

# State Convention Minutes, April 24-26, 2009

*Libertarian Party of California*

Saturday, April 24th through Sunday, April 25th, 2009

Holiday Inn – Visalia

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## Call to Order

Chair Takenaga called the convention to order at 9:43 a.m. and introduced Convention Chair Richard Newell.

Northern Vice Chair Newell welcomed delegates, guests, and notables to the convention in California's Central Valley, including Honorable Ed Coleman, Indianapolis City Council member, Wayne Allyn Root, Vice Presidential Candidate, Hon John Inks, Mountain View City Council, and Norm Westwell. Huntington Beach School District, Special thanks to Rick Bronstein for guiding the Convention Committee to the Holiday Inn-Visalia, and to Fresno County LP volunteer Jonathan Zwickel and San Bernardino LP's black shirt volunteers. Other thank-yous included Holiday Inn-Visalia Catering Manager Armondo Apodoca, who is also a Libertarian Party member.

Takenaga announced that Dr. Tom Lippman flew into Visalia Regional Airport, which is next door to the Holiday Inn-Visalia, with passenger Prof. Fred Foldvary, who is a guest speaker at the event.

Takenaga presented a slide show memorial for LPCA members who died during the current administration.

## Credentials Committee Report

Wayne Meyers presented the initial Credentials Committee Report, announced the delegate numbers as of 9:30 a.m.

- 51 delegates

- 2/3rds majority = 34 delegates
- Simple majority = 27 delegates.

**MOTION:** Takenaga called for approval of the Credentials Committee Report without objection.

**VOTE:** The Credentials Committee Report was adopted without objection.

## Adoption of Agenda

**MOTION:** Rob Power moved to suspend the convention rules to add the deleted Consent Calendar item to the agenda after the Saturday breakout sessions and before the election of Officers, which was seconded. Power submitted a proposal for the Consent Calendar (page 8) that was subsequently removed at the request of five delegates (Z. Collier, B. Holtz, M. Mendez, M. Seebeck, S. Weber). (Convention Rule 7).

**VOTE:** Takenaga called for approval without objection, but objection was raised.

**VOTE:** The motion to add the deleted item to the agenda during the Resolution section of the agenda passed by a 2/3<sup>rd</sup> majority voice vote.

**MOTION:** Starchild moved to suspend the rules to add an agenda item to consider not charging delegates a floor fee. Takenaga ruled the motion out of order because of a Judicial Committee ruling supporting charging admission for convention business sessions. The motion died for lack of a second.

Weber suggested that the motion might better be addressed as a Bylaws or Convention Rules change.

**MOTION:** Starchild moved to consider a Bylaws change during the Bylaws Committee Report. Takenaga noted that the Bylaws are clear about submitting proposals to change the Bylaws, If there's time to consider such a proposal after the Bylaws Committee Report, a delegate can move to consider such changes then. Starchild withdrew his motion.

Little raised a point of information, asking if the Credential Committee Report reflects the members who registered during the past few days rather than only the delegates submitted by County Central Committees. Takenaga clarified that the Bylaws removed the requirement for County Central Committees to designate delegates, and that Meyers' Credential Committee Report reflected an accurate count as of 9:30 that morning.

**MOTION:** Takenaga called for a motion to adopt the agenda as revised, which was seconded.

**VOTE:** The motion to adopt the agenda passed without objection.

## **Officers Reports**

### ***Chair's Report***

Chair Kevin Takenaga reported an amazing year that is difficult to condense into a presentation lasting only a few minutes. The great challenge was to get the word out to let everyone know what everyone else was doing.

### **Candidate Rally in Sacramento**

Dana McLorn attended and became a valuable asset to Ventura County LP since then. As an initial effort, we learned how to do future rallies.

### **Vice Presidential Candidate in San Francisco Gay Pride Parade**

Rob Power, San Francisco LP Chair and Chair of Outright Libertarians, helped get LP VP Candidate Wayne Allyn Root to ride in the 2008 San Francisco Pride Week Parade.

### **Orange County LP Presence at Orange County Fair**

Successful candidate for California public office Norm Westwell helped staff the Orange County LP booth at the month-long Orange County Fair.

### **Nevada County LP Presence at Nevada County Fair**

Gary Bryant and Donn Coenen staffed a Nevada County LP booth at the 2008 Nevada County LP Fair and will do it again this year in August. Nevada County surprisingly had been holding weekly lunch meetings in Grass Valley for the past twelve years. There was also a Libertarian mayor in Nevada City.

### **Butte County LP**

Started an annual July 4<sup>th</sup> camping trip on the Feather River. Takenaga recognized former Butte County LP Chair Mike Wacker and Vice Chair Bill Cross.

### **Bowling Nights**

Takenaga recognized Santa Clara County LP Chair Brian Darby and spoke of the popular bowling events that the Party supported. Although the event hasn't become competitive, other County Central Committees might consider starting a team for future events.

### **Media Coverage**

Steven Greenhut, Senior Political Columnist for the Orange County Register, changed his Voter Registration from Republican to Libertarian, and has given the LPCA a lot of good press.

### **Presidential Campaign**

Santa Clara County LP volunteer Scott Lieberman organized a pizza dinner to gather support for LP Presidential Candidate Wayne Allyn Root.

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## House Party Fundraisers

Organizing and implementing house party fundraisers for our Presidential campaigns taught us how to manage such events for the LPCA. Takenaga recognized the exemplary volunteer efforts of the San Bernardino County LP “black shirt” volunteers. He also announced the next schedule house party fundraiser in Carmel on August 28<sup>th</sup>.

## Candidate Campaign Support

Takenaga recognized the following candidates' campaigns for California public offices.

Susan Marie Weber's aggressive campaign for Palm Desert City Council. Takenaga and other volunteers helped her door-to-door canvassing.

Brian Holtz campaign for Purissima Hills Water District

Jonathan Hall's campaign for re-election to the Tehachapi Water District. Takenaga suggested all Libertarians serving on water district boards should contact Brian Holtz.

John Inks' campaign for Mountain View City Council. Inks served as Vice Chairman and then as Chairman of the City Planning Committee before winning his bid for City Council. He had help from volunteers T. J. Campbell and David Johnson (Republican, but sympathetic to Inks' campaign).

Tom Tryon won his seventh term in office in Calaveras County, this time winning in a runoff for Calveras County Supervisor. Takenaga recognized Calaveras County stalwart Al Segalla, and mentioned that Calaveras County has the highest percentage of Registered Libertarians of any California county.

## Judge Jim Gray Retirement Celebration

Takenaga mentioned the retired Orange County Superior Court Judge's dedication to helping the LPCA and our local candidates achieve California public offices.

## Indianapolis' Ed Coleman and Georgia's John Monds

Takeanaga recognized keynote speaker Ed Coleman, who won a seat on the Indianapolis City Council, and mentioned Georgia's John Monds who earned over one million votes in Georgia's Public Service Commission District 1 race. It's significant because this was a partisan race, and Monds ran as a Libertarian, and also the LNC believes this is the largest number of votes cast for a Libertarian in any race.

## Fund raising Headliner Ed Clark

Takenaga spoke of bringing former LP Presidential candidate Ed Clark out of retirement to headline LPCA fundraisers in Los Angeles, San Bernardino, and Monterey Counties.

## Meetup Groups

Takenaga is a member of over twenty-five libertarian-related Meetup Groups throughout California, and he noted the friendly competition between San Bernardino County LP and Ventura County LP, as well as Dana McLorn's upcoming presentation about using Meetup to grow Party membership.

### **Chris Agrella's Campaign for 32<sup>nd</sup> Congressional District**

Takenaga reported that Libertarian Chris Agrella has worked very hard to improve his image and his libertarian message to win votes in the upcoming special election for the Congressional seat vacated by Hilda Solis when she accepted a position in President Obama's administration. Agrella reported winning over 29,000 votes (>18.3%) before he changed his image, and he's expecting to win even more in the upcoming race.

Takenaga also reported that LPCA Media Coordinator Dan Minkoff released a news story about LPCA's strong opposition to Proposition 1A, as explained by Legislation Analysis Team Mike and Lidia Seebeck. Fox Channel 11 News picked up the release and arranged to interview Chris Agrella at the LPCA office. Minkoff coached Agrella ahead of time, and Fox's Bob Tarlau gave Agrella as much time at the end of the news story as they gave Governor Schwarzenegger.

Subsequently, LNC volunteers will call voters in the 32<sup>nd</sup> Congressional District on Agrella's behalf. The LPCA will benefit from this by learning how to pull the same sort of resources together for candidates in 2010.

Takenaga concluded his report by inviting any interested Libertarian to contact Ted Brown to learn how to become a candidate for California public office.

### **Keynote Speaker Ed Coleman**

Ed Coleman is the newly-elected Indianapolis City Council person who switched his Republican Party voter registration to Libertarian Party because he was disgusted with the corruption in the Republican Party.

His family has fought in every war in which the U.S. has been involved.

When he returned home from military service, he joined the Army Reserve and was medically discharged. He then ran for office and won.

He learned that taking care of Indianapolis citizens wasn't easy because there were many special interests to answer to. Tim McGuire helped him learn about libertarian principles, and so he changed Party affiliation.

He now feels that he doesn't owe political influence to special interests, and now the Mayor of Indianapolis recognizes that Coleman can help the people of Indianapolis. He especially uses bloggers to communicate with citizens.

Coleman opposed raising taxes to complete an expensive sport stadium, and has since called on government to end subsidies of private organizations.

Colman's campaign budget was very nearly zero. He walked precincts and knocked on doors to talk to voters, and gave up a lot of private time to carry Voter Registration forms to voters. He encourages everyone to do the same to make the Libertarian Party the best third-party in the nation.

Answering questions, Coleman explained that the issue that most strongly drove him away from the Republican Party was taxation. He can imagine supporting some kinds of tightly focused taxes for localized property improvement, but he opposes private companies benefiting from such taxes at the expense of the tax payers.

Coleman expressed his personal opinion that the government does not belong in his church, his wallet, or his bedroom. If he was in a position to do so, he'd get government out of marriage, so that everyone could be treated equally by government.

Coleman also reported that two Libertarians were appointed to the Indianapolis Zoning Council, despite complications imposed by Indiana law.

Coleman's unwillingness to sell favors has in fact helped him run his campaign. he's made it clear that he's only interested in the citizens, not interested in special interests, so like-minded citizens have supported him.

## **Officers Reports (continued)**

### ***Northern Vice Chair's Report***

Northern Vice Chair Richard Newell reported having visited many counties in the northern part of California, including Tulare County, where Visalia is located. The effect of these visits has helped elect two women as chairs: Sandy Keating in Marin, and Kate Moore in Sonoma County.

Brian Jones is serving as Chair Pro Tem in Yolo County, and Cliff Pickens is serving as Chair Pro Tem in Stanislaus County.

Newell repeated the electoral successes of John Inks to Mountain View's City Council, Tom Tryon as Calaveras County Supervisor for the seventh term, and Brian Holtz to the Purissima Hills Water District, and added Frank Manske's re-election to the Diablo Mountain Health District, and a good (although unsuccessful) first run by John Zukoski for Dublin City Council.

Newell recalled Samuels' mini-convention in Monterey County, plus a joint meeting of the LPCA and Nevada LP, as well as a special meeting County Chairs' conference at Cam McConnell's office in Oakland.

There was also an officers retreat at Mike Denny's office in San Francisco in, plus several house party fundraisers in Carmel and Monterey with Judge Jim Gray, which included former San Francisco Supervisor Carol Ruth Silver, who served during the Moscone/Milk administration.

Newell displayed photos from the shooting range fundraiser headlined by Wayne Allyn Root at the Pacifica Rod and Gun Club.

Newell reported being subscribed to two dozen Meetup Groups himself.

Newell also reported the new newsletter format, provided by contractor Bradley Reynolds.

Newell also noted the formation and success of the Legislation Analysis Team, which has provided very valuable insight into legislation on which the Executive Committee has taken official positions.

Newell concluded that because of the increasingly effective efforts of county Party volunteers, our Party has experienced significant success in Northern California.

## ***Southern Vice Chair's Report***

Southern Vice Chair Zander Collier reported notable activity in addition to the activities that Takenaga already reported,

Collier re-affirmed his participation in events and fundraisers and county meetings, he's preparing to announce the 2010 Annual Convention, which will most likely be in Long Beach. Long Beach is a convention town, but because the city's government has mishandled their resources, there are many convention vendors in Long Beach who are ready to negotiate very good deals for our convention needs.

Collier reported following up with individuals who have submitted applications to run for California public offices, which Beau Cain forwards to him from the LPCA office. Ray Melissa, owner of Melissa Data, has offered to help LPCA identify prospective Libertarians.

In response to Starchild's question, Collier reported that although he is open to the possibility of using free or very low cost facilities such as public parks or school campus facilities, he had not included those in his search.

## ***Treasurer's Report***

Treasurer Don Cowles reported that the First Quarter 2009 bottom line showed a healthy surplus of \$9,726.80.

The comparison of 2008 and 2007, Income increased from 2007'S \$77,000, 2008 *increased* to \$88,000.

Expenses for 2007 were \$106,000, for a \$28K loss, but 2008 Expenses were only \$88,000, showing that we had taken firm control

In response to Matt Barnes' question, Cowles reported that he did not know how our financial trends compare to LNC's financial trends, but that LPCA's financial trend is very positive.

## ***Secretary's Report***

Secretary Beau Cain reported that he had tried to balance the sometimes conflicting demands of his elected office with that of being the Party's only financially compensated contractor. Nevertheless, he reported learning about the particular reporting needs for political organizations.

Cain reported that two months before the convention, a competent volunteer named Nima Sepassi spent two days in the office reviewing requirements for compiling county Party rosters, and developing an application in MS Access that extracts data from either the LNC's California roster (CA\_Fulldump.xls) or the LPCA's County Party Roster, and arrays them in an MS Excel spreadsheet for distribution to the various county Party officers. This should reduce the amount of time spent on this task by a matter of several hours a month.

Cain reported that he undertook an on-going project of compiling standing resolutions that have not been rescinded. These standing resolutions will be compiled from Executive Committee Minutes and posted in a document available online among the Executive Committee Minutes and State Convention Minutes.

In response to Ed Bowers' question, Cain admitted that he did not know if the LPCA's resolution to recall former Governor Gray Davis was sunsetted or if it's still in effect. Bowers asked if we should rescind the resolution if it's found to be in effect, and Cain opined that it might only have been in effect through the duration of Governor Davis' recall, but that he'd have to find the resolution before we could make such a determination. Bowers mentioned that perhaps we should rescind the resolution, considering the ultimate outcome of that recall.

Cain called on the delegates to contact him regarding resolutions that they're particularly interested in seeing added to the document.

In response to Savva Vassiliev's proposal to endorse Ron Paul's probable Presidential nomination by the Republican Party, Takenaga ruled the discussion out of order, and Cain encouraged Vassiliev to submit the proposal for Executive Committee consideration.

Cain reported that LPCA membership is roughly where it was two years ago, just above 1,200 members. He clarified that this is Party membership, not Registered Libertarians. Cain then recalled (incorrectly, and with qualification) that Registered Libertarians is up to 86,000 (the Secretary of State's March 2009 60-day Report of Registration shows 83,365 instead).

In response to Al Segalla's question, Cain reported that there is no plan to mail post cards to all of California's Registered Libertarians, but that Melissa Data and Perry Political Software may be willing to help us contact those Libertarians and even Decline To State voters.

In response to Norm Westwell's question, Cain reported that he has not been involved in data hygiene for the Registered Libertarians database, but instead has been relying on the State and County Registrar of Voters. With a dedicated volunteer or possibly a part-time Membership Manager, the LPCA could implement a data hygiene program to assist the State and County Registrar of Voters in maintaining their data.

Allen Hacker confirmed that he encountered about 4,000 bad e-mail addresses out of almost 10,000 e-mail addresses.

In response to Mark's question, Cain affirmed that we still have a verbal agreement with Labels and Lists to authorize them to obtain California Voter Registration information, and that Labels and Lists gives a sizable donation for the consideration.

**MOTION:** Power moved to recess for lunch, which Cain seconded.

**VOTE:** The motion to recess for lunch passed with no objection.

The convention re-convened at 1:45 p.m.

**MOTION:** Barnes moved to suspend rules to reschedule Officers elections to Sunday at Platform Committee Report time, and Platform Committee Report to Saturday's time slot.

Barnes clarified the motion to reschedule officers election to Sunday at the At-large election time, move the At-large elections to the Platform Committee Report time, and the Platform Committee Report to the Saturday Officers Elections time, so that today we'd have the Platform Committee Report, and tomorrow we'd have Officers Elections in the morning, and At-large Elections in the afternoon. This would give delegates time to interview candidates for Party offices. Bob Weber, Jr. seconded.

Platform Committee Chair Bruce Dovner raised a point of information, announcing that he is in the process of finishing the Platform Committee Report, and that he will be finished in about an hour, so the Platform Committee can accommodate the proposed schedule change.

Scott Lieberman raised a point of information, asking if the convention will recess during breakout sessions, which Takenaga confirmed.

Ray Strong suggested that there are two issues involved in Barnes' motion to reschedule Officers' Elections, one is suspending rules to discuss the issue, the other suspending rules to change the order.

**MOTION:** Barnes moved to suspend the rules to discuss changing the order of business, which was seconded.

Bob Weber, Jr. spoke in favor of the motion because it gives candidates for Party office time to politic with the delegates.

Rich Vanier offered an amendment to nominate candidates for office so that we'd know who was running for which office. Takenaga ruled the amendment not well taken because the body was still considering suspending the rules to consider discuss changing the schedule.

**VOTE:** The motion to suspend the rules to consider changing the schedule passed with few objections.

Barnes moved to reschedule the Officers Elections from today to the At-large Election time on Sunday, move the At-large Elections time to the Platform Committee Report time on Sunday, and the Platform Committee Report time to today's Officers Election time.

Power raised a point of information, asking if the Officers Elections would be continued at the time of the At-large Elections in case they were not completed within the time allotted, which Takenaga affirmed.

**VOTE:** The motion to reschedule Officer Elections, At-large Elections, and the Platform Committee Report passed with one objection.

Weber again spoke in favor of the motion, noting that this rescheduling gives delegates more time to find out who wishes to run for which offices.

## Committee Reports

### *Bylaws Committee Report*

Takenaga read Bylaws 25, describing how Bylaws shall be amended in convention, and Convention Rules 5, 8, and 9, describing how proposals shall be debated, decided, and reported.

Rick Nichol called for an updated credentials report. Meyers reported the following.

- 74 delegates
- 2/3rds majority = 50
- >1/2 majority = 38

Barnes raised a point of information, asking how the Credential Report was calculated. Meyers responded that he and another member of the Credential Committee performed two counts.

Barnes continued with the Bylaws Committee Report. Barnes reported that the Bylaws Committee met in the spirit of honoring the perception that members wished to curtail the immoderate changing of Bylaws. Therefore, there are two substantive proposals outside of the non-substantive Style Committee proposals for consideration.

### **Style Committee Proposals (Non-substantive)**

#### ***Style Proposal 1: Financial Standards Committee Reporting***

Bylaw 10:: Finance and Accounting, Section 7

“The Executive Committee shall select a Financial Standards Committee during the first three months after a convention. The Financial Standards Committee shall review the financial records and processes of the Party and report [its findings](#) at each subsequent Executive Committee meeting and at the next state convention.”

**MOTION:** Add the words “its findings” after the word “report”. *Non-substantive*; because it is only clarifying language.

**VOTE:** The proposed revision passed without objection.

#### ***Style Proposal 2: Non-regular Statewide Nominating Convention***

Bylaw 21: Nomination for Partisan Public Office, Section 2

“The Executive Committee shall set the date of the statewide nominating convention. The convention shall be governed by Bylaw 18, Sections 2 and 4, and by Bylaw 26. Unless a statewide nominating convention is held at the regular state convention, no other business ~~shall may~~ be conducted at the statewide nominating convention.”

The exclusionary “no” before “other business” makes the “may” and “shall” equivalent. *Non-substantive*; because it just makes wording consistent throughout the Bylaws.

**MOTION:** Change “may” to “shall” as indicated.

**VOTE:** The proposed revision passed without objection.

A point of order was raised regarding abstentions, that the Chair need not ask for them, but delegates can ask for their abstention to be recorded.

#### ***Style Proposal 3: Nomination speeches technical strike***

Rule 13: Election of Party Officers, Section 2

Delegates shall make nominations from the floor. ~~For each candidate, there may be one nominating speech and one seconding speech, the total time for which shall not exceed five minutes.~~ Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. - The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of ten minutes.

The stricken-sentence should have been deleted as redundant when it was adopted by the Executive Committee. *Non-substantive*.

**MOTION:** Strike the redundant sentence as indicated.

**VOTE:** The proposed revision passed without objection

**Style Proposal 4: The term “non-civil” needs clarification.**

Bylaw 5: Membership, Section 5

“The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. Notification of the suspension is subject to written appeal within fifteen days of notification. Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term “cause” as used in this section shall include but not be limited to the following:

1. Intentionally involving, or threatening to involve, legal authorities in **any non-civil dispute** against the Party or one of its affiliates; or
2. Having unpaid debts over ninety days old outstanding to the Party.”

There is a question of what the term “non-civil” actually means. It has no dictionary definition.

1. Does this mean “criminal”?
2. Does this mean “behavior that is hostile”?
3. Does this mean “outside the legal civil proceeding realm of government”?

In this context, Style Committee believes it makes sense that the term “non-civil” means “outside the legal civil proceeding realm of government”, so their recommendation is to change the term “non-civil” to “private” or “internal”. The alternative recommendation is to strike the term altogether.

## **Substantive Proposals**

Power raised a point of information, asking if it takes a 2/3<sup>rd</sup> majority to pass substantive proposals that become effective immediately, which Takenaga affirmed.

***Bylaw Committee Proposal 1: 90-day Membership Requirement***

Bylaw 18: Convention, Section 3

“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 **any the** ninety days prior to the convention. State Central Committee members whose memberships expired during the calendar year of the convention shall have a grace period that extends to the end of business of the first day of business 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.”

The committee's arguments for the proposal are as follows.

The original Bylaw is ambiguous in that it allowed those who had been members of the State Central Committee 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 ensure that delegates are those who have vested interest in the long-term health of the Party.

The committee's arguments against the proposal are as follows:

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 have lapsed prior to the grace period to be seated as delegates, especially those who may have lapsed due to 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.

Power spoke in favor of the motion, stating that the original idea of the proposal was to add “the” before “ninety days”. The purpose of the Bylaw is to prevent hostile takeover by other Parties.

Weber spoke against the motion. He is the author of the original “Howard Stern” amendment, as it was called, and asserted that the Bylaws don't prevent any lapsed member from rejoining and becoming involved in Party activities. He also mentioned that this item was originally in the Convention Rules rather than in the Bylaws, and that perhaps it should be moved back to the Convention Rules again, but not at this time.

Sandra Kallander spoke, specifying that she is confused about the proposal, has no position yet, but likes the argument for the proposal, even though she's not sure that the proposed change would do anything.

Scott Lieberman raised a point of information, asking if the term “public office” means both appointed and elective office, or just elective office. Discussion pointed out that the proposal has no effect on that part of the Bylaw, and should therefore be considered separately.

Mike Seebeck spoke against the proposal, recalling that the 2008 Bylaws Committee considered the same proposal, and rejected the change. Regarding the proposed grace period for renewing membership, we already have that ability to renew membership when we register for the convention.

Mark Hinkle spoke in favor of the proposal, noting that it's important to provide a mechanism to prevent hostile takeovers, as happened to a NY political party.

Matt Barnes spoke against the proposal, opining that a radio talk show host ten years ago scared us into believing our state Party could be overtaken by unloyal delegates. Barnes pointed out that our Party is not being taken over, and that the proposal would prevent some otherwise desirable Libertarians from participating in our Party's processes.

Al Segalla spoke against the proposal, observing that some counties, such as Calaveras County where he lives, have no County Central Committee, and the proposed change would exclude some from participating in the state Party's convention.

Harland Harrison spoke against the proposal, noting that although it's a good idea to maintain mechanisms to prevent takeovers, the proposal doesn't protect the state Party from hostile takeover.

**VOTE:** The motion to revise Bylaw 18 Section 3 as indicated failed.

***Bylaw Committee Proposal 2: Executive Committee Online Voting and Reporting***

Bylaw 11, Executive Committee, Section 4

“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 five members of the committee ~~or by the Chair~~. Unless a secret ballot is requested when the question is moved, which will require either postal mail ballots or technical capabilities beyond standard e-mail. 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.”

The committee's arguments for the proposal are as follows:

This amendment corrects another ambiguity in language. The Secretary is already required to preserve all e-mail ballots, but before this amendment, it was not clear how or whether the Secretary should report the results. By requiring the results of e-mail ballots to be counted as roll call votes, this amendment increases accountability for Executive Committee members to their constituencies.

The committee's arguments against the proposal are as follows:

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.

Scott Lieberman called for the orders of the day.

**MOTION:** Matt Barnes moved to suspend the rules because we are in time certain to continue the Bylaws Committee Report for 10 minutes after the scheduled breakout session, which was seconded.

**VOTE:** The motion to continue the Bylaws Committee Report for 10 minutes after the breakout sessions passed with few objections.

Takenaga declared the body recessed for the duration of the breakout sessions.

Delegates re-convened at 1:30.

Starchild spoke in favor of the proposal because although he believes strongly in secret elections for individuals casting individual votes, he believes in transparency and accountability for representative bodies such as the state Party's Executive Committee.

Zander Collier addressed his concern that if Executive Committee members are held to roll call votes, there may actually be no business conducted by e-mail between scheduled Executive Committee meetings. If members are interested in the Executive Committee's votes, but we don't want to expose those decisions to the general public, by what mechanism will members access these votes?

**MOTION:** Barnes moved to extend time by 10 minutes, which was seconded.

**VOTE:** Takenaga called for approval of the proposal without objection, but objection was raised.

**VOTE:** The motion to extend time failed.

**VOTE:** The motion to approve the proposed changes as written passed.

**MOTION:** Starchild moved to suspend the rules to extend time for 15 minutes to conduct further discussion, debate, and voting on Bylaws, which was seconded.

**VOTE:** The motion to extend time for 15 minutes to continue considering Bylaws failed.

## Resolutions

### ***Resolution to Oppose the Domestic Partnership Initiative***

Whereas the Libertarian Party of California is on record as opposing Proposition 8, which excluded same-sex couples from civil marriage contracts, and

Whereas the proposed "Domestic Partnership Initiative" is being advanced as a competing measure to the initiative that would repeal Proposition 8, and

Whereas the "Domestic Partnership Initiative" would likely pull votes from the initiative to repeal Proposition 8 if both initiatives were on the ballot, and

Whereas the “Domestic Partnership Initiative” would replace “marriage” with “domestic partnership,” a lesser status not recognized under federal law for the purposes of taxation, immigration, testimonial immunity, surviving spouse status, and several other regulations and classifications, and

Whereas the net effect of this non-recognition under federal law would be an increase in taxes to what gay and lesbian couples now pay, as well as a redistribution of income, from all married couples in California, gay or straight, of up to a quarter trillion dollars over the next two years, and

Whereas the “Domestic Partnership Initiative” is particularly misleading in Libertarian terms, in that the talking points of its backers make it sound like it would further the Libertarian goal of reducing government interference in personal relationships, when it actually leaves in place all of the existing government intrusiveness of marriage licensing, just with another name, and

Whereas Libertarians oppose tax increases that feed the beast of government, as well as social engineering schemes that undermine progress on equal rights for all individuals regardless of sexual orientation or gender identity, without reducing the size or scope of government at all, therefore

Resolved: The Libertarian Party of California opposes the “Domestic Partnership Initiative” and instead reaffirms its commitment to the repeal of Proposition 8.

**MOTION:** Rob Power moved to adopt the resolution, which was seconded.

Rob Power spoke in favor of the resolution. The reason that Outright Libertarians produced the flier that they distributed to delegates and hosted the hospitality suite is that they fully recognize that the Domestic Partnership Initiative (DPI) seems to be a libertarian proposal. Libertarians wish to remove government from marriage, and DPI seems to do this. However, DPI would do nothing to move legislation in a libertarian direction.

In fact, DPI does nothing more than rename the government's intrusive marriage policies. Instead, it messes up the lives of opposite-sex couples.

Power read a quote by Ed Clark. “I support the outright repeal of Proposition 8 California doesn't need the Domestic Partnership Initiative which will raise taxes on many Californians create a new bureaucracy is much less likely to be approved by the voters than is the repeal of Proposition 8.

Power opined that it makes the Party look naive to endorse an initiative that supposedly overturns a constitutional amendment when the initiative isn't written as a constitutional amendment. The state's legislation analyst office pointed this out on their website.

Ray Strong spoke against the motion. As far as he understands it, the effect of Proposition 8 is limited as a constitutional amendment to a specific definition of one specific term, marriage. the term “marriage” then by virtue of that constitutional amendment becomes defines the way Proposition 8 defines it in California statute. As he understands it, DPI would have the effect of replacing the word “marriage” with the term “domestic partnership” in certain statues. If that's true, then what is stated in this resolution is not true, and it is appropriate as a statutory initiative, not as a constitutional amendment, because it's not changing the definition of the term “marriage” it simply saying that our statutes are not going to talk about the term “marriage.”

Strong continued, saying that the language that bothers him about the resolution the clause "...would replace "marriage" with "domestic partnership," a lesser status not recognized under federal law for the purposes of taxation, immigration, testimonial immunity, surviving spouse status, and several other regulations and classifications,"

Less Antman spoke in favor of the resolution. He is convinced that there are no "bad guys" in the discussion, everyone wishes to see Proposition 8 repealed, and supports the libertarian goal of separation of fornication and state. It also seems to be the case that both the supporters and opponents of DPI believe it won't get on the ballot and won't be passed, so this is mainly an issue of strategy and building alliances. They've managed to offend progressives, conservatives, and libertarians all at once. Progressives are offended because they believe DPI diverts the efforts and energy for a straightforward constitutional amendment to repeal Proposition 8. Conservatives can see that we're taking marriage out of the California legal code, so they see it as a threat to traditional marriage. Some libertarians have actually quit over this issue.

Outside the provision to repeal Proposition 8, which is included in DPI, the other move is not in a libertarian direction, because the State of California will still define the relationship, and couples will still have to get a state license to have lower taxes and protection of life and property.

In contract to DPI, the repeal of Proposition 8 is on our side. Typically, older people, who tend to oppose the repeal of Proposition 8, are more likely to vote than are younger people, who tend to support the repeal of Proposition 8. However, older people die at a higher rate than do younger people, and so the demographic is headed toward the repeal of Proposition 8, and we should be on the side of that eventuality.

**MOTION:** Mike Seebeck moved to offer a substitute motion to endorse the California Marriage Equality Act, which is the other "repeal Prop 8" measure. It will undo what Proposition 8 did.

Power spoke against the substitution because it does not change the fact that DPI competes with the resolution to repeal Proposition 8.

Ed Bowers noted that the resolution doesn't specify what the repeal entails.

**VOTE:** The motion to substitute the California Marriage Equality Act for the proposed resolution failed.

Mark Hinkle raised a point of information, asking if the fifth "whereas" would actually raise federal taxes. Seebeck responded with the most current example of Vermont, which recognized both marriage and domestic partnerships. The IRS said that civil unions don't count as marriage, and there has never been a state that has no marriage. Because of that, he sent a letter to IRS for a written determination of how they would treat such a situation, but has yet to receive a reply.

Power noted that there is such an example, here in California. The current domestic partnership law that applies to same sex couples applies also to opposite sex couples, and the IRS does not recognize such partnerships as marriages.

Bob Weber spoke in favor of the resolution, stating that as the leader and only member of the conservative radical anarchist with minarchical sympathies wing of the Party, he's completely cool with the resolution.

Ray Strong objected to the comparison that domestic partnership has a lesser status than marriage, and to the clauses in which that idea appears, because they don't carry credibility. If we're writing something that's supposed to make a clear presentation of a position, we need to carry credibility. It's not credible that under federal law there would be an increase in taxes to what gay and lesbian couples now pay.

Less Antman responded as a personal financial adviser with gay clients who are registered domestic partners, and these clients pay higher federal income taxes, have fewer inheritance rights, and fewer immigration protection, which clearly establishes a lesser status under law.

Collier spoke against the resolution because a false dilemma is stated in the claim that DPI and Amendment 1S are in competition. He sees no reason why we can't endorse both.

Mark Selzer suggested that removing paragraphs 4, 5, 6, and 7 would resolve the apparent conflict.

**MOTION:** Seebeck moved to extend time to discuss the resolution for 15 minutes, which was seconded.

**VOTE:** The motion to extend time failed.

**VOTE:** The resolution to oppose the Domestic Partnership Initiative failed. There was a call for division, resulting in 18 for, 25 against. The resolution failed.

**MOTION:** Antman moved to suspend the rules to consider a simple resolution to support the repeal of Proposition 8 *in toto*, which was seconded, and noted thus.

**VOTE:** The motion to suspend the rules passed.

The question was called.

**VOTE:** The motion to support the repeal of Proposition 8 *in toto* passed with few objections.

## Committee Reports (continued)

### ***Platform Committee Report***

Collier assumed the gavel.

#### **Platform Committee Proposal 1: Change Section 5**

**MOTION:** Amend Section 5, delete first two paragraphs, add other text.

Platform Committee Chair Bruce Dovner read the proposal to change Section 5, Individual Rights in the Economy, Plank 4 Arts and Society. The proposal is to delete the first two paragraphs, insert the following text.

“Art is a weapon against tyranny.

“The artistic spirit is anti-authoritarian and stands in sharp contrast to the nature of bureaucracy, which is the nature of big government.

“Bureaucracy is deadening, art is enlivening.

“Bureaucracy upholds authority, art questions authority.

“Bureaucracy crushes the human spirit, art uplifts it.

“Bureaucracy is boring, art is passionate. this is reflected in the quote, “Boredom is counter-revolutionary always.”

“Bureaucracy encourages conformity, art encourages non-conformity.

“Bureaucracy values law and order, the artist values freedom.”

“Again and again throughout history poets painters and musicians, sculptors, novelists, backers and others have played key roles in motivating people to stand up for their freedom and resist government oppression. The Statue of Liberty, designed by Frederic Bartholdi, and the poem “The New Colossus” by Emma Lazarus that graces its base, “Give me your tired, your poor, your huddled masses yearning to breathe free,” are both works of art that have inspired millions and today, Lady Liberty, the Mother of Exiles, serves as the unofficial symbol of our Party.

“To put the fate of art in the hands of bur politicians, or tyrants, either via the power to censor controversial works such as pornographic or politically incorrect material, or via the power of purse by controlling which artists receive funding is simply wrong.”

Continuing with the existing plank (third paragraph):

“Taxation of any individual to support another, whether an artist or not, is a form of theft. Taxation of an artist to support another artist is a form of censorship.”

Continuing the inserted text:

“We favor the widest possible application of the First Amendment, protecting creative expression, and no less ardently insist that art not be degraded, robbed of its dignity by paying for it by blood money gained through government aggression.

“Therefore we oppose all government programs concerning the arts, such as the California Arts Council, and urge their prompt dissolution.”

Starchild spoke in support of the proposal. As the author of most of the proposal, his purpose was to make the Party's Platform more inspiring and poetic, to encourage more readers, and to motivate artists to support our cause. Also, he believes that LPCA should say something about art, and cited as an example novelist Ayn Rand.

Weber spoke against the proposal, saying that although he loves the proposed language, the Party's Platform isn't worthy of it. The Proposal should be presented and passed separately as a resolution and revisited each year.

Barnes spoke for the proposal, noting that the Platform doesn't have much engaging and inspiring language that appeals to artists, we need to attract artistic insurgents.

Hinkle spoke against the proposal, stating that he says this at almost every convention, that the Platform is a road map of where we want to go, not a marketing tool. The proposal is a good marketing tool, not a platform plank.

Boomer Shannon spoke for the proposal, noting that the Party needs to attract artists. The Party uses art to influence the public in brochures and news stories.

Al Segalla spoke against the proposal, stating that although he is impressed with the language, he agrees with Mark, the language isn't appropriate for the document, and we need to be careful when we make statements.

Matt Barnes spoke in response to remarks made about marketing as communication, just because some won't appreciate the poetic doesn't mean others won't. The language we use must be accessible to various audiences, and various kinds of language will make the Platform more appealing to a wider range of readers.

Mark Selzer spoke in opposition to the proposal, citing historic instances of pro-government art programs. He's OK with the last paragraph, and cited Karen Finley who was writing speeches for Bill Clinton and was being funded by the government, and was therefore propaganda.

Mike Wacker respectfully but vehemently disagrees with the idea that the Party's Platform shouldn't be marketing tool. Many people he's spoken with have told him that when they wished to know about the Party, they went to the Party's website and read our documents.

Alan Pyeatt spoke against the proposal, although he agrees with the sentiment expressed in it. But bureaucracy isn't as described in the poem. Also, as Selzer noted, there are many great statist works of art, such as Leni Riefenstahl's "Triumph of the Will", Sergei Eisenstein's films "Battleship Potemkin" and "Alexander Nevsky", and Sergei Prokofiev's opera version of Leo Tolstoy's "War and Peace". While he agrees with the spirit of the proposal, he opposes it because it doesn't reflect reality.

Lee Welter spoke for the proposal, noting that when he writes and when he reads, he prefers brief, concise statements. However, when he reads the proposed Platform Plank, he feels that it shouldn't be abbreviated. If we're trying to appeal to people of an artistic bent, this document could be a good tool for that. Welter cited Frank Luntz's book, "Words That Work: It's Not What You Say, It's What People Hear," and he believes we can and should have language that represents us to a segment of our market that appeals to them.

Dana McLorn spoke against the proposal, agreeing with the idea that the Platform isn't the appropriate venue for such language. He prefers a factual presentation of values, and believes the Party's documents should remain user-friendly and succinct.

**VOTE:** The motion to adopt the language in the proposal failed.

Collier presented the second proposal so that Dovner could present one side of the argument.

### **Platform Committee Proposal 2: Strike and Add Specific Language**

Section 4 Individual Rights and Civil Order, Plank 7 Judicial, Article E

"The right to trial by jury, regardless of the classification of the judicial procedure, including a finding of contempt of court, shall not be abridged."

Dovner spoke in support of the proposal, noting that he has heard the criticism that Libertarians don't want to end government oppression, we want to privatize it. As libertarians, even if we lived in an anarchist society, the right of trial by jury is essential. Third parties should have the right to intervene and ensure that justice is done.

Starchild proposed an amendment by substitution. He proposes leaving the first clause stricken, and add specific language “by government, or any other party acting under color of authority.”

Matt Barnes called the question.

**MOTION:** Substitute the original proposal with the following language: “The right to trial by jury, regardless of the classification of the judicial procedure, including a finding of contempt of court, shall not be abridged by government where it exists, or any other party acting under color of authority.”

**VOTE:** The motion to substitute language failed, and division was called.

**VOTE:** The call for division passed with ten delegates in favor.

**VOTE:** The substitute motion failed, with 9 for and a clear majority against.

Matt Barnes called the question, which was seconded.

**VOTE:** The main motion to strike language from Section 4 Individual Rights and Civil Order, Plank 7 Judicial, Article E passed with few objections.

**MOTION:** Starchild moved to suspend the rules to return to consider Bylaws, which was seconded.

**VOTE:** The motion to suspend the rules failed.

Orders of the day to recess at 5 p.m. were called.

**MOTION:** Barnes moved to recess until Sunday morning, which was seconded.

Cain distributed First Convention ribbons.

Barnes announced that the San Bernardino County LP hospitality suite would be in the Steele Suite, and all are welcome.

**VOTE:** Collier declared the body recessed without objection.

Sunday, April 25<sup>th</sup>, 2009

Chair Takenaga convened the delegates at 9:43 a.m.

## Credentials Committee Report

Wayne Meyers reported that at 9:51 a.m. there are

- 77 delegates
- 2/3<sup>rd</sup> majority = 52
- ½ majority = 39

## Election of Officers

Takenaga turned the gavel over to Norther Vice Chair Rich Newell, who opened nominations for Officers.

## ***Chair***

**MOTION:** T. J. Campbell nominated Kevin Takenaga for Chair, which Takenaga accepted.

Newell asked for further nominations, and hearing none, he closed nominations for Chair.

**MOTION:** Rodney Austin moved to suspend the rules to approve the nomination by acclamation, which was seconded.

**VOTE:** The motion to suspend the rules passed with few objections.

**VOTE:** The motion to elect Kevin Takenaga as Chair for 2009-2011 passed with few objections.

## ***Northern Vice Chair***

Chair Takenaga assumed the gavel and called for nominations for Northern Vice Chair.

**MOTION:** Santa Clara County LP Chair Brian Darby nominated Richard Newell for Northern Vice Chair. Jim Eyer seconded the nomination and spoke in favor of it because of his experience working with Newell.

**MOTION:** Allen Hacker moved to suspend the rules to approve Newell's nomination by acclamation.

**VOTE:** The motion to suspend the rules passed with few objections.

**VOTE:** The motion to elect Newell as Northern California Vice Chair passed with few objections.

## ***Southern Vice Chair***

Takenaga opened nominations for Southern Vice Chair.

**MOTION:** Dana McLorn nominated Zander Collier for Southern Vice Chair.

Bob Weber raised a point of information, asking if Northern and Southern Vice Chairs should be elected at large or by delegates within the respective regions. Takenaga affirmed that Vice Chairs should be elected by members from their respective region, and Barnes raised a point of order, reminding that the rules were suspended.

Brian Holtz raised a point of information, asking if a suspension of the rules suspend any rule that contravenes the object, to which Takenaga replied that his interpretation is that the suspension was only for the election, not for the qualifications of the delegates.

**MOTION:** Selzer moved to suspend the rules to approve Collier as Southern Vice chair by acclamation, which was seconded.

**VOTE:** Takenaga called for approval of the motion without objection, but objection was raised.

**VOTE:** The motion to suspend the rules passed with few objections.

**VOTE:** The motion to elect Zander Collier as Southern Vice Chair passed without objection.

## **Treasurer**

Takenaga opened nominations for the office of Treasurer.

**MOTION:** Lee Welter nominated Gale Morgan.

**MOTION:** Brian Holtz nominated Brian Darby.

Takenaga called for more nominations, but hearing none, closed nominations. The ballot for Treasurer was Darby, Morgan, or NOTA.

Starchild asked the candidates if they agree that the Non-initiation of Force certificate is the heart and soul of the Libertarian Party. Darby agreed and further stated that he has no disagreement with any of the Party's Platform. Morgan also agreed and further stated that he supports the decisions of the Platform Committee.

Seebeck raised a point of information, asking if some of the convention's speakers could present while the vote for Treasurer is tallied. Allen Hacker volunteered to witness the tally. Hinkle raised a point of order, stating that the Secretary must collect and tally the ballots.

**MOTION:** Selzer moved to suspend the rules to change the agenda to finish the remainder of the voting for officers and At-large representatives, which was seconded.

Newell spoke against the motion, noting that we owe it to our scheduled speakers to stick to time certain, and to leave reasonable time for the evening's Executive Committee meeting.

Takenaga asked if Selzer would withdraw the motion, which Selzer did.

The convention proceeded with presentations by speakers: John Inks, Norm Westwell, and Dr. Adrian Moore.

**VOTE:** The results of the election for Treasurer were as follows:

- 63 votes cast
- 2 Abstentions
- 31 for Brian Darby
- 30 for Gale Morgan

**MOTION:** Takenaga moved recess for lunch, with no objection.

**VOTE:** The motion to recess for lunch passed without objection, and the convention recessed for lunch.

The delegates reconvened at 1:30 p.m. Collier assumed the gavel.

## **Credentials Committee Report**

Meyers reported the count at 1:47 p.m.

- Delegates = 76
- 2/3 = 51
- 1/2 = 38

## **Secretary**

T.J. Campbell nominated Gale Morgan, who accepted.

**MOTION:** Hacker moved to close nominations, which was seconded.

**VOTE:** Nominations were closed without objection.

**MOTION:** Barnes moved to suspend the rules to approve the nomination by acclamation, which was seconded.

**VOTE:** The nomination of Gale Morgan for Secretary passed without objection.

## **Legislation Analysis Report**

Michael Seebeck reported on behalf of the team.

I do Legislative Analysis for the Party along with my wife Lidia. That entails several things. We analyze ballot initiatives and present recommendations to the Executive Committee, which they then can vote on to support, oppose, or take no position. Most recently we presented to the Executive Committee a recommendation of "oppose" on Prop 1A, and the resultant press release garnered a press contact from Fox TV in L.A., who asked for an interview, which was directed to Chris Agrella to publicize his Congressional campaign earning him and the Party some excellent earned media.

But the bigger work is monitoring and analyzing legislation in the state legislature. This is not an easy process. First, we prepare for the session, which runs over two years, which includes resetting the legislative binder for updated information to keep it accurate on the legislative calendar and rules, plus the status of each legislator, their districts, and their contact information. We select bills of interest to the Party and monitor them, analyzing them, and making recommendations to the Executive Committee. The long-term goal of this effort is several-fold. First, it sets the table for us to lobby the legislature to move public policy in a libertarian direction NOW. Second, it sets us up to build a reputation and presence in Sacramento, which will benefit the Party in political circles in the long haul. We've seen its dividends in Norm Westwell doing the same thing in Orange County. Third, it creates a record of red meat we can feed to our candidates in their races against incumbents, which will only help them.

This is being set up in a way that it can be taken up by anyone, and all help is appreciated. It's also being set up as a model that can be adapted for local work as well. Other states are actively engaged in this as well, and this is the nuts-and-bolts work that we as a Party should be doing anyway.

Thank you again!

Mike

## **Endorsements**

**MOTION:** Jim Eyer moved to endorse Norm Westwell for Huntington Beach City Council, which was seconded.

**MOTION:** Bruce Dovner moved to endorse Chris Agrella for 32<sup>nd</sup> Congressional District, which was seconded. Boomer Shannon spoke in favor of the motion.

**MOTION:** Mike Seebeck moved to endorse Susan Marie Weber for Palm Desert City Council, which was seconded.

**MOTION:** Bob Weber moved to suspend the rules to vote for endorsements *en bloc*, which was seconded.

**VOTE:** Collier called for approval without objection, and there were no objections.

**VOTE:** The motion to approve the three endorsements *en bloc* passed without objection.

## Election of At-large Representative

Collier explained the ballot for the At-large elections. Rob Power withdrew from a two-year At-large position on the Executive Committee with one year left unfulfilled. Therefore, the delegates will nominate six candidates, and the one receiving the sixth highest vote total will serve the abandoned one-year term.

**MOTION:** Mark Hinkle moved to suspend Election Rule 14 Section b, to allow “conga line” voting for At-large Representatives, which was seconded.

**VOTE:** Collier called for approval of the motion without objection, and hearing none, declared that the delegates will nominate and then rank their votes for six At-large Representatives.

**MOTION:** Beau Cain nominated Matthew “Boomer” Shannon.

**MOTION:** Norm Westwell nominated Mark Selzer.

Collier surrendered the gavel to Newell.

**MOTION:** Zander Collier nominated Mike Seebeck.

Collier re-assumed the gavel.

**MOTION:** Alan Pyeatt nominated Jill Stone.

**MOTION:** Mark Selzer nominated Alan Pyeatt.

**MOTION:** Ray Strong nominated Mark Hinkle.

**MOTION:** Curt Cornell nominated Terry Floyd.

Collier called for more nominations, and hearing none, closed nominations for At-large Representative. Collier then read the election rules and explained the IRV voting procedure.

**MOTION:** After the ballots were collected, Collier called for a ten-minute recess while vote were tabulated, which was seconded.

**VOTE:** Collier called for approval of the motion without objection, and hearing none, declared the body recessed for 10 minutes.

**MOTION:** Collier called for, and Al Segalla stated, a motion to extend recess for five minutes to complete the tabulation of the ballot, which was seconded.

**VOTE:** The motion to extend recess five minutes passed with few objections.

Collier reconvened the delegates.

**VOTE:** Secretary Cain deferred announcing the results of the election of At-large Representatives to Secretary Elect Gale Morgan. The results are as follows:

- Shannon 52
- Stone 48
- Seebeck 49
- Floyd 43
- Selzer 40
- Pyeatt 38
- Hinkle 37

One ballot was voided because it showed votes for all seven candidates. The results are that Shannon, Stone, Seebeck, Floyd, and Selzer are elected to two-year terms, and Pyeatt is elected to complete the abandoned term for one year.

## Election of Alternates

Collier opened nominations for Alternate Representatives.

**MOTION:** Rich Vanier nominated Tricia Marcos.

**MOTION:** William Scrivani nominated Savva Vassiliev.

Collier called for more nominations, but hearing none, closed nominations for Alternate.

Collier explained the IRV voting procedure.

**VOTE:** The result of the IRV vote for Alternates:

1<sup>st</sup> Alternate: Tricia Marcos, 55

2<sup>nd</sup> Alternate: Savva Vassiliev, 50

## Resolutions

**MOTION:** Bob Weber, Jr. moved to adopt the following resolution.

The LPCA deplors the double standard of justice whereby the politically powerful are absolved of the responsibility of their crimes while common persons are treated mercilessly by the so-called justice system, to wit: Charlie Lynch is a medical marijuana provider in San Luis Obispo, convicted in Federal Court for distributing medical marijuana. He was not permitted to argue as a defense in court that his activities are sanctioned by the laws of the State of California and by local authorities, nor was he permitted a medical necessity defense. The Obama Administration, dittoing previous administrations, is calling for sentencing Mr. Lynch to five years in federal prison. Meanwhile, President Obama is discouraging prosecution of those Bush Administration official, including Jay Bybee and John Yoo, responsible for the outrageous practice of torturing prisoners.

LPCA demands a full pardon for and an official apology to Charlie Lynch, as well as the end of all Federal prosecution and harassment of medical marijuana providers, and furthermore demands a full investigation of the torture policies of the Bush Administration with the intent of prosecuting, to the full extent of the law, all those responsible for said policies, and specifically call for the impeachment of Judge Bybee and also call for disbarment proceedings against Judge Bybee and John Yoo. The motion was seconded.

Weber spoke in favor of his proposal. We get extra points when we tie these two matters together. When we break their laws, we go to prison. When they break their laws, they go to lunch.

Jonathan Zwickel spoke against the proposal, seeing it as two separate issues. He favors ending persecution of medical marijuana providers.

Al Segalla agreed with Zwickel's opposition, and suggested that the two items could be considered separately.

**MOTION:** Ed Bowers moved to amend the resolution by naming it “The Anti-double Standard Resolution”, which was seconded.

A quorum call revealed 20 delegates, which was lower than the 38 delegates required for quorum.

Collier moved to recess for five minutes to convene a quorum. Weber suggested that instead of a recess, an officer could leave the room and find delegates.

Takenaga asked for all delegates to stand for a count, which showed only 34 delegates present. Delegates were called into the meeting, raising the total number of delegates to 42.

### ***Credential Committee Report***

Wayne Meyers reported the following:

- Delegates withdrawn = 17
- Registered delegates remaining = 59
- 2/3rds majority = 39
- ½ majority = 30

Weber repeated “The Anti-double Standard Resolution”.

The LPCA deplores the double standard of justice whereby the politically powerful are absolved of the responsibility of their crimes while common persons are treated mercilessly by the so-called justice system, to wit: Charlie Lynch is a medical marijuana provider in San Luis Obispo, convicted in Federal Court for distributing medical marijuana. He was not permitted to argue as a defense in court that his activities are sanctioned by the laws of the State of California and by local authorities, nor was he permitted a medical necessity defense. The Obama Administration, dittoing previous administrations, is calling for sentencing Mr. Lynch to five years in federal prison. Meanwhile, President Obama is discouraging prosecution of those Bush Administration official, including Jay Bybee and John Yoo, responsible for the outrageous practice of torturing prisoners. LPCA demands a full pardon for and an official apology to Charlie Lynch, as well as the end of all Federal prosecution and harassment of medical marijuana providers, and

furthermore demands a full investigation of the torture policies of the Bush Administration with the intent of prosecuting, to the full extent of the law, all those responsible for said policies, and specifically call for the impeachment of Judge Bybee and also call for disbarment proceedings against Judge Bybee and John Yoo.

**VOTE:** The motion to rename the proposal to “The Anti-double Standard Resolution” passed with few objections.

**MOTION:** Holtz moved to strike the references to the two Bush Administration officials, which was seconded.

Holtz spoke in favor of his motion to amend, stating that he is unaware that either Bybee or Yoo have been convicted yet.

Barnes raised a point of information, asking if the verbiage was for impeachment or for prosecution. Weber explained that Bybee can be impeached because he became a Federal Judge since he was Chairman of the Office of Legal Counsel. We're calling for disbarment, which is through the Bar Association to begin proceedings against Bybee and Yoo.

Orders of the Day were called.

**VOTE:** The motion to remove the two Bush Administration officials from the proposal failed.

**VOTE:** The motion to re-name the proposal “The Anti-double Standard Resolution” failed.

**VOTE:** Division was called, and at least 10 delegates stood for division.

**VOTE:** The motion to rename the Resolution failed with only 22 for renaming the resolution, and 17 against.

**MOTION:** Takenaga acknowledged a call for Orders of the Day, asking if there was opposition to adjourning the convention. Hearing none, he declared the convention adjourned.

Respectfully submitted,

Beau Cain, Secretary  
Libertarian Party of California