

Virginia Reform Party

The Virginia Independent Party

Fifth Congressional District

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January 15, 1997

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FEDERAL ELECTION
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OFFICE OF GENERAL
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FEDERAL ELECTIONS COMMISSION
Office of the General Counsel
999 E Street, NW
Washington, DC 20463

FAX 202-219-3923

Re: AOR 1996-47

Factual developments-
Background

ATTENTION: Mr. Bradley Litchfield, Associate General Counsel

RE: REFERENCE NUMBER: AOR 1996-47
ADVISORY OPINION REQUEST

Dear Mr. Litchfield:

Enclosed you will find minutes from the most recent meeting, January 5, 1997, of the Virginia Reform Party. As you have been notified previously, Virginia was never supposed to have been included in any activities for formation of a national committee until possibly a later date, and in no case, prior to November 5, 1996. Because this state and our party have been implied as being involved, it is necessary to make definite statements to the fact that Virginia is officially withdrawn and all supporting documents from this state pulled from the above referenced filing. During the meeting, as the minutes reflect, the State Central Committee voted to do the following:

1. Withdraw Virginia from the filing with the FEC;
2. Advise the Schaumberg (Illinois) Group that Virginia was no longer in the filing;
3. The two representatives to the Schaumberg, Illinois, meeting acted beyond the scope of their authority.

A letter to the FEC and another letter to the Schaumberg Group were prepared and approved during the meeting. If you have not already received the letter from Louis Herrink, Chairman, you should receive same shortly as he was directed to send it as soon as possible.

If you have any questions, please call me.

Yours truly,



Sue Harris DeBauche, Chair
Virginia 5th Congressional District

cc: Louis Herrink, State Chair
All District Chairs

VIRGINIA REFORM PARTY

The Virginia Independent Party

MINUTES OF MEETING

January 5, 1997

A meeting of the State Central Committee of the Virginia Independent Party was held on Sunday, January 5, 1997, 11 am, at the Inn at Afton, Afton, Virginia. Chairman Louis S. Herrink presided. Present were District Chairpersons Al Picardi, 1st District, Bill McKenzie, 2nd District, Steve Merrill, 4th District, Sue Harris DeBauche, 5th District, Ralph Copeland, 7th District, Buddy Holloway, 9th District, Steve Hales, 10th District, and Karen Overocker, 11 District. Central Committee members present were Tony DeRosa, 2nd, Sam Scott, 3rd, Bill Huff and Troy Rupard, 5th, Betsy Roberts and Mary Clare Wolford, 9th, Tom Harman, 10th, and Tom Overocker, 11th. Also present were Mary Picardi, Whitey Laurier, Treasurer, 1st, Don Mott, Sue Davis, 7th, Tom Roberts and Bill Wolford, 9th. Absent were District Chairs Ann Scott, 3rd, and Arlene Smith, 8th, and Central Committee members Ivan Ily, 1st, Carolyn Taylor, 4th, Mamie Moore and Hank Mattox, 7th, Dick Smith and Roger Ethier, 8th.

Louis Herrink called the meeting to order and a roll was taken to ascertain a quorum was present. Mr. Herrink advised there were several items which must be addressed in this meeting, and some items could not be addressed until the next State Convention. Mr. Herrink stated he had prepared his resignation to be effective at the next State Convention or June 15, 1997, and copies were available to anyone wishing same. Mr. Herrink went on to say that as of this time the VIP is a political party, however, should we not attain 10% of the vote in the November, 1997, election, we would not retain our status. He advised all districts needed to work on filling all City and County Chairperson positions as soon as possible. He stated a report was due to the State Board of Elections by the end of January; however, if all positions were not filled by that time, the report could be amended as Chairpersons are named.

The first topic of discussion was to resolve the situation regarding the Schaumberg, Illinois, meeting and the FEC filing which caused some problems within the group. Buddy Holloway advised the group that at a meeting in the 9th District, the members had come up with six (6) Resolutions which he was asked to present to the Central Committee. He then proceeded to read all six (a copy of same is attached). Various persons offered their comments of how the meeting should proceed. Steve Hales made a motion that any person wishing to comment could do so in five (5) minutes and timeframes could be extended if so desired. Betsy Roberts seconded the motion, it was voted unanimously. Sue Harris DeBauche, as acting secretary, advised she was recording the meeting and asked that persons say their name when making a motion or a second.

Buddy Holloway was asked if he wished to put his first motion on the floor. Mr. Holloway read the first two items from his proposed Resolutions. (See attached) Each member was then given an opportunity to voice their opinion regarding the FEC/Schaumberg, Illinois, meeting. After some discussion, it was decided that the motions would be considered and voted on separately. The first motion was amended to state that the Central Committee would withdraw Virginia from the filing with the FEC. Betsy Roberts seconded the motion. The vote was taken and carried with one "nay" vote from Ralph Copeland. The second motion was that the Central Committee advise the Schaumberg (Illinois) Group that Virginia was no longer in the filing. Betsy Roberts seconded the motion. Vote was taken and carried with two "nay" votes--Ralph Copeland and Steve Merrill. The third motion was that in the opinion of the Central Committee the two representatives to the Schaumberg, Illinois, meeting acted beyond the scope of their authority. Sue Harris DeBauche seconded. Vote was carried with ten (10) Yeas, six (6) Abstaining.

Mr. Herrink then made reference to a letter he wrote to the FEC on November 21, 1996, in which he advised he would inform the FEC of the Central Committee decisions. Discussion then ensued whereby it was determined that Steve Hales and Sam Scott would compose the letter to the FEC and to the Schaumberg Group during the meeting to be presented for approval at the end of the meeting.

The next item of business to be conducted was the Virginia representation at the national meeting to be held in Nashville, Tennessee, on January 24-25, 1997. A show of hands was asked of those who wanted to attend the meeting. After some discussion, a motion was made by Rocky Wilkerson that a delegation from Virginia would attend the meeting and that the delegation would have one vote. The motion was seconded by Betsy Roberts. There was much conversation as to how the meeting would be conducted and to what agenda, could we give some input to the agenda at this time, how costs were being paid, etc. The motion was then rewritten to state the party would send a delegation to Nashville to represent Virginia in the formation of a national party, and that delegation will, at the convention, designate the person who will speak for the delegation, and it may be a different person each time. A call for the vote was made, and the vote was carried unanimously. A list of names were taken of those persons who plan to attend. Persons not attending this Central Committee but wishing to attend the Nashville meeting can be added up and until January 10, 1997.

Chairman Herrink recognized Tom Overocker who wished to make a motion. Mr. Overocker advisedt Virginia could take the lead in bringing all people together for the national meeting by passing the following recommendation.

WHEREAS the National Reform Party meeting is the subject of controversy due to certain states having contested representation, and

WHEREAS no states are known to have more than two distinct groups contesting representation,

NOW, THEREFORE, BE IT KNOWN that the Virginia Reform Party urges each state be given two official votes at the upcoming meeting in Nashville, and in the states where representation is now contested, one vote be allocated to each contesting group.

The motion was seconded by Bill McKenzie. Discussion was called, and Steve Hales pointed out the fact that a small group could decide to come forward and go to the national party meeting stating they were a party in a particular state who should be recognized. Sam Scott pointed out that a Credentials Committee would require any group to show they actually conducted activities on behalf of the Reform Party to receive any recognition as proposed by the above motion. Ralph Copeland was asked for his comments on the issue. Rocky Wilkerson advised he saw this motion as being an offer to all groups to try to work together to get a job accomplished. The last part of the motion was amended to read:

NOW, THEREFORE, BE IT KNOWN that the Virginia Reform Party urges each state be given two official votes at the upcoming meeting in Nashville, and in the states where representation is now contested and two distinct groups are now (as of January 5, 1997) asking to be seated, that one vote be allocated to each contesting group.

The vote was called and carried with 12 votes for and 5 votes against. During the discussion of this motion, the two vote proposal was brought up in connection with the Virginia delegation. Rocky Wilkerson made a motion that the Virginia delegation would treat the two votes as one agreeing vote. Same was seconded by Betsy Roberts, the vote called and carried unanimously.

After the lunch recess, Mr. Herrink brought up the topic again that each District Chairperson needed to name City and County Chairpeople as they are known and that those people shall be confirmed at the next called meeting. A motion was made by Steve Hales that each District Chairman shall name persons to fill the vacancies in the County and City Chairmanships subject to confirmation at the next board meeting. In the interim, the Chairman is authorized to report those names provided to him from the districts by January 24, 1997, to the State Board of Elections. Rocky Wilkerson seconded the motion. The vote was called and carried unanimously.

The next topic of discussion were issues and campaign strategies the party should pursue. Rocky Wilkerson presented his comments on the Initiative and Referendum Bill which was effectively killed in the Assembly in December. Mr. Wilkerson advised a delegate in his area, Morgan Griffith, has agreed to introduce the bill again to the Assembly. He asked that everyone make I&R a strong issue by organizing their areas and talking with any media or informational type organizations to get the message out to the people. He advised he had also formed the Virginia Coalition for Initiative and Referendum. Bill Huff advised he thought the rewriting of the I&R bill should be as simple and clear as possible. Rocky asked Bill to help write it. Tom Haman then showed everyone a bookmark developed by Steve Hales

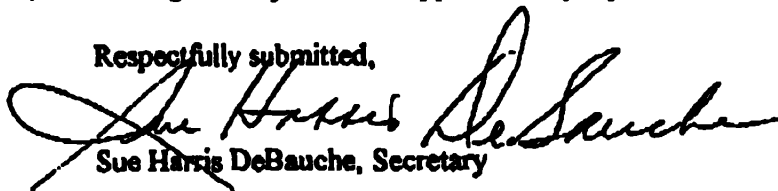
which could be used as a give away or a donation-type tool to get out our party name and message. Steve Merrill brought up the issue of the judiciary and how it makes many decisions affecting our lives. He suggested the group consider endorsing a policy where a blue ribbon commission is set up including several groups, independent of various offices, who could pick or submit a list of judges. Karen Overocker made a comment regarding the fact that should the existing administration appoint a commission, it would still be made up of Democrats and Republicans. Motion was made that Steve Merrill head up a committee to receive suggestions, study the issue and present a proposal back to the Central Committee. Bill Huff advised he thought a major issue we needed to focus on in all areas of government was the reduction of debt. He advised that much debt is being pushed off on the states by the federal government. Bill McKenzie advised he felt we should look at tax law and tax reform. Chairman Herrink asked anyone who had suggestions regarding tax law and tax reform communicate them to Bill McKenzie, and Bill report them back to the Central Committee at a later date. Don Mott brought up the fact that certain states were being able to list a candidate representing two parties and the votes counting toward each particular party. Steve Merrill mentioned we should also include a study on education as an issue we need to address. He asked Sue Harris DeBauche to receive suggestions and prepare a report. Sue Davis advised Virginia has a surplus of funds and all the representatives were vying for the funds for their various projects. Bill Huff advised this would be a great time to reduce the debt load.

Rocky Wilkerson made a motion that the Virginia Reform Party would make I&R its number one issue in the present State Assembly and that someone be appointed to be the spokesperson for the issue. Tom Overocker seconded the motion. The vote was taken and carried unanimously. Betsy Roberts stated she would like to suggest Tom Roberts as the spokesman for I&R. Rocky Wilkerson seconded that suggestion. All agreed. Tom Overocker followed up with Sue Davis's statement regarding the surplus funds and advised he felt we should make the use of the funds a priority as well. Mr. Overocker made a motion that the official position of the Virginia Reform Party was that the current budget surplus in the Commonwealth of Virginia should be applied to the reduction of debt not to increase spending. Mary Clare Wolford seconded, vote was taken and the motion was carried. Tom Overocker was asked to prepare and send out the Press Release on the official position.

Buddy Holloway brought up the balance of the six (6) Resolutions the 9th District wanted to propose. Item three called for the filling of the vacancy of Vice-Chairman. Motion was made, seconded, and voted unanimously that a Vice-Chairman should be named. Mr. Holloway made a motion that a committee be appointed to revise the organizational and procedural guides currently in effect and that each district name someone to set on the committee to study the revisions and report to the next State Convention. Mary Clare Wolford seconded. After some discussion, the vote was called and carried unanimously. Mr. Holloway then moved that 9th District formally requested the Central Committee change the name of the organization from its present name to the "Virginia Reform Party". Mr. Herrink advised that the name would have to be changed at the next State Convention. Buddy Holloway brought up the issue of the treasury and advised some form of dues should be set for participation. He made a motion that the membership rules as disbursed by Steve Merrill be adopted and that Whitey Laurier read the financial report at each meeting. The motion was seconded by Rocky Wilkerson. Betsy Roberts stated that any financial requirement to set on the board was out of order, that it would turn this party into a privileged club, and that there were people who had put money, time and energy into the party who could not afford \$120 per year. She advised she felt the requirement would cause the party to lose many good people. After some discussion from others, the motion failed. Sue Harris DeBauche told the group that Bill Huff and Rocky Wilkerson both had excellent entrepreneurial and creative backgrounds and that they should be asked to present their ideas on how the party could accumulate funds at the next meeting.

The letters to the FEC and to the Schaumberg Group were read to the group and approved for mailing. There being no further business to be conducted, the meeting was adjourned at approximately 3 pm.

Respectfully submitted,



Sue Harris DeBauche, Secretary

Louis Herrink, Chairman

**RESOLUTIONS TO BE SUBMITTED BY 9TH CONG. VA STATE COMMITTEE
MEMBERS 1/5/97**

1. "The 9th District Chairman and the two members of the Va. Central Committee from the 9th District, **SHALL**, vigorously promote a motion before the VIP/Reform meeting of 5 Jan 97 that the organization shall promptly notify the Federal Election Commission that Messrs. Herrink and Copeland had no authority whatsoever to represent the VIP/Reform Party in their recent filed petitions to the FEC."
2. "The 9th District Chairman and the two members of the Central Committee from the 9th District, **SHALL** vigorously promote a motion for the VIP/Reform Party to promptly notify the FEC that any and all communications, documents, affidavits, and applications to the FEC, purporting to represent the VIP/Reform party, are repudiated by this organization and that they should be marked as 'improperly submitted' and be 'withdrawn' from any consideration by that Agency."
3. "The vacancy of Vice Chairman of the Virginia Central Committee be filled forthwith."
4. "The Virginia Central Committee appoint a committee to revise the Organizational and Procedural Guides currently in effect. That at least one member should represent each District. That the current use of Robert's Rules of Order is facilitating disorder and not the timely pursuits of this organization."
5. "That the 9th District formally request the Virginia Central Committee change the name of this organization from its present name to 'Virginia Reform Party' forthwith."
6. "That the 9th Congressional District VIP/Reform Party shall endorse and vigorously promote the 'Initiative, Referendum & Recall' as our PRIMARY objective for immediate political consideration within the State of Virginia" and "that the state organization likewise consider adoption and pursuit of this goal."