

LNC Executive Committee Meeting

Teleconference 28 August 2000

Attendance: Jim Lark
Dan Fylstra
Ken Bisson
Joe Dehn
Michael Gilson de Lemos

The meeting was called to order at 12:34am Eastern time by Jim Lark.

Item: Arizona Supreme Court Case

A draft text of points for an amicus curiae brief to be filed in the special action before the Arizona Supreme Court was discussed.

Changes in wording to correct a date, correct a spelling error, and replace "intend to" with "may" in the description of the ALP's filing were made without objection.

Lark said he would be more comfortable if the last two paragraphs were combined into one which simply called on the court to put Browne on the ballot regardless of which slate of electors appears.

Dehn said that it was important to refer to the electors because that linked what we are saying in the brief to the controversy originally brought before the court. He said he saw nothing wrong with asking the court to place on the ballot the slate of electors which was offered by our affiliate and which is associated with our presidential nominee. He said it was useful to have both paragraphs to indicate to the court two ways to resolve the problem with Browne ending up on the ballot.

Fylstra suggested there might be a way to reword the paragraph to indicate that the reason we favor one set of electors is that they will vote for Browne.

Bisson said the existing paragraphs should be kept and that the court will understand our presenting it that way.

It was suggested that the references to Browne's name in the last two paragraphs both be worded as "the surname of Harry Browne". It was suggested that the reference to

the election official in the fourth paragraph be worded "Arizona Election Director Jessica Funkhouser". These changes were made without objection.

There was discussion of whether the draft as written was consistent with the intentions of the LNC in asking the EC to deal with this, specifically whether it "takes sides" in a way that the LNC did not intend. Fylstra read the motion adopted by the LNC.

Dehn said that it is in our interest that the electors placed on the ballot be ones who intend to vote for Browne, and that the draft argues for that outcome without taking sides on the points of Arizona law being disputed by ALP and ALP, Inc.

Bisson said that the purpose of this brief is to represent the interests of the national LP, and that it would not serve that purpose without the final statements.

Fylstra said that his intent in making the original motion at the last LNC meeting was that we should not take sides on the issue of Arizona laws about the "state committee", but that the brief should support our interests.

Gilson said that the brief supports the established practice of the Arizona Secretary of State which is similar to the practice of other states.

Bisson moved approval of the text as modified by the previously accepted corrections. Gilson seconded. The motion passed by a vote of 4 to 0 with Bisson, Dehn, Fylstra, and Gilson voting in favor and the Chair not voting.

Item: Next Meeting

There was discussion of whether it was necessary to hold another meeting on 29 August as previously scheduled. With apparently no action items having yet been proposed for consideration at that meeting, it was decided that the next Executive Committee meeting would be held on 12 September.

Fylstra moved to adjourn; Gilson seconded. The meeting was adjourned at 1:07am Eastern time.