends to increasing obligatory funding of it. Furthermore, the increase, in a time when revenues are already falling short of expectations, is impractical. It would also move the funds from other programs that also may require an automatic increase in the state budget, and the eventual shell game of money within the General Fund will eventually cause more and larger deficits in the future.

Proposition 1C: Modernize the California Lottery

On Ballot By: Legislature (2009-10 AB 12, Evans)

Details: Amends state Constitution and Codes in the following manner:

- Allows borrowing based on future lottery profits, up to \$5B, to balance the FT 2009-10 budget, with more allowed in the future, currently not allowed by law.
- Allows flexible setting of the payout-to-sales ratio to go above 50%, currently fixed at 50%.
- Changes profits to pay old borrowing from Lottery first, then to the General Fund for debt and budget obligations. Current profits go to public education.
- Increases the Proposition 98 funding minimum to make up for profits not going to public education.
- Does not change current Lottery operations for the public, only where the profits go.

Recommendation: OPPOSE

Reason(s) for Recommendation: Negatives with this proposition include increasing the Prop 98 minimum, and borrowing to balance the budget instead of cutting spending. This is also an accounting gimmick to help balance the budget through borrowing, albeit by borrowing from internal sources, even if the money eventually comes from consumers as it always does. Proponents call the \$5B in borrowing “revenue”, too.

Proposition 1D: Children’s Services Funding

On Ballot By: Legislature (2009-10 AB 17, Evans)

Details:

- Redirects \$1.68B in Proposition 10 (1998) funds to fund other state children’s health services for children up to age 5, to offset current General Fund expenditures to balance the budget.
- \$340M in reserves redirected on 7-1-09
- \$268M annually for FY 2009-10 through FY 2013-14 directed from state and local funds.
- Redirected funds can be spent by the Legislature how it sees fit.
- Adds new permanent auditing reporting for county commissions.
- Mandates county auditors serve on local First 5 commissions.
- Reallocates some mandated expenses.
- Allows a county to borrow funds from the county commissions for the county General Funds.

Recommendation: OPPOSE

Reason(s) for Recommendation: This is another shell game accounting gimmick designed to hide costs by raiding reserves and doing it on the backs of the counties, who get more mandates in the deal and allows them to play similar shell games at the county level. Proponents will argue “Think of the

Children!”, and the response is that thinking of the children will require a vote against this con game.

Proposition 1E: Mental Health Services

On Ballot By: Legislature (2009-10 SB 10, Ducheny)

Details: Amendments to Proposition 63 (2004), The Mental Health Services Act, in the following manner:

- Allows \$226.7M in FY 2009-10, \$226.7m-\$234M in FY 2010-11 to be redirected to support EPSDT (Early and Periodic Screening, Diagnosis, and Treatment) programs, a part of Medi-Cal for beneficiaries under age 21
- EPSDT funding normally comes from the General Fund.

Recommendation: OPPOSE

Reason(s) for Recommendation: This is another “rob Peter to pay Paul” shell game the Legislature has put forward to make it appear like they are balancing the budget when they really aren’t. Prop 63, for all its faults, was a lockbox program that prevented this type of funding raid on purpose, yet here it is. Recommendation of Oppose here (and elsewhere) is also based on the simple idea that the Legislature should not be using accounting gimmicks and carnival con games to balance the budget in lieu of sound accounting and responsible use of taxpayer money.

Proposition 1F: Elected Officials Salary Freeze

On Ballot By: Legislature (2009-10 SCA 8, Maldonado)

Details: Amends the state Constitution in the following manner:

- If the General Fund has a deficit of 1% or more of state revenues, no elected officials will receive a salary increase.

Recommendation: SUPPORT

Reason(s) for Recommendation: It may be symbolic more than having an actual fiscal impact, but it does make the elected officials feel some pain over their incompetence.

Prop 2 in 2011

M Seebeck described problems with Prop 2 in 2011. He recommended opposing it vociferously.

Barnes thanked Seebeck for his hard work, and asked what the LPCA Executive Committee can do specifically to assist.

Seebeck said that we can send anything we hear to him, publicize what we're doing, generate interest, and appeal for help.

Barnes asked if we looked for college interns to help. Seebeck answered not yet, but that he will develop volunteers.

Takenaga noted that training volunteers also gives them opportunities to work as interns when their candidate is elected.

MOTION: Brown moved to oppose Top-two vociferously, which Newell seconded.

Samuels asked to send a report to Sipos at California Freedom when it's done.

Newell spoke in favor of the motion, noting that it's a slam dunk. Seebeck expressed concern about developing a reliable game plan.

Barnes asked if Top-two might benefit the Party. Seebeck answered that it's unlikely.

Brown asked if Libertarian candidates could have no Party listed or some designation other than "Libertarian" next to his name on the ballot. Seebeck answered yes.

Dovner noted that incentives, in a toss-up district, would prompt one to declare one party or another. Unless the district is overwhelmingly one Party or another, this basically ends the viability of third parties.

Power spoke in favor of the motion, adding that if Richard Winger says "it's the end of the world," he believes him. He approves using the term "vociferously," but prefers even stronger language.

Aaron Starr spoke about another aspect beside freedom of association.

Barnes agreed that this is a complex issue, and that it smacks of Marxism moving toward direct democracy.

MOTION: Barnes moved to table the motion to oppose Top-two Balloting vociferously, which Campbell seconded.

VOTE: The motion to table the motion to oppose Top-two Balloting failed.

MOTION: Barnes moved to continue the analysis of the issue, regardless of group's vote.

VOTE: The motion to continue analyzing Top-two Balloting passed without objection.

Adjournment

MOTION: Barnes moved to adjourn, which was seconded.

VOTE: The motion to adjourn passed without objection.

Next Meeting

The next Executive Committee meeting will be at our Annual Convention in Visalia, California, Sunday, April 26th, after the conclusion of the convention's business meetings.

Action Items

All

Review, revise, and approve Executive Committee meeting minutes by Monday, April 20th, 2009.

Operations Committee

The Operations Committee shall assume testing of the tools recommended by the Electronic Communication Committee.

Candidate Recruitment Committee

The Candidate Recruitment Committee shall meet to decide how to approach and effect candidate recruitment so that LPCA candidates for public office can prepare to hit the ground running when nominations open.

Secretary

Prepare abbreviated minutes for distribution to county Party officers by Tuesday, March 31st, 2009.

Takenaga or Cain shall add a live link on the Party's website to the LPCA's Bylaws Committee proposals.

Cain shall correct and re-publish the December 13th Executive Committee meeting minutes.

Cain shall report the metrics of the fund raisers after this meeting.

Barnes

Barnes shall surrender Brown's archival material to the Party.

Collier

Newsletter Committee shall hold a meeting prior to the LPCA's Annual Convention.

Respectfully submitted,

Beau Cain, Secretary