

LP Executive Committee

A regular meeting of the Executive Committee of the Libertarian National Committee was held on **Sunday, August 14, 1994**, at 9:00 p.m. Eastern Daylight Savings Time, by telephone conference call.

Four of the five voting members were present at the beginning of the meeting:

- > the chair, Steve Dasbach;
- > the vice chair, Karen Allard;
- > the secretary, John D. Famularo; and
- > the LNC representative, Sharon Ayres.

The treasurer, Hugh A. Butler, was absent at the beginning of the meeting but joined later. Non-voting observers were also present.

The national director, Perry Willis, reported that the national headquarters was spending more on brochures and literature than budgeted. He said the budget would need to be adjusted. Steve Dasbach noted that one budget adjustment for materials sales had been made earlier this year.

Perry Willis explained that the costs had been underestimated for 1994 because, in 1993, the party started the year with a large inventory left over from 1992 and did little printing in 1993. The 1993 expenses were used as a basis for the 1994 budget; but, the headquarters did not start 1994 with a large inventory.

It was agreed to take up the budget adjustment for materials sales at a LNC Executive Meeting on Friday, August 19, in Washington, D.C.

Steve Dasbach said the August 19 meeting would also discuss a recommendation from John Famularo on the liabilities of the members and officers of the party. The issue would be considered at the LNC meeting on August 20 and 21 in Washington, D.C.

This liability issue was discussed extensively but no conclusion was reached.

Steve Dasbach said the purpose was to put on the record the party's intent to comply with the law. Sharon Ayres emphasized the importance of the party to comply with applicable law and to follow sound policies. John Famularo said the party should, as a matter of written policy, continue to make its good faith effort to comply with the laws.

Steve Dasbach recommended that the party retain the law firm of its legal counsel Bill Hall (Warner, Norcross, and Judd of Grand Rapids, Michigan) to research potential LNC liability and report to the LNC in December.

Perry Willis noted that an appropriation for legal research would require an addition to the expenses in the budget and an equal reduction in some other appropriation in the budget.

(Hugh Butler joined the meeting at 9:20 p.m.)

John Famularo said he advocated incorporating the party. Hugh Butler said he would favor more legal research into the party's liabilities but did not want the LNC to debate incorporation. Sharon Ayres said the idea of incorporation raised many questions and a consensus should be built before taking action.

John Famularo said he would propose to the LNC that Richard Mayberry of the firm Mayberry and Associates, Washington, D.C., conduct the legal research into liability and incorporation and pay him on an hourly basis.

Steve Dasbach said legal research should not only be into the overall extent of the party's legal liabilities but also outline a course of action to limit those liabilities. He noted that Bill Hall was the legal counsel appointed by the national chair and confirmed by the LNC.

Steve Dasbach said he would work with John Famularo in developing a resolution for the LNC meeting.

It was agreed that the Executive Committee would meet briefly in person on Friday afternoon or evening, August 19, in Washington, D.C., before the LNC meeting. The agenda would include budget adjustments for materials sales at the headquarters and a resolution on the party's liabilities, legal research of liability, and the question of incorporating the party.

The meeting adjourned at 10:15 p.m. EDT.

Respectfully submitted, Gary E. Johnson, recording secretary.

LIBERTARIAN NATIONAL COMMITTEE. ORGANIZING AREA.

AUGUST 1994. UPDATE PREPARED AUGUST 13, 1994.

Organizing Area Manager: Karen Allard
Ballot Access Chair: Bill Redpath
Ballot Access Consultant: Richard Winger
Field Organizer: Joseph Knight (contractor)
Scheduler for Field Organizer: Karen Allard (volunteer)
Affiliate Party Assistance: Bill Winter (paid staff)

BALLOT ACCESS

ALABAMA The Alabama LP executive committee passed a resolution to ask the LNC for financial assistance to file a lawsuit challenging the state law requiring 20% of the vote for a statewide race to retain ballot status. The LP of Alabama has an attorney in the Party willing to file the lawsuit. However, the Alabama LP has no financial resources to file this lawsuit. The basis for the lawsuit is the LP had 2 statewide candidates in 1992 who received 13% and 11% in their races. No LNC decision has been made whether to fund this race. The state chair has been contacted and has sent the Organizing Area Manager more information (see attached sheets). Cost to the LNC if we fund the entire request: \$1,500.

ALASKA The state chair, Len Karpinski will be leading a volunteer effort to obtain the necessary signatures to get Alaska on the ballot for 1996. At the August executive committee meeting, the officers will discuss a plan. The ballot drive is slated to begin after December 1 after Mr. Karpinski work on a hemp legalization project is completed. He has been gathering a few signatures for the LP ballot drive.

ARIZONA Cost to the LNC: approx. \$20,000.

IOWA The LP has a gubernatorial candidate, Carl Olson. There is an August 19 deadline for net signatures of 1,500. 1,200 signatures have gathered as of August 4. The Iowa LP state chair stated they do not need LNC financial assistance. Tim Hird is heading up the effort.

ILLINOIS August 8 deadline. 46,000 gross signatures gathered and turned in; net of 25,000 needed. Another 3rd party has had their signatures challenged as Illinois is a challenge state. As of Thursday August 18, the LP signatures had not been challenged. The deadline for challenging is the close of business hours on Monday August 15. Another 3rd party turned their signatures in too late and their candidates will not be on the ballot. Cost to the LNC for this drive: approx. \$25,000-\$30,000

INDIANA Cost to the LNC 1993-1994 approx. \$30,000.

NEVADA In the ballot access report addendum A sent to the LNC for this meeting, it was mentioned that "Tamara Clark requested her attorney to file an amicus brief against this lawsuit". Tamara has informed Steve Dasbach that she has not been associated with that attorney for some time and she was not involved in this amicus brief. I apologize for the miscommunication.

NEW YORK Need 30,000 gross signatures; net of 15,000 needed. As of August 4, have gathered in the volunteer effort between 8,000 and 10,000. The Executive Committee reviewed whether the LNC should help fund the remaining effort and at an emergency Executive Committee meeting on August 9, it was voted to implement a plan to help the New York ballot drive and send \$5,000 to help the effort. Steve Dasbach will have further information regarding New York.

MASSACHUSETTS Deadline was August 1 and have gathered and turned in approx. 15,000 gross; net of 10,000 needed. Cost to the LNC for this drive: approx. \$10,000.

PENNSYLVANIA Deadline of August 1 and turned in approx. 37,000 gross; net of 23,300 needed. Officially on the ballot. Cost to the LNC for this drive: \$7,500.

SOUTH CAROLINA LP of SC has requested help in funding (\$2,000) an appeal to the Supreme Court. Steve Dasbach consulted with Bill Hall, the LP counsel and I consulted with Richard Winger, the ballot access expert. I had Richard and Bill consult with each other. Richard believes that if the LNC finances were good, we should assist at some level. However, he pointed out that it is highly unlikely the Supreme Court will even hear this case. He also stated that the Supreme Court has refused 14 times to hear any case related to ballot access. The LP of SC lost the lawsuit in the State Supreme Court. The lawsuit was regarding prejudice at the polling place. Voters were told they couldn't vote for the LP candidate of a particular county office. Had the people been able to vote, the LP candidate may have won the election. This occurred during a special election in 1993.