



LNC MEETING MINUTES
RED ROCK RESORT, LAS VEGAS, NV
MAY 2, 2012

CURRENT STATUS: **AUTO-APPROVED JUNE 1, 2012**

VERSION LAST UPDATED:

MAY 9, 2012

CALL TO ORDER

The meeting was called to order at 3:01pm. In the interest of time, without objection the LNC dispensed with the moment of reflection.

ATTENDANCE

Attending the meeting were:

Officers: Mark Hinkle (Chair), Mark Rutherford (Vice-Chair), Alicia Mattson (Secretary), Bill Redpath (Treasurer)

At-Large Representatives: Kevin Knedler, Brett Pojunis, Mary Ruwart, Rebecca Sink-Burris

Regional Representatives: Stewart Flood (Region 1), Dan Wiener (Region 1), Vicki Kirkland (Region 2), Norm Olsen (Region 4), Jim Lark (Region 5S), Dan Karlan (Region 5N), Dianna Visek (Region 6)

Regional Alternates: Scott Lieberman (Region 1), David Blau (Region 2), Sam Goldstein (Region 3), Audrey Capozzi (Region 5)

Not present were: Wayne Allyn Root (At-Large), Doug Craig (Region 1), Andy Wolf (Region 3), Guy McLendon (Region 1 alternate), Brad Ploeger (Region 1 alternate)

LNC Counsel Gary Sinawski was not present.

Staff included Executive Director Carla Howell.

The gallery contained numerous other attendees at various times in addition to those listed above.

ADOPTION OF THE AGENDA

Starting from the proposed agenda:

At the request of Chairman Hinkle, without objection from the LNC, an item was added for an Executive Session at the end for discussion of funds to LSLA for IT project.

Without objection the LNC agreed to hear the Convention Oversight Committee report from Ruth Bennett immediately, before the adoption of the agenda. Ms. Bennett reported that as of 4:00 pm Monday (April 30) we have sold 591 packages (253 gold, 39 silver, 55 bronze, 253 TANSTAAFL) with total revenue of \$155,193 so far. She thanked the LNC for backing her up on the requirement that the delegates purchase at least a minimum "TANSTAAFL" package for this convention.

Following Ms. Bennett's report, the agenda as amended was adopted without objection, so that the agenda became.

Report of Potential Conflicts of Interest (Mattson)	1 minute
Officer Reports	
Chair's Report	5 minutes
Treasurer's Report	5 minutes
Secretary's Report	5 minutes
Staff Reports	10 minutes
Counsel's Report	5 minutes
Regional Reports (supplements to printed reports)	10 minutes
Reports of Standing Committees	
Audit Committee (Starr)	4 minutes
Employment Policy & Compensation Committee (Wolf)	4 minutes
IT Committee (Flood)	4 minutes
Outreach Committee (Visek)	4 minutes
Reports of Special Committees	
Ballot Access (Redpath)	15 minutes
Building Fund (Blau)	5 minutes
Awards Committee (Knedler)	5 minutes
Report of Libertarian State Leadership Alliance	5 minutes
Items Postponed from Previous Meeting (none)	
New Business with Previous Notice (none)	
New Business without Previous Notice	
Indemnification Policy for D&O Insurance (Karlán)	10 minutes
Announcements	2 minutes
Opportunity for Public Comment	5 minutes
Executive Session	

REPORT OF POTENTIAL CONFLICTS OF INTEREST

Secretary Mattson reported that since the previous meeting, no new potential conflicts of interest had been submitted.

OFFICER REPORTS

CHAIR'S REPORT

Chairman Hinkle reported on his activities since the last LNC meeting, including discussions with various other political groups about our common concerns and political hurdles.

TREASURER'S REPORT

The LNC had previously received a written report and narrative from Treasurer Redpath, who supplemented with an oral report. He indicated that March and April weren't very good months in terms of finances. April had revenues of approximately \$75,000 and expenses of approximately \$145,000. Our unrestricted cash is down to \$75,000. Fundraising letters have taken longer to get out than expected, and the convention has taken a lot of staff attention away from regular fundraising efforts.

SECRETARY'S REPORT

Secretary Mattson reported the following status updates for minutes of LNC and Executive Committee meetings.

- March 10-11, 2012 LNC session in Orlando, FL – auto-approved April 7, 2012

The following 2 email ballots were completed since the last LNC session:

Legend: Unchanged, existing text – ~~Text to be deleted~~ – [Text to be inserted](#)

Motion: to amend the motion previously adopted in the Orlando LNC meeting on March 11th, 2012 as shown below:

"that the LNC authorize the Chair to enter into a contract for the 2016 Libertarian National Convention at the Westin Bonaventure Hotel & Suites in the date range of ~~May 12-15, 2016~~ [April 28-May 1, 2016](#)."

Co-Sponsors: Alicia Mattson, Andy Wolf, Rebecca Sink-Burris, Mark Rutherford

Start Date: 03/22/12

End Date: 04/06/12

Voting "aye": Knedler, Mattson, Pojunis, Redpath, Root, Rutherford, Sink-Burris, Wiener, Wolf

Voting "nay": Craig, Flood, Hinkle, Karlan, Kirkland, Lark, Olsen, Ruwart, Visek

The motion failed with a tie vote of 9-9.

Motion: If the Convention Oversight Committee is able to recommend an alternate site in the Los Angeles area for the 2016 convention that is on a weekend fully in May of that year, exclusive of Mother's Day weekend, that meets all facility criteria used in the 2016 selection process and is equal to or lower in cost both to our delegates and to the LNC than the bid previously chosen on March 11, 2012, the LNC authorizes the Chair to enter into a contract for the 2016 Libertarian National Convention on the dates and at the site selected by the COC. The COC shall have until midnight (Pacific time) of the second business day following close of voting on this motion to submit their recommendation.

In the event that no alternate site is recommended that meets the above criteria, the LNC authorizes the Chair to enter into a contract for the 2016 Libertarian National Convention at the Rosen Center in Orlando Florida in the date range of May 26-May 31, 2016.

This motion only takes effect if the ballot to change the date of the convention to April 28-May 1, 2016, fails after voting on it ends on April 6, 2012 at 11:59:59pm Pacific Time.

Co-Sponsors: Stewart Flood, Dan Karlan, Kevin Knedler, Mark Hinkle, Vicki Kirkland

Start Date: 04/02/12

End Date: 04/17/12

Voting "aye": Blau, Flood, Hinkle, Karlan, Knedler, Redpath

Voting "nay": Craig, Lark, Mattson, Olsen, Pojunis, Root, Rutherford, Ruwart, Sink-Burris, Visek, Wiener, Wolf

The motion failed with a vote of 6-12.

STAFF REPORTS

Executive Director Carla Howell addressed the financial situation mentioned by Treasurer Redpath and indicated that after the convention is over, fundraising and hiring will be high priorities. She distributed a listing of the communications sent out by the LP this year through May. Mr. Lieberman suggested that we solicit a rush of new life memberships before the requirement goes up to \$1500 in July. Dr. Lark offered suggestions for reworking some of our literature and making use of material from the convention's video contest.

COUNSEL'S REPORT

LNC legal counsel Gary Sinawski had submitted a written report in advance. Treasurer Redpath mentioned some additional potential litigation we might undertake, including that it appears we will be plaintiffs with the Green Party in a lawsuit to have the state of Virginia accept 2,000 petition signatures that were already gathered, but due to the governor and legislature's redistricting failures, the petition itself is now invalid.

REGIONAL REPORTS

Mr. Flood reported that South Carolina has now re-created the town that the legislature previously eliminated when a Libertarian became mayor. Also South Carolina, after a long history of ethics problems, changed the law to require candidates submit ethics forms to qualify for the ballot. The state Supreme Court just ruled that about 60 candidates were kicked off the ballot for a failure to file the new forms. In one district, the Libertarian candidate (Jeremy Walters) is now unopposed because the Democratic opposition was kicked off the ballot. It

is theoretically possible for another candidate to still petition to put an independent on the ballot. If that doesn't happen, we'll have a Libertarian in the South Carolina legislature.

Mr. Olsen reported that the Colorado affiliate had set a goal of putting 88 LP candidates on the ballot this year. They didn't quite hit that goal, but the attempt managed to field a very respectable 65 candidates.

Ms. Visek reported that the Illinois affiliate filed its ballot access lawsuit about 3 weeks ago.

REPORTS OF STANDING COMMITTEES

AUDIT COMMITTEE

Audit Committee Chair Aaron Starr distributed audited financial statements and the auditor's management letter and briefly discussed them.

EMPLOYMENT POLICY & COMPENSATION COMMITTEE

In the absence of Mr. Wolf, Mr. Blau reported that this committee had no particular substantive action since the last meeting.

IT COMMITTEE

Mr. Flood reported they accomplished all their goals for the term: conducting an IT Audit, reviewing the servers in the headquarters, and getting approval for the new phone system which the vendor has now installed. Mr. Wiener inquired about when the benefits of the new phone system can be rolled out to the state affiliates, and Mr. Flood indicated that there are still FEC questions and implementation issues to be sorted out.

OUTREACH COMMITTEE

Ms. Visek reported that this committee should be given a new purpose during the next term (as was discussed during the previous LNC meeting).

REPORTS OF SPECIAL COMMITTEES

BALLOT ACCESS

Treasurer Redpath had previously distributed a written ballot access report; he provided a supplemental oral report that contained both good news and bad news. The good news is that Darryl Bonner is making great progress in Pennsylvania; the bad news is that some of his crew will be going to Illinois soon where the progress has been a bit slow.

Regarding future encumbrances, we can start Alabama, Maine, and Massachusetts after we know who our presidential ticket candidates are. We can't start New York until July.

Though our financial status is tight, Bill would like to get started in Maine and Massachusetts due to their submission deadlines.

Dr. Lark asked if these encumbrances were sufficient to finish the job without coming back to us for more money later. Treasurer Redpath thinks the figures are reasonable, he thinks his expectations of the state affiliates to do the rest is reasonable, but he can't rule out the possibility that he'll later need to ask the LNC to do a little more.

Treasurer Redpath moved to encumber \$15,000 for Alabama, \$10,000 for Maine, \$25,000 for Massachusetts, and \$25,000 for New York for ballot access petition drives.

Dan Wiener moved to amend to strike Alabama and New York, so as to only encumber Maine and Massachusetts for now. Dr. Ruwart moved the previous question, which was adopted without objection. The amendment was then adopted, making the main motion to encumber \$10,000 for Maine and \$25,000 for Massachusetts for ballot access petition drives.

Voting on the main motion was as follows:

Voting aye: Blau (for Kirkland), Flood, Goldstein (for Wolf), Hinkle, Karlan, Knedler, Lark, Lieberman (for Craig), Mattson, Olsen, Pojunis, Redpath, Rutherford, Ruwart, Sink-Burris, Visek, Wiener

Voting nay: (none)

The motion was adopted by a vote of 17-0.

BUILDING FUND

Mr. Blau summarized his plan for restarting the building fund project. He reviewed hundreds of emails about this topic from LNC members this term, and categorized our concerns, desires, etc. His plan is to put these into a survey for the next LNC to address and obtain agreement on a range of parameters so when a motion to encumber the capital is appropriate, it will receive the 2/3rds agreement required by the Bylaws.

He envisions an LNC vote on the parameters by the fall LNC meeting, and hopes to start the fundraising efforts when we're far enough along in the election process that it won't cannibalize significantly our other fundraising efforts. Discussion ensued about the time frame relative to our existing 14-month lease extension that ends April 2013.

AWARDS COMMITTEE

Mr. Knedler recognized Ms. Sink-Burris and Mr. Goldstein for helping him with the main four awards that we will be giving out at the convention. He discussed the new Hall of Liberty awards, which he, Dr. Lark, Mr. Redpath, Dr. Ruwart, and Ms. Sink-Burris organized. This year we will induct: David Nolan, John Hospers, Tonie Nathan, Roger MacBride, and Ed Clark.

Mr. Knedler moved to adopt an idea printed in the binder to embed the awards program in the policy manual. As it was presented in idea form rather than policy manual form, the board agreed they will leave it to the Secretary to figure out how to put it in the policy manual. See Appendix A for the idea presentation sheet.

The motion was adopted without objection.

REPORT OF LIBERTARIAN STATE LEADERSHIP ALLIANCE

Mr. Pojunis briefly discussed the LSLA events this weekend including workshops and their business session. The LSLA managed the convention vendor booths this year and will be handing down lessons learned and their vendor database to future LSLA leaders. They've launched their wiki project to start accumulating best practices from state affiliate leaders.

NEW BUSINESS WITHOUT PREVIOUS NOTICE

INDEMNIFICATION POLICY FOR D&O INSURANCE

For our D&O insurance, staff has found a new insurance carrier. The new policy adds coverage of employment practices for \$4,000 less than our current policy, which does not cover employment practices. The new company requires that we have an indemnification policy.

Mr. Karlan moved to amend the Policy Manual to insert a new Section 2.04.4 Legal Matters Indemnification:

Section 2.04.4 Legal Matters Indemnification

- The LNC shall retain sufficient Director's and Officer's liability coverage for board members and employees.
- Any officer, employee, or agent of the Libertarian Party who, acting on behalf of or as an authorized representative of the Libertarian Party, was or is a party to or has notice of becoming a party to any contemplated, pending, or seemingly completed legal proceedings, may be defended and shall be indemnified for all expenses and liabilities actually and reasonably incurred by such individual in connection therewith to the extent permitted by applicable law of the jurisdiction in which the Libertarian National Committee is incorporated.

The motion was adopted without objection.

EXECUTIVE SESSION

There being no announcements or public comment, Chairman Hinkle moved to go into executive session to address a legal matter. The motion was adopted without objection, and the Executive Session started at 5:05 pm.

Without objection the LNC arose from Executive Session at 5:34 pm with an agreement to meet again at the Saturday adjournment of the convention.

ADJOURNMENT

Without objection the LNC adjourned upon arising from Executive Session at 5:34 pm.

LNC-approved committee

Duties include setting the rules and budget, managing the nomination process, voting for winners, securing the awards, and presentations of the awards.

5 member committee

Will allow up to 2 seats from outside LNC

Chair of committee decided by the committee

If we don't have the volunteers, the LNC Chair will appoint

Each cycle, try to keep up to 2 members from past awards committee.

Thomas Jefferson, Samuel Adams, Thomas Paine, and Patrick Henry

Awarded at each LP National Convention

Majority vote by awards committee required for a winner to be determined

Thomas Jefferson Leadership Award with recognition of Outstanding Leadership, high character, and dedication to the principles and goals of the Party.

Patrick Henry Candidate Award with recognition of a Very Effective Campaign for public office at the state or federal level, while communicating Libertarian ideas, principles, and values.

Thomas Paine Communication Award with recognition of Outstanding Communication of Libertarian ideas, principles, and values through written, published, or spoken communication.

Samuel Adams Activism Award with recognition of Effective Activism by building Party membership, organizing community outreach, or communicating Libertarian principles.

Hall of Liberty induction

Awarded at a LP National Convention as necessary, but at very least, each POTUS convention

1 to 3 inductees presented at a convention

Unanimous vote by awards committee required for candidate to be honored

The Hall of Liberty induction is to honor lifetime or significant achievement that has made a lasting impact on the Libertarian Party and/or libertarian movement.

LIBERTARIAN PARTY BALLOT ACCESS REPORT

Libertarian National Committee meeting

Las Vegas, Nevada

May 2, 2012

Dear Colleagues:

If we lived in a nation with just election laws, we wouldn't have to pursue ballot access. Unfortunately, that is not the case. The following memo states where we now are, and what we need to do to at least acquire Presidential ticket ballot access in all states in which we currently do not have such status for 2012.

This Ballot Access Report takes the report from the March 2012 LNC meeting makes updates for this LNC meeting **IN BOLD**. I want to thank Bob Johnston, LP of Maryland Chair and an Independent Contractor to the LNC, for his work in contacting various state parties and their Chairs, and Richard Winger for his assistance in updating this report.

This report covers all states in which we could petition for presidential ticket or full party ballot status in 2012. I will possibly have changes that I will deliver in my oral report at the LNC meeting.

We currently have ballot access for our Presidential ticket in 2012 in the following 31 states: AK, AZ, AR, CA, CO, DE, FL, GA, HI, ID, IN, KS, LA, MD, MI, MS, MO, MT, NE, NV, NM, NC, **ND**, OH, OR, SC, SD, TX, UT, VT & WY. This assumes that all paperwork will be filed on a timely basis.

The following is what it would take to acquire Presidential ticket ballot access in the following states. Possible expenses are estimates of LNC expenditures.

AL: Assuming we don't want to undertake the party petition (43,146 sigs), there is a 5,000 sig Independent petition for President. We cannot start until after the ticket is nominated, as no candidate substitution is allowed in AL.

I have spoken with Mark Bodenhausen, LPAL Chair, who says that the LPAL has no money for signatures and will generate some, but not a lot, of volunteer sigs. The LNC should be prepared to pay for 7,500 gross sigs in AL. Proposed encumbrance: \$15,000. Independent Presidential candidate signatures are due September 6, 2012. No party label; our candidate will be listed as an Independent. No chance for ballot access retention.

There is an ongoing lawsuit involving minor parties (including the LPAL) regarding the March deadline for party petitions being too early. Richard Winger thinks it will win.

Bill for party petition cuts number of sigs 22,415 (1.5% of last Governor vote) and moves party petition deadline back to May 16.

CT: 7,500 valid sig petition drive for Presidential ticket. Retention: All office-by-office. 1% vote needed to retain ballot access for President. The LPCT has reached an agreement with Scott Kohlhaas

to do a “Ballot Drive in a Box,” such as what occurred in Oklahoma. Due to this agreement, I am now projecting hopeful that the LPCT will not need financial help from the LNC this year.

No sigs are reported yet in CT, as they are just getting started, although LPCT Chair Dan Reale hopes to have the drive done in June (which is pretty optimistic, although doable). The deadline is August 8.

DC: For Presidential ticket, must collect signatures equal to 1% of the registered voters, as of July 1, 2012. Sigs are due August 8. Number of valid sigs: exact number not yet available, probably about 3,900. Probable expense: \$15,000. Retention: 7,500 votes.

I have spoken with Tim Vickey, LPDC Chair, about a petition drive, but I do not think that I have a reasonable plan at this time from the LPDC. I may in the future, at which time I may request funding from the LNC.

IA: 1,500 valid sig petition drive. Should be handled by the LPIA. Retention: 2% for top of ticket. Presidential signatures due August 17, 2012. Presidential substitution is allowed. **The LPIA has hired Paul Frankel, Andy Jacobs and possibly other petitioners for this petition drive. Ed Wright, LPIA Chair, thinks there should be no problem with the LPIA completing this petition drive on their own.**

IL: There will be a 25,000 valid sig petition drive from late March to **June 25, 2012. A lawsuit challenging the constitutionality of a petition deadline as early as June 25 was filed a few weeks ago by Gary Sinawski.** Retention: with 5% for any statewide race, retain ballot access for only statewide offices, with 5% for Governor (up again in 2014) means full party status for the next four years.

I have been in contact with LPIL petition coordinator Lex Green. The current gross sig count is about 8,000. This drive is currently running behind, as we need at least 32,000 more gross sigs over the next eight weeks. More petitioners will be there soon, including some from PA, who have done very well there.

KY: 5,000 valid sig petition drive. Presidential signatures due September 7, 2012. The LPKY petition drive **is underway, with a current count of about 750 gross sigs. Long time LP petitioner Milton Lukens is about to start on this full time, so that count should rise substantially in May.** Retention: 2% only for President. Richard Winger is urging the LPKY to lobby for a bill that defines a political party in KY as one with 1,000 voter registrations.

MA: We will need a 10,000 valid sig petition drive for the Presidential ticket. Possible expense: \$25,000. Retention: 3% for any statewide race, or registration of 1% of total numbers of registered voters. Deadline: July 31, 2012.

The LPMA could also run someone for US Senate by simply adding his or her name to this petition. Also, if we polled 3% for this office, the LPMA gain ballot status in MA.

I have been talking with petitioning companies, but I do not have a specific agreement outlined yet. I anticipate having one done very soon and think that \$25,000 of LNC funds will be needed to successfully complete this petition drive.

The lawsuit is ongoing re: presidential substitution. We have appealed to the MA Supreme Court. We are awaiting its decision. Without a positive decision on substitution from the MA Supreme Court, we will not be able to start our petition drive until our presidential ticket is nominated.

ME: 4,000 valid sig petition drive in 2012. No substitution allowed. We should start immediately after the Presidential ticket is nominated.

I have been in contact with Jorge Maderal, the new LPME Chair. He is enthusiastic about the petition drive and wants to start the paid petition drive with a local paid petitioner immediately after May 5. Jorge thinks the LPME can generate 1,000 volunteer gross sigs, but that 5,000 gross sigs will have to be purchased, and that the LPME has not funds for this. Requested LNC encumbrance: \$10,000. Need 5% for President or Governor to remain on the ballot. Can we remain on the ballot with a certain percentage for President? Presidential signatures are due August 8, 2012. Maximum of 6,000 signatures can be turned in for Presidential petitions.

MN: 2,000 valid sigs for Independent petition for President. Should be handled by the LPMN. Retention: 5% for any statewide race. Party petition is about 100,000 valid sigs. That procedure has never been used by anyone. Possible candidate for litigation, but Richard Winger thinks other ballot access cases should be decided first. Can start collecting signatures for Presidential candidate on May 21, 2012, and are due September 21.

NH: The LPNH has undertaken a party petition. 13,698 valid sigs for party petition. Retention: 4% for Governor or US Senate. Between 16,000 and 17,000 gross sigs have been gathered. These sigs have been turned into towns for validation. Initial validity feedback is 72-73%. That would imply 3,000 to 4,000 gross sigs must yet be gathered. All of the LNC's \$28,000 encumbrance for this petition drive has been spent. Without further LNC assistance, the LPNH will have to assume full responsibility for finishing this petition drive. While the petition deadline is **August 8**, it is important to get sigs into the towns for validation ASAP, because a given voter's signature can only count on one party petition.

The LNC agreement with the LPNH called for \$28,000 expenditure from the LNC, which was done, with the rest of the sigs generated by funding and volunteers from the LPNH. Rich Tomasso, LPNH Chair, reports that about 3,000 more gross sigs are needed to complete this petition drive. It is my understanding that Rich will be attending the National Convention in Las Vegas, and if so, I will speak with him about this petition drive in person. I hope the LPNH can uphold its end of the bargain struck between the LNC and the LPNH and complete this petition drive on its own, but it is possible that more LNC funds will be needed to complete this petition drive.

NJ: 800 valid sigs for our Presidential ticket in 2012. Historically handled by LPNJ. Date signatures are due **is July 30**.

NY: There will be a 15,000 valid sig petition for our Presidential ticket in July & August 2012. Can start collecting signatures on July 10, 2012, and must be turned in by August 21, 2012.

The LNC has received a request for an encumbrance of \$25,000 for the LPNY petition drive from LPNY Chair Mark Axinn, which is the same dollar figure I have been projecting for this petition drive.

OK: 51,739 valid sigs for a party petition. Deadline: March 1, 2012. Retention: 10% for top of ticket.

About 58,000 gross sigs were turned in by the LPOK on March 1, the current statutory deadline. About 41,000 were ruled valid, which was short of the 51,739 valid sigs that were necessary.

James Linger, Esq. of Tulsa is handling pro bono litigation on this matter. A hearing for a Preliminary Injunction to bar the State of Oklahoma from enforcing the March 1 deadline for a party petition was held on March 12 in US District Court in Oklahoma City. The LPOK did not get a Preliminary Injunction, but the litigation continues. A Motion for Summary Judgement will be filed in May. If that Motion is denied, the LPOK may appeal to the US Court of Appeals.

Another possibility is starting immediately after May 5 to do an Independent presidential petition, but that would take 43,890 valid signatures and would have a deadline of July 15, so that is not likely feasible.

It appears that if we are to be on the ballot in Oklahoma in 2012, it will only through litigation.

PA: A multi-candidate petition (including the Presidential ticket) will need **20,601** valid sigs. The petition period is from February 15, 2012 until August 1, 2012.

The petition is underway and steaming ahead; the latest reported count is about 19,000 gross sigs. It is my understanding that some of these petitioners are about to go to IL to work on that petition drive. Retention: Only done through voter registrations.

RI: 1,000 valid sigs for Presidential ticket in 2012. I would hope that the LPRI can handle this themselves, even if they have to pay for sigs. Retention: 5% for top of ticket (get two elections with that). Must collect 1,000 signatures by September 6, 2012. Cannot start collecting until 2 days before close of filing endorsements; date not yet determined; usually by the end of June.

TN: While there is a potential ballot access bill for a 2,500 valid sig party petition, as of now I expect the LPTN to do a petition for 25 valid sigs per congressional district.

VA: 10,000 valid sig petition drive that has started. The LPVA has historically handled this petition drive itself, and I anticipate that will be the case again. Retention: 10% for any statewide office in either of the last two statewide elections. Signatures due August 24, 2012.

Both the LPVA and the Green Party of Virginia have encountered a problem, however. The Virginia Presidential Petition requires at least one elector from each Congressional District and two At-Large electors. The following two stories are from Richard Winger's ballot-access.org:

[Virginia Won't Let Libertarians Substitute a New Presidential Elector; Says "Start All Over" on Petition](#)

April 25th, 2012

On April 25, the Virginia State Board of Elections told the Libertarian Party that its presidential petition, which already has 2,000 signatures, is invalid. Virginia law requires petitions for president to include a list of presidential elector candidates, and says one elector must reside in each U.S. House district. However, Virginia law does not require the presidential elector candidates of qualified parties to observe any residency requirement.

When the Libertarian Party drew up its list of presidential elector candidates, it chose one elector from each U.S. House district as those districts existed at the beginning of the year. The legislature did not draw new boundaries until February, and the U.S. Justice Department did not approve the new districts until March. The Libertarian Party felt confident that it could be circulating its presidential petition using the old districts, because the legislature had unanimously approved a bill saying old district boundaries are valid in years when the redistricting does not occur until the election year itself. That bill, HB 1151, passed March 2, and as written, was to take effect immediately. The bill was important to the party's planning, because when the new district lines were revealed, it turned out that one Libertarian presidential elector, David Switzer, had been placed into a different U.S. House district.

However, in April, the Governor, on the last possible day, asked the legislature to amend the bill so that it doesn't take effect this year, and the legislature complied on April 18. On that day, the legislature altered the bill so that it doesn't take effect until 2013, and furthermore, even in future presidential years, it doesn't apply to presidential petitions.

Virginia law lets unqualified parties use stand-in candidates, for all office. That section of the law is in section 24.2-540. However, there is a special section involving presidential candidates, 24.2-543. Although it says presidential and vice-presidential stand-ins are permitted on the petition, technically it doesn't say that presidential elector candidates can be stand-ins. The State Board of Elections says even though this gap in the law is inadvertent, that the Board cannot approve substitution of a new elector candidate. This appears to defy case law, because in 1989 a U.S. District Court ruled in *El-Amin v State Board of Elections*, 721 F.Supp 770 (eastern district) that the U.S. Constitution requires states to permit stand-in candidates. The Board's hostile decision also violates precedent, because in 2008 the Board let the Green Party substitute a new candidate for presidential elector after the petition had been submitted. It is believed that in 2008, the Board also allowed Ralph Nader to substitute a new candidate for presidential elector.

Virginia Greens, Like Libertarians, Must Start Over on Presidential Ballot Access Petition

April 27th, 2012

As previously reported, because the Virginia Governor and the Virginia legislature changed the effective date of HB 1151, the Libertarian Party's presidential petition, which had 2,100 signatures, is not valid and the party must start all over. The Virginia Green Party's petition, which had almost 2,000 signatures, is also now invalid.

As reported earlier, the legislature had unanimously passed HB 1151 on March 2, saying that the old U.S. House district lines can be used in years after redistricting, if the redistricting had not been done until the election law year itself. No one could have guessed that on the last possible day to act, April 10, the Governor would ask the legislature to change the effective date of that bill from "now" to 2013. Nor could it be known that the legislature would agree with the Governor's request, which it did on April 18. Because the Virginia petition requires the presidential elector candidates to be listed, and there is a residency requirement for each elector, the old petitions are worthless. Each of the parties had one candidate for presidential elector who was put into a different district.

The new petition drive started this past Friday, but the LPVA and the Green Party of Virginia are considering litigation on this matter that would be handled by Gary Sinawski.

WA: 1,000 valid sigs for a petition for President. I anticipate that the LPWA will handle this themselves. Retention: 5% for President, although this law will probably change.

WI: The LPWI lost ballot status in 2010. They did not put someone on the ballot for Governor, only Lt. Governor, and earned less than 1% of the vote. An Independent petition drive could be done for 2,000 valid sigs within a two week window in 2012. **Deadline for this petition: August 7.** At this time, I do not anticipate that LNC funds will be needed for this petition drive.

WV: A joint President/Governor petition for 7,135 valid sigs for President (7,061 for Governor) with a deadline of August 1, 2012. Start anytime. Substitution allowed for President, but not for Governor, but a candidate for Governor, David Moran, has been nominated.

About 11,000 gross sigs will need to be gathered, **and the current gross sig count is about 3,500.** Retention for party status: 1% for Governor in 2012.

Summary:

The 2012 LNC Budget has Ballot Access expense budgeted for \$245,000.

\$40,000 has already been encumbered for the PA ballot drive, \$60,000 for IL, \$14,000 for KY, \$10,000 for OK & \$20,000 for WV. That sums to \$144,000. That would leave \$101,000 unencumbered.

At this meeting, I will request further encumbrances for ballot access of \$15,000 for Alabama, \$10,000 for Maine, \$25,000 for Massachusetts and \$25,000 for New York. Sum=\$75,000. That would leave \$26,000 additional budgetary authority unencumbered.

CAMPUS ORGANIZING REPORT

Submitted to: Libertarian National Committee, April 18, 2012

Submitted by: James W. Lark, III
Region 5S Representative, Libertarian National Committee

This report will provide some information concerning efforts to build and support Libertarian campus organizations. I shall provide an updated report at the LNC meeting in Las Vegas should additional information become available.

- 1) I continue to respond to inquiries from people who want information about the LP campus outreach effort. I am usually able to respond within 24 hours of receiving an inquiry.
- 2) I continue to work with the Advocates for Self-Government to provide material (e.g., “Operation Politically Homeless” kits) to campus organizations. (In the interest of full disclosure, please note that I am the chairman of the Board of Directors of the Advocates.)
- 3) I continue to work with various state and local LP organizations to assist their campus outreach efforts.
- 4) I continue to work closely with Students For Liberty to build libertarian groups at high schools and colleges. (I am a member of the Board of Advisors of SFL.) As part of this effort, members of the SFL board and I have found ways for the LP to use the many services available from SFL. We must be careful in so doing because we do not wish to jeopardize the 501c(3) status of SFL.

In addition, I serve as chair of the Student Libertarian Alumni Committee (SLAC). This organization assists SFL by promoting the organization among libertarians and helping to raise funds for SFL.

I am pleased to note that I have been contacted by several journalists during the past month who sought information about the growth of the libertarian movement on college campuses.

- 5) As I mentioned in a previous report, Students for Individual Liberty at the University of Virginia (a group I founded and to which I now serve as advisor) is celebrating its 25th year of activity. Allow me to express my thanks to Carla Howell and the LPHQ staff for the very nice article about SIL that appeared in the most recent issue of *LP News*.
- 6) I continue to work with Young Americans for Liberty (YAL) on programs of mutual interest.
- 7) As noted previously, several liberty-oriented organizations (e.g., Cato, Reason Foundation, Institute for Humane Studies, Foundation for Economics Education) are working to coordinate their student outreach programs. I participate in meetings of representatives of these organizations when my schedule permits.

8) I am working on plans for an outreach program to students during the 2012 presidential campaign. I shall contact the appropriate staff members associated with the LP presidential ticket to discuss this program following the national convention.

9) As I have mentioned previously, I hope LPHQ will routinely authorize the assignment of an intern on a half-time basis to work on campus organizing.

REGION 5S REPORT

Submitted to: Libertarian National Committee, April 18, 2012

Submitted by: James W. Lark, III
Region 5S Representative, Libertarian National Committee

This report will provide information concerning activities of the Libertarian Party state affiliates in Region 5S since the LNC meeting on Mar. 10-11, 2012. I shall provide an updated report at the LNC meeting in Las Vegas should additional information become available.

I am pleased to report that I have been able to represent the LP in various ways since the previous LNC meeting. For example, I appear regularly as a guest on WINA radio (1070 AM in Charlottesville) to discuss the Libertarian Party's perspective on current affairs. In addition, I gave an address at the Jefferson Area Tea Party Tax Day event on April 16 as a representative of the Libertarian Party.

Delaware

Brad Thomas (bradct@verizon.net) serves as chair of the LPD. The Libertarian Party of New Castle County meets on the third Thursday of each month, the LP of Kent County meets on the third Tuesday of each month, and the LP Sussex County meets on the second Thursday of each month. The 2012 LPD state convention will take place on May 19 in Dover.

District of Columbia

The LPDC held its convention on March 24. Tim Vickey (tim@level671.com) was elected chair. The party elected delegates to the LP national convention.

Maryland

Libertarian Party of Maryland chair Bob Johnston (bob.johnston@live.com) provided the following report:

The Maryland Libertarian Party held its annual spring convention at Squires Italian Restaurant in Dundalk, MD, on March 3. Speakers included Paul Dembowski of Maryland Shall Issue, LP Executive Director Carla Howell, former LNC Executive Director Joe Seehusen, and representatives from several of the LP Presidential candidates. 45 people attended - the most we've had in at least 6 years.

2 candidates for the 2012 general election were nominated: Arvin Vohra (5th congressional district), and Mark Grannis (8th).

There are 8 US House seats up for election this November, as well as the US Senate seat. There are several potential candidates interested in running. We have until late June for candidates to get nominated by the state Central Committee and file their paperwork with the Board of Elections.

16 people were selected to serve as delegates to the national convention, out of 20 available positions. Some of those selected as alternates will be attending the national convention, and I anticipate the MDLP to have a full, or nearly full, delegation in Las Vegas.

Since I am a contractor to the LNC, I will not be serving as a delegate, but rather as a staff member.

On March 2, Maryland's highest court, the Court of Appeals, heard arguments for the appeal in our ballot access lawsuit. Mark Grannis presented the MDLP's case. No decision has been handed down yet. Currently, the MDLP is recognized by the state, and we have 2 candidates for the 2012 general election on the ballot.

Membership is 98 as of 3/31/12.

Voter registration is 9,970. According to Richard Winger of Ballot Access News, no non-establishment party in Maryland in at least 40 years has had 10,000 registered voters.

Bob Johnston

Chairman
MDLP

Pennsylvania

Lou Jasikoff (chair@lppa.org) serves as chair of the LPPA. The LPPA will hold its annual state convention in Wilkes-Barre on April 20-22. The convention is being held in conjunction with the Restoring Freedoms event. The event will feature appearances by Gary Johnson and LP Indiana gubernatorial candidate Rupert Boneham.

Virginia

I offer the following on behalf of the Libertarian Party of Virginia in my capacity as vice chair:

The LPVa petition drive encountered an unexpected problem last week due to a decision by Gov. Bob McDonnell to refrain from signing legislation pertaining to ballot access. Fortunately, it appears that we shall be able to deal with this problem. We hope we shall not face additional unexpected problems. The LPVa must submit at least 10,000 petition signatures of Virginians who are registered to vote. In addition, at least 400 signatures must be obtained in each of the eleven congressional districts. The deadline for submission is August 24.

The LPVa is working with the ACLU to prepare a lawsuit against the Commonwealth of Virginia to eliminate the Virginia residency requirement for those who gather petition signatures. Due to some recent events, we are cautiously optimistic about the prospects for success of the lawsuit.

West Virginia

The LPWV held its convention in Bridgeport on March 31. Speakers included LPWV gubernatorial candidate David Moran and LNC regional representative Jim Lark. Michael Wilson (michael.wilson@lpwv.org) was elected chair during the convention. Alan Westfall and Karl Swisher were reelected as vice chair and treasurer, respectively. Joe Schill was elected secretary. Tom Thacker, Matt Shorb, and Travis Schultz were elected as at-large representatives.

The major activity for the LPWV this year will be the campaign of Dr. Moran. Many party members are optimistic that his campaign will garner the votes needed to obtain ballot status for the party.