

2007 State Convention Minutes

The 2007 Convention of the Libertarian Party of Massachusetts was called to order at 10:17 a.m. It was agreed that the Chair and (Recording) Secretary of the party, George Phillies and Mary-Anne Wolf, should be the chair and secretary of the convention.

Mary-Anne Wolf and Rich Tomasso were chosen to be the tellers. This mostly involved guarding the ballot box.

Arthur Torrey moved and Mary-Anne seconded to approve the agenda, and it was voted to do so.

There was unanimous consent that late arriving officers can report when they arrive.

Chair George Phillies reported that "we're back in business!" and that the newsletter and socials and regular state committee meetings are happening again.

Political Facilitator Carol McMahon reported that we have two candidates who had run for office, Bob Underwood and Bill Discipio.

Operations Facilitator Arthur Torrey reported that "we are operating", that the website is up and running, there are discussion forums, etc.

Recording Secretary Mary-Anne Wolf reported on posting State Committee minutes in the newsletter, and on posting references to possibly relevant News stories in the forum set aside for this purpose.

Treasurer Walter Ziobro passed out the following pair of reports, from all of 2006, and from the beginning of 2007 to the present.

<insert attached reports here>

The Treasurer's report was in two parts.

For the year 2006, we had UMP income and were not doing all that much. Since the beginning of 2007, we have no UMP money and have been doing more, including trying to make restitution to members who paid for newsletters and never got them. We still have about \$9000 in the bank, which is on a par with what we had at this time last year. We have spent about about \$4000 of the \$13000 we had to work with.

Membership secretary Dave Roscoe reported that last year more complicated than usual. We extended newsletter subscriptions 6 months starting in October, 2006. We reached the end of UMP, the Unified Membership Program by which the state party gets a share of money paid to the national party. We had received a lot of our income through the national party. The phase out ended in November, 2006.

Last year we had 213 members and paid newsletter subscribers, of which 113 were through the national party and 100 contributed directly to us. Now all members and subscribers come directly through us. As of 9/6/07, we have 140 contributing members and 5 subscribers. This means 143

newsletter subscriptions. The difference between a subscriber and a member is that a subscriber has not signed the pledge.

The newsletter editor, George Phillies, reported that the previous newsletter editor, Stephanie Woiciechowski, had had changes in life. Her son needed more of her time, which was why he had taken over the position. However, he said that he only wished to be in the position temporarily, and that we need a new newsletter editor. The editor needs to know how to use some software that "gives you pages", and how to "drop text in". George said he has been using the newsletter as a "bully pulpit". The newsletter is not a one person job. The editorial committee currently consists of Mary-Anne Wolf, Arthur Torrey, and Sue Mosher.

The Webmaster, Bill Hees, was not present, but others involved discussed the progress on combatting spam posts on the website forums.

Next there were nominations of state committee.

The following people were nominated and were present to accept the nomination immediately: Walter Ziobro, Dave Roscoe, Arthur Torrey, Mary-Anne Wolf, Bob Underwood, Dick Clark, Dave Blau, Carol McMahan, George Phillies

Steve Drobnis was not present, but had expressed his interest in being nominated by email to multiple people, and had given George Phillies permission to speak on his behalf.

Walter Ziobro wanted to nominate Bill Hees but had not previously received his consent. Attempts to reach Bill Hees by telephone were not initially successful. Bill Hees later asked the Recording Secretary, Mary-Anne Wolf, explicitly to record that Bill Hees was not present for the nominations.

George Phillies noted that it was 10:55, and Arthur Torrey moved to close nominations. Carol McMahan seconded the motion, but Walter Ziobro opposed it. The motion to close nomination was defeated.

Walter Ziobro moved that nominations be held open until 11:45. Mary-Anne Wolf seconded the motion, and the motion passed unanimously.

It was explained that voting members attending the state convention can either vote for up to 9 state committee members or can vote for NOTA (none of the above).

Next was selection of delegates to the Libertarian Party national convention. It was explained that State Committee members get to go, ex-officio, and that the convention will be Memorial Day week-end 2008. It was also explained that although the official count of delegates has not been announced, according to GreenPapers.com, and the formula in the party by-laws, we can safely assume at least 24 people. The number of delegates is the sum of two numbers. The first number, which is based on the percentage of the population who voted for the previous presidential candidate is 11 people. The second number, which is based on the percentage of the national membership which comes from your state, is about 16 people.

Richard Martin was nominated to be a delegate and there was unanimous consent to elect him.

There was discussion of whether our state party should have a platform different from, or in addition to the platform from the national party. To have this would involve the following constitutional amendment.

Replace the following text:

4. The convention shall have the authority to adopt a platform. The Statement of Principles of the national Libertarian Party shall be included as a part of such platform, and shall not be amended except by a vote of seven-eighths of the delegates present. The platform, other than the Statement of Principles, shall be the most recently adopted platform of the national Libertarian Party, provided that, any plank of such platform, excluding the Statement of Principles, may be deleted in its entirety by a simple majority of the delegates present. The substitution of a new plank for an old plank, or the addition of a new plank, shall require approval by a vote of at least two thirds of the delegates present.

with this text instead:

4. The convention shall have the authority to adopt a platform. The Statement of Principles of the national Libertarian Party as it existed on January 1, 2008 is the opening statement of that platform. An affirmative vote of two-thirds of the delegates present is required to replace or amend the Statement of Principles. The remainder of the Platform other than the Statement of Principles is determined by vote of the State Convention, a majority vote of delegates present being required to adopt, add, amend, or delete statements from the remainder of the Party Platform.

Arthur Torrey moved that we should. Mary-Anne Wolf seconded the motion. Walter Ziobro opposed the idea because he believed that the national platform was a better presentation than what the state party had come up with. Walter had not contributed to the state party platform.

George Phillis spoke of his experience with the national platform when he was the delegation head at the previous national convention. Of 65 planks, 12 were retained. The national party's Statement of Principles came within 3 votes of being deleted in its entirety. When the national convention changes the national party's platform, by our current constitution, between new national convention and state convention, we will have the national platform, with no choice or control on our part.

Carol McMahon spoke on how she liked that our current constitution makes it hard to make changes.

The motion to add this amendment was defeated.

A second amendment was discussed which was identical to the first except "two-thirds" was replaced by "seven-eighths". Thus, the second half would read:

4. The convention shall have the authority to adopt a platform. The Statement of Principles of the national Libertarian Party as it existed on January 1, 2008 is the opening statement of that platform. An affirmative vote of seven-eighths of the delegates present is required to replace or amend the Statement of Principles. The remainder of the Platform other than the Statement of Principles is determined by vote of the State Convention, a majority vote of delegates present being required to adopt, add, amend, or delete statements from the remainder of the Party Platform.

Arthur Torrey spoke on how the state party should keep control of party platform. Walter Ziobro expressed the same opposition to this amendment as to the previous amendment. There were 3 votes in favor, 6 votes opposed, and the motion did not pass.

George Phillis began the report of platform committee. He explained that the platform was intended by the committee to consist of statements, not reasons.

The platform was voted upon as a sequence of planks.

We started with two planks that were amended to the platform earlier proposed by the platform committee.

The plank was:

In Presenting the Platform to the Public, the State Committee shall re-order the planks to group them by subject and present them with appropriate subject headings.

Mary-Anne Wolf moved this plank, Arthur Torrey seconded the motion, and the motion carried.

The plank was:

The State Convention hereby strikes all present and future planks of the National Platform from the State Platform.

Strike all present and future planks of national platform

Art moved this plank, and Mary-Anne Wolf seconded the motion.

Walter Ziobro clarified that this did not mean deleting the preamble, and repeated that the national platform is immensely superior to platform submitted. Mary-Anne Wolf responded that the platform committee would have welcomed Walter's suggestions for platform planks when coming up with the state platform.

George Phillis said that in his proposals for a state party replacements for the national party platform, he had removed Platonist references.

Bob Underwood expressed his opinion that a party platform is a general guideline, that Libertarians are good at communicating with themselves. Any candidate hitting the street needs leeway to explain his platform. If the party platform is too precise, this "puts him in handcuffs", but if the platform doesn't say enough, everyone go in different directions.

Arthur said he didn't like national platform because "it's a novel". Our media contacts want sound bites.

Andy Coslow said that Libertarianism means decentralization. The national platform has some issues, and the proposed state platform has some issues too. Expressing some good stands on Massachusetts-specific issues are important. Andy said he will help work on it.

Dick Clark asked whether every candidate must use the state platform, and pointed out that we have no enforcement mechanism. Anyone who registers as Libertarian can place himself on the ballot. The response to Dick was that a Libertarian's opponents can quote from the state party platform.

Walter Ziobro said he was opposed to dumbing down our platform to sound bite level, that doing so would be "our contribution to the decline of civilization as a whole".

Shirley Underwood said that if she sees something like the proposed platform, she would read it, but when presented with something "really complex" she is "not going to try".

David Clark said that there were valid points in both directions.

Carol McMahon pointed out that we are still a small party. Having a coherent message between the national and state parties shows that we are united. We can teach each candidate how to present as a sound bite.

There were 2 votes in favor of striking the national platform, and 9 opposed. The motion failed.

Bill Hees was successfully contacted by cell phone, and confirmed that he would be willing to serve on the state committee.

Rich Tomasso made an announcement about Libertarian Party of New Hampshire events.

The convention then returned to the platform planks proposed by the platform committee.

The plank was:

1) The Libertarian Party stands for Peace, Freedom, and Prosperity.

Art moved this plank and David (Roscoe or Blau?) seconded it. The plank unanimously passed.

There had been a plan to ask which planks were objected to, pass those over which there was no objection, and only discuss the others. However, Walter Ziobro objected to every plank.

The convention broke for lunch, and suspended discussion of the platform in order to allow the debate between the presidential candidates to take place at the scheduled time.

During the debate of the presidential candidates, Mary-Anne Wolf was the timer, and Walter Ziobro was the moderator.

Paul Frankel spoke as a surrogate for Steve Kubby.

The first 6 minutes of Wayne Allen Root's DVD were played.

Barry Hess did not show up for the convention, so the debate among presidential candidates was between Mike Jingoian and George Phillies. Mike gave the opening statement first, and George gave the closing statement first.

After the debate, Dick moved to discuss Massachusetts specific platforms first. This motion passed unanimously.

Since running out of time was a factor, only those planks where a substantial number of people wanting to discuss them were discussed. The theory was that planks which people did not even want to discuss would not get enough support to pass and would not be a good use of the remaining time.

The plank was:

6) The Libertarian Party calls for the repeal of the Massachusetts compulsory health insurance law. It passed unanimously.

The plank was:

9) The Libertarian party endorses the new pro-freedom initiatives being brought to the voters and urges Libertarians across Massachusetts to support their passage.

There was discussion of *which* initiatives we meant. Alternatives included marijuana decriminalization, removing automobile excise taxes, repealing the state income tax, reducing the voting age, and repealing 40B housing.

Walter Ziobro said he supported the first four initiatives but not the others. Dick Clark said that explanations of which initiatives should not be in the platform, and Mary-Anne Wolf agreed that the platform should not be too precise. Carol said it was more beneficial to support issues one at a time than to have a generic statement in the platform, that the plank was not necessary.

Bill Hees offered an amendment to say that we should remove the word "the" so that the plank becomes

9) The Libertarian party endorses new pro-freedom initiatives being brought to the voters and urges Libertarians across Massachusetts to support their passage.

Walter Ziobro said the plank was not specific enough to be meaningful. A vote was taken and the amendment failed.

Bill Hees said that as new pro-freedom initiatives come about, we should support them.

Tony Piccorello offered the amendment so that the plank read

9) The Libertarian party endorses new and future pro-freedom initiatives being brought to the voters and urges Libertarians across Massachusetts to support their passage.

Arthur Torrey pointed out that we don't know what initiatives might be coming down the road. George Phillies responded that we are Libertarians, and there will always be disputes. Walter Ziobro said he did not see the amended version as better than the original plank.

A vote was taken on Tony's amendment, and the amendment passed with 9 votes in favor and 2 against.

A vote was taken on the main motion, plank 9, and the motion passed with 10 votes in favor and 4 against.

The plank was:

10) In the case of divorce with children, there should be a refutable presumption that child custody is shared equally between both parents.

As a friendly amendment, "refutable" was replaced with "rebuttable" as the more legally correct term, so the plank read:

10) In the case of divorce with children, there should be a rebuttable presumption that child custody is shared equally between both parents.

Walter expressed the opinion that this is not a Libertarian issue. Tony Piccorello agreed, that this should be decided on a case-by-case basis.

Mary-Anne Wolf said that this is both a state issue and a Libertarian issue, that if custody by the mother is assumed, it creates a disadvantage of being male. Shirley Underwood agreed about the experience of men unfairly separated from their children.

Dick Clark said that the law should not discriminate based on gender, but that talking about child custody in divorce was too specific.

Greg (last name??) said there were 3 ways which law can presume: custody to him, custody to her, or joint custody.

A vote on the plank was taken and there were 7 votes in favor and 7 opposed. The plank did not pass.

The plank was:

11) The Libertarian Party condemns the Bush Administration's war of aggression against Iraq and calls for its immediate end.

In the vote whether to discuss this plank, there were 7 in favor and 4 opposed. It was voted to

discuss it.

Mary-Anne Wolf said that Iraq is a national issue, not a state issue.

John Driscoll proposed that we add to the motion, so it read

11) The Libertarian Party condemns the Bush Administration's war of aggression against Iraq and calls for its immediate end, and calls for the immediate return of the Massachusetts National Guard to Massachusetts.

Bill Hees seconded the motion. There were 9 votes in favor of this change and two against. The change passed.

Walter Ziobro spoke against main motion in that it does not say what IS a proper defense policy.

Dick Clark said that we should support and end to aggression by the U.S. against Iraq, not civil war between different parties in Iraq. Dave Blau said that this is a national issue, not a state issue, but so important that we should include it anyway.

Tony Piccorello proposed a wording change so that the motion read

11) The Libertarian Party condemns the Bush Administration's war of aggression against Iraq and calls for its immediate end, and calls for the immediate withdrawal of the Massachusetts National Guard to Massachusetts.

Bill Hees seconded the motion. The change passed with 8 votes in favor and 2 against.

The main motion passed with 10 votes in favor and 2 against.

The plank was:

16) In accord with existing Federal Law, the Commonwealth of Massachusetts should move vigorously to replace its National Guard with a State Defense Force whose service is limited to the boundaries of the Commonwealth.

There was brief discussion about the distinction between a National Guard, which is part of the federal military structure, can be federally funded, and can be sent overseas, and a State Defense Force, which is exclusively state funded, and limited to activity within the state.

The motion passed with 10 votes in favor and none opposed.

The plank was

17) The United States cannot long endure a huge underclass of people whose civil liberties and civil rights have been lost to the war on drugs. There should be a general pardon of all persons who have violated Federal and State drug laws.

There was a proposal to edit the plank so it read:

17) The Commonwealth of Massachusetts cannot long endure a huge underclass of people whose civil liberties and civil rights have been lost to the war on drugs. There should be a general pardon of all persons who have violated State drug laws.

This change passed with 7 votes in favor and 2 against.

Bill Hees moved and Carol McMahon offered what was accepted as a friendly amendment to his proposal with a slight rewording, a change to the plank so it read

17) The Commonwealth of Massachusetts cannot long endure a huge underclass of people whose civil liberties and civil rights have been lost to the war on drugs. There should be a general pardon of all persons who were convicted of violating state laws defining nonviolent drug crimes.

This change passed with 10 votes in favor and none against.

The main motion, the plank itself, passed, with 12 votes in favor and none against.

The plank was:

19) Laws requiring the use of personal protective equipment intended primarily to protect the user, such as Motorcycle Helmets and Automobile Seatbelts, should be repealed, because protecting people from their own actions is not a fundamental purpose of government.

Mary-Anne Wolf talked about how these laws had more to do with revenue raising than safety, and about how motorcycle helmets are designed to protect heads only at speeds far below what a motorcycle riding at legal speed limit would travel, and also about how a helmet transfers trauma from the chin or head to the neck, and may in fact increase damage. Arthur Torrey discussed how there is no statistically significant difference with respect to motorcycle fatality rates in states with and without helmet laws.

Walter Ziobro discussed how this plank states a principle but only applies the principle to one case.

Shirley Underwood called these laws "a door opener to intrusion on personal rights".

Arthur Torrey responded to the effect that we are only applying the principle to one issue, but that is the issue in which the government is intruding.

Bill Hees said that other people might understand our principle to apply to industrial issues, which might not be what we intended. Shirley Underwood also said we should clarify that we are talking about adults.

Tony Piccorello suggested we amend the plank to the effect that we refer to adults not in work situations.

Walter Ziobro offered such an amendment. Bill Hees seconded it.

There was brief discussion of whether smoking should be included here, and it was decided that smoking should be in a separate plank.

Walter's change was defeated with 2 votes in favor and many more than 2 opposed.

The plank itself, without Walter's modification, passed, with 11 votes in favor and 1 opposed,

The plank was

20) Mindful of the rights clearly provided for in the Bill of Rights, the Libertarian Party calls for the repeal of all permit laws and other restrictions on the right of law-abiding adults to keep and bear firearms and other weapons.

There were 6 votes in favor of discussing this plank, and less than 6 opposed.

Dave (Clark or Roscoe?) proposed modifying the plank so it read

20) Mindful of the rights clearly provided for in the Bill of Rights, the Libertarian Party calls for the repeal of all permit laws and other restrictions on the right of responsible, law-abiding adults to keep and bear firearms and other weapons.

Richard Martin said this is redundant. Arthur Torrey raised the issue of who decides who is "responsible", and Bill Hees responded that a mental patient, for example, would not be.

The change failed with 6 votes in favor and 7 opposed.

Arthur Torrey discussed how many things are forbidden in addition to guns, such as double-edged knives and ammunition, which is why the plank has the reference to other weapons.

Bill Hees proposed a change to the plank so it read

20) Mindful of the rights clearly provided for in the Bill of Rights, the Libertarian Party calls for the repeal of all Massachusetts permit laws and other restrictions on the right of law-abiding adults to keep and bear firearms and other weapons.

Carol McMahan seconded Bill's motion and it passed.

Walter Ziobro proposed a blanket motion to the effect that all references to "the Libertarian Party"

in all planks (except those from the National Party) should be replaced by "the Libertarian Party of Massachusetts". This motion passed unanimously.

Plank 20, with the change, passed unanimously.

The plank was:

21) So long as household internet service is a monopoly, or near monopoly, suppliers of household internet service should be chartered as common carriers obliged to provide equal access to all users. This plank was defeated.

The plank was:

22) Prohibition did not work last time, and it is not working this time either. The war on marijuana is an appallingly expensive failure that should be ended.

Mary-Anne Wolf discussed how drug legalization will happen one state at a time, and Dick Clark replied how the drugs laws as written are not specific to states. Walter Ziobro said this plank is lacking in reference to current Massachusetts issues.

The plank was defeated with 7 votes in favor and 5 opposed.

The plank was:

24) Abortion is a strictly private issue in which government should play absolutely no role.

The vote whether to discuss this plank was 5 in favor and 5 against.

The chair broke the tie, voting in favor of discussion.

Bill Hees discussed how very late term abortion is infanticide.

Carol McMahan proposed an amendment which caused the plank to read:

24) Abortion is a strictly private issue in which the Commonwealth of Massachusetts should play absolutely no role.

This amendment passed unanimously

Walter Ziobro spoke against the motion, saying that plank 9 contradicts plank 24, but David (Blau or Roscoe) pointed out that plank 9 was not adopted. Bill Hees discussed how the father's rights are a good point in the discussion of abortion, and there was more discussion of late term abortions.

Mary-Anne Wolf proposed, and Bill Hees seconded an amendment which caused the plank to read 24) Abortion early enough that the baby would not survive long term outside the mother is a strictly private issue in which the Commonwealth of Massachusetts should play absolutely no role.

The amendment was defeated.

The main motion was defeated on a vote of 6 in favor and 6 against.

George Phillies discussed how our party needs a candidate for U.S. Senate, and warned those present that if they do not donate and volunteer, we may not see the Libertarian Party on the ballot. As an incentive to the 2 biggest donors before November 30th, Arthur Torrey is donating 2 bottles of mead. As an incentive to the next 2 biggest donors, George Phillies is donating 2 autographed copies of his book, MinuteGirls.

George Phillies had unanimous consent to edit next newsletter.

The results of the election for state committee were that the following people were elected. Candidates for state committee were also asked if they planned to attend the national convention, and this is indicated as (yes) or (no) after their names.

1. George Phillies (yes)
2. Dick Clark (no)
3. David Blau (no)
4. Arthur Torrey (yes)
5. Carol McMahon (yes)
6. Walter Ziobro (no)
7. Mary-Anne Wolf (yes?)
8. Dave Roscoe (no) and
9. Bob Underwood (no)

The candidates who ran but were not elected were Steve Drobnis (yes) and Bill Hees (?).

This meant that the representatives for the national convention from the state committee will consist of George Phillies, Arthur Torrey, Carol McMahon, and possibly Mary-Anne Wolf.