

Minutes of the 2014 Libertarian Party Bylaws and Rules Committee

Meeting in Alexandria, VA at 3:00 pm on Friday, February 28, 2014

Interim Chair Chuck Moulton called the meeting to order at 3:00 pm.

In attendance were the following members: Mark Hinkle, Rob Latham, Alicia Mattson, Chuck Moulton, Geoff Neale, Nicholas Sarwark, Rich Tomasso and Matt Wittlief; and the following alternate: Aaron Starr.

Interim Chair Moulton opened up nominations for Chair. Chuck Moulton nominated himself. Chuck Moulton was elected by acclamation.

Chair Moulton opened up nominations for Secretary. Geoff Neale nominated Aaron Starr. Aaron Starr was elected by acclamation.

Daniel Wiener arrived at 3:04 pm.

The following agenda was adopted without objection.

- 3:00 Call to Order
- 3:00 Opportunity for Public Comment
- 3:10 Credentials Check
- 3:12 Election of Chair
- 3:15 Election of Secretary
- 3:18 Paperwork Check
- 3:20 Make Email Archive Public?
- 3:25 Select a Style Committee (wordsmith problem/solution/benefits, correct typos)
- 3:30 1a: Allow Electronic Meetings for Large Committees or Boards
- 3:38 1b: Electronic Meetings for Larger Boards and Committees
- 3:46 1c: Extend Electronic Mail Ballot Voting to Committees
- 3:54 2: Allow Fusion Candidates Where State Election Law Permits
- 4:02 3: Vendors & the National Committee
- 4:10 4: Limit the Binding of Future National Committees
- 4:18 5: Re-Authorize National Committee Establishment of Dues with a Two-Thirds Vote
- 4:26 6: Require National Delegates to be Party Members
- 4:34 7: Make Statement of Principles a Separate Stand-Alone Document
- 4:42 8: Assign Alternate Credentialing to the Correct Entity
- 4:50 9: Eliminate Roll Call Vote Announcement by State Chairs for National Committee Elections
- 4:58 10: Eliminate Redundant Language for Officers Being National Committee Members
- 5:06 **break** (order delivery dinner)
- 5:14 11: Approval of Convention Minutes
- 5:22 12: Seconding Procedure for Motions
- 5:30 13: Creation of a Style Committee
- 5:38 14a: Approval Voting for At-Large Members of the National Committee
- 5:46 14b: Range Voting for At-Large Members of the National Committee
- 5:54 14c: Cumulative Voting for At-Large Members of the National Committee
- 6:02 14d: Single-Transferable Voting for for At-Large Members of the National Committee
- 6:10 **break** (serve working dinner)

6:18 15: Make Conventions More Interesting and Productive
6:26 16: Convention Committee Members
6:34 17a: National Committee Vote on Convention Fee
6:42 17b: Prohibit Floor Fees
6:50 17c: Who Should Pay the Cost of Libertarian Conventions?
6:58 18a: Election Results for Affiliate Party Delegate Entitlements
7:06 18b: Award Extra Delegate Slots to Elected Libertarians
7:14 19: Nominate Presidential and Vice Presidential Candidates as a Ticket
7:22 21: Removing Politics from Judicial Committee Decisions
7:30 22: Define in Advance the Agreement between the Party and the Presidential Campaign
7:38 **break**
7:46 23: Make Party's Purpose More Focused
7:54 25: Require Affiliates to Respect Presidential Ticket
8:02 26: Protect Party Name Rights for Affiliates
8:10 27: Allow Multi-Year Dues
8:18 28: Make National Committee Email Discussion More Transparent
8:26 29: Change Order of Business to Conduct Elections Earlier
8:34 30: consent recommendation at start of bylaws report
8:42 31: use token system mirroring platform process to show support for recommendations
8:50 **break**
8:58 32a: Guaranteed Committee Seats by per capita membership rather than volume
9:06 32b: add Per-capita measure of affiliates to committee appointment process
9:14 33: Adjust Structure of the National Committee
9:22 34: Suspending Regional Representatives
9:30 35: Decisions of the Judicial Committee binding
9:38 Schedule Next Meeting
9:50 Opportunity for Public Comment
10:00 Adjournment

Jeff Orrok arrived at 3:15.

Make Email Archive Public?

Chuck Moulton moved that the 2014 LP Bylaws Committee archives at the following location be made public: http://hq.lp.org/mailman/private/bylaws-committee_hq.lp.org/

The motion failed.

Robb Latham moved to extend time for five minutes. The motion was adopted.

Robb Latham moved that the 2014 LP Bylaws Committee discussions subsequent to today be made public. The motion was adopted.

Selection of Style Committee

Chuck Moulton moved that a style committee be created. Daniel Wiener moved to table the motion. The tabling of the motion was adopted without objection.

DRAFT

Proposal #1a: Allow Electronic Meetings for Large Committees or Boards

Chuck Moulton moved the following:

Problem: Travel, lodging, and venue fees for meetings are costly.

Solution: Meet electronically at the discretion of the committee.

Benefits: Saves money.

Bylaws of the Libertarian Party

ARTICLE 13: MEETINGS

Boards and committees ~~having fewer than ten members~~ may conduct business by teleconference or videoconference. Each such board or committee shall have power to adopt special rules of order and standing rules to facilitate the conduct of business by teleconference or videoconference.

Daniel Wiener moved to extend time for three minutes. The motion carried.

Daniel Wiener moved to replace “each such board or committee” with “The National Committee”.

Geoff Neale moved to extend time for two minutes. The motion carried.

Daniel Wiener’s amendment was adopted.

The motion then read as follows:

Boards and committees ~~having fewer than ten members~~ may conduct business by teleconference or videoconference. The National Committee shall have power to adopt special rules of order and standing rules to facilitate the conduct of business by teleconference or videoconference.

The motion was adopted 9-0.

Proposal #1c: Extend Electronic Mail Ballot Voting to Committees

Rich Tomasso moved the following:

- Problem:** The bylaws authorize that business of the Libertarian National Committee may be conducted by email ballot. This same mechanism is not available to committees.
- Solution:** Generalize the rule so that it applies to boards and committees.
- Benefits:** This will allow some of the business that currently takes place in person to be handled online.

Bylaws of the Libertarian Party

ARTICLE 8: NATIONAL COMMITTEE

~~10. The National Committee may, without meeting together, transact business by electronic mail. The Secretary shall send out electronic mail ballots on any question submitted by the Chair or cosponsored by at least 1/5 of the members of the Committee. The period for voting on a question shall remain open for ten days, unless all members have cast votes, or have stated an intention to abstain, by electronic mail to the Secretary. Votes from alternate regional representatives will be counted, in accordance with the ranking procedure of the region, only if the regional representative fails to respond to the ballot. The number of votes required for passage of any motion shall be the same as that required during a meeting. The Secretary shall preserve all such votes until the next meeting of the National Committee, at which meeting the Committee shall order the disposition of such votes.~~

ARTICLE 14: ELECTRONIC MAIL BALLOTS

Boards and committees may transact business by electronic mail. The board or committee secretary (or chair in the absence of a secretary) shall send out electronic mail ballots on any question submitted by the chair or cosponsored by at least 1/5 of the members of the board or committee. The period for voting on a question shall remain open for ten days, unless all members have cast votes, or have stated an intention to abstain or be absent during the voting period, by electronic mail to the entire board or committee. The outcome of each motion shall be announced promptly and recorded in the minutes of the next meeting. The number of votes required for passage of any motion shall be the same as that required during a meeting. Motions dispensed through electronic mail ballots satisfy the requirement of giving previous notice.

[re-number subsequent articles]

Daniel Wiener moved to replace the second sentence as follows: “The secretary (or chair in the absence or vacancy of the secretary) shall send out electronic mail ballots on any question submitted by the chair or cosponsored by at least 1/5 of the members of the board or committee.”

Nick Sarwark moved to extend time for five minutes. The motion was adopted.

Nick Sarwark moved the following substitute language for the second sentence: "The chair or secretary shall send out electronic mail ballots on any question submitted by the chair or cosponsored by at least 1/5 of the members of the board or committee."

The secondary amendment was adopted and became the primary amendment.

The primary amendment was adopted.

Mark Hinkle moved to extend time for five minutes. The motion was adopted.

Mark Hinkle moved to extend time for five minutes. The motion failed.

The motion on the floor then read as follows:

ARTICLE 8: NATIONAL COMMITTEE

~~**10. The National Committee may, without meeting together, transact business by electronic mail. The Secretary shall send out electronic mail ballots on any question submitted by the Chair or cosponsored by at least 1/5 of the members of the Committee. The period for voting on a question shall remain open for ten days, unless all members have cast votes, or have stated an intention to abstain, by electronic mail to the Secretary. Votes from alternate regional representatives will be counted, in accordance with the ranking procedure of the region, only if the regional representative fails to respond to the ballot. The number of votes required for passage of any motion shall be the same as that required during a meeting. The Secretary shall preserve all such votes until the next meeting of the National Committee, at which meeting the Committee shall order the disposition of such votes.**~~

ARTICLE 14: ELECTRONIC MAIL BALLOTS

Boards and committees may transact business by electronic mail. The chair or secretary shall send out electronic mail ballots on any question submitted by the chair or cosponsored by at least 1/5 of the members of the board or committee. The period for voting on a question shall remain open for ten days, unless all members have cast votes, or have stated an intention to abstain or be absent during the voting period, by electronic mail to the entire board or committee. The outcome of each motion shall be announced promptly and recorded in the minutes of the next meeting. The number of votes required for passage of any motion shall be the same as that required during a meeting. Motions dispensed through electronic mail ballots satisfy the requirement of giving previous notice.

[re-number subsequent articles]

Mark Hinkle moved to extend time for five minutes. The motion failed.

The motion as amended was adopted 9-0.

Mark Hinkle moved to suspend the rules to add a new proposal. The motion carried.

Mark Hinkle moved to change either Article 8.10 or new Article 14, depending on whether the previous motion was adopted by the delegates, by changing the word “ten” to “seven.”

Alicia Mattson raised a point of order stating that it would be out of order to present this at the convention, citing RONR p 140, lines 13-28: “After words have been inserted or added, they cannot be changed or struck out, except through a reconsideration of the vote, or through an amendment presenting a new question in the form of a motion ...” that meets one of four conditions. The chair agreed that the motion would be out of order to present at the convention.

Mark Hinkle withdrew his motion without objection.

DRAFT

Proposal #2: Allow Fusion Candidates Where State Election Law Permits

Chuck Moulton moved the following:

Problem: Our bylaws may be interpreted to prevent states from endorsing fusion candidates (candidates running with both a Libertarian Party ballot line and a Republican or Democrat ballot line).

Solution: Clarify that endorsing fusion candidates is permitted.

Benefits: Allows states to support a wider range of libertarian candidates where state election law facilitates this.

Bylaws of the Libertarian Party

ARTICLE 6: AFFILIATE PARTIES

4. No affiliate party shall endorse any candidate who is a member of another party for public office in any partisan election unless state election law permits fusion candidates and the candidate has the Libertarian Party ballot line as well. No affiliate party shall take any action inconsistent with the Statement of Principles or these Bylaws.

Alicia Mattson moved to replace the first sentence with the following language: No affiliate party shall endorse any candidate for public office in any partisan election who is not a sustaining member.

Rich Tomasso moved to extend time for five minutes. The motion failed.

The primary amendment failed.

Rich Tomasso moved to extend time for two minutes. The motion failed.

Robb Latham moved to extend time for five minutes. The motion passed.

Robb Latham moved the following substitute language for the first sentence: No affiliate party shall endorse any candidate who is a nominee of another party for public office in any partisan election unless state election law permits fusion candidates and the candidate has the Libertarian Party ballot line as well.

Geoff Neale moved the following substitute language for the first sentence: No affiliate party shall endorse any candidate of another party for public office in any partisan election unless state election law permits fusion candidates and the candidate has the Libertarian Party ballot line as well.

Matt Wittlief moved to extend time for two minutes. The motion failed.

The secondary amendment became the primary amendment.
The primary amendment was adopted.

The motion on the floor then read as follows:

ARTICLE 6: AFFILIATE PARTIES

4. No affiliate party shall endorse any candidate **who is a member** of another party for public office in any partisan election unless state election law permits fusion candidates and the candidate has the Libertarian Party ballot line as well. No affiliate party shall take any action inconsistent with the Statement of Principles or these Bylaws.

The motion was adopted 10-0.

DRAFT

Proposal #3: Vendors & the National Committee

Geoff Neale moved the following:

Problem:

Solution:

Benefits:

Bylaws of the Libertarian Party

ARTICLE 10: FINANCE AND ACCOUNTING

- 6. While serving in office, no National Committee member, or related party, shall serve as a paid vendor or employee of the Party, or otherwise receive any remuneration beyond the reimbursement of Party expenses authorized by the National Committee. During the twelve months following the member's service in office, the member or related party may only become a vendor or employee with the express approval of the National Committee.**

[re-number subsequent clauses]

Geoff Neale moved to extend by five minutes. The motion failed.

The main motion was adopted 5-2.

Proposal #4: Limit National Committee Ability to Obligate Future National Committees

Alicia Mattson moved the following:

Problem: With just a majority vote, the National Committee can enter into long-term contracts that bind future National Committees. As a consequence, even when delegates want to replace the National Committee, the incoming National Committee can be stuck with the prior administration's decisions for a very long time.

Solution: Require a two-thirds vote for any agreement that effectively binds the National Committee beyond its current term, with the exception of conventions, which need to be planned years in advance to obtain available space and minimize their cost.

Benefits:

Bylaws of the Libertarian Party

ARTICLE 10: FINANCE AND ACCOUNTING

5. The Party shall not borrow in excess of \$2,000 total without prior approval by 2/3 vote of the National Committee. This shall not include current operating debt for trade payables. *With the exception of convention-related contracts and ongoing monthly operating expenses that may be terminated without penalty with one month's notice, the Party shall not impose a financial commitment binding upon a future National Committee or make prepayments for services that will not be rendered until after the current National Committee term unless approved with a 2/3 vote of the National Committee.*

The motion failed 2-5.

The committee recessed at 5:08. The committee reconvened at 5:16.

Proposal #5: Re-Authorize National Committee Establishment of Dues with a Two-Thirds Vote

Geoff Neale moved the following:

- Problem:** Back in 2004/2005 the National Committee, with a bare majority, first increased dues from \$25 to \$50, and several months later decreased dues from \$50 to \$0. The delegates at the 2006 convention responded by setting the dues at \$25, not taking into account future debasement of the U.S. Dollar. In hindsight, we believe that this was the wrong solution to a legitimate problem.
- Solution:** Return the setting of dues to the National Committee, but only allow changes to be enacted with a super-majority vote. We are also taking this opportunity to clean up the existing language, eliminate redundancy and correct a conflicting provision. For example, counting sustaining membership requirements for delegate apportionment (Article 11.4) and national committee representation (8.2.c), and sustaining membership requirements to hold national party office (7.1 and 8.4) and be our candidate for President (14.2) are addressed elsewhere in the bylaws.
- Benefits:**
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Bylaws of the Libertarian Party

ARTICLE 5: MEMBERSHIP

- ~~1. Members of the Party shall be those persons who have certified in writing that they oppose the initiation of force to achieve political or social goals.~~
 - ~~2. The National Committee may offer life memberships, and must honor all prior and future life memberships.~~
 - ~~3. "Sustaining member" is any Party member who has given at least \$25 to the Party in the prior twelve months, or who is a life member.~~
 - ~~4. The National Committee may create other levels of membership and shall determine the contribution or dues levels for such memberships.~~
 - ~~5. Higher levels of contribution by or on behalf of a Party member qualify as sustaining member status for any provision of these Bylaws.~~
 - ~~6. Only sustaining members shall be counted for delegate apportionment and National Committee representation. Only sustaining members shall be eligible to hold National Party office or be a candidate for President or Vice President.~~
1. Members of the Party are those persons who have certified in writing that they oppose the initiation of force to achieve political or social goals.
 2. "Sustaining members" are members who:
 - a. Are life members; or

b. During the prior twelve months have donated, or have had donated on their behalf, an amount prescribed by a two-thirds vote of the National Committee.

ARTICLE 14: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

1. No candidate may be nominated for President or Vice-President who is ineligible under the United States Constitution, who has not expressed a willingness to accept the nomination of the Party, who served as a stand-in candidate during the current election cycle, or who is not a sustaining member of the Party. A stand-in is an individual who has agreed to be placed on a state affiliate's nomination petition prior to the selection of nominees by the Libertarian Party at Convention.

Proviso: The minimum dues for a Sustaining Member shall remain at \$25 until and unless a change is adopted by a two-thirds vote of the National Committee.

The motion was adopted 6-2.

DRAFT

Proposal #6: Require National Delegates to be Party Members

Rich Tomasso moved the following:

Problem: Our bylaws establish an affiliate relationship between the national party and state parties. For this reason, the national party cannot (and should not) compel state affiliates to accept as voting members at their conventions, national party members based solely on their national party membership. That same courtesy in the bylaws is not extended the other way – a state affiliate can compel the national party to accept as a national delegate someone who is only a member of that state party.

All a person has to do to become a national member is to certify in writing that they oppose the initiation of force to achieve political or social goals. In spite of how easy it is to become a member, our current rules allow delegates to attend Libertarian Party conventions and vote on our leadership, platform, and bylaws even if they are not members of the Libertarian Party.

Solution: To create a relationship where both the national and state parties are on equal footing, we propose requiring that national delegates be members.

Benefits: This change further commits us to the model that both the states and the national party are truly affiliates, with neither being subservient to the other.

Bylaws of the Libertarian Party

ARTICLE 11: CONVENTIONS

3. Delegates:

- c. Delegates shall be required to be members of **either** the Party **or an affiliate party**. At all Regular Conventions delegates shall be those so accredited who have registered at the Convention. At all Non-Regular Conventions, any person who wishes to attend may do so.

Proviso: This shall take effect at the close of the convention at which it is adopted.

The motion was adopted 6-3.

Proposal #7: Make Statement of Principles a Separate Stand-Alone Document

Geoff Neale moved the following:

- Problem:** The Statement of Principles is a core enduring proclamation of our Party's values that has not been changed in over 40 years. Even though it retains a near permanent nature, its importance is obfuscated and diminished because it is submerged within the Platform, a document often amended to address current political issues.
- Solution:** Just as the Declaration of Independence is (and ought to remain) a separate document from the Articles of Confederation and the U.S. Constitution, our proposal is to elevate our Statement of Principles by making it its own distinct document.
- Benefits:** As a separate document, we can proudly point to one concise stand-alone statement that presents our vision for a better world.
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Bylaws of the Libertarian Party

ARTICLE 4: STATEMENT OF PRINCIPLES AND PLATFORM

1. The Statement of Principles affirms that philosophy upon which the Libertarian Party is founded, by which it shall be sustained, and through which liberty shall prevail. The enduring importance of the Statement of Principles requires that it may be amended only by a vote of 7/8 of all registered delegates at a Regular Convention.
2. The Party Platform shall ~~include, but not be limited to, the Statement of Principles and~~ advocate the implementation of those principles in the form of planks.
3. The current Platform shall serve as the basis of all future platforms. The existing Platform may be amended only at Regular Conventions. Additional planks, or additions to planks, must be approved by 2/3 vote. A platform plank may be deleted by majority vote.

Proviso: The Statement of Principles shall be detached from the Party Platform and serve as its own stand-alone document.

The motion was adopted 9-0.

Proposal #8: Assign Alternate Credentialing to the Correct Entity

Alicia Mattson moved the following:

- Problem:** The bylaws allow alternate convention delegates to substitute for other delegates who have not yet registered in attendance provided that the Secretary has been provided with affiliate lists of delegates and alternates, and provided that the Secretary certifies the alternate. In reality, convention floor duties consume all of the Secretary's time, and the Secretary cannot be called away to the credentialing desk every time an alternate needs to be certified. The reality of past practice is that the Credentials Committee does this job, not the Secretary. The Credentials Committee maintains all of the necessary information to certify that the conditions have been met, so this duty should be reassigned in a more realistic way.
- Solution:** Bring the Bylaws into conformity with reality and past practice by assigning these duties to the Credentials Committee rather than to the Secretary.
- Benefits:**
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Bylaws of the Libertarian Party

ARTICLE 11: CONVENTIONS

7. Voting Eligibility:
 - b. Duly selected alternates may be freely substituted for any members of their delegation who are temporarily or permanently absent from the floor, provided the procedure has been clearly specified by the affiliate party in advance of the Convention, and the **Secretary Credentials Committee** has been provided with lists of the affiliate party's delegates and alternates as well as a copy of the affiliate party's rules governing substitutions.
 - c. An alternate, upon certification by the **Secretary Credentials Committee**, may function as a delegate whenever a delegate of the same state has not been registered in attendance. This status shall continue until the absent delegate registers in attendance. If the affiliate party has made no provision for filling delegate vacancies, the alternate substitute shall be decided by drawing lots.

The motion was adopted 10-0.

Proposal #9: Eliminate Roll Call Vote Announcement by State Chairs for National Committee Elections

Alicia Mattson moved the following:

Problem: Our Convention Rules call for a special procedure for announcing voting results for the Presidential ticket, for the first round of the National Committee Chair election, and for the At-Large election. Under this procedure, the state chairs make a verbal announcement of the results from their state. This is a fun opportunity that makes for good TV during the Presidential nominations, but it does take up a lot of time. Once the TV cameras are off after our Presidential ticket is selected, in every convention in recent memory, delegates have chosen to suspend this rule for the National Committee elections in order to save time.

Solution: Eliminate the roll call vote announcements by state chairs for National Committee elections.

Benefits:

Convention Special Rules of Order of the Libertarian Party

RULE 8: ELECTION OF OFFICERS AND NATIONAL COMMITTEE

1. Nominations for Party Officers shall be from the floor. The election shall be conducted in the following manner:
 - ~~c. For the first round of voting for Chair, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation. Subsequent announcements of each delegation's totals shall be made by the Secretary.~~
2. Nominations for the at-large members of the National Committee shall be from the floor. The election shall be conducted in the following manner:
 - ~~c. At this point, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation.~~

[re-number subsequent clauses]

The motion was adopted 9-0.

Proposal #10: Eliminate Redundant Language for Officers Being National Committee Members

Alicia Mattson moved the following:

Problem: This is a redundancy cleanup proposal. The sentence proposed for elimination is redundant with Bylaws Article 8.2, which says “The National Committee shall be composed of the following members: a. the officers of the Party...” In our organization, there is no parliamentary difference between a "full voting member" as it is phrased in Article 7.3 as compared to just "members" as used in Article 8.2. It is always a risk to have the same concept in two places in the bylaws, as future changes could amend one and forget to amend the other for consistency, leaving a problematic contradiction.

Solution: Eliminate the redundant provision by deleting Article 7.3.

Benefits:

Bylaws of the Libertarian Party

ARTICLE 7: OFFICERS

~~3. The officers shall be full voting members of the National Committee.~~

[re-number subsequent clauses]

The motion was adopted 9-0.

Proposal #11: Approval of Convention Minutes

Alicia Mattson moved the following:

- Problem:** Our conventions are usually rushed for time by the end, and in recent memory they have never taken the time to approve the convention minutes. Due to the fast pace of our elections, oftentimes with overlapping ballots, the minutes can take a substantial amount of time to assemble into a presentable format after the convention is over. From a practical standpoint it is asking a lot to have the Secretary prepare minutes in final form during the convention on top of all the other Secretarial duties. But there should be more eyes reviewing our official records beyond just the Secretary as a single individual. Additionally, should a Secretary not actually produce convention minutes (as has happened in the past), some other body needs to be able to produce a set of minutes. Robert's Rules (11th edition, p. 628) suggests an alternative of delegating this task to either the board or to a separately appointed committee.
- Solution:** Empower the National Committee to approve convention minutes. This proposal includes a 60 day deadline for production of draft minutes. This gives a Secretary a reasonable time in which to perform, and it also gives the National Committee a specific time at which they should start looking for someone else to assemble a draft, should a Convention Secretary not complete the job.
- Benefits:**

Bylaws of the Libertarian Party

ARTICLE 11: CONVENTIONS

11. The Convention Secretary shall within 60 days of the adjournment of the Convention produce draft Convention minutes and present them to the National Committee. The National Committee is authorized to approve Convention minutes.

Nick Sarwark moved to add the language “by a two-thirds vote” at the end of the second sentence.

The amendment was adopted.

Geoff Neale proposed the following rewrite:

11. The Convention Secretary shall produce draft convention minutes within 60 days of the adjournment of the Convention and present them to the National Committee. The National Committee is authorized to approve Convention minutes by a two-thirds vote.

The amendment was adopted.

Rich Tomasso moved the addition of this sentence at the end. “The draft convention minutes shall be posted to the Party’s website within two weeks of receipt and shall be replaced by the approved minutes.”

Nick Sarwark made a motion to extend by five minutes. The motion failed.

The amendment was adopted.

The motion as amended read as follows:

11. The Convention Secretary shall produce draft convention minutes within 60 days of the adjournment of the Convention and present them to the National Committee. The National Committee is authorized to approve Convention minutes by a two-thirds vote. The draft convention minutes shall be posted to the Party’s website within two weeks of receipt and shall be replaced by the approved minutes.

The motion was adopted 8-1.

Nick Sarwark later moved to amend something previously adopted by substituting the language as follows:

11. The Convention Secretary shall produce draft convention minutes within 60 days of the adjournment of the Convention and present them to the National Committee. Draft convention minutes shall be posted on the Party’s website at least 14 days prior to being submitted to the National Committee for approval by a two-thirds vote.

The motion was adopted 9-1.

Proposal #13: Creation of a Style Committee

Alicia Mattson moved the following:

Problem: A proposal quickly crafted on the floor at the 2010 convention added Convention Rule 5.8, which authorizes the National Committee with only a majority vote to amend the Platform and Bylaws (but not the Convention Special Rules of Order) for non-substantive stylistic changes.

The enacted change is more in the nature of a Bylaw, rather than a Convention Special Rule of Order, which is normally intended to address how we conduct business during the convention.

Solution: Require such changes receive a super-majority (rather than a simple majority) of the National Committee after providing advance notice on the Party's website, and that such changes be proposed by a separate Style Committee, a majority of who are other than National Committee members. Move it from the Convention Rules to the Bylaws, where it belongs.

Benefits:

1. Increases the requirement for a modification from a simple majority of the National Committee to a two-thirds vote.
2. Assures that the National Committee may not propose such a change, and that majority of those who are proposing a style change are not also serving on the National Committee.

Convention Special Rules of Order of the Libertarian Party

RULE 5: DEBATING AND VOTING - PLATFORM

~~8. Should changes to the bylaws or platform result in a grammatical error in accordance with the latest edition of the Chicago Manual of Style, the LNC presiding at the time of that discovery is authorized to make those grammatical corrections provided it does not change the meaning or intent of the item edited.~~

Bylaws of the Libertarian Party

ARTICLE 17: AMENDMENT

3. The National Committee shall appoint a Style Committee composed of three members: the Secretary and two individuals who are not members of the National Committee. The Style Committee may propose stylistic changes to the Platform, Bylaws, and Convention Rules that are non-substantive in nature. Proposed changes shall be posted on the Party's website at

least 30 days prior to being submitted to the National Committee for ratification by a two-thirds vote.

The motion was adopted 10-0.

Geoff Neale moved to recess at 6:19 for 10 minutes. The motion was adopted.

The committee reconvened at 6:39.

DRAFT

Proposal #14a: Approval Voting for At-Large Members of the National Committee

Rich Tomasso moved the following:

Problem: Our current method of selecting at-large members of the National Committee is known as plurality voting. Delegates may vote for only as many candidates as there are seats to fill (in this case five) and the top ranking candidates, sometimes with less than majority support, win the seats.

With plurality voting, if there are many good candidates, delegates that would otherwise enjoy the support of a majority of delegates can be defeated by candidates that enjoy less support.

So, for example, let's say there are 20 people running for five at-large seats and 15 of those individuals enjoy the support of 60% of the delegates, and the remaining five enjoy the support of the other 40%.

With our current method of plurality voting, none of the individuals who have majority support win a seat and all of those who have less than majority support get on the committee.

Also, with plurality voting delegates are subject to the "wasted vote" argument, in that they may feel compelled to vote for a candidate that has a chance of winning, rather than a "dark-horse" candidate they believe in.

Solution: Allow delegates to vote for as many candidates as they approve of (aka approval voting) for selecting at-large members of the National Committee.

Benefits:

1. This method of voting is simple to explain, understand, implement and tabulate.
2. It allows delegates to be able to vote their conscience.
3. It assures that the candidates that enjoy the most support will fill the seats.
4. It is in keeping with our Platform, where we advocate our support of election systems that are more representative of the electorate.

Convention Special Rules of Order of the Libertarian Party

RULE 8: ELECTION OF OFFICERS AND NATIONAL COMMITTEE

2. Nominations for the at-large members of the National Committee shall be from the floor. The election shall be conducted in the following manner:
 - ~~a. Each delegate may cast up to five votes, but no more than one vote for any one candidate.~~

- ~~b. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all delegations have submitted their votes, the Secretary shall declare the voting closed.~~
- ~~c. At this point, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation.~~
- ~~d. Those five candidates receiving the highest vote totals shall be declared elected. If a tie vote affecting the outcome of the election occurs, another ballot for the remaining offices shall be held with each delegate allowed to cast as many votes as there are offices to fill.~~
- a. Each delegate may cast a ballot with a vote for either none-of-the-above or one vote per candidate for any number of candidates. Every ballot with a vote for none-of-the-above or one or more candidates is counted as one ballot cast. A vote for none-of-the-above shall be ignored if the ballot also includes a vote for any other candidate.
- b. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary, along with the ballots cast.
- c. When all delegations have submitted their votes, the Chair shall declare the voting closed. The top five candidates receiving a majority vote of the ballot cast shall be elected. Tie votes affecting the outcome shall be decided by lot.

The motion was adopted 8-2.

Proposal #14d: Single-Transferable Voting for for At-Large Members of the National Committee

Rob Latham moved the following:

- Problem: Libertarians advocate for alternative voting systems that are more representative. However, internal elections of the Libertarian Party do not follow these methods. The current voting system for At-Large allows a plurality of the delegates to elect all of the At-Large National Committee members.
- Solution: Practice what we preach. Use single-transferable voting for National Committee At-Large elections.
- Benefits:
1. Harmonizes Libertarian Party practices with our message.
 2. Familiarizes LP delegates with the STV process so they can more effectively explain it to others.
 3. Allows organized minorities of the delegates to have proportional representation on the National Committee without overvoting or undervoting for a particular candidate.
 4. Implements the voting method that mirrors voter desires most accurately.
-

Convention Special Rules of Order of the Libertarian Party

RULE 8: ELECTION OF OFFICERS AND NATIONAL COMMITTEE

2. Nominations for the at-large members of the National Committee shall be from the floor. The election shall be conducted in the following manner:
 - ~~a. Each delegate may cast up to five votes, but no more than one vote for any one candidate.~~
 - ~~b. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all delegations have submitted their votes, the Secretary shall declare the voting closed.~~
 - ~~c. At this point, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation.~~
 - ~~d. Those five candidates receiving the highest vote totals shall be declared elected. If a tie vote affecting the outcome of the election occurs, another ballot for the remaining offices shall be held with each delegate allowed to cast as many votes as there are offices to fill.~~
 - a. The winners shall be determined by single-transferable voting.
 - b. Voting for each election shall take place in one round. Delegates may rank up to ten candidates on their ballots in order of preference. Only nominated candidates shall be valid options on the ranked ballots.

- c. Each delegation chair shall deliver the delegation's ballots to the Secretary. When all delegations have submitted their votes, the Secretary shall declare voting closed.
- d. Convention business shall continue while the votes are counted by the Secretary or his designees. Tabulation for multiple elections may be conducted simultaneously.
- e. Tabulation shall take place in multiple rounds. Each round the full or fractional votes for the highest ranking preferences shall be summed and recorded.
- f. If the vote count for any candidate exceeds the droop quota $[(\text{droop quota}) = (\text{ballots submitted}) / (\text{seats up for election} + 1) + 1]$, the candidate shall be considered a winner.
- g. In that case, any excess votes shall be allocated to the next highest ranking preference: each ballot for the candidate shall have its weight reduced to a fractional vote $[(\text{end fractional vote}) = (\text{begin fractional vote}) \times (\text{votes for candidate} - \text{droop quota}) / (\text{votes for candidate})]$.
- h. Otherwise (if no candidates are elected in a round), the candidate (or candidates in the case of a tie) with the fewest votes shall be considered out of the race.
- i. In that case, the remaining fractional vote for each ballot shall be allocated to the remaining candidates marked as the next highest ranking preference on those ballots.
- j. The process shall be repeated until either all positions are filled or one candidate remains and that candidate fails to achieve the droop quota.
- k. If some seats are left unfilled, none of the above (NOTA) shall be considered to have won those seats and another election shall be held for those seats with the candidates who ran previously ineligible to be nominated.
- l. The Secretary shall retain the record of all voting rounds and make it available to delegates upon reasonable request.
- m. The Secretary shall announce the winners of the election after votes have been fully tabulated.

The motion failed 3-6.

Proposal #15: Alternate Business Between Conventions

Alicia Mattson moved the following:

- Problem:** Delegates spend an extra day or so at convention conducting business that need not take place every two years.
- Solution:** Split up the business portions to alternating conventions so that:
1. Outwardly focused activities (i.e. nominating our Presidential candidate and updating our Platform) take place during Presidential Nominating Conventions; and
 2. Inwardly focused activities (i.e. electing Party officeholders and updating our Bylaws) take place during the Mid-Term Conventions.
- Benefits:**
1. With a shorter convention it is more likely that more people will be able to stay through the entire convention and not miss out on important business, such as electing people to party office.
 2. Having Party officeholders elected at the Mid-Term Convention means that we aren't trying to get a new National Committee up-to-speed only a few months before a Presidential election.
 3. Dividing the business into every other convention allows us to have a convention with less time dedicated to business and more time dedicated to workshops and interesting speakers.
 4. Our Presidential Nominating Conventions are often televised. And those viewing our convention are more likely to change the channel if they see us spending time debating Bylaws changes and electing people to internal Party office. The public is far more interested in who we elect for President and what issues we stand for.

Note: The substantive parts of this proposal are in the beginning (e.g. dividing up the business between conventions, only allow vacancies to be filled until the next convention, etc.). The later changes simply conform the language so that Regular conventions are classified as either Presidential Nominating or Mid-Term Conventions. Also please note that while Representative Regions are formed every four years in this proposal, regional representatives need not serve four-year terms. A regional formation agreement may be written so that a regional representative is replaced more frequently (e.g. at each convention).

Bylaws of the Libertarian Party

ARTICLE 11: CONVENTIONS

1. Regular Conventions:

The Party shall hold a Regular Convention every two years, at a time and place selected by the National Committee. Regular Conventions shall be held sometime during the period of July of

an odd-numbered year through August of an even-numbered year. All business required to be conducted at Regular Conventions shall be conducted at Regular Conventions only. *A Regular Convention shall be either a Presidential Nominating Convention or a Mid-Term Convention, alternating from one to the other. Nominations for President and Vice President, and amendments to the Platform shall only occur at Presidential Nominating Conventions. Elections of Party officeholders and amendments to the Bylaws and Convention Rules shall only occur at Mid-Term Conventions.*

ARTICLE 8: NATIONAL COMMITTEE

7. The National Committee shall appoint new officers and members-at-large if vacancies occur, such officers and members-at-large to complete the term of the office vacated, *or until there is an intervening Regular Convention, at which time a special election will be conducted to fill the seat.*

ARTICLE 9: JUDICIAL COMMITTEE

1. The Judicial Committee shall be composed of seven Party members elected at each **Regular Mid-Term** Convention, and any five members shall constitute a quorum. No member of the National Committee may be a member of the Judicial Committee. The members of the Judicial Committee shall select the Chair of the Judicial Committee. The Judicial Committee shall take office immediately upon the close of the **Regular Mid-Term** Convention at which elected and shall serve until the final adjournment of the next **Regular Mid-Term** Convention. All Judicial Committee members shall have been Party members at least four years at the time of their selection. The remaining members of the Judicial Committee shall appoint new members if vacancies occur, such appointees to **serve until the final adjournment of the next Regular Convention complete the term of office vacated, or until there is an intervening Regular Convention, at which time a special election will be conducted to fill the seat.**

ARTICLE 17: AMENDMENT

1. These Bylaws may be amended by a 2/3 vote of the delegates at any **Regular Mid-Term** Convention. *During a Presidential Nominating Convention delegates may by a 3/4 vote suspend the rules to consider an exigent amendment to the Bylaws, but such an amendment shall then require a 3/4 vote to pass.*
2. Article 4, Section 1, shall not be amended by a vote of less than 7/8 of all registered delegates at a **Regular Mid-Term** Convention.

Bylaws of the Libertarian Party

ARTICLE 4: STATEMENT OF PRINCIPLES AND PLATFORM

1. The Statement of Principles affirms that philosophy upon which the Libertarian Party is founded, by which it shall be sustained, and through which liberty shall prevail. The enduring importance of the Statement of Principles requires that it may be amended only by a vote of 7/8 of all registered delegates at a Regular Convention.
2. The Party Platform shall include, but not be limited to, the Statement of Principles and the implementation of those principles in the form of planks.
3. The current Platform shall serve as the basis of all future platforms. The existing Platform may be amended only at ~~Regular~~ Presidential Nominating Conventions. Additional planks, or additions to planks, must be approved by 2/3 vote. A platform plank may be deleted by majority vote.

ARTICLE 7: OFFICERS

1. The officers of the Party shall be:
 - o Chair,
 - o Vice-Chair,
 - o Secretary, and
 - o Treasurer.

All of these officers shall be elected ~~by a Regular~~ at a Mid-Term Convention of the Party, shall take office immediately upon the close of the Convention and shall serve thereafter until the final adjournment of the next ~~Regular~~ Mid-Term Convention. No person shall serve as an officer who is not a sustaining member of the Party.

ARTICLE 8: NATIONAL COMMITTEE

2. The National Committee shall be composed of the following members:
 - a. the officers of the Party;
 - b. five members elected at large by the delegates at a ~~Regular~~ Mid-Term Convention; and
 - c. any additional members as specified below:

Any affiliate party with 10% or more of the total national party sustaining membership within affiliate parties (as determined for delegate allocation) shall be entitled to one National Committee representative and one alternate for each 10% of national sustaining membership. Affiliate parties may, by mutual consent, band together to form "representative regions," and each such "region" with an aggregate national party sustaining membership of 10% or more shall be entitled to one National Committee representative and one alternate for each 10% of national party sustaining membership. "Representative regions" may be formed or dissolved once ~~every two years~~ during a period beginning 90 days before the beginning of and ending on the second day of the ~~National~~ Mid-Term Convention, and notice of new formations or dissolutions must be given in writing to the national Secretary prior to the close of the Convention at which they take place.

3. The National Committee shall take office immediately upon the close of the ~~Regular~~ Mid-Term Convention at which they are selected, and serve until the final adjournment of the next ~~Regular~~ Mid-Term Convention.

ARTICLE 11: CONVENTIONS

10. Convention Rules:

The Party's Convention Special Rules of Order may be amended only by a ~~Regular~~ Mid-Term Convention.

ARTICLE 12: OTHER COMMITTEES

1. There shall be a Platform Committee, a Bylaws and Rules Committee and a Credentials Committee for each applicable Regular Convention. The National Committee shall appoint a temporary chair of each committee to serve until each committee selects its own chair.
2. The Bylaws and Rules Committee shall consist of ten Party members appointed by the National Committee no later than three months before a ~~Regular~~ Mid-Term Convention. No more than five of these members shall be members of the current National Committee.
3. The Platform Committee shall consist of 20 members selected as follows:
 - a. One member by each of the ten affiliate parties having the largest sustaining memberships as determined for Convention delegate allocations at the most recent ~~Regular~~ Mid-Term Convention. These members shall be selected no later than the last day of the fifth month prior to the ~~Regular~~ Presidential Nominating Convention.
 - b. Ten members appointed by the National Committee, including no less than five members from states other than the ten affiliate parties having the largest sustaining memberships as determined for Convention delegate allocations at the most recent ~~Regular~~ Mid-Term Convention. These members shall be appointed no later than the last day of the fifth month prior to the ~~Regular~~ Presidential Nominating Convention.

ARTICLE 14: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

1. Nominations of candidates for President and Vice-President of the United States may be made only at ~~the Regular Convention immediately preceding a presidential election~~ a Presidential Nominating Convention.

Convention Special Rules of Order of the Libertarian Party

RULE 1: ORDER OF BUSINESS

The standing order of business for a Regular Convention shall be as follows, and further limited in these Bylaws:

1. Call to order
2. Credentials Committee report
3. Adoption of agenda
4. Treasurer's report
5. Bylaws and Rules Committee report
6. Platform Committee report
7. Nomination of Party candidates for President and Vice-President (~~in appropriate years~~)
8. Election of Party Officers and at-large members of the National Committee
9. Election of Judicial Committee
10. Resolutions
11. Other business

RULE 5: DEBATING AND VOTING -- PLATFORM

1. After the adoption of the convention agenda at a Presidential Nominating Convention, the convention will vote whether to delete planks from the existing platform. This will be accomplished as follows:
 - a. The Credentials Committee shall issue five signature tokens to each delegate.
 - b. Tokens shall only be issued to delegates. Delegates are responsible for transferring possession of unused tokens to their alternates if necessary.
 - c. Each delegate may cast each token as a recommendation for deletion of one plank by noting on the token the plank to be deleted and signing the token.
 - d. A delegate may cumulate recommendations by casting any number of tokens for deletion of the same plank.
 - e. Delegates will be given until one hour prior to the scheduled start of the platform report to mark their tokens and deliver them to the Secretary.
 - f. Prior to the scheduled start of the platform report, the Secretary shall review the tokens received and tabulate and report the tokens submitted for deletion of each plank.
 - g. As its first item of platform business, the convention shall vote whether to delete each of those planks that received a number of tokens for deletion equal to 20% or more of the number of credentialed delegates. Such votes shall be cast without amendment or debate.
2. The Platform Committee shall meet before each ~~Regular~~ Presidential Nominating Convention and prepare a report containing its recommendations. At the convention, the Platform Committee's recommendations shall be reported to the floor and debated and voted upon separately. The Platform Committee shall set forth the order in which each recommendation shall be considered.

Proviso: Amendments to the Platform may still take place at the convention at which this is adopted.

The motion was adopted 8-2.

Proposal #16: Convention Committee Members

Geoff Neale moved the following:

Problem:

Solution:

Benefits:

Bylaws of the Libertarian Party

ARTICLE 12: OTHER COMMITTEES

2. No person shall serve on more than one Convention Committee.

[re-number subsequent clauses]

Proviso: This motion shall not take event until the close of the convention at which it is adopted.

Nick Sarwark moved to replace with: No person shall serve on more than one committee constituted under this article at the same time.

The amendment was adopted.

The amendment as amended reads as follows:

2. No person shall serve on more than one committee constituted under this article at the same time.

The motion was adopted 7-3.

Nick Sarwark moved at 7:16 to recess for 10 minutes. The motion was adopted.

Proposal #17a: National Committee Vote on Convention Fee

Mark Hinkle moved the following:

Problem: There is debate every term about whether members who attend the convention should or should not bear at least some of the cost of the event. Reasonable arguments have been made on both sides. Compromise positions have also been proposed. This does have an impact on creating a convention budget.

Solution: As this keeps coming up, better to have a formal policy in place to address it and have the decision rest with the National Committee. As the leaders of the party, they should take responsibility for a decision affecting all delegates. And make it with enough lead time to establishing a pricing model for registrations.

Benefits:

Bylaws of the Libertarian Party

ARTICLE 11: CONVENTIONS

7. Voting Eligibility:

e. It shall require a vote of the National Committee to authorize or require any sort of fee for a credentialed delegate to attend the business portion of a Regular Convention as outlined in Rule 1. This vote must take place at least 180 days before the start of the Convention. This bylaw shall not prevent the establishment of registration costs for any programming outside of the business portion of the Convention.

The motion was adopted 7-3.

Proposal #17b: Prohibit Floor Fees

Nick Sarwark moved the following:

Problem: Our bylaws are not explicit on the issue of floor fees, causing a recurring debate as to whether they are authorized.

Solution: Explicitly prohibit a floor fee for delegates to vote at conventions.

Benefits: Make explicit in the bylaws that floor fees are not allowed.

Bylaws of the Libertarian Party

ARTICLE 11: CONVENTIONS

3. Delegates

c. No fee may be required of any delegate to participate in the business sessions of any Regular Convention; however, fees may be required for participation in other convention events.

Geoff Neale moved to extend time for five minutes. The motion failed.

The motion adopted 6-4.

Proposal #18a: Election Results for Affiliate Party Delegate Entitlements

Rich Tomasso moved the following:

- Problem:** One of our goals is building a political party that elects Libertarians to public office. Yet the national party has not created specific incentives and recognition for those affiliates making gains in fulfilling the mission of a political party: to run candidates and ultimately win elections. We do count the Presidential vote, but in many cases that is outside the control of the local affiliate, and also tends to favor the more populated states.
- Solution:** Rewarding those affiliates that are running effective campaigns with one of the few things we can, more influence at the Convention. Adjust the formula for delegate allocations for the regular convention to add delegate spaces to each affiliate based on the election results of their top of ticket candidate.
- Benefits:** Creates one more incentive to run bigger and smarter campaigns. Rewards states where Libertarians are making inroads.
-

Bylaws of the Libertarian Party

ARTICLE 11: CONVENTIONS

4. Affiliate Party Delegate Entitlements:
Each affiliate party shall be entitled to send delegates to each Regular Convention on the following basis:
 - c. One delegate for each 1.00 percent of the popular vote earned by the "top of ticket" statewide Libertarian Party candidate, excluding President, in the most recent general election in that affiliate's state.*

Proviso: This motion shall be adopted effective at the close of the convention it is adopted.

Alicia moved 18b as a substitute. The motion to substitute failed.

Alicia Mattson moved to extend time for two minutes. The motion was adopted.

Rich Tomasso moved to extend for two minutes. The motion failed.

The motion failed 3-7.

Proposal #19: Nominate Presidential and Vice Presidential Candidates as a Ticket

Aaron Starr moved the following:

Problem: Delegates devote much attention to who will be selected as our Presidential nominee. Not so much for our Vice Presidential nominee. We often do not know who will emerge as a Vice Presidential Nominee until just before the nomination. And because the Presidential candidate did not run as a team with the Vice Presidential candidate while seeking the nomination, the Vice Presidential nominee is often not incorporated into the campaign afterward.

Solution: Nominate our Presidential/Vice Presidential nominees as a single ticket.

Benefits:

Bylaws of the Libertarian Party

ARTICLE 11: CONVENTIONS

8. Votes cast for "None of the Above" in voting on the Party's nominees for President and Vice-President, the Party Officers, and at-large members of the National Committee, shall be considered valid. Should a majority of the votes be cast for "None of the Above" in the Presidential-~~or~~/Vice-Presidential balloting, no candidates shall be nominated for ~~that~~ those offices. Should "None of the Above" be selected for any Party office, that position shall be declared vacant and none of the losing candidates for that position may be selected to fill the vacancy for that term of office.

ARTICLE 14: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

1. Nominations of candidates for President and Vice-President of the United States may be made only at the Regular Convention immediately preceding a Presidential election. *The Party's nominees for President and Vice President shall be chosen as a slate.*
 2. No candidate may be nominated for President or Vice-President who is ineligible under the United States Constitution, who has not expressed a willingness to accept the nomination of the Party *as part of that slate*, who served as a stand-in candidate during the current election cycle, or who is not a member of the Party. A stand-in is an individual who has agreed to be placed on a state affiliate's nomination petition prior to the selection of nominees by the Libertarian Party at Convention.
-

Convention Special Rules of Order of the Libertarian Party

RULE 7: NOMINATION OF PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES

1. No **person slate** shall be nominated for President ~~or~~ **and** Vice-President unless at least 30 registered delegates join in the nomination in writing submitted to the Chair. No delegate may join in nominating more than one **candidate for each office slate**. The affixing of signatures to a nominating petition per this requirement shall be effected by a transfer of signature tokens issued by the Credentials Committee.
2. The Party's nominees for President **and Vice President** shall be chosen by majority vote. If no **candidate slate** has attained a majority, the **candidate one** with the fewest votes and any **candidates** polling less than 5% shall be struck from subsequent ballots. This procedure shall be repeated after every ballot in which no **candidate slate** has received a majority vote, until one candidate attains a majority.
3. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all the delegations have submitted their votes, the Secretary shall declare the voting closed. At this point, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation.
- ~~4. The Party's nominee for Vice President shall be chosen by the same procedure as for the Presidential nominee except that the Presidential nominee shall have the privilege of addressing the Convention for 5 minutes, after nominations have been made but before voting has begun, for the purpose of endorsing or objecting to any of the Vice-Presidential nominees. Nominations for Vice President shall close after selection of the Presidential nominee.~~
5. Nominating and seconding speeches for each **candidate slate** shall be limited ~~in duration as follows:~~ **to a total of 20 minutes.**
 - ~~a. President: Total of 16 minutes;~~
 - ~~b. Vice President: Total of 11 minutes.~~

A delegate who collects the required number of nominating tokens so designated may speak up to 5 minutes in favor of voting for None Of The Above.

[re-number subsequent clauses]

The motion failed 2-6.

Proposal #22: Define in Advance the Agreement between the Party and the Presidential Campaign

Daniel Wiener moved the following:

Problem: The Bylaws specify that the National Committee must provide "full support" to the national candidate selected by the delegates. Sometimes the Presidential nominee does not know what to reasonably expect from Party, nor does he or she understand what corresponding duty his or her campaign has to the Party. Such a situation can leave both parties disappointed.

In the past, a contract between the candidate and the National Committee has been signed sometimes one or two months after the nomination. The Bylaws do not create any strong incentive for that to happen promptly and by then it's too late to set reasonable expectations.

Solution: Specify in the Bylaws that the National Committee shall publish at least six months in advance a contract that states what the Party will do to support the candidate should he or she becomes the nominee and what the nominee will do for the Party. The candidate need not sign the contract until just prior to the nomination.

Benefits: Having an agreement published in advance makes it clear to all parties what should be reasonably expected of each. And upon nomination, the Party shall already have a contract with the nominee, so time can be better spent campaigning, rather than negotiating support.

Bylaws of the Libertarian Party

ARTICLE 14: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

3. *Not less than six months prior to each Regular Convention whose order of business includes selecting Presidential and Vice Presidential nominees, the National Committee shall publish a contract specifying the terms by which the Party and the Presidential and Vice-presidential campaign shall assist and support each other. The Chair shall sign on behalf of the Party with anyone who otherwise qualifies and desires to be our candidate. Only those persons who have signed prior to the close of nominations and are in compliance with the contract shall be recognized as candidates and be eligible to be nominated for President or Vice-President.*

[re-number subsequent clauses]

The motion was adopted 6-3.

The Chair announced a recess for 8 minutes.

Proposal #23: Make Party's Purpose More Focused

Aaron Starr moved the following:

- Problem:** The bylaw that spells out our Party's purpose is a laundry list of tasks, rather than a bold statement of what we want to accomplish.
- Solution:** Make our purpose emphasize what we want to accomplish – being an effective political party that changes public policy by electing our candidates to public office.
- Benefits:** A short statement of purpose better focuses us on our Party's real mission.
-

Bylaws of the Libertarian Party

ARTICLE 3: PURPOSES

~~The Party is organized to implement and give voice to the principles embodied in the Statement of Principles by: functioning as a libertarian political entity separate and distinct from all other political parties or movements; moving public policy in a libertarian direction by building a political party that elects Libertarians to public office; chartering affiliate parties throughout the United States and promoting their growth and activities; nominating candidates for President and Vice President of the United States, and supporting Party and affiliate party candidates for political office; and, entering into public information activities.~~

Our purpose is to defend freedom and expand liberty by electing Libertarian candidates to public office.

The motion failed 1-9.

Proposal #25: Require Affiliates to Respect Presidential Ticket

Alicia Mattson moved the following:

Problem: The relationship between the Party and its affiliates should be one of mutual cooperation. But the legal reality is that the Party cannot place our Presidential ticket on any ballots, and we depend on cooperative affiliates to do that faithfully. But if a rogue affiliate decides to place candidates on the ballot other than the ones chosen by the Party, the only recourse currently available from the Party is for the National Committee to disaffiliate them. That action may result in serious legal difficulties. The Party might lose ballot status in that state and have no time to qualify the nominated ticket for the current election cycle. The Party (rather than a new affiliate or the rogue affiliate that caused the situation) would likely be the one to pay for an expensive ballot access drive to re-gain that status for future elections. Thus the Party has to either do nothing in response to such rogue action, or it must shoot itself in the foot. Also, due to legal realities of varying state laws, the affiliate's Secretary of State might even continue to let the disaffiliated affiliate continue to operate and use the Party name, leaving the Party with a need to file legal action to defend its trademarked name.

Solution: Create an option for a less-serious consequence than disaffiliation for a rogue affiliate that does not respect our Party's choice of Presidential nominees. If it were disputed about whether an affiliate had "exhausted reasonable efforts" as described in this proposal, the question could be settled by a vote of the Convention at the time the Credentials Committee report is adopted.

Benefits:

Bylaws of the Libertarian Party

ARTICLE 6: AFFILIATE PARTIES

5. No affiliate shall place on their state ballot for the general election any Presidential/Vice-Presidential ticket except the one chosen in accordance with these bylaws unless the affiliate is legally prevented from placing the Party-authorized nominees on the ballot and the affiliate has exhausted reasonable efforts to overcome such legal prohibition. Any affiliate who does not so respect the Party's ticket:

- **shall not be eligible to send any delegates to the Party's Conventions;**
- **shall not be eligible to join a representative region;**
- **shall not receive resources from the Party;**
- **and the affiliate's officers at the time of the violation shall not be eligible to serve on any Party board or committee**

until convention delegates adopt a resolution with a two-thirds vote reinstating that affiliate's delegate seating privileges. This section shall not be construed so as to penalize an affiliate for using ballot access drive stand-in candidates, provided that the affiliate subsequently replaces the stand-in candidates with the Party-authorized nominees.

[re-number subsequent clauses]

ARTICLE 9: JUDICIAL COMMITTEE

1. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:
 - a. suspension of affiliate parties (Article 6, Section ~~67~~),

The motion failed 2-4.

DRAFT

Proposal #26: Protect Party Name Rights for Affiliates

Alicia Mattson moved the following:

- Problem:** Though the National Committee has a registered trademark on the name "Libertarian Party", and though the bylaws already state that no organization may use that name except an affiliate party, the reality is that intellectual property laws are quite complex. If the National Committee were to disaffiliate an existing affiliate for cause and constitute another affiliate in that same state, a state government might allow the previous affiliate to continue to use the name and require that the new affiliate place candidates on the ballot with a party label other than "Libertarian Party."
- Solution:** Increase the likelihood of the national party being able to successfully protect the use of the name for our current affiliates by having all affiliates sign agreements that the national party owns the name.
- Benefits:**
-

Bylaws of the Libertarian Party

ARTICLE 6: AFFILIATE PARTIES

1. No person, group or organization may use the name "Libertarian Party" or any confusingly similar designation except the Party or an organization to which the Party grants affiliate party status or as otherwise provided in these bylaws. *An affiliate that does not have on file with the Party a signed and notarized agreement that acknowledges the Party's exclusive ownership of the name "Libertarian Party":*
 - *shall not be eligible to send any delegates to any Regular Convention;*
 - *shall not be eligible to join a representative region;*
 - *shall not receive resources from the Party;*
 - *and the affiliate's officers shall not be eligible to serve on any Party board or committee*

The National Committee shall adopt such a standard agreement to be used by all affiliates.

Proviso: This amendment shall take effect at the close of the convention at which it is adopted.

Rich Tomasso moved to extend for five minutes. The motion failed.

The motion failed 4-5.

Proposal #28: Make National Committee Email Discussion More Transparent

Chuck Moulton moved the following:

Problem: Any Libertarians Party member may attend and record Libertarian National Committee meetings. They also may access an archive of the National Committee Business email list, which includes mail ballots, agendas, and previous notice for motions. However, there is currently no official mechanism for following party business in the form of discussions on the National Committee Discuss email list.

http://hq.lp.org/pipermail/lnc-business_hq.lp.org/

Solution: Over the last National Committee term At-Large member Starchild has forwarded much of the discussion from the National Committee Discuss list to a Yahoo Group in the interest of transparency. It would have been far easier to simply make the LNC Discuss list archives public in the same way the LNC Business list archives are public. Harmonize the language with what actually happens (making an archive public rather than letting people subscribe to the email list for the LNC Business list) and extend those archives to include the LNC Discuss list as well.

Note: Privileged and confidential information already is supposed to be conveyed via direct email CCing the National Committee attorney or on a conference call in executive session rather than on the LNC Discuss email list.

Benefits: Increases Libertarian National Committee transparency.

Bylaws of the Libertarian Party

ARTICLE 8: NATIONAL COMMITTEE

15. The Secretary or a designee shall promptly post notice for each session of the National Committee; any National Committee proposed agendas; and approved minutes of each Convention and open National Committee session to a permanent archive section on the Party's website. Any person may record the National Committee's proceedings while in open session, or ~~subscribe to a read-only~~ access archives of an email list on which LNC votes are recorded and of an email list on which non-confidential discussions take place.

The motion failed 4-5.

Proposal #29: Change Order of Business to Conduct Elections Earlier

Nick Sarwark moved the following:

- Problem:** Elections for National Committee occur late in the convention business when many delegates have already left and there are potentially quorum problems.
- Solution:** Move National Committee elections earlier in the convention order of business.
- Benefits:** More participation from more delegates in the election process.
-

Convention Special Rules of Order of the Libertarian Party

RULE 1: ORDER OF BUSINESS

The standing order of business for a Regular Convention shall be as follows:

1. Call to order
2. Credentials Committee report
3. Adoption of agenda
4. Treasurer's report
5. ~~Bylaws and Rules Committee report~~
Election of Party Officers and at-large members of the National Committee
6. ~~Platform Committee report~~
Election of Judicial Committee
7. Nomination of Party candidates for President and Vice-President (in appropriate years)
8. ~~Election of Party Officers and at-large members of the National Committee~~
Bylaws and Rules Committee report
9. ~~Election of Judicial Committee~~
Platform Committee report
10. Resolutions
11. Other business

The motion failed 1-6

Proposal #30: consent recommendation at start of bylaws report

Rich Tomasso moved the following:

- Problem:** Many delegates feel too much time is taken up with updating the Bylaws. Many delegates feel most of these updates are obvious and needed do not require hours of debate when there is a clear supermajority support for the proposals. The end result is frustration with this part of the convention business among a significant percentage of the Convention.
- Solution:** Allow the Bylaws and Rules Committee to propose a set of recommendations as one motion. This is similar to a Consent Calendar used by legislative bodies.
- Benefits:** This would save a significant amount of time for recommendations that have unanimous consent among the committee, saving debate time for those recommendations for which there are concerns, lack of consensus or a need to debate a point.
-

Convention Special Rules of Order of the Libertarian Party

RULE 4: DEBATING AND VOTING -- BYLAWS AND RULES

The Chair of the Bylaws and Rules Committee shall report each recommendation of the Committee to the Convention separately and shall have two minutes to explain the intent or purpose of the proposed amendment(s). The Convention Chair shall open each recommendation to discussion without amendment from the floor. *The committee may submit a slate of up to ten (10) recommendations as a single consent recommendation to be voted up or down. This recommendation must be made available to the delegates at least one hour before the start of regular convention business. No recommendation may be placed into the consent recommendation if there is an objection from any member of the Committee. If it is not approved by the Convention, then each recommendation shall be considered separately.* Each recommendation shall be considered and adopted separately, with a maximum of eight minutes discussion on any recommendation. After the discussion, the Convention Chair shall bring the recommendation to a vote. If the recommendation fails, the Convention Chair shall open the recommendation to amendment for an additional 10 minutes.

The motion was adopted 10-0.

Daniel Wiener moved to recess for five minutes. The motion was adopted.

Proposal #32b: add Per-capita measure of affiliates to committee appointment process

Matt Wittlief moved the following:

- Problem:** Big population states have an oversized influence on LP business.
- Solution:** Use a per-capita measure for some committee appointments to balance the influence between high and low population states.
- Benefits:** Gives smaller states an incentive to increase membership. Also reflects the greater impact a marginal increase in Libertarians will have in a lower population state than in a large one.
-

Bylaws of the Libertarian Party

ARTICLE 12: OTHER COMMITTEES

3. The Platform Committee shall consist of 20 members selected as follows:
 - a. One member by each of the five affiliate parties having the greatest per capita sustaining membership as determined for Convention delegate allocations at the most recent Regular Convention.
 - b. One member by each of the ten affiliate parties having the largest sustaining memberships, excluding those affiliates with the greatest per-capita membership from (a), as determined for Convention delegate allocations at the most recent Regular Convention. ~~These members shall be selected no later than the last day of the fifth month prior to the Regular Convention.~~
 - a. ~~Ten Five~~ members ~~appointed~~ selected by the National Committee, ~~including no less than five members from states other than the ten affiliate parties. These members shall be appointed no later than the last day of the fifth month prior to the Regular Convention.~~
 - b. These members shall be selected no later than the last day of the fifth month prior to the Regular Convention.

[re-number subsequent clauses]

Proviso: This amendment shall take effect at the close of the convention at which it is adopted.

Alicia Mattson moved to extend time for five minutes. The motion was adopted.

The motion was adopted 9-1.

Mark Hinkle moved to set the adjournment time to 11:00 pm. The motion was adopted.

Proposal #33: Adjust Structure of the National Committee

Rich Tomasso moved the following:

- Problem:** Currently the National Committee includes a significant number of members with no portfolio, official responsibility or constituency. That seems a problem for a board of directors. There has also been a perception that the National Committee is not as connected with the affiliates and general membership as it should be.
- Solution:** Adjust the structure of the National Committee by reducing the number of at-large representatives and increasing the number of regional representatives. Also remove some redundant language from the bylaw.
- Benefits:** This will make it easier to form Regions, which in a few cases has been a challenge, especially if the overall party membership declines. It should allow for a greater diversity of opinion on the National Committee, and have more committee members in regular contact with affiliates to share news and ideas with the National Committee. And we will have fewer National Committee members with no official responsibility or portfolio.
-

Bylaws of the Libertarian Party

ARTICLE 8: NATIONAL COMMITTEE

2. The National Committee shall be composed of the following members:

- the officers of the Party;
- ~~five~~ **three** members elected at-large by the delegates at a Regular Convention; and
- any additional **Regional Representative** members as specified below:

~~Any affiliate party with 10% or more of the total national party sustaining membership within affiliate parties (as determined for delegate allocation) shall be entitled to one National Committee representative and one alternate for each 10% of national sustaining membership.~~ One or more affiliate parties may, by mutual consent, band

together to form "representative regions," and each such "region" with an aggregate national party sustaining membership of ~~10%~~ **8.25%** or more shall be entitled to one National Committee representative and one alternate for each ~~10%~~ **8.25%** of national party sustaining membership. "Representative regions" may be formed or dissolved once every two years during a period beginning 90 days before the beginning of and ending on the second day of the National Convention, and notice of new formations or dissolutions must be given in writing to the national Secretary prior to the close of the Convention at which they take place.

Convention Special Rules of Order of the Libertarian Party

RULE 8: ELECTION OF OFFICERS AND NATIONAL COMMITTEE

2. Nominations for the at-large members of the National Committee shall be from the floor. The election shall be conducted in the following manner:
 - a. Each delegate may cast up to ~~five~~ three votes, but no more than one vote for any one candidate.
 - b. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all delegations have submitted their votes, the Secretary shall declare the voting closed.
 - c. At this point, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation.
 - d. Those ~~five~~ three candidates receiving the highest vote totals shall be declared elected. If a tie vote affecting the outcome of the election occurs, another ballot for the remaining offices shall be held with each delegate allowed to cast as many votes as there are offices to fill.

Nick Sarwark moved to change "three" to "four" in the numbers elected at-large and change from 8.25% to 12.5% the percentage required to form a representative region, both in Article 8.2, and change from "three" to "four" the number of votes and candidates in Rule 8.2a and Rule 8.2d.

The amendment was adopted.

The motion then read as follows:

ARTICLE 8: NATIONAL COMMITTEE

3. The National Committee shall be composed of the following members:
 - o the officers of the Party;
 - o ~~five~~ four members elected at-large by the delegates at a Regular Convention; and
 - o any additional Regional Representative members as specified below:

~~Any affiliate party with 10% or more of the total national party sustaining membership within affiliate parties (as determined for delegate allocation) shall be entitled to one National Committee representative and one alternate for each 10% of national sustaining membership.~~ One or more affiliate parties may, by mutual consent, band together to form "representative regions," and each such "region" with an aggregate national party sustaining membership of ~~10%~~ 12.5% or more shall be entitled to one National Committee representative and one alternate for each ~~10%~~ 12.5% of national party sustaining membership. "Representative regions" may be formed or dissolved once every two years during a period beginning 90 days before the beginning of and ending on the second day of the National Convention, and notice of new formations or dissolutions must be given in writing to the national Secretary prior to the close of the Convention at which they take place.

Convention Special Rules of Order of the Libertarian Party

RULE 8: ELECTION OF OFFICERS AND NATIONAL COMMITTEE

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 - e. Each delegate may cast up to ~~five~~ four votes, but no more than one vote for any one candidate.
 - f. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all delegations have submitted their votes, the Secretary shall declare the voting closed.
 - g. At this point, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation.
 - h. Those ~~five~~ four candidates receiving the highest vote totals shall be declared elected. If a tie vote affecting the outcome of the election occurs, another ballot for the remaining offices shall be held with each delegate allowed to cast as many votes as there are offices to fill.

The motion as amended was adopted 7-2.

Proposal #34: Suspending Regional Representatives

Rich Tomasso moved the following:

- Problem:** Currently the only way to remove a regional representative from the National Committee is for the state chairs within the region to make an affirmative vote to do so. No matter what the regional rep does, how disruptive they are, if they breach confidentiality or even fail to show up to meetings, the National Committee can do nothing about it.
- Solution:** Allow for a significant super-majority of the entire National Committee to suspend a regional representative for cause. This would follow the same process as suspending an at-large representatives, including appeal. Remove contradiction in bylaws to also allow for removing a regional rep that does not attend National Committee meetings.
- Benefits:** This will provide a safety valve if the state chairs within the region cannot be contacted or affiliates become dormant and cannot act to direct the conduct of their regional representative, or if the remaining affiliates want to remove their rep but do not have a majority of active affiliates to conduct a vote. Libertarians believe our actions have consequences and officials should be held accountable for their actions. This proposal applies more consistent rules to all members of the National Committee, no longer creating a special class with little to no consequences for their actions.
-

Bylaws of the Libertarian Party

ARTICLE 8: NATIONAL COMMITTEE

8. A National Committee Regional Representative may be removed and replaced **only** by the act of the affiliate parties which constitute the subject region. The voting procedure for the removal and replacement of regional representatives shall be determined by the regions. In the absence of any such procedures, a majority vote of the state chairs shall prevail. [The National Committee may, for cause, suspend any Regional Representative by a vote of 3/4 of the entire National Committee following the same procedure for suspending a member-at-large.](#)

The motion failed 5-5.

Proposal #35: Decisions of the Judicial Committee binding

Nick Sarwark moved the following:

Problem:

Solution:

Benefits:

Bylaws of the Libertarian Party

Article 9: Judicial Committee

- 4. Decisions of the Judicial Committee shall be binding on the National Committee and any subcommittees or organizations that are authorized to use National Committee resources.**

The motion was adopted 5-4.

DRAFT

Proposal #36: Additional jurisdiction for Judicial Committee

Rich Tomasso moved the following:

- Problem:** We were exposed to a problem with an affiliate this year in which the members seemed to have no recourse for a non-functioning board, even one that was apparently in complete violation of their bylaws. At one point the only option seemed like disaffiliation, which seemed extreme.
- Solution:** Allow the national Judicial Committee to serve as a similar resource to our affiliates, if necessary.
- Benefits:** Helps avoid situations where a non-functioning affiliate leadership can sink an affiliate by inaction or malfeasance and there is nothing the members can do about it. Also gives affiliates without a judicial committee a means to solve problems in a similar manner.
-

Bylaws of the Libertarian Party

ARTICLE 9: JUDICIAL COMMITTEE

2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:
 - a. suspension of affiliate parties (Article 6, Section 6),
 - b. suspension of officers (Article 7, Section 8),
 - c. suspension of National Committee members-at-large (Article 8, Section 5),
 - d. voiding of National Committee decisions (Article 8, Section 13),
 - e. challenges to platform planks (Rule 5, Section 7),
 - f. challenges to Resolutions (Rule 6, Section 2), ~~and~~
 - g. suspension of Presidential and Vice-Presidential candidates (Article 14, Section 5), ~~and~~
 - h. *service as a committee of recourse by members of affiliates without a similar functional committee to handle disputes or breach of affiliate rules.*

Nick Sarwark moved to extend time for five minutes. The motion was adopted.

The motion was adopted 6-3.

Nick Sarwark moved to change the adjournment time to 11:10. The motion was adopted.

Schedule Next Meeting

Alicia Mattson moved to set the date of the next meeting to June 26. The motion was adopted.

Style Committee

Daniel Wiener moved to remove from the table the Style Committee. The motion was adopted.

Daniel Wiener moved to appoint a Style Committee consisting of three members.

Alicia Mattson moved to extend time for five minutes. Motion failed.

The motion was adopted by 5-4.

Daniel Wiener moved to extend time by five minutes to populate the committee. The motion was adopted.

Daniel Wiener moved to appoint Aaron Starr, Alicia Mattson and Nick Sarwark to the Style Committee.

The committee was populated without objection.

The meeting adjourned at 11:25 pm.
