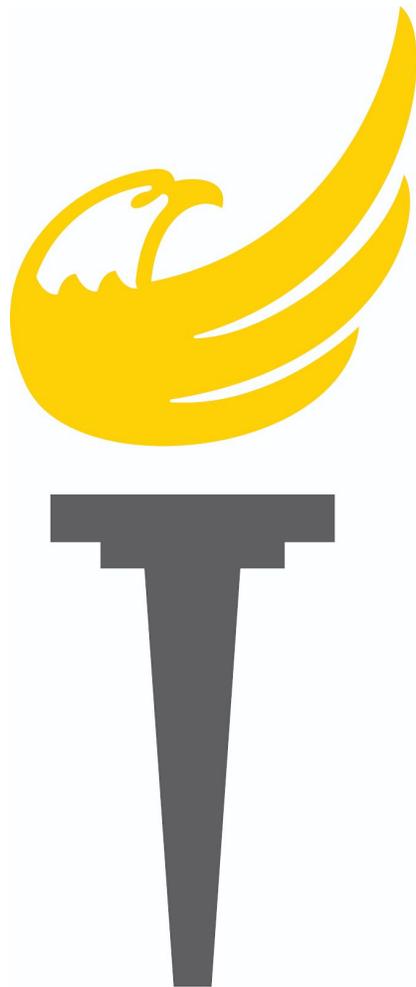


# **Libertarian Party of California 2020 Bylaws Committee Preliminary Report**



**Submitted:  
November 1, 2019**

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# 2020 Bylaws Committee Report

Submitted November 1, 2019

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**Elected by the Executive Committee on May 18, 2019 per the LPC Bylaws**

**Committee Chair:** Brandon Nelson (Elected by Committee June 10, 2019)

**Members:**

Rick Dawson

Chuck Hamm

Jillian Olsen

Kenneth Brent Olsen (Secretary - Elected by Committee June 10, 2019)

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## Bylaws Committee

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Committee Purpose

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### Bylaw 15: Committees

#### *Section 2: Bylaws Committee*

Not later than sixty days following the close of each convention, the Executive Committee shall appoint a Bylaws Committee of five State Central Committee members to recommend changes in these Bylaws and Convention Rules. The Bylaws Committee shall adopt its report not less than seventy days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than sixty days prior to the convention.

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#### Meeting History

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- 06/10/2019 Online Meeting via Zoom (Hamm, Nelson, J. Olsen, K.B. Olsen)
- 07/08/2019 Online Meeting via Zoom (Dawson, Hamm, Nelson, Olsen, Olsen)
- 07/30/2019 Online Meeting via Zoom (Dawson, Hamm, Nelson, Olsen, Olsen)
- 08/27/2019 Online Meeting via Zoom (Hamm, Nelson, J. Olsen, K.B. Olsen)
- 09/17/2019 Online Meeting via Zoom (Dawson, Hamm, Nelson, Olsen, Olsen)
- 10/09/2019 Online Meeting via Zoom (Hamm, Nelson, J. Olsen, K.B. Olsen)
- 10/24/2019 Online Meeting via Zoom (Hamm, Nelson, J. Olsen, K.B. Olsen)

## I. **Recommendation: Convention Rule 13- At-Large Executive Committee Member Elections (No Debate)**

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### Reason

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At the 2018 Convention the new Area Coordinators amendment to the Bylaws was passed by the delegates. This amendment removed the offices of Northern and Southern Vice-Chairs as well as two At-Large members and added a single Vice-Chair and three Area Coordinator positions on the Executive Committee. In the Amendment while the number of At-Large members elected each year was reduced from five to four, the number each delegate votes for remained five.

### Impact

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This amendment will cause voting in elections of At-Large members to conform with the current numbers of At-Large members elected each year.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Convention Rule 13: Election of At-Large Executive Committee Members, Section A.

### **Convention Rules**

#### ***Rule 13: Election of At-Large Executive Committee Members***

Delegates shall make nominations for the at-large Executive Committee members from the floor. All State Central Committee members shall be eligible for nomination. Each candidate shall be allowed one nominating speech no longer than two minutes, made by a delegate, and each candidate may also speak for no longer than two minutes. The election shall be conducted in the following manner:

A. Each delegate may cast up to ~~five~~ four votes, but not more than one vote for any one candidate.

B. When all of the delegates have submitted their votes, the Secretary shall declare the voting closed.

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p data-bbox="191 237 443 268"><b>Convention Rules</b></p> <p data-bbox="191 289 748 363"><b>Rule 13: Election of At-Large Executive Committee Members</b></p> <p data-bbox="191 384 797 758">Delegates shall make nominations for the at-large Executive Committee members from the floor. All State Central Committee members shall be eligible for nomination. Each candidate shall be allowed one nominating speech no longer than two minutes, made by a delegate, and each candidate may also speak for no longer than two minutes. The election shall be conducted in the following manner:</p> <p data-bbox="191 810 773 930">A. Each delegate may cast up to five votes, but not more than one vote for any one candidate.</p> <p data-bbox="191 951 719 1062">B. When all of the delegates have submitted their votes, the Secretary shall declare the voting closed.</p>	<p data-bbox="826 237 1078 268"><b>Convention Rules</b></p> <p data-bbox="826 289 1383 363"><b>Rule 13: Election of At-Large Executive Committee Members</b></p> <p data-bbox="826 384 1430 758">Delegates shall make nominations for the at-large Executive Committee members from the floor. All State Central Committee members shall be eligible for nomination. Each candidate shall be allowed one nominating speech no longer than two minutes, made by a delegate, and each candidate may also speak for no longer than two minutes. The election shall be conducted in the following manner:</p> <p data-bbox="826 810 1414 930">A. Each delegate may cast up to four votes, but not more than one vote for any one candidate.</p> <p data-bbox="826 951 1354 1062">B. When all of the delegates have submitted their votes, the Secretary shall declare the voting closed.</p>

## II. Recommendation: Bylaw 28, Parliamentary Authority (No Debate)

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### Reason

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In 2018 an amendment was passed changing to RONR as Newly Revised and was removed from the Convention Rules. It is important to include the hierarchy of our governing documents, which would include Special Rules of Order and also that it's clear that RONR would govern anything not included in those rules.

### Impact

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With this revision RONR as Newly Revised would be the Parliamentary authority for all Party business secondarily to our governing documents.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 28: Parliamentary Authority

#### **Bylaw 28: Parliamentary Authority**

The current edition of *Robert's Rules of Order, Newly Revised* shall be the parliamentary authority for all matters of procedure not specifically covered by these Bylaws or the Party's Special Rules of Order including those maintained in the Operating Procedures Manual and the Convention Rules.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 28: Parliamentary Authority</b></p> <p>The current edition of <i>Robert's Rules of Order, Newly Revised</i> shall be the parliamentary authority for all matters of procedure not specifically covered by these Bylaws.</p>	<p><b>Bylaw 15: Committees</b></p> <p>The current edition of <i>Robert's Rules of Order, Newly Revised</i> shall be the parliamentary authority for all matters of procedure not specifically covered by these Bylaws or the Party's Special Rules of Order including those maintained in the Operating Procedures Manual and the Convention Rules.</p>

### **III. Recommendation: Bylaw 12, Section 4-Electronic Meetings**

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#### **Reason**

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Currently mail and email motions are the only means that the Executive Committee has to transact business in between quarterly meetings and doesn't allow utilizing newer technologies. This amendment would allow the Executive Committee to more easily and effectively use electronic communications options to conduct their business between quarterly meetings as well as complete email ballots in a more efficient manner.

#### **Impact**

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This amendment would allow for a more productive means of doing business throughout the year rather than only conducting business during the four business meetings each year.

#### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 12: Executive Committee, Section 4. as follows:

#### **Bylaw 12: Executive Committee**

##### ***Section 4***

The Executive Committee may, without meeting together, transact business by mail by voting on questions submitted by the Secretary at the request of at least two members of the Executive Committee. Unless a secret ballot is requested when the question is moved, which will require either postal mail ballots or technical capabilities beyond standard e-mail, all such votes shall be counted and recorded by the Secretary as Roll Call votes. The Executive Committee will complete voting any time after forty-eight hours from the transmission time of the mail ballot: If the motion has received Yea votes from two-thirds of the Executive Committee members, or

- A. If the motion has received Nay votes from two-thirds of the Executive Committee members, or
- B. After one hundred twenty hours in all other cases.

An alternate's vote will not be counted towards the two-thirds requirement unless it is definitely known that a corresponding voting member will not be participating. Members may change their vote up to the close of the voting period.

**The Executive Committee may also transact business by telephone conference or other electronic communications where the members can meet in real time. In such meetings, the normal rules of the committee apply as to quorums and voting. At least 7 days' notice is required if business is to be transacted in such a fashion.**

The Secretary shall ~~preserve all such votes until the next meeting of the Executive Committee at which meeting the Executive Committee shall order the disposition of such votes.~~ keep a record of the motions and votes made via email, telephone and electronic balloting, and make them available in the same fashion as minutes from Executive Committee meetings.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 12: Executive Committee</b></p> <p><b>Section 4</b></p> <p>The Executive Committee may, without meeting together, transact business by mail by voting on questions submitted by the Secretary at the request of at least two members of the Executive Committee. Unless a secret ballot is requested when the question is moved, which will require either postal mail ballots or technical capabilities beyond standard e-mail, all such votes shall be counted and recorded by the Secretary as Roll Call votes. The Executive Committee will complete voting any time after forty-eight hours from the transmission time of the mail ballot: If the motion has received Yea votes from two-thirds of the Executive Committee members, or</p> <p>A. If the motion has received Nay votes from two-thirds of the Executive Committee members, or</p> <p>B. After one hundred twenty hours in all other cases.</p> <p>An alternate's vote will not be counted towards the two-thirds requirement unless it is definitely known that a corresponding voting member will not be participating. Members may change their vote up to the close of the voting period.</p> <p>The Secretary shall preserve all such votes until the next meeting of the Executive</p>	<p><b>Bylaw 12: Executive Committee</b></p> <p><b>Section 4</b></p> <p>The Executive Committee may, without meeting together, transact business by mail by voting on questions submitted by the Secretary at the request of at least two members of the Executive Committee. Unless a secret ballot is requested when the question is moved, which will require either postal mail ballots or technical capabilities beyond standard e-mail, all such votes shall be counted and recorded by the Secretary as Roll Call votes. The Executive Committee will complete voting any time after forty-eight hours from the transmission time of the mail ballot: If the motion has received Yea votes from two-thirds of the Executive Committee members, or</p> <p>A. If the motion has received Nay votes from two-thirds of the Executive Committee members, or</p> <p>B. After one hundred twenty hours in all other cases.</p> <p>An alternate's vote will not be counted towards the two-thirds requirement unless it is definitely known that a corresponding voting member will not be participating. Members may change their vote up to the close of the voting period.</p> <p>The Executive Committee may also transact business by telephone</p>

Committee at which meeting the Executive Committee shall order the disposition of such votes.

conference or other electronic communications where the members can meet in real time. In such meetings, the normal rules of the committee apply as to quorums and voting. At least 7 days' notice is required if business is to be transacted in such a fashion.

The Secretary shall keep a record of the motions and votes made via email, telephone and electronic balloting, and make them available in the same fashion as minutes from Executive Committee meetings.

## IV. Recommendation: Bylaw 2-Purpose (Requires 2/3 to amend)

### Reason

This amends the Purpose of the Party to include winning elections and implementing libertarian policy through political activities.

### Impact

This would add to the Party's purpose the goals of winning elections and engaging in political activities to implement libertarian policy.

### Proposed Amendment

The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 5-0 (Dawson, Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 2: Purpose (2/3 required to amend)

### **Bylaw 2: Purpose (2/3 required to amend)**

The Party exists to implement libertarian policy through political activities designed to win political office and implement libertarian policy, to uphold, promote, and disseminate the philosophy and principles of libertarianism. To that end, it shall engage in political activity designed to achieve those purposes. Also, it shall proclaim and implement the Statement of Principles of the national Libertarian Party by engaging in political and informational activities in California.

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<b>Bylaw 2: Purpose (2/3 required to amend)</b> The Party exists to uphold, promote, and disseminate the philosophy and principles of libertarianism. To that end, it shall proclaim and implement the Statement of Principles of the national Libertarian Party by engaging in political and informational activities in California.	<b>Bylaw 2: Purpose (2/3 required to amend)</b> The Party exists to implement libertarian policy through political activities designed to win political office and implement libertarian policy, to uphold, promote, and disseminate the philosophy and principles of libertarianism. To that end, it shall engage in political activity designed to achieve those purposes. Also, it shall proclaim and implement the Statement of Principles of the national Libertarian Party by engaging in political and informational activities in California.

## V. Recommendation: Bylaw 12, Section 7-Executive Committee Voting

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### Reason

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The Bylaws currently state that for the Executive Committee to conduct most regular business a majority of all **eligible** positions on the Executive Committee is required, as opposed to a majority of all Executive Committee members attending a meeting which has quorum. In the past this rule has often not been followed and if followed would get in the way of conducting business when attendance is only at or slightly above the required quorum to conduct business.

### Impact

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This would cause most regular business to require a majority vote of those present at a meeting which has quorum..

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 5-0 (Dawson, Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 12: Executive Committee, Section 7 as follows:

#### **Bylaw 12: Executive Committee**

##### ***Section 7***

On all other matters, main motions shall require a simple majority of the ~~eligible positions on the~~ Executive Committee to pass.

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<b>Bylaw 12: Executive Committee</b>  <b><i>Section 7</i></b> On all other matters, main motions shall require a simple majority of the eligible positions on the Executive Committee to pass.	<b>Bylaw 12: Executive Committee</b>  <b><i>Section 7</i></b> On all other matters, main motions shall require a simple majority of the Executive Committee to pass.

## **VI. Recommendation: Deletion of Bylaw 14-Judicial Committee (Affects Multiple Bylaws - Requires 2/3)**

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### Reason

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The Judicial Committee, originally intended to provide a review process for Party decisions or actions, with a method to ensure due process. Through recent decisions made by the Judicial Committee, many members (including all members of this committee) believe the JC has failed to achieve the desired goals and has harmed the interests of the Party, and there is a high likelihood the continued existence of the JC will further harm the Party. Additionally, the role of the JC can be replaced by other currently existing committees or leadership roles.

Following the deletion of the LPC Platform at the 2018 Convention, the Judicial Committee overturned the will of the delegates by a majority. The Judicial Committee's Chair had been one of the most vocal opponents during debate to deleting the Platform and failed to recuse himself during the Committee's proceedings and vote on the matter. Furthermore, he failed to execute due process by providing appropriate notice; as the action to delete was carried out by the delegates, appropriate notice should have been sent to all registered delegates, which it was not. Anger over these actions and the decision to overturn resulted in the repudiation of the Committee's decision by several county affiliates who felt that the Judicial Committee was no longer serving the best interest of the Party and was instead allowing a small subset of individuals to push a personal agenda in an unprecedented move to overturn a vote by the delegation. Additionally, the methods of previous JC proceedings have been repudiated by the Executive Committee for similar breaches of due process.

For these reasons, the Judicial Committee should be eliminated.

### Impact

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This amendment would delete the Judicial Committee in its entirety. There would now be no elected appellate body. An Ad-Hoc Committee could be created for this purpose by the Chair as necessary.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (Hamm, Nelson, J. Olsen, K. B. Olsen)

Delete Bylaw 14 and amend other Bylaws as follows:

### **Bylaw 5: Membership**

#### Section 5

The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. ~~Notification of the suspension is subject to written appeal within thirty days of notification. Failure to appeal shall terminate the membership.~~ The Executive Committee may reinstate memberships terminated under this section. The term "cause" as used in this section shall include but not be limited to the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- B. Having unpaid debts over ninety days old outstanding to the Party.

#### ~~Section 6 (2/3 required to amend)~~

~~Upon appeal by a County or State Central Committee member, the Judicial Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to restore the membership.~~

### **Bylaw 9: County Organizations**

#### Section 6

A county organization is deemed as having selected its officers only if an election notice has been mailed to its members at least thirty days but no more than sixty days in advance of that election. The election notice shall also be sent to and received by the Party Secretary at least thirty days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election shall be held every year. The results of the election shall be reported to the Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election ~~by bringing the issue before the Judicial Committee.~~ The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

### **Bylaw 10: Officers**

#### Section 7

An officer or Operations Committee member may be suspended from office by the Executive Committee. The office of the suspendee shall be declared vacant unless the suspendee appeals such suspension to the Judicial Committee in writing within ten

days of notification of such suspension. Upon written appeal by the suspendee, the Judicial Committee shall rule within three days to either uphold the suspension, thereby vacating the office, or restore the suspended member to full authority. A failure to rule shall be deemed as restoring the suspended member to full authority.

#### **Bylaw 14: Judicial Committee**

~~Section 1 The Judicial Committee shall consist of five State Central Committee members elected at a convention of the Party by the attending delegates. The term of a Judicial Committee member shall begin at the close of each convention held in an even-numbered year and end at the close of the next convention held in an even-numbered year. The remaining Judicial Committee members shall by appointment fill any vacancy in the Judicial Committee until a successor shall be elected at the next convention.~~

~~Section 2 (2/3 required to amend) A Judicial Committee member may not be a member of the Executive Committee, the Operations Committee, the Platform Committee, or the Program Committee. The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the Committee may be overturned by a three-quarters vote of a convention.~~

~~Section 3 The Judicial Committee review of a Party action or inaction shall be limited to the consistency of that action or inaction in accordance with the governing documents of the Party, including these Bylaws and documents to which they refer, with the only exceptions being Judicial Committee duties mandated by these Bylaws, and arbitration of Party contracts that explicitly call for arbitration by the Judicial Committee. At least two Judicial Committee members shall agree to hold a hearing or to consider an appeal. The Judicial Committee may choose to hold hearings in person, by teleconference, or by videoconference.~~

~~Section 4 Bylaws and Convention Rules: The Judicial Committee shall elect a Chair, who shall receive all appeals and petitions and schedule hearings so as to obtain a quorum of the Judicial Committee. When a hearing is requested, the Chair shall set a hearing date within seven days of receiving the request.~~

~~Section 5 The Judicial Committee shall provide at least ten days' notice to each of the parties to a hearing, unless an earlier date is agreed to by the Judicial Committee and the participants.~~

~~Section 6 The Judicial Committee shall hold a hearing within thirty days of receiving a request, unless otherwise specified.~~

~~Section 7 All parties to a hearing shall have the right to represent their own interests in the manner of their own choosing.~~

~~Section 8 The Judicial Committee shall provide a ruling within two days of the conclusion of the hearing, unless otherwise specified.~~

~~Section 9 With the consent of all parties, the Judicial Committee Chair may call for written arguments and mail ballot of the Judicial Committee, with a ruling to be provided to all parties and to the Executive Committee no later than thirty days following the date of the initial petition.~~

## **Bylaw 20: Platform**

### Section 1

The Party Platform shall consist of a number of planks which state the Party position on specific state and national issues.

The Platform may be amended by deletion, substitution, or addition of any plank at any Party convention. The delegates may, by majority vote, delete a plank. The delegates, by a two-thirds vote, but not less than a majority of all registered delegates, may add a new plank, or substitute a new plank for an old plank.

### Section 2

If a delegate believes an adopted plank to be in conflict with the Statement of Principles to the national Libertarian Party, then the delegate may challenge that plank in writing, during the convention, ~~to the Judicial Committee~~. The delegate shall specify in the challenge the manner in which the delegate believes the plank is in conflict. ~~The Judicial Committee shall decide whether the plank in question conforms to the Statement of Principles and shall make a report to the floor of the convention stating the justification of its decision.~~ If the plank is vetoed by the **Judicial Committee**, it will be declared null and void; but the plank may be reinstated in the Platform by a three-fourths vote of the convention.

## **Bylaw 21: Program**

### Section 3

If a delegate believes that an adopted plank is in conflict with the Statement of Principles of the national Libertarian Party, or with the Statement of Principles or Platform of the Party, then the delegate may challenge that plank in writing ~~to the Judicial Committee~~. The challenger shall specify in the challenge the manner in which the delegate believes the plank is in conflict. ~~The Judicial Committee shall decide whether the plank in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention.~~ If the plank is vetoed ~~by the Judicial Committee~~, it will be declared null and void; but the plank may be reinstated in the Program by a three-fourths vote of the convention.

## **Rule 9: Resolutions**

### Section 2

If a delegate believes that an adopted resolution is in conflict with the Statement of Principles of the national Libertarian Party, then the delegate may challenge that adopted resolution ~~in writing to the Judicial Committee~~. The challenger shall specify in the challenge the manner in which the delegate believes the adopted resolution is in conflict. ~~The Judicial Committee shall decide whether the adopted resolution in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention.~~ If the adopted resolution is vetoed ~~by the Judicial Committee~~, it will be declared null and void; but the adopted resolution may be reinstated by a three-fourths vote of the convention.

Current Bylaws	Proposed Bylaws as Amended
<p><b>Bylaw 5: Membership</b>            Section 5            The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. Notification of the suspension is subject to written appeal within thirty days of notification. Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term “cause” as used in this section shall include but not be limited to the following:</p> <ul style="list-style-type: none"> <li>A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or</li> <li>B. Having unpaid debts over ninety days old outstanding to the Party.</li> </ul> <p>Section 6 (2/3 required to amend)            Upon appeal by a County or State Central Committee member, the Judicial</p>	<p><b>Bylaw 5: Membership</b>            Section 5            The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. The Executive Committee may reinstate memberships terminated under this section. The term “cause” as used in this section shall include but not be limited to the following:</p> <ul style="list-style-type: none"> <li>A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or</li> <li>B. Having unpaid debts over ninety days old outstanding to the Party.</li> </ul> <p><b>Bylaw 9: County Organizations</b>            Section 6            A county organization is deemed as having selected its officers only if an election notice has been mailed to its members at least thirty days but no more than sixty days in advance of that election.</p>

Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to restore the membership.

**Bylaw 9: County Organizations**

Section 6

A county organization is deemed as having selected its officers only if an election notice has been mailed to its members at least thirty days but no more than sixty days in advance of that election. The election notice shall also be sent to and received by the Party Secretary at least thirty days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election shall be held every year. The results of the election shall be reported to the Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election by bringing the issue before the Judicial Committee. The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

**Bylaw 10: Officers**

Section 7

An officer or Operations Committee member may be suspended from office by the Executive Committee. The office of the suspendee shall be declared vacant unless the suspendee appeals such suspension to the Judicial Committee in writing within

The election notice shall also be sent to and received by the Party Secretary at least thirty days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election shall be held every year. The results of the election shall be reported to the Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election. The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

**Bylaw 10: Officers**

Section 7

An officer or Operations Committee member may be suspended from office by the Executive Committee. The office of the suspendee shall be declared vacant unless the suspendee appeals such suspension to the Judicial Committee in writing within ten days of notification of such suspension. Upon written appeal by the suspendee, the Judicial Committee shall rule within three days to either uphold the suspension, thereby vacating the office, or restore the suspended member to full authority. A failure to rule shall be deemed as restoring the suspended member to full authority.

**Bylaw 19: Platform**

Section 1

The Party Platform shall consist of a number of planks which state the Party

ten days of notification of such suspension. Upon written appeal by the suspendee, the Judicial Committee shall rule within three days to either uphold the suspension, thereby vacating the office, or restore the suspended member to full authority. A failure to rule shall be deemed as restoring the suspended member to full authority.

#### **Bylaw 14: Judicial Committee**

Section 1 The Judicial Committee shall consist of five State Central Committee members elected at a convention of the Party by the attending delegates. The term of a Judicial Committee member shall begin at the close of each convention held in an even-numbered year and end at the close of the next convention held in an even-numbered year. The remaining Judicial Committee members shall by appointment fill any vacancy in the Judicial Committee until a successor shall be elected at the next convention.

Section 2 (2/3 required to amend) A Judicial Committee member may not be a member of the Executive Committee, the Operations Committee, the Platform Committee, or the Program Committee. The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the Committee may be overturned by a three-quarters vote of a convention.

Section 3 The Judicial Committee review of a Party action or inaction shall be limited to the consistency of that action or inaction in accordance with the governing documents of the Party, including these

position on specific state and national issues.

The Platform may be amended by deletion, substitution, or addition of any plank at any Party convention. The delegates may, by majority vote, delete a plank. The delegates, by a two-thirds vote, but not less than a majority of all registered delegates, may add a new plank, or substitute a new plank for an old plank.

#### Section 2

If a delegate believes an adopted plank to be in conflict with the Statement of Principles to the national Libertarian Party, then the delegate may challenge that plank in writing, during the convention. The delegate shall specify in the challenge the manner in which the delegate believes the plank is in conflict. If the plank is vetoed by the, it will be declared null and void; but the plank may be reinstated in the Platform by a three-fourths vote of the convention.

#### **Bylaw 20: Program**

##### Section 3

If a delegate believes that an adopted plank is in conflict with the Statement of Principles of the national Libertarian Party, or with the Statement of Principles or Platform of the Party, then the delegate may challenge that plank in writing. The challenger shall specify in the challenge the manner in which the delegate believes the plank is in conflict. If the plank is vetoed, it will be declared null and void; but the plank may be reinstated in the Program by a three-fourths vote of the convention.

#### **Rule 9: Resolutions**

Bylaws and documents to which they refer, with the only exceptions being Judicial Committee duties mandated by these Bylaws, and arbitration of Party contracts that explicitly call for arbitration by the Judicial Committee. At least two Judicial Committee members shall agree to hold a hearing or to consider an appeal. The Judicial Committee may choose to hold hearings in person, by teleconference, or by videoconference.

Section 4 Bylaws and Convention Rules: The Judicial Committee shall elect a Chair, who shall receive all appeals and petitions and schedule hearings so as to obtain a quorum of the Judicial Committee. When a hearing is requested, the Chair shall set a hearing date within seven days of receiving the request.

Section 5 The Judicial Committee shall provide at least ten days' notice to each of the parties to a hearing, unless an earlier date is agreed to by the Judicial Committee and the participants.

Section 6 The Judicial Committee shall hold a hearing within thirty days of receiving a request, unless otherwise specified.

Section 7 All parties to a hearing shall have the right to represent their own interests in the manner of their own choosing.

Section 8 The Judicial Committee shall provide a ruling within two days of the conclusion of the hearing, unless otherwise specified.

Section 9 With the consent of all parties, the Judicial Committee Chair may call for written arguments and mail ballot of the Judicial Committee, with a ruling to be

## Section 2

If a delegate believes that an adopted resolution is in conflict with the Statement of Principles of the national Libertarian Party, then the delegate may challenge that adopted resolution. The challenger shall specify in the challenge the manner in which the delegate believes the adopted resolution is in conflict. If the adopted resolution is vetoed, it will be declared null and void; but the adopted resolution may be reinstated by a three-fourths vote of the convention.

provided to all parties and to the Executive Committee no later than thirty days following the date of the initial petition.

### **Bylaw 20: Platform**

#### Section 1

The Party Platform shall consist of a number of planks which state the Party position on specific state and national issues.

The Platform may be amended by deletion, substitution, or addition of any plank at any Party convention. The delegates may, by majority vote, delete a plank. The delegates, by a two-thirds vote, but not less than a majority of all registered delegates, may add a new plank, or substitute a new plank for an old plank.

#### Section 2

If a delegate believes an adopted plank to be in conflict with the Statement of Principles to the national Libertarian Party, then the delegate may challenge that plank in writing, during the convention, to the Judicial Committee. The delegate shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The Judicial Committee shall decide whether the plank in question conforms to the Statement of Principles and shall make a report to the floor of the convention stating the justification of its decision. If the plank is vetoed by the Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Platform by a three-fourths vote of the convention.

### **Bylaw 21: Program**

### Section 3

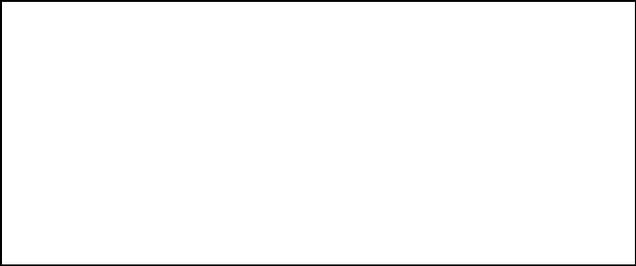
If a delegate believes that an adopted plank is in conflict with the Statement of Principles of the national Libertarian Party, or with the Statement of Principles or Platform of the Party, then the delegate may challenge that plank in writing to the Judicial Committee. The challenger shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The Judicial Committee shall decide whether the plank in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the plank is vetoed by the Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Program by a three-fourths vote of the convention.

### **Rule 9: Resolutions**

#### Section 2

If a delegate believes that an adopted resolution is in conflict with the Statement of Principles of the national Libertarian Party, then the delegate may challenge that adopted resolution in writing to the Judicial Committee. The challenger shall specify in the challenge the manner in which the delegate believes the adopted resolution is in conflict. The Judicial Committee shall decide whether the adopted resolution in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of

the convention. If the adopted resolution is vetoed by the Judicial Committee, it will be declared null and void; but the adopted resolution may be reinstated by a three-fourths vote of the convention.



## **VII. Recommendation: Bylaw 14-Ad-Hoc Judicial Committee (Affects Multiple Bylaws - Requires 2/3 - Consider Only if Recommendation VI Does Not Pass)**

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**\*\*\*This Recommendation is only to be considered if Recommendation VI does not pass.\*\*\***

### **Reason**

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The Judicial Committee, originally intended to provide an appellate body and a method to ensure due process, has failed to achieve the desired goals and has had unintended consequences and has failed in its duties.

Following the deletion of the LPC Platform at the 2018 Convention, the Judicial Committee overturned the will of the delegates by a majority. The Judicial Committee's Chair had been one of the most vocal opponents during debate to deleting the Platform and failed to recuse himself during the Committee's proceedings and vote on the matter. Furthermore, he failed to execute due process by providing appropriate notice; as the action to delete was carried out by the delegates, appropriate notice should have been sent to all registered delegates, which it was not. Anger over these actions and the decision to overturn resulted in the repudiation of the Committee's decision by several county affiliates who felt that the Judicial Committee was no longer serving the best interest of the Party and was instead allowing a small subset of individuals to push a personal agenda in an unprecedented move to overturn a vote by the delegation. Additionally, the methods of previous JC proceedings have been repudiated by the Executive Committee for similar breaches of due process.

For these reasons, the Judicial Committee should be eliminated.

### **Impact**

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This amendment would delete the Judicial Committee and replace it with an Ad-Hoc Committee to be created for this purpose by the Chair as necessary.

### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 5-0 (Dawson, Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaws as follows:

#### **Bylaw 5: Membership**

##### **Section 3**

All Party candidates for public office, Executive Committee members, county Party

office holders, Libertarian National Committee representatives, and [ad hoc](#) Judicial Committee members shall be registered in the Libertarian Party in California if eligible.

### **Section 6 (2/3 required to amend)**

Upon appeal [to the Chair](#) by a County or State Central Committee member, the [Chair may appoint an ad hoc](#) Judicial Committee ~~to shall~~ hold a hearing concerning the suspension. Following the hearing, the [ad hoc](#) Judicial Committee shall rule either to terminate the membership or to restore the membership.

## **Bylaw 9: County Organizations**

### **Section 6**

A county organization is deemed as having selected its officers only if an election notice has been mailed to its members at least thirty days but no more than sixty <sup>days</sup> in advance of that election. The election notice shall also be sent to and ~~received~~ received by the Party Secretary at least thirty days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election shall be held every year. The results of the election shall be reported to the Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election by bringing the issue before the [Chair, who may appoint an ad hoc](#) Judicial Committee. The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

## **Bylaw 10: Officers**

### **Section 7**

An officer or Operations Committee member may be suspended from office by the Executive Committee. The office of the suspendee shall be declared vacant unless the suspendee appeals such suspension to the [Chair, in writing within ten days of notification of such suspension, who then may appoint an ad hoc](#) Judicial Committee ~~in writing within ten days of notification of such suspension. Upon written appeal by the suspendee, the ad hoc~~ [ad hoc](#) Judicial Committee shall rule within three days to either uphold the suspension, thereby vacating the office, or restore the suspended member to full authority. A failure to rule shall be deemed as restoring the suspended member to full authority.

## **Bylaw 14: [Ad Hoc](#) Judicial Committee**

### **Section 1**

[An ad hoc](#) ~~The~~ Judicial Committee [may be appointed by the Chair only for purposes](#)

expressly authorized under these bylaws. Any ad hoc judicial committee shall consist of five State Central Committee members ~~elected at a convention of the Party by the attending delegates.~~ The term of an ad hoc Judicial Committee member shall expire when the purpose of the ad hoc committee has been completed (e.g. ruling or a decision has been issued). ~~begin at the close of each convention held in an even-numbered year and end at the close of the next convention held in an even-numbered year. The remaining Judicial Committee members shall by appointment fill any vacancy in the Judicial Committee until a successor shall be elected at the next convention.~~

## Section 2 (2/3 required to amend)

An ad hoc Judicial Committee member may not be a member of the Executive Committee, the Operations Committee, the Platform Committee, or the Program Committee. The decision of the ad hoc Judicial Committee shall be the final ~~body of appeal in all Party matters, except subject to the provision that a decision of the Committee~~ may be overturned by a three-quarters vote of a convention.

## Section 3

In any appeal, petition, complaint or challenge (or any of the like) submitted to the Chair for ad hoc judicial committee review, the burden of proof shall be on the requesting party (appellant, complainant, etc). Any ad hoc The Judicial Committee review of a Party action or inaction shall be limited to the consistency of that action or inaction in accordance with the governing documents of the Party, including these Bylaws and documents to which they refer, with the only exceptions being ad hoc Judicial Committee duties mandated by these Bylaws, and arbitration of Party contracts that explicitly call for arbitration by the ad hoc Judicial Committee.

Upon appointment by the Chair, ~~A~~ at least two ad hoc Judicial Committee members shall agree to hold a hearing or to consider an appeal. An ad hoc ~~The~~ Judicial Committee may decline to review or hear a matter. The ad hoc Judicial Committee may choose to hold hearings in person, by teleconference, or by videoconference.

## Section 4

### Bylaws and Convention Rules

An ad hoc Judicial Committee shall elect a Chair, who shall receive all appeals and petitions and schedule hearings so as to obtain a quorum of the ad hoc Judicial Committee. When a hearing is requested, the ad hoc judicial committee Chair shall set a hearing date within seven days of receiving the request.

## Section 5

The ad hoc Judicial Committee shall provide at least ten days' notice to each of the

parties to a hearing, unless an earlier date is agreed to by the [ad hoc](#) Judicial Committee and the participants.

#### **Section 6**

The [ad hoc](#) Judicial Committee shall hold a hearing within thirty days of receiving a request, unless otherwise specified.

#### **Section 7**

All parties to a hearing shall have the right to represent their own interests in the manner of their own choosing.

#### **Section 8**

~~An ad hoc~~The Judicial Committee shall provide a [written](#) ruling [with an opinion brief justifying the ruling](#) within ~~14 two~~ days of the conclusion of the hearing, unless otherwise specified.

#### **Section 9**

With the consent of all parties, the [ad hoc](#) Judicial Committee Chair may call for written arguments and mail ballot of the [ad hoc](#) Judicial Committee, with a ruling to be provided to all parties and to the Executive Committee no later than thirty days following the date of the initial petition.

### **Bylaw 20: Platform**

#### **Section 3**

If a delegate believes an adopted plank to be in conflict with the Statement of Principles to the national Libertarian Party, then the delegate may challenge that plank in writing, during the convention, to [an ad hoc](#) ~~the~~ Judicial Committee [appointed by the Chair](#). The delegate shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The [ad hoc](#) Judicial Committee shall decide whether the plank in question conforms to the Statement of Principles and shall make a report to the floor of the convention stating the justification of its decision. If the plank is vetoed by the [ad hoc](#) Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Platform by a three-fourths vote of the convention.

### **Bylaw 21: Program**

#### **Section 3**

If a delegate believes that an adopted plank is in conflict with the Statement of Principles of the national Libertarian Party, or with the Statement of Principles or Platform of the Party, then the delegate may challenge that plank in writing to [the Chair, who in response may appoint an ad hoc](#) ~~the~~ Judicial Committee [for the sole purpose of reviewing the challenge](#). The challenger shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The [ad hoc](#) Judicial Committee shall decide whether the plank in question conforms to the respective Statement of

Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the plank is vetoed by the [ad hoc](#) Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Program by a three-fourths vote of the convention.

## CONVENTION RULES

### Rule 4: Agenda

The business of the convention shall consist of the following items, and shall be conducted in the following order:

- A. Credentials report;
- B. Reports of the Party officers and working committees;
- C. Consent calendar;
- D. In even-numbered years, the Platform Committee report, and in odd-numbered years, the Bylaws Committee report;
- E. Elections, in the following order:
  1. In odd-numbered years, Party officers and Area Coordinators and in even-numbered years to fill the unexpired terms of vacated Party officers or Area Coordinators;
  2. At-large Executive Committee members;
  3. At-large Executive Committee alternates;
  - ~~4. Judicial Committee members;~~
  5. At Party conventions immediately preceding national conventions, national convention delegates, Libertarian National Committee representatives and alternates;
- F. In odd-numbered years, the Platform Committee report, and in even-numbered years, the Bylaws Committee report;
- G. In a Presidential election year, the Presidential Straw Poll, roll call vote, one vote only;
- H. Endorsements of candidates;
- I. Resolutions and other matters.

The Secretary shall cause the minutes of the previous day's session to be distributed or to be plainly posted each morning. The minutes of the convention shall be approved by the Executive Committee within ninety days of the convention's close.

**Rule 9: Resolutions**

**Section 2**

If a delegate believes that an adopted resolution is in conflict with the Statement of Principles of the national Libertarian Party, then the delegate may challenge that adopted resolution in writing to the Chair, who may appoint an ad hoc ~~the~~ Judicial Committee. The challenger shall specify in the challenge the manner in which the delegate believes the adopted resolution is in conflict. The ad hoc Judicial Committee shall decide whether the adopted resolution in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the adopted resolution is vetoed by the ad hoc Judicial Committee, it will be declared null and void; but the adopted resolution may be reinstated by a three-fourths vote of the convention.

Current Bylaws	Proposed Bylaws as Amended
<p>Bylaw 5: Membership Section 3 All Party candidates for public office, Executive Committee members, county Party office holders, Libertarian National Committee representatives, and Judicial Committee members shall be registered in the Libertarian Party in California if eligible. Section 6 (2/3 required to amend)     Upon appeal by a County or State Central Committee member, the Judicial Committee         shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to restore the membership. Bylaw 9: County Organizations Section 6 A county organization is deemed as having selected its officers only if an election notice has been mailed to its members at least thirty days but no more than sixty days in advance of that election. The election notice shall also be</p>	<p>Bylaw 5: Membership Section 3 All Party candidates for public office, Executive Committee members, county Party office holders, Libertarian National Committee representatives, and ad hoc Judicial Committee members shall be registered in the Libertarian Party in California if eligible. Section 6 (2/3 required to amend)     Upon appeal to the Chair by a County or State Central Committee member, the Chair may appoint an ad hoc Judicial Committee to hold a hearing concerning the suspension. Following the hearing, the ad hoc Judicial Committee shall rule either to terminate the membership or to restore the membership. Bylaw 9: County Organizations Section 6 A county organization is deemed as having selected its officers only if an election notice has been mailed to its members at least thirty days but no more than sixty <sup>days in advance of that</sup> election. The election notice shall also be sent to and received by</p>

sent to and received by the Party Secretary at least thirty days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election shall be held every year. The results of the election shall be reported to the Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election by bringing the issue before the Judicial Committee. The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

Bylaw 10: Officers  
Section 7

An officer or Operations Committee member may be suspended from office by the Executive Committee. The office of the suspendee shall be declared vacant unless the suspendee appeals such suspension to the Judicial Committee in writing within ten days of notification of such suspension. Upon written appeal by the suspendee, the Judicial Committee shall rule within three days to either uphold the suspension, thereby vacating the office, or restore the suspended member to full authority. A failure to rule shall be deemed as restoring the suspended member to full authority.

Bylaw 14: Judicial Committee  
Section 1

The Judicial Committee shall consist of five State Central Committee members elected at a convention of the Party by the attending delegates. The term of a Judicial Committee member shall begin at the close of each convention held in an even-numbered year and end at the close of the next convention held in an even-numbered year. The remaining Judicial Committee members shall by appointment fill any vacancy in the Judicial Committee until a successor shall be elected at the next convention.

Section 2 (2/3 required to amend)

the Party Secretary at least thirty days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election shall be held every year. The results of the election shall be reported to the Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election by bringing the issue before the Chair, who may appoint an ad hoc Judicial Committee. The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

Bylaw 10: Officers  
Section 7

An officer or Operations Committee member may be suspended from office by the Executive Committee. The office of the suspendee shall be declared vacant unless the suspendee appeals such suspension to the Chair, in writing within ten days of notification of such suspension, who then may appoint an ad hoc Judicial Committee the ad hoc Judicial Committee shall rule within three days to either uphold the suspension, thereby vacating the office, or restore the suspended member to full authority. A failure to rule shall be deemed as restoring the suspended member to full authority.

Bylaw 14: Ad Hoc Judicial Committee  
Section 1

An ad hoc Judicial Committee may be appointed by the Chair only for purposes expressly authorized under these bylaws. Any ad hoc judicial committee shall consist of five State Central Committee members. The term of any ad hoc Judicial Committee member shall expire when the purpose of the ad hoc committee has been completed (e.g. ruling or a decision has been issued). Section 2 (2/3 required to amend)

An ad hoc Judicial Committee member may not be a member of the Executive Committee, the Operations Committee, the Platform Committee, or the Program Committee. The

A Judicial Committee member may not be a member of the Executive Committee, the Operations Committee, the Platform Committee, or the Program Committee. The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the Committee may be overturned by a three-quarters vote of a convention.

#### Section 3

At least two Judicial Committee members shall agree to hold a hearing or to consider an appeal. The Judicial Committee may choose to hold hearings in person, by teleconference, or by videoconference.

#### Section 4

##### Bylaws and Convention Rules

Judicial Committee shall elect a Chair, who shall receive all appeals and

petitions and schedule hearings so as to obtain a quorum of the Judicial Committee. When a hearing is requested, the Chair shall set a hearing date within seven days of receiving the request.

#### Section 5

The Judicial Committee shall provide at least ten days' notice to each of the parties to a hearing, unless an earlier date is agreed to by the Judicial Committee and the participants.

#### Section 6

The Judicial Committee shall hold a hearing within thirty days of receiving a request, unless otherwise specified.

#### Section 7

All parties to a hearing shall have the right to represent their own interests in the manner of their own choosing.

#### Section 8

The Judicial Committee shall provide a ruling within two days of the conclusion of the hearing, unless otherwise specified.

#### Section 9

With the consent of all parties, the Judicial Committee Chair may call for written arguments and mail ballot of the Judicial Committee, with a ruling to be provided to all parties and to the Executive Committee no

decision of the ad hoc Judicial Committee shall be the final, except may be overturned by a three-quarters vote of a convention.

#### Section 3

In any appeal, petition, complaint or challenge (or any of the like) submitted to the Chair for ad hoc judicial committee review, the burden of proof shall be on the requesting party (appellant, complainant, etc). Any ad hoc The Judicial Committee review of a Party action or inaction shall be limited to the consistency of that action or inaction in accordance with the governing documents of the Party, including these Bylaws and documents to which they refer, with the only exceptions being ad hoc Judicial Committee duties mandated by these Bylaws, and arbitration of Party contracts that explicitly call for arbitration by the ad hoc Judicial Committee.

Upon appointment by the Chair, at least two ad hoc Judicial Committee members shall agree to hold a hearing or to consider an appeal. An ad hoc Judicial Committee may decline to review or hear a matter. The ad hoc Judicial Committee may choose to hold hearings in person, by teleconference, or by videoconference.

#### Section 4

##### Bylaws and Convention Rules

An ad hoc Judicial Committee shall elect a Chair, who shall receive all appeals

and petitions and schedule hearings so as to obtain a quorum of the ad hoc Judicial Committee. When a hearing is requested, the ad hoc judicial committee Chair shall set a hearing date within seven days of receiving the request.

#### Section 5

The ad hoc Judicial Committee shall provide at least ten days' notice to each of the parties to a hearing, unless an earlier date is agreed to by the ad hoc Judicial Committee and the participants.

#### Section 6

The ad hoc Judicial Committee shall hold a hearing within thirty days of receiving a request, unless otherwise specified.

#### Section 7

later than thirty days following the date of the initial petition.

Bylaw 20: Platform

Section 3

If a delegate believes an adopted plank to be in conflict with the Statement of Principles to the national Libertarian Party, then the delegate may challenge that plank in writing, during the convention, to the Judicial Committee. The delegate shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The Judicial Committee shall decide whether the plank in question conforms to the Statement of Principles and shall make a report to the floor of the convention stating the justification of its decision. If the plank is vetoed by the Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Platform by a three-fourths vote of the convention.

Bylaw 21: Program

Section 3

If a delegate believes that an adopted plank is in conflict with the Statement of Principles of the national Libertarian Party, or with the Statement of Principles or Platform of the Party, then the delegate may challenge that plank in writing to the Judicial Committee. The challenger shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The Judicial Committee shall decide whether the plank in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the plank is vetoed by the Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Program by a three-fourths vote of the convention.

CONVENTION RULES

Rule 4: Agenda

The business of the convention shall consist of the following items, and shall be conducted in the following order:

A. Credentials report;

All parties to a hearing shall have the right to represent their own interests in the manner of their own choosing.

Section 8

An ad hoc Judicial Committee shall provide a written ruling with an opinion brief justifying the ruling within 14 days of the conclusion of the hearing, unless otherwise specified.

Section 9

With the consent of all parties, the ad hoc Judicial Committee Chair may call for written arguments and mail ballot of the ad hoc Judicial Committee, with a ruling to be provided to all parties and to the Executive Committee no later than thirty days following the date of the initial petition.

Bylaw 20: Platform

Section 3

If a delegate believes an adopted plank to be in conflict with the Statement of Principles to the national Libertarian Party, then the delegate may challenge that plank in writing, during the convention, to an ad hoc Judicial Committee appointed by the Chair. The delegate shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The ad hoc Judicial Committee shall decide whether the plank in question conforms to the Statement of Principles and shall make a report to the floor of the convention stating the justification of its decision. If the plank is vetoed by the ad hoc Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Platform by a three-fourths vote of the convention.

Bylaw 21: Program

Section 3

If a delegate believes that an adopted plank is in conflict with the Statement of Principles of the national Libertarian Party, or with the Statement of Principles or Platform of the Party, then the delegate may challenge that plank in writing to the Chair, who in response may appoint an ad hoc Judicial Committee for the sole purpose of reviewing the challenge. The challenger shall specify in the challenge the manner in which the delegate believes the

- B. Reports of the Party officers and working committees;
- C. Consent calendar;
- D. In even-numbered years, the Platform Committee report, and in odd-numbered years, the Bylaws Committee report;
- E. Elections, in the following order:
  1. In odd-numbered years, Party officers and Area Coordinators and in even-numbered years to fill the unexpired terms of vacated Party officers or Area Coordinators;
  2. At-large Executive Committee members;
  3. At-large Executive Committee alternates;
  4. Judicial Committee members;
  5. At Party conventions immediately preceding national conventions, national convention delegates, Libertarian National Committee representatives and alternates;
- F. In odd-numbered years, the Platform Committee report, and in even-numbered years, the Bylaws Committee report;
- G. In a Presidential election year, the Presidential Straw Poll, roll call vote, one vote only;
- H. Endorsements of candidates;
- I. Resolutions and other matters.

The Secretary shall cause the minutes of the previous day's session to be distributed or to be plainly posted each morning. The minutes of the convention shall be approved by the Executive Committee within ninety days of the convention's close.

Rule 9: Resolutions

Section 2

If a delegate believes that an adopted resolution is in conflict with the Statement of Principles of the national Libertarian Party, then the delegate may challenge that adopted resolution in writing to the Judicial Committee. The challenger shall specify in the challenge the manner in which the delegate believes the adopted resolution is in conflict. The Judicial Committee shall decide whether the adopted resolution in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If

plank is in conflict. The ad hoc Judicial Committee shall decide whether the plank in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the plank is vetoed by the ad hoc Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Program by a three-fourths vote of the convention.

CONVENTION RULES

Rule 4: Agenda

The business of the convention shall consist of the following items, and shall be conducted in the following order:

- A. Credentials report;
- B. Reports of the Party officers and working committees;
- C. Consent calendar;
- D. In even-numbered years, the Platform Committee report, and in odd-numbered years, the Bylaws Committee report;
- E. Elections, in the following order:
  1. In odd-numbered years, Party officers and Area Coordinators and in even-numbered years to fill the unexpired terms of vacated Party officers or Area Coordinators;
  2. At-large Executive Committee members;
  3. At-large Executive Committee alternates;
  5. At Party conventions immediately preceding national conventions, national convention delegates, Libertarian National Committee representatives and alternates;
- F. In odd-numbered years, the Platform Committee report, and in even-numbered years, the Bylaws Committee report;
- G. In a Presidential election year, the Presidential Straw Poll, roll call vote, one vote only;
- H. Endorsements of candidates;
- I. Resolutions and other matters.

The Secretary shall cause the minutes of the previous day's session to be distributed or to be plainly posted each morning. The minutes of the convention shall be approved by the Executive Committee within ninety days of the convention's close.

<p>the adopted resolution is vetoed by the Judicial Committee, it will be declared null and void; but the adopted resolution may be reinstated by a three-fourths vote of the convention.</p>	<p>Rule 9: Resolutions Section 2 If a delegate believes that an adopted resolution is in conflict with the Statement of Principles of the national Libertarian Party, then the delegate may challenge that adopted resolution in writing to the Chair, who may appoint an ad hoc Judicial Committee. The challenger shall specify in the challenge the manner in which the delegate believes the adopted resolution is in conflict. The ad hoc Judicial Committee shall decide whether the adopted resolution in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the adopted resolution is vetoed by the ad hoc Judicial Committee, it will be declared null and void; but the adopted resolution may be reinstated by a three-fourths vote of the convention.</p>
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**VIII. Recommendation: Bylaw 14, Section 2-Disempowerment of Judicial Committee (Requires 2/3 - Consider Only if Recommendations VI and VII Does Not Pass)**

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Reason

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The Judicial Committee, a five person committee, is the most powerful body in the Party and the Committee agrees delegates did not intend to confer this amount of power through this language, as “the final body appeal on all Party matters.”

Impact

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This would remove the statement indicating that the Judicial Committee is the final body of appeal on all matters.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 14, Section 2 as follows:

#### **Bylaw 14: Judicial Committee**

##### ***Section 2 (2/3 required to amend)***

A Judicial Committee member may not be a member of the Executive Committee, the Operations Committee, the Platform Committee, or the Program Committee.

~~The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the Committee may be overturned by a three-quarters vote of a convention.~~

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p><b>Bylaw 14: Judicial Committee</b></p> <p><b><i>Section 2</i></b></p> <p>A Judicial Committee member may not be a member of the Executive Committee, the Operations Committee, the Platform Committee, or the Program Committee. The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the Committee may be overturned by a three-quarters vote of a convention.</p>	<p><b>Bylaw 14: Judicial Committee</b></p> <p><b><i>Section 2</i></b></p> <p>A Judicial Committee member may not be a member of the Executive Committee, the Operations Committee, the Platform Committee, or the Program Committee.</p>

## **IX Recommendation: Redefines State Central Committee (Multiple Bylaws Affected - Requires 2/3 to amend)**

### **Reason**

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Currently State Central Committee members may be registered No Party Preference and registered Libertarians have no influence in Party affairs.

### **Impact**

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This amendment would redefine membership and how the State Central Committee is elected. This amendment would provide that the County Central Committees and registered voters would elect the State Central Committee.

### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaws as Follows:

#### **Bylaw 4: Definitions**

- A. "Registered Libertarian": A person who is registered as a Libertarian per the California Elections Code.
- B. "**State** Central Committee member": A person who is eligible to vote on Party business consistent with these Bylaws and Convention Rules.

- C. “County Central Committee member”: A person who is eligible to vote on County Party business consistent with the County Bylaws.
- D. “Sustaining Member”: A person who is eligible to be elected as a State Central Committee member.
- E. Certification: “I certify that I oppose the initiation of force as a means of achieving political or social goals.” Certification shall be required to be a sustaining member or a member of the State or County Central Committee. Individuals who have executed previous versions of the certification shall also meet this requirement.
- F. “Delegate”: A person who is a State Central Committee Member or Alternate State Central Committee Member voting at Convention.
- G. All references in these Bylaws and Convention Rules to “mail,” “written notification,” or similar terms shall be considered to include electronic communications.

## **Bylaw 5: Membership**

### **Section 1**

Individuals will become members by becoming a registered Libertarian in the State of California.

### **Section 2**

~~The Executive Committee shall establish associate, non-voting membership for those persons ineligible or unwilling to become members of the State Central Committee.~~

### **Section 2**

Individuals may become sustaining members by:

- A. Becoming a holder of California public office that is subject to election other than County Central Committee, or
- B. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement, or.
- C. Are a Life member.

All Sustaining members are required to meet all requirements for being a State or County Central Committee member.

### **Section 3**

~~All Party candidates for public office, Executive Committee members, county Party office holders, Libertarian National Committee representatives, and Judicial Committee members shall be registered in the Libertarian Party in California if eligible.~~

### **Section 1 3**

Individuals may become members of the State Central Committee by:

- A. Becoming a Sustaining Member of the party, and
- B. Begin a registrant of the Libertarian Party if eligible, and
- C. Being selected as a State Central Committee member by a County Central Committee per Bylaw 9, or
- D. Becoming a holder of California partisan or non-partisan office that is subject to election, or
- E. Being a member of the State Executive Committee, or
- F. Being a Libertarian National Committee Representative, or
- G. Being a member of a Judicial Committee, Bylaws Committee, Program Committee or Platform Committee Coordinator, or
- H. Being the Chair of a Standing Committee as designated in the Party's Operating Procedures Manual, or
- I. Being a past Chair of the Libertarian Party of California, or
- J. Being appointed by an elected member of the State Executive Committee.

All Party candidates, officeholders, Executive Committee members, Libertarian National Committee representatives, and Bylaw and Standing Committee members are required to meet all of the above requirements.

No State or County Central Committee member shall be a registrant or hold office in any political party other than the Libertarian party.

### **Section 2 4**

The Executive Committee shall establish associate, ~~non-voting~~ membership for those persons ineligible or unwilling to become sustaining members ~~of the State Central Committee~~.

### **Section 4 5**

The Secretary automatically shall terminate a State Central Committee membership if that member requests in writing such termination, or if, except for elected State Central Committee members, that member fails to remit prescribed dues by that member's renewal date.

### **Section 5 6**

The Executive Committee shall have the power to suspend a ~~County-or~~ State Central Committee membership for failure to maintain all the qualifications of membership established in Section 3 1, or for cause. Notification of the cause of suspension shall be given to the individual member and the County Central Committee officers that the member is associated with. Notification of the

suspension is subject to written appeal within thirty days of notification. Failure to appeal shall terminate the State Central Committee membership, but does not automatically suspend County Central Committee membership. The Executive Committee may reinstate memberships terminated under this section. The term "cause" as used in this section shall include but not be limited to the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- B. Having unpaid debts over ninety days old outstanding to the Party.

### **Section 6-7 (2/3 required to amend)**

Upon appeal by a **County-or** State Central Committee member, the Judicial Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to restore the membership.

## **Bylaw 6: Membership Lists**

### **Section 1**

The Executive Committee shall provide one copy of a County Central Committee's sustaining membership list monthly to that county organization's Secretary or designated officer at no charge, or by mutual arrangement, or to any other officer of that county at cost within ten days of a request.

The Executive Committee may also provide mailing lists to individuals or groups, but not to any government official or government agency. Counties may exchange lists.

### **Section 2**

The Executive Committee shall provide a **County-Central-Committee's** membership lists to the national Libertarian Party, a Libertarian candidate, campaign committee, or initiative committee, or an interested Party member in conjunction with Party activities that facilitate the Party organization under the following conditions:

- A. Three Party officers or two County Central Committee officers give approval to the request,
- B. The requesting individual or group agree to pay the amount for receiving the list in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, and
- C. The requesting individual or group agrees to terms, in effect at the time of the request as established by a current Standing Resolution of the Executive Committee that are solely intended to assure that the membership list is not to be used for any other purpose, nor sold or furnished to any other group, organization, government official or agency.

### **Section 3**

If maintenance of the State **Central-Committee** membership database is delegated to someone other than the Secretary, the Secretary and the Chair shall be provided

with current membership information in keeping with their Party duties.

## **Bylaw 7: Dues Sharing**

The state Party and the county Parties are encouraged to actively pursue new [sustaining and associate](#) members and renewing membership. As of July 1, 2013, dues collected by the state or county Parties shall be shared as follows.

### **Section 1: New Membership Dues**

A new [sustaining or associate](#) member is one who has no membership record in the state Party's database at the time they pay annual membership dues. The state or county Party organization that collects annual membership dues from a new [sustaining or associate](#) member shall retain 100% of that member's dues for their first year of membership.

### **Section 2: Renewing Membership Dues**

A renewing [sustaining or associate](#) member is one who has a record of membership in the state Party's database at the time they pay their dues. The state and county Party organizations shall split the renewal membership dues 50/50.

### **Section 3: Collection of Dues**

Collection of dues includes receiving cash, checks, money orders, authorized billing information, or other consideration approved by the state Party Chair, as well as donations through online services that are initiated directly from the organization's website or e-mail appeal.

### **Section 4: Duration of Membership**

Annual [sustaining or associate](#) membership dues are good from the date the collecting organization receives the payment, or from the date of payment to an online payment service. Membership expires at the end of the last day of that month in a subsequent year. Annual [sustaining or associate](#) membership can be renewed for no more than two years from the end of the month in which the dues are collected.

### **Section 5: Qualification for Renewing Membership**

Members may renew their expired [sustaining or associate](#) membership if they are not removed from the Party for cause, or for as long as their record is not removed from the state Party's database, and their membership expiration date will be as described in Bylaw 7: Dues Sharing, Section 4: Duration Of Membership. Donors who have no membership record shall join as new members.

## **Bylaw 9: County Organizations**

### **Section 1**

The Party shall be divided into eCounty [Central Committees organizations with each county having no more than one recognized organization](#). ~~Each county organization shall have its own County Central Committee.~~

## Section 2

~~State Central Committee membership shall be the only requirement for County Central Committee membership.~~

Each County Central Committee shall select its State Central Committee members from its own members, as defined by the County Central Committee Bylaws. The number of State Central Committee members elected to represent each County Central Committee shall be determined as follows:

- A. One State Central Committee member for each 0.5%, or fraction thereof that its sustaining membership represents of the total number of sustaining members of all county central committees.
- B. One State Central Committee member for each 1% or fraction thereof of the total registered Libertarian voters in that county of the total number of registered voters in that county.
- C. The Party Secretary shall calculate the number of State Central Committee members that each County Central Committee can elect no more than thirty (30) days after each Party annual convention using the most current sustaining membership information and the most current voter registration records received from the California Secretary of State.
- D. The County Central Committee can also elect State Central Committee Alternates per their Bylaws.
- E. The Secretary of each County Central Committee organization shall notify the Party Secretary of their State Central Committee members and Alternates no less than one hundred and twenty (120) days prior to the Party's annual convention.

A County Central Committee shall elect its State Central Committee members in accordance with the County Central Committee's Bylaws, which could include Central Committee members being elected by the registered Libertarian voters in that county during the primary elections in even number years, caucus or convention. If the County's Bylaws doesn't specifically state the manner which State Central Committee Members are selected, they shall be selected at the Annual Meeting of the County Central Committee.

A State Central Committee Party member may be a member of only one County Central Committee, which does not have to be the Committee of the county of the member's residence.

~~A County Central Committee membership confers voting privileges for that member in that county.~~

## Section 3

County Central Committees shall conduct their business in any manner they choose consistent with these Bylaws and the national Bylaws. County Central Committees may endorse only those candidates for public office in any partisan

or non-partisan election whose political party affiliation is *either* "Libertarian." *or* "~~Decline to State.~~"

#### **Section 4**

The appropriate Area Coordinator may appoint a county Chair Pro Tem for any county in which there is no active county organization. It shall be the responsibility of said Chair Pro Tem to promote the development of a county organization within that county.

#### **Section 5**

Each County Central Committee may maintain one or more campaign finance funds independent of any campaign finance funds maintained by the State Central Committee or any other Committees of the Party.

Each County Central Committee shall be responsible for compliance with any applicable election and campaign finance laws.

#### **Section 6**

A county Central Committee organization is deemed as having selected its officers and State Central Committee members only if an election notice has been mailed to its sustaining members and registered Libertarian Voters in that county at least thirty days but no more than sixty days in advance of that election. State Central Committee members shall be elected by all members, which will include County Central Committee Members and registered Libertarian voters in the county that participate in the meeting. The election notice shall also be sent to and received by the Party Secretary at least thirty days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election shall be held every year. The results of the election shall be reported to the Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election by bringing the issue before the Judicial Committee. The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

### **Bylaw 10: Officers**

#### **Section 2**

No state offices shall be combined. No state officer shall:

~~A. Be a registrant of or hold office in any political party other than the Libertarian Party, or~~

A. Not be eligible to be a State Central Committee member as defined in Bylaw 5, Section 2.

B. Use any office in the Party to support a candidate of another political party.

## Bylaw 19: Convention

### Section 3

Delegates to the convention shall be current State Central Committee members or State Central Committee Alternates, and a list of all delegates and alternates shall be given to the Party Secretary no less than thirty (30) days prior to the Convention. ~~, and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention.~~

~~Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.~~

- A. 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 County Central Committee in advance of the Convention, and the Credentials Committee has been provided with lists of the County's State Central Committee Members and alternates as well as a copy of the county's rules governing substitutions.
- B. An Alternate, upon certification by the Credentials Committee, may function as a delegate whenever a delegate of the same county has not been registered as being in attendance. This status shall continue until the absent delegate registers as being in attendance.
- C. Each county delegation shall insure that only registered delegates vote on party business and that no more than the county's allotment of delegates is voting at any time during the convention.

## CONVENTION RULES

### Rule 3: Voting Eligibility (add and renumber)

All delegates in good standing shall be eligible to vote on all matters. In order to vote on a given matter, a delegate must be present on the floor at the time that the vote is taken. Each delegate present shall have one vote. Any delegate from a county as provided in Bylaw 19, Section 3 may be replaced by an alternate from that county with the consent of the county delegation.

### Rule 4: Polling Procedure (add and renumber)

- A. Convention seating will be by county. Each county's delegates shall elect a representative for their county to act as the delegation chair. If any delegate challenges the vote reported by any county's representative, the Secretary shall poll the delegates from that county individually.
- B. In all cases where a roll call vote is required, polling shall be conducted by county. The Secretary will solicit the vote from each county delegation in alphabetic order. A representative for each delegation shall report the vote for that delegation.

**C. In cases where ballots are used, each delegate must submit their ballot to the delegation chair. After verifying that the number of votes cast does not exceed the number the county is entitled to, the chair of each delegation shall submit the ballots to the Secretary. During the period of time allotted for such votes, the business of the convention shall continue without interruption.**

**Rule ~~3~~ 5: Debate Procedure**

**Rule ~~4~~ 6: Agenda**

**Rule ~~5~~ 7: Consent Calendar**

**Rule ~~6~~ 8: "No Debate" Items**

**Rule ~~7~~ 9: Bylaws Committee**

**Rule ~~8~~ 10: Platform Committee**

**Rule ~~9~~ 11: Resolutions**

**Rule ~~10~~ 12: Election of National Convention Delegates**

**Rule ~~11~~ 13: Election of Party Officers**

## **Section 2**

Delegates shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of ten minutes.

Elections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. **Delegates Each delegation shall turn in all individual ballots to the Secretary along with the tabulation of the first choice votes. When all delegations have submitted their votes, the Secretary shall declare the voting closed.** In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened.

If there is only one candidate for an office, the election will be conducted by voice vote, with the choice between the candidate and None of the Above.

**Rule ~~12~~ 14: Election of Area Coordinators**

For the offices of Area Coordinators, delegates from each office’s respective area shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of five minutes.

Elections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates from each office’s respective area may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. **Delegates Each delegation** shall turn in all individual ballots to the Secretary along with the tabulation of the first choice votes. When all delegations have submitted their votes, the Secretary shall declare the voting closed. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for “None of the Above” shall cause nominations for that office to be reopened.

**Rule ~~13~~ 15: Election of At-Large Executive Committee Members**

Delegates shall make nominations for the at-large Executive Committee members from the floor. All State Central Committee members shall be eligible for nomination. Each candidate shall be allowed one nominating speech no longer than two minutes, made by a delegate, and each candidate may also speak for no longer than two minutes. The election shall be conducted in the following manner:

- A. Each delegate may cast up to **five four** votes, but not more than one vote for any one candidate.
- B. Each delegation shall tabulate its total votes, and the delegation chair shall deliver a written total to the Secretary, along with the ballots cast. When all of the **delegates delegations** have submitted their votes, the Secretary shall declare the voting closed.

**Rule ~~14~~ 16: Nominations and Endorsements of Candidates For Public Office**

**Rule ~~15~~ 17: Amendments**

Current Bylaw	Proposed Bylaw as Amended
<b>Bylaw 4: Definitions</b>	<b>Bylaw 4: Definitions</b>
A. “Registered Libertarian”: A	A. “Registered Libertarian”: A

person who is registered as a Libertarian per the California Elections Code.

- B. "Central Committee member": A person who is eligible to vote on Party business consistent with these Bylaws and Convention Rules.
- C. Certification: "I certify that I oppose the initiation of force as a means of achieving political or social goals." Certification shall be required to be a member of the State Central Committee. Individuals who have executed previous versions of the certification shall also meet this requirement.
- D. All references in these Bylaws and Convention Rules to "mail," "written notification," or similar terms shall be considered to include electronic communications.

### **Bylaw 5: Membership**

#### **Section 1**

Individuals may become members of the State Central Committee by:

- A. Becoming a holder of California public office that is subject to election other than County Central Committee, or
- B. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement.

person who is registered as a Libertarian per the California Elections Code.

- B. "Central Committee member": A person who is eligible to vote on Party business consistent with these Bylaws and Convention Rules.
- C. Certification: "I certify that I oppose the initiation of force as a means of achieving political or social goals." Certification shall be required to be a member of the State Central Committee. Individuals who have executed previous versions of the certification shall also meet this requirement.
- D. All references in these Bylaws and Convention Rules to "mail," "written notification," or similar terms shall be considered to include electronic communications.

### **Bylaw 5: Membership**

#### **Section 1**

Individuals will become members by becoming a registered Libertarian in the State of California.

#### **Section 2**

Individuals may become sustaining members by:

- A. Becoming a holder of California public office that is subject to election other than County Central Committee, or
- B. Making application and paying such dues as prescribed by the Executive

No State or County Central Committee member shall be a registrant of or hold office in any political party other than the Libertarian Party. All Party officeholders are required to be members of the State Central Committee.

**Section 2**

The Executive Committee shall establish associate, non-voting membership for those persons ineligible or unwilling to become members of the State Central Committee.

**Section 3**

All Party candidates for public office, Executive Committee members, county Party office holders, Libertarian National Committee representatives, and Judicial Committee members shall be registered in the Libertarian Party in California if eligible.

**Section 4**

The Secretary automatically shall terminate a State Central Committee membership if that member requests in writing such termination, or if, except for elected Central Committee members, that member fails to remit prescribed dues by that member's renewal date.

**Section 5**

The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. Notification of the suspension is subject to written appeal within thirty days of

Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement, or.

C. Are a Life member.

All Sustaining members are required to meet all requirements for being a State or County Central Committee member.

**Section 3**

Individuals may become members of the State Central Committee by:

- A. Becoming a Sustaining Member of the party, and
- B. Begin a registrant of the Libertarian Party if eligible, and
- C. Being selected as a State Central Committee member by a County Central Committee per Bylaw 9, or
- D. Becoming a holder of California partisan or non-partisan office that is subject to election, or
- E. Being a member of the State Executive Committee, or
- F. Being a Libertarian National Committee Representative, or
- G. Being a member of a Judicial Committee, Bylaws Committee, Program Committee or Platform Committee Coordinator, or

<p>notification. Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term "cause" as used in this section shall include but not be limited to the following:</p> <p>A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or</p> <p>B. Having unpaid debts over ninety days old outstanding to the Party.</p> <p><b>Section 6</b></p> <p>Upon appeal by a County or State Central Committee member, the Judicial Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to restore the membership.</p> <p><b>Bylaw 6: Membership Lists</b></p> <p><b>Section 1</b></p> <p>The Executive Committee shall provide one copy of a County Central Committee's membership list monthly to that county organization's Secretary or designated officer at no charge, or by mutual arrangement, or to any other officer of that county at cost within ten days of a request.</p> <p>The Executive Committee may also provide mailing lists to individuals or groups, but not to any government official or government agency. Counties may exchange lists.</p> <p><b>Section 2</b></p> <p>The Executive Committee shall provide a</p> <p>County Central Committee's</p>	<p>H. Being the Chair of a Standing Committee as designated in the Party's Operating Procedures Manual, or</p> <p>I. Being a past Chair of the Libertarian Party of California, or</p> <p>J. Being appointed by an elected member of the State Executive Committee.</p> <p>All Party candidates, officeholders, Executive Committee members, Libertarian National Committee representatives, and Bylaw and Standing Committee members are required to meet all of the above requirements.</p> <p>No State or County Central Committee member shall be a registrant or hold office in any political party other than the Libertarian party.</p> <p><b>Section 4</b></p> <p>The Executive Committee shall establish associate membership for those persons ineligible or unwilling to become sustaining members.</p> <p><b>Section 5</b></p> <p>The Secretary automatically shall terminate a State Central Committee membership if that member requests in writing such termination, or if, except for elected State Central Committee members, that member fails to remit prescribed dues by that member's renewal date.</p> <p><b>Section 6</b></p> <p>The Executive Committee shall have the power to suspend a State Central Committee membership for failure</p>
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membership list to the national Libertarian Party, a Libertarian candidate, campaign committee, or initiative committee, or an interested Party member in conjunction with Party activities that facilitate the Party organization under the following conditions:

- A. Three Party officers or two County Central Committee officers give approval to the request,
- B. The requesting individual or group agree to pay the amount for receiving the list in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, and
- C. The requesting individual or group agrees to terms, in effect at the time of the request as established by a current Standing Resolution of the Executive Committee that are solely intended to assure that the membership list is not to be used for any other purpose, nor sold or furnished to any other group, organization, government official or agency.

**Section 3**

If maintenance of the State Central Committee membership database is delegated to someone other than the Secretary, the Secretary and the Chair shall be provided with current membership information in keeping with their Party duties.

to maintain all the qualifications of membership established in Section 3 or for cause. Notification of the cause of suspension shall be given to the individual member and the County Central Committee officers that the member is associated with. Notification of the suspension is subject to written appeal within thirty days of notification. Failure to appeal shall terminate the State Central Committee membership, but does not automatically suspend County Central Committee membership. The Executive Committee may reinstate memberships terminated under this section. The term "cause" as used in this section shall include but not be limited to the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- B. Having unpaid debts over ninety days old outstanding to the Party.

**Section 7 (2/3 required to amend)**

Upon appeal by a State Central Committee member, the Judicial Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to restore the membership.

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**Section 1**

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**Bylaw 7: Dues Sharing**

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A new member is one who has no membership record in the state Party's database at the time they pay annual membership dues. The state or county Party organization that collects annual membership dues from a new member shall retain 100% of that member's dues for their first year of membership.

**Section 2: Renewing Membership Dues**

A renewing member is one who has a record of membership in the state Party's database at the time they pay their dues. The state and county Party organizations shall split the renewal membership dues 50/50.

**Section 3: Collection of Dues**

Collection of dues includes receiving cash, checks, money orders, authorized billing information, or other consideration approved by the state Party Chair, as well as donations through online services that are initiated directly from the organization's website or e-mail appeal.

**Section 4: Duration of Membership**

Annual membership dues are good from the date the collecting organization receives the payment, or from the date of payment to an online payment service. Membership expires at the end of the last day of

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- A. Three Party officers or two County Central Committee officers give approval to the request,
- B. The requesting individual or group agree to pay the amount for receiving the list in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, and
- C. The requesting individual or group agrees to terms, in effect at the time of the request as established by a current Standing Resolution of the Executive Committee that are solely intended to assure that the membership list is not to be used for any other purpose, nor sold or

that month in a subsequent year. Annual membership can be renewed for no more than two years from the end of the month in which the dues are collected.

**Section 5: Qualification for Renewing Membership**

Members may renew their expired membership if they are not removed from the Party for cause, or for as long as their record is not removed from the state Party's database, and their membership expiration date will be as described in Bylaw 7: Dues Sharing, Section 4: Duration Of Membership. Donors who have no membership record shall join as new members.

**Bylaw 9: County Organizations**

**Section 1**

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**Section 2**

State Central Committee membership shall be the only requirement for County Central Committee membership.

A Party member may be a member of only one County Central Committee, which does not have to be the Committee of the county of the member's residence.

A County Central Committee membership confers voting privileges for that member in that county.

**Section 3**

County Central Committees shall conduct their business in any manner they choose consistent with these

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**Section 3: Collection of Dues**

Bylaws and the national Bylaws. County Central Committees may endorse only those candidates for public office in any partisan election whose political party affiliation is either "Libertarian." or "Decline to State."

**Section 4**

The appropriate Area Coordinator may appoint a county Chair Pro Tem for any county in which there is no active county organization. It shall be the responsibility of said Chair Pro Tem to promote the development of a county organization within that county.

**Section 5**

Each County Central Committee may maintain one or more campaign finance funds independent of any campaign finance funds maintained by the State Central Committee or any other Committees of the Party.

Each County Central Committee shall be responsible for compliance with any applicable election and campaign finance laws.

**Section 6**

A county organization is deemed as having selected its officers and only if an election notice has been mailed to its members at least thirty days but no more than sixty days in advance of that election. The election notice shall also be sent to and received by the Party Secretary at least thirty days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election shall be held every year. The results of the

Collection of dues includes receiving cash, checks, money orders, authorized billing information, or other consideration approved by the state Party Chair, as well as donations through online services that are initiated directly from the organization's website or e-mail appeal.

**Section 4: Duration of Membership**

Annual sustaining or associate membership dues are good from the date the collecting organization receives the payment, or from the date of payment to an online payment service. Membership expires at the end of the last day of that month in a subsequent year. Annual sustaining or associate membership can be renewed for no more than two years from the end of the month in which the dues are collected.

**Section 5: Qualification for Renewing Membership**

Members may renew their expired sustaining or associate membership if they are not removed from the Party for cause, or for as long as their record is not removed from the state Party's database, and their membership expiration date will be as described in Bylaw 7: Dues Sharing, Section 4: Duration Of Membership. Donors who have no membership record shall join as new members.

**Bylaw 9: County Organizations**

**Section 1**

The Party shall be divided into County Central Committees with each county having no more than one

election shall be reported to the Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election by bringing the issue before the Judicial Committee. The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

**Bylaw 10: Officers**

**Section 2**

No state offices shall be combined. No state officer shall:

- A. Be a registrant of or hold office in any political party other than the Libertarian Party, or
- B. Use any office in the Party to support a candidate of another political party.

**Bylaw 19: Convention**

**Section 3**

Delegates to the convention shall be current State Central Committee members or, and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention.

Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.

**CONVENTION RULES**

**Rule 11: Election of Party Officers**

**Section 2**

Delegates shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by

recognized organization.

**Section 2**

Each County Central Committee shall select its State Central Committee members from its own members, as defined by the County Central Committee Bylaws. The number of State Central Committee members elected to represent each County Central Committee shall be determined as follows:

- A. One State Central Committee member for each 0.5%, or fraction thereof that its sustaining membership represents of the total number of sustaining members of all county central committees.
- B. One State Central Committee member for each 1% or fraction thereof of the total registered Libertarian voters in that county of the total number of registered voters in that county.
- C. The Party Secretary shall calculate the number of State Central Committee members that each County Central Committee can elect no more than thirty (30) days after each Party annual convention using the most current sustaining membership information and the most current voter registration records received from the California Secretary of State.
- D. The County Central Committee can also elect State Central Committee Alternates per their Bylaws.
- E. The Secretary of each County

<p>delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of ten minutes.</p>	<p>Central Committee organization shall notify the Party Secretary of their State Central Committee members and Alternates no less than one hundred and twenty (120) days prior to the Party's annual convention.</p>
<p>Elections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. Delegates shall turn in all individual ballots to the Secretary. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened.</p>	<p>A County Central Committee shall elect its State Central Committee members in accordance with the County Central Committee's Bylaws, which could include Central Committee members being elected by the registered Libertarian voters in that county during the primary elections in even number years, caucus or convention. If the County's Bylaws doesn't specifically state the manner which State Central Committee Members are selected, they shall be selected at the Annual Meeting of the County Central Committee.</p> <p>A State Central Committee member may be a member of only one County Central Committee, which does not have to be the Committee of the county of the member's residence.</p>
<p>If there is only one candidate for an office, the election will be conducted by voice vote, with the choice between the candidate and None of the Above.</p>	<p><b>Section 3</b></p> <p>County Central Committees shall conduct their business in any manner they choose consistent with these Bylaws and the national Bylaws. County Central Committees may endorse only those candidates for public office in any partisan or non-partisan election whose political party affiliation is "Libertarian."</p> <p><b>Section 4</b></p> <p>The appropriate Area Coordinator may</p>

**Rule 12: Election of Area Coordinators**

the offices of Area Coordinators, delegates from each office’s respective area shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of five minutes.

lections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates from each office’s respective area may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. Delegates shall turn in all individual ballots to the Secretary. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for “None of the Above” shall cause nominations for that office to be reopened.

appoint a county Chair Pro Tem for any county in which there is no active county organization. It shall be the responsibility of said Chair Pro Tem to promote the development of a county organization within that county.

**Section 5**

Each County Central Committee may maintain one or more campaign finance funds independent of any campaign finance funds maintained by the State Central Committee or any other Committees of the Party.

Each County Central Committee shall be responsible for compliance with any applicable election and campaign finance laws.

**Section 6**

A county Central Committee is deemed as having selected its officers and State Central Committee members only if an election notice has been mailed to its sustaining members and registered Libertarian Voters in that county at least thirty days but no more than sixty days in advance of that election. State Central Committee members shall be elected by all members, which will include County Central Committee Members and registered Libertarian voters in the county that participate in the meeting. The election notice shall also be sent to and received by the Party Secretary at least thirty days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election shall be held every year. The results of the election shall be reported to the

**Rule 13: Election of At-Large Executive Committee Members**

Delegates shall make nominations for the at-large Executive Committee members from the floor. All State Central Committee members shall be eligible for nomination. Each candidate shall be allowed one nominating speech no longer than two minutes, made by a delegate, and each candidate may also speak for no longer than two minutes. The election shall be conducted in the following manner:

- A. Each delegate may cast up to five votes, but not more than one vote for any one candidate.
- B. Each delegation shall tabulate its total votes, and the delegation chair shall deliver a written total to the Secretary, along with the ballots cast. When all of the delegates have submitted their votes, the Secretary shall declare the voting closed.

Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election by bringing the issue before the Judicial Committee. The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

**Bylaw 10: Officers**

**Section 2**

No state offices shall be combined. No state officer shall:

- A. Not be eligible to be a State Central Committee member as defined in Bylaw 5, Section 2.
- B. Use any office in the Party to support a candidate of another political party.

**Bylaw 19: Convention**

**Section 3**

Delegates to the convention shall be current State Central Committee members or State Central Committee Alternates, and a list of all delegates and alternates shall be given to the Party Secretary no less than thirty (30) days prior to the Convention.

- A. 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 County Central Committee in advance of the Convention, and the Credentials Committee has been provided with lists of the County's State Central

Committee Members and alternates as well as a copy of the county's rules governing substitutions.

- B. An Alternate, upon certification by the Credentials Committee, may function as a delegate whenever a delegate of the same county has not been registered as being in attendance. This status shall continue until the absent delegate registers as being in attendance.
- C. Each county delegation shall insure that only registered delegates vote on party business and that no more than the county's allotment of delegates is voting at any time during the convention.

### **CONVENTION RULES**

#### **Rule 3: Voting Eligibility (add and renumber)**

All delegates in good standing shall be eligible to vote on all matters. In order to vote on a given matter, a delegate must be present on the floor at the time that the vote is taken. Each delegate present shall have one vote. Any delegate from a county as provided in Bylaw 19, Section 3 may be replaced by an alternate from that county with the consent of the county delegation.

#### **Rule 4: Polling Procedure (add and renumber)**

- A. Convention seating will be by county. Each county's delegates shall elect a representative for their county to act as the delegation chair. If any delegate challenges the vote reported by any county's representative, the Secretary shall poll the delegates from that county

individually.

- B. In all cases where a roll call vote is required, polling shall be conducted by county. The Secretary will solicit the vote from each county delegation in alphabetic order. A representative for each delegation shall report the vote for that delegation.
- C. In cases where ballots are used, each delegate must submit their ballot to the delegation chair. After verifying that the number of votes cast does not exceed the number the county is entitled to, the chair of each delegation shall submit the ballots to the Secretary. During the period of time allotted for such votes, the business of the convention shall continue without interruption.

***Rule 5: Debate Procedure***

***Rule 6: Agenda***

***Rule 7: Consent Calendar***

***Rule 8: "No Debate" Items***

***Rule 9: Bylaws Committee***

***Rule 10: Platform Committee***

***Rule 11: Resolutions***

***Rule 12: Election of National Convention Delegates***

***Rule 13: Election of Party Officers***

***Section 2***

Delegates shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five

minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of ten minutes.

Elections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. Each delegation shall turn in all individual ballots to the Secretary along with the tabulation of the first choice votes. When all delegations have submitted their votes, the Secretary shall declare the voting closed. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened.

If there is only one candidate for an office, the election will be conducted by voice vote, with the choice between

the candidate and None of the Above.

**Rule 14: Election of Area Coordinators**

the offices of Area Coordinators, delegates from each office's respective area shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of five minutes.

Elections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates from each office's respective area may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. Each delegation shall turn in all individual ballots to the Secretary along with the tabulation of the first choice votes. When all delegations have submitted their votes, the Secretary shall declare the voting closed. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a

	<p>majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened.</p> <p><b>Rule 15: Election of At-Large Executive Committee Members</b></p> <p>Delegates shall make nominations for the at-large Executive Committee members from the floor. All State Central Committee members shall be eligible for nomination. Each candidate shall be allowed one nominating speech no longer than two minutes, made by a delegate, and each candidate may also speak for no longer than two minutes. The election shall be conducted in the following manner:</p> <ul style="list-style-type: none"> <li>A. Each delegate may cast up to four votes, but not more than one vote for any one candidate.</li> <li>B. Each delegation shall tabulate its total votes, and the delegation chair shall deliver a written total to the Secretary, along with the ballots cast. When all of the delegations have submitted their votes, the Secretary shall declare the voting closed.</li> </ul> <p><b>Rule 16: Nominations and Endorsements of Candidates For Public Office</b></p> <p><b>Rule 17: Amendments</b></p>
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**X. Recommendation: Redefines State and County Central Committee (Multiple Bylaws Affected - Would Only be Considered if Recommendation IX is not accepted)**

Reason

Currently State and County Central Committee members may be registered No Party Preference and registered Libertarians have no influence in Party affairs.

## Impact

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This amendment would redefine membership and how both the County and State Central Committee is elected. This amendment would provide that the County Central Committee would be elected by registered Libertarians either on the primary ballot, by caucus, or by convention. It would also provide that the County Central Committee would elect delegates to the State Central Committee.

## Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaws as follows:

Bylaw 4: Definitions

A. ~~“Registered Libertarian”: A person who is registered as Libertarian per the California Elections Code.~~ All references in these By-Laws to “Libertarian” or “registered Libertarian” shall mean a voter who disclosed a preference for the Libertarian Party on their voter registration card. All references in these Bylaws to “Decline-to-state” shall mean a voter who disclosed no preference for a political party on their voter registration card.

B. “Central Committee member”: A person who is eligible to vote on Party business consistent with these Bylaws and Convention Rules. All Central Committee members, both at the County as well as State level, must be a Sustaining Member who remains current on membership dues and remains in good standing with the Party.

C. Certification: “I certify that I oppose the initiation of force as a means of achieving political or social goals.” Certification shall be required to be a Sustaining Member ~~member of the State Central Committee~~. Individuals who have executed previous versions of the certification shall also meet this requirement.

D. All references in these Bylaws and Convention Rules to “mail,” “written notification,” or similar terms shall be considered to include electronic communications.

E. Sustaining Member: A person who has done the following:

1. Making application and becoming a holder of California public office that is subject to election, or
2. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement.

3. Must hold office as or be registered to vote as a Libertarian, if registered to vote.
4. All Party officeholders, State Central Committee Members, or County Central Committee Members are required to be Sustaining Members.

F. Associate Member: A person who has made application to and paid dues as prescribed by the Executive Committee, as in Sustaining Member, above, but who has not agreed to the Certification or is registered Decline-to-State or has disclosed a preference for a Party other than Libertarian on their voter registration card.

G. The term "delegate" as used in these bylaws shall refer to a member of the State Central Committee.

## **Bylaw 5: Membership**

### **Section 1**

The State Central Committee shall consist of:

- A. Members elected by the County Central Committees of the Party, pursuant to Section 2 of this Bylaw.
- B. The current Chair for each County Central Committee of the Party.
- C. The current duly appointed Chair Pro Tem of the Party for each county where there is no current County Central Committee.
- D. The current Vice Chair for each County Central Committee of the Party.
- E. The current Treasurer for each County Central Committee of the Party.
- F. The current Secretary for each County Central Committee of the Party.
- G. The current Libertarian National Committee Representatives and Alternates.
- H. All members of the Executive Committee and Alternates. This shall include the Chair, Vice Chair, Treasurer, Secretary, Area Coordinators, At-Large Members, and Alternate Members.
- I. One person appointed by each Executive Committee member, to include the following: Chair, Vice Chair, Treasurer, Secretary, Area Coordinators, and At-Large Members.
- J. All past Chairs of the State Central Committee.
- K. All public officeholders within California who are registered Libertarians, whether elected in partisan or non-partisan public elections.

L. Any current Libertarian Party candidate for each of the following partisan elective offices within California:

1. Governor
2. Lieutenant Governor
3. Attorney General
4. Secretary of State
5. Controller
6. Treasurer
7. Insurance Commissioner
8. Members of the State Board of Equalization
9. United States Senator
10. Members of the United States House of Representatives
11. Members of the State Senate
12. Members of the State Assembly

M. Any Libertarian candidate currently running within California for State Superintendent of Public Instruction.

N. The California State Chair, or equivalent, of each Caucus recognized by the Executive Committee per the rules stated within the Operating Procedures Manual, or other person designated by the Chair of said Caucus.

O. All members of all Bylaws-mandated Committees.

P. The Chairs of all Standing Committees as designated within the Operating Procedures Manual.

~~Individuals may become members of the State Central Committee by:~~

- ~~A. Becoming a holder of California public office that is subject to election other than County Central Committee, or~~
- ~~B. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement.~~

~~No State or County Central Committee member shall be a registrant of or hold office in any political party other than the Libertarian Party.~~

~~All Party officeholders are required to be members of the State Central Committee.~~

## **Section 2**

Each County Central Committee of the Party shall elect, from its own members, as defined by its Bylaws, representatives to the State Central Committee who serve at the pleasure of the County Central Committee. The number elected to represent each County Central Committee shall be determined as follows:

1. One State Central Committee member for each 1,000 registered Libertarians, or fraction therefor, per the most recent report of registration to the Secretary of State. The Secretary of the State Central Committee shall secure the registration totals received by the Secretary of State no more than 120 days, and a minimum of 90 days prior to the annual convention of the State Central Committee and shall forthwith notify the respective Secretaries of the County Central Committees of the Party of the registrations and of the allocation of State Central Committee members to be elected.
2. Once State Central Committee member for each of the 10 Sustaining Members, or fraction thereof, who are affiliated with each county. The Secretary of the State Central Committee shall notify the respective Secretaries of the County Central Committees of the Party of the number of Sustaining Members affiliated with each county and of the allocation of State Central Committee members to be elected 90 days prior to the annual convention of the State Central Committee.

~~The Executive Committee shall establish associate, non-voting membership for those persons ineligible or unwilling to become members of the State Central Committee.~~

## **Section 3**

All Party candidates for public office, Executive Committee members, county Party office holders, Libertarian National Committee representatives, and Judicial Committee members shall be registered in the Libertarian Party in California if eligible.

## **Section 4**

The Secretary automatically shall terminate a State Central Committee membership if that member requests in writing such termination, or if, except for elected Central Committee members, that member fails to remit prescribed dues by that member's

renewal date.

## **Section 5**

The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. [The County Central Committee may also have the power to suspend a County Central Committee membership in accordance with that County Central Committee's Bylaws.](#) Notification of the suspension is subject to written appeal within fifteen days of notification. Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term "cause" as used in this section shall include but not be limited to the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- B. Having unpaid debts over ninety days old outstanding to the Party.

## **Section 6 (2/3 required to amend)**

Upon appeal by a County or State Central Committee member, the Judicial Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to restore the membership.

## **Bylaw 6: Membership Lists**

### **Section 1**

The Executive Committee shall provide one copy of a [list of all Sustaining Members and Associate Members affiliated with a county](#) ~~County Central Committee's membership list~~ monthly to that [County Central Committee's](#) ~~county organization's~~ Secretary or designated officer at no charge, or by mutual arrangement, or to any other officer of that county at cost within ten days of a request.

The Executive Committee may also provide mailing lists to individuals or groups, but not to any government official or government agency. Counties may exchange lists.

### **Section 2**

The Executive Committee shall provide a [list of all Sustaining Members and Associate Members affiliated with a county](#) ~~County Central Committee's membership list~~ to the national Libertarian Party, a Libertarian candidate, campaign committee, or initiative committee, or an interested Party member in conjunction with Party activities that facilitate the Party organization under the following conditions:

- A. Three Party officers or two County Central Committee officers give approval to the request,
- B. The requesting individual or group agree to pay the amount for receiving the list in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, and
- C. The requesting individual or group agrees to terms, in effect at the time of the request as established by a current Standing Resolution of the Executive Committee that are solely intended to assure that the membership list is not to be used for any other purpose, nor sold or furnished to any other group, organization, government official or agency. If maintenance of the ~~State Central Committee~~ membership database is delegated to someone other than the Secretary, the Secretary and the Chair shall be provided with current membership information in keeping with their Party duties.

## **Bylaw 9: County Organizations**

### **Section 1**

The Party shall be divided into county organizations. Each county organization shall have its own County Central Committee.

### **Section 2**

County Central Committee members shall be elected by the registered Libertarians within the county in accordance with that County Central Committee's Bylaws. If that County's Bylaws do not specify the manner in which they shall be elected, then the following default shall be used: a county committee shall be elected by voters during the Primary Elections on even number election years. The county committee shall be elected by supervisor districts, and the number to be elected from any supervisor district shall be determined as follows: There shall be taken the number of votes cast in the supervisor district at the last presidential election for that party's candidate for President. This number shall be divided by one-twentieth of the number of votes cast in that county for President. The integer next larger than the quotient obtained by that division shall constitute the number of members of the committee to be elected by that party in that supervisor district. Further, In the event that the candidates elected to a committee from a district do not equal the number of party committeepersons to which the district is entitled to be represented, a vacancy or vacancies exist to the extent of the difference between the number of elected committeepersons and the number of committeepersons by which the district is entitled to be represented. When the vacancy or vacancies exist they shall be filled by the committee to which insufficient members

were elected, in the following manner: In the event of the appointment or election to a committee of an ineligible person, or whenever any member of the committee dies, resigns or becomes incapacitated to act, or removes from the jurisdiction of the committee, or ceases to be a member of this party, a vacancy exists which shall be filled by appointment by the committee in which the ineligibility or vacancy occurs. A vacancy shall also exist on a committee when a member is removed from the committee. Any member of a committee, other than an ex officio member, who misses more than three consecutive regularly called meetings may be removed by a vote of the committee concerned, unless his or her absence is caused by illness or temporary absence from the county on the date of the meeting. A committee may remove any member, other than an ex officio member, who during his or her term of membership affiliates with, or registers as a member of another party or who gives support or avows a preference for a candidate of another party or candidate who is opposed to a candidate of this party. Whenever any person is appointed to fill a vacancy on a committee, the chairperson of the committee shall file notices of the appointment with the elections official and the chairperson of the state central committee within 30 days after it is made. The notices shall contain the name and address of the person appointed and the name of the person replaced, and shall indicate the date of the appointment. ~~State Central Committee membership shall be the only requirement for County Central Committee membership.~~

A Sustaining Member or Associate Member ~~Party member~~ may be affiliated with a member of only one County Central Committee, ~~which does not have to be the Committee of the county of the member's residence.~~ The member shall be affiliated with the county in which they are registered to vote. If they are not registered to vote in California, the member may choose to be affiliated with a county they do not reside within.

A County Central Committee membership confers voting privileges for that member in that county.

### **Section 3**

County Central Committees shall conduct their business in any manner they choose consistent with these Bylaws and the national Bylaws. County Central Committees may endorse only those candidates for public office in any partisan or non-partisan election whose political party affiliation is ~~either "Libertarian" or "Decline to State."~~

### **Section 4**

The appropriate Area Coordinator may appoint a county Chair Pro Tem for any county in which there is no active County Central Committee ~~county organization.~~ It shall be the responsibility of said Chair Pro Tem to promote the development of

a [County Central Committee](#) ~~county organization~~ within that county.

## **Section 5**

Each County Central Committee may maintain one or more campaign finance funds independent of any campaign finance funds maintained by the State Central Committee or any other Committees of the Party.

Each County Central Committee shall be responsible for compliance with any applicable election and campaign finance laws.

## **Section 6**

A [County Central Committee](#) ~~county organization~~ is deemed as having selected its officers [and Executive Committee members](#) only if an election notice has been mailed to its members at least thirty days but no more than sixty days in advance of that election. [If the County Central Committee is elected by other means than ballot election, such as by caucus or convention, a County Central Committee is deemed as having selected its members only if an election notice has been mailed to registered Libertarians within that county at least thirty days but no more than sixty days in advance of that election.](#) ~~The~~ [Such](#) election notices shall also be sent to and received by the Party Secretary at least thirty days in advance of the election. Such notices shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election [of officers and county Executive Committee](#) shall be held every year. [An election of the County Central Committee must be held a minimum of every two years.](#) The results of ~~the~~ [such](#) election shall be reported to the Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election by bringing the issue before the Judicial Committee. The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

## **Bylaw 19: Convention**

### **Section 1 (2/3 required to amend)**

The Party shall hold an annual convention of delegates of the State Central Committee ("convention") to conduct such business as may properly come before it, at a time and place set according to these Bylaws and in conformance with these Bylaws and Convention Rules.

### **Section 2**

The Executive Committee shall be responsible for setting the time, place, and schedule of events for the convention. The Executive Committee shall provide to the membership at least one hundred twenty days advance notice concerning these

arrangements.

### **Section 3**

Delegates to the convention shall be current State Central Committee members, ~~and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention.~~

~~Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.~~

### **Section 4**

All delegates in good standing shall be eligible to vote on all matters. In order to vote on a given matter, a delegate shall be present on the floor at the time that the vote is taken. Each delegate present shall have one vote.

### **Section 5**

On all matters except elections and endorsements, voting shall be conducted by voice vote or a show of hands. If ten or more delegates object to the Chair's ruling on the outcome of a vote, a division or counted vote shall be held. On any vote, the Chair may satisfy the first call for a division or counted vote with order in the room and an uncounted show of hands.

All voting for Party officers or for endorsements of candidates for public office, when more than one candidate has been nominated, shall be by secret ballot. In all voting for Party officers or for endorsements of candidates for public office, the voting shall include the option of "None of the Above."

The Chair may require any motion offered from the convention floor to be in writing, to be signed by the maker, and to be submitted to the Secretary.

## **Bylaw 23: Presidential Preference Primary**

### **Section 1**

Candidates may appear on the presidential preference primary ballot as provided for in Sections 6720 through 6726 of the California Elections Code.

### **Section 2**

The presidential preference primary election vote shall be advisory only.

### **Section 3**

The candidates nominated for President and Vice-President at the Libertarian Party national convention shall appear on the California general election ballot as the Libertarian Party's nominees for those offices, regardless of the presidential

preference primary results.

## **Bylaw 24: National Convention Delegates**

### **Section 1**

Delegates to the national convention shall be selected at the state convention preceding the national convention. The procedures in Rule 12 shall be used for such election.

### **Section 2**

After the state convention has selected delegates, the Executive Committee may fill any vacancies in the delegation prior to the deadline for reporting the names of delegates to the national Party.

### **Section 3**

Sections 6760 through 6798 of the California Elections Code are superseded.

## **Bylaw 25: National Convention Alternates**

In the event that duly selected California delegates or alternates are unable to attend or be seated at the national convention for which they were selected, additional alternates may be selected by a two-thirds vote of the California delegates and alternates then registered at the national convention.

- A. Those members seeking additional alternate delegate status under this section shall have been a [Sustaining Member](#) ~~State-Central-Committee member~~ at least thirty days prior to the national convention [and must be registered Libertarians in the State of California](#).
- B. This provision shall be included in all written statements to the National Convention Credentials Committee whenever requests are made for seating newly-selected additional alternates.

## **CONVENTION RULES**

### **Rule 3: Voting Eligibility (add and renumber)**

[All delegates in good standing shall be eligible to vote on all matters. In order to vote on a given matter, a delegate must be present on the floor at the time that the vote is taken. Each delegate present shall have one vote. Any delegate from a county as provided in Bylaw 19, Section 3 may be replaced by an alternate from that county with the consent of the county delegation.](#)

### **Rule 4: Polling Procedure (add and renumber)**

- A. [Convention seating will be by county. Each county's delegates shall elect a](#)

representative for their county to act as the delegation chair. If any delegate challenges the vote reported by any county's representative, the Secretary shall poll the delegates from that county individually.

- B. In all cases where a roll call vote is required, polling shall be conducted by county. The Secretary will solicit the vote from each county delegation in alphabetic order. A representative for each delegation shall report the vote for that delegation.
- C. In cases where ballots are used, each delegate must submit their ballot to the delegation chair. After verifying that the number of votes cast does not exceed the number the county is entitled to, the chair of each delegation shall submit the ballots to the Secretary. During the period of time allotted for such votes, the business of the convention shall continue without interruption.

Rule ~~3~~ 5: Debate Procedure

Rule ~~4~~ 6: Agenda

Rule ~~5~~ 7: Consent Calendar

Rule ~~6~~ 8: "No Debate" Items

Rule ~~7~~ 9: Bylaws Committee

Rule ~~8~~ 10: Platform Committee

Rule ~~9~~ 11: Resolutions

Rule ~~10~~ 12: Election of National Convention Delegates

Rule ~~11~~ 13: Election of Party Officers

## **Section 2**

Delegates shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of ten minutes.

Elections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on.

**Delegates Each delegation shall turn in all individual ballots to the Secretary along with the tabulation of the first choice votes. When all delegations have submitted their votes, the Secretary shall declare the voting closed.** In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes,

the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened.

If there is only one candidate for an office, the election will be conducted by voice vote, with the choice between the candidate and None of the Above.

#### **Rule ~~12~~ 14: Election of Area Coordinators**

For the offices of Area Coordinators, delegates from each office's respective area shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of five minutes.

Elections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates from each office's respective area may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. **Delegates Each delegation** shall turn in all individual ballots to the Secretary along with the tabulation of the first choice votes. When all delegations have submitted their votes, the Secretary shall declare the voting closed. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened.

#### **Rule ~~13~~ 15: Election of At-Large Executive Committee Members**

Delegates shall make nominations for the at-large Executive Committee members from the floor. All State Central Committee members shall be eligible for nomination. Each candidate shall be allowed one nominating speech no longer than two minutes, made by a delegate, and each candidate may also speak for no longer than two minutes. The election shall be conducted in the following manner:

- A. Each delegate may cast up to **five four** votes, but not more than one vote for any one candidate.
- B. Each delegation shall tabulate its total votes, and the delegation chair shall deliver a written total to the Secretary, along with the ballots cast. When all of the **delegates delegations** have submitted their votes, the Secretary shall declare the voting closed.

**Rule ~~14~~ 16: Nominations and Endorsements of Candidates For Public Office**

**Rule ~~15~~ 17: Amendments**

<b>Current Bylaws</b>	<b>Proposed Bylaws as Amended</b>
<p>Bylaw 4: Definitions</p> <p>A. "Registered Libertarian": A person who is registered as Libertarian per the California Elections Code.</p> <p>B. "Central Committee member": A person who is eligible to vote on Party business consistent with these Bylaws and Convention Rules.</p> <p>C. Certification: "I certify that I oppose the initiation of force as a means of achieving political or social goals." Certification shall be required to be a member of the State Central Committee. Individuals who have executed previous versions of the certification shall also meet this requirement.</p> <p>D. All references in these Bylaws and Convention Rules to "mail," "written notification," or similar terms shall be considered to include electronic communications.</p>	<p>Bylaw 4: Definitions</p> <p>A. All references in these By-Laws to "Libertarian" or "registered Libertarian" shall mean a voter who disclosed a preference for the Libertarian Party on their voter registration card. All references in these Bylaws to "Decline-to-state" shall mean a voter who disclosed no preference for a political party on their voter registration card.</p> <p>B. "Central Committee member": A person who is eligible to vote on Party business consistent with these Bylaws and Convention Rules. All Central Committee members, both at the County as well as State level, must be a Sustaining Member who remains current on membership dues and remains in good standing with the Party.</p>

Bylaw 5: Membership

Section 1

Individuals may become members of the State Central Committee by:

- A. Becoming a holder of California public office that is subject to election other than County Central Committee, or
- B. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement.

No State or County Central Committee member shall be a registrant of or hold office in any political party other than the Libertarian Party.

All Party officeholders are required to be members of the State Central Committee.

Section 2

C. Certification: "I certify that I oppose the initiation of force as a means of achieving political or social goals." Certification shall be required to be a Sustaining Member Individuals who have executed previous versions of the certification shall also meet this requirement.

D. All references in these Bylaws and Convention Rules to "mail," "written notification," or similar terms shall be considered to include electronic communications.

E. Sustaining Member: A person who has done the following:

1. Making application and becoming a holder of California public office that is subject to election, or
2. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement.
3. Must hold office as or

The Executive Committee shall establish associate, non-voting membership for those persons ineligible or unwilling to become members of the State Central Committee.

Section 3

All Party candidates for public office, Executive Committee members, county Party office holders, Libertarian National Committee representatives, and Judicial Committee members shall be registered in the Libertarian Party in California if eligible.

Section 4

The Secretary automatically shall terminate a State Central Committee membership if that member requests in writing such termination, or if, except for elected Central Committee members, that member fails to remit prescribed dues by that member's renewal date.

Section 5

The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. Notification of the suspension is subject to written appeal within fifteen days of notification. Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term "cause" as used in this section shall include but not be limited to

be registered to vote as a Libertarian, if registered to vote.

4. All Party officeholders, State Central Committee Members, or County Central Committee Members are required to be Sustaining Members.

F. Associate Member: A person who has made application to and paid dues as prescribed by the Executive Committee, as in Sustaining Member, above, but who has not agreed to the Certification or is registered Decline-to-State or has disclosed a preference for a Party other than Libertarian on their voter registration card.

G. The term "delegate" as used in these bylaws shall refer to a member of the State Central Committee.

Bylaw 5: Membership

Section 1

The State Central Committee shall consist of:

the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- B. Having unpaid debts over ninety days old outstanding to the Party.

#### Section 6 (2/3 required to amend)

Upon appeal by a County or State Central Committee member, the Judicial Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to restore the membership.

#### Bylaw 6: Membership Lists

##### Section 1

The Executive Committee shall provide one copy of a County Central Committee's membership list monthly to that county organization's Secretary or designated officer at no charge, or by mutual arrangement, or to any other officer of that county at cost within ten days of a request.

The Executive Committee may also provide mailing lists to individuals or groups, but not to any government official or government agency. Counties may exchange lists.

- A. Members elected by the County Central Committees of the Party, pursuant to Section 2 of this Bylaw.
- B. The current Chair for each County Central Committee of the Party.
- C. The current duly appointed Chair Pro Tem of the Party for each county where there is no current County Central Committee.
- D. The current Vice Chair for each County Central Committee of the Party.
- E. The current Treasurer for each County Central Committee of the Party.
- F. The current Secretary for each County Central Committee of the Party.
- G. The current Libertarian National Committee Representatives and Alternates.
- H. All members of the Executive Committee and Alternates. This shall include the Chair, Vice Chair, Treasurer, Secretary, Area Coordinators, At-Large Members, and Alternate Members.
- I. One person appointed by each Executive Committee member, to include the

Section 2

The Executive Committee shall provide a County Central Committee's membership list to the national Libertarian Party, a Libertarian candidate, campaign committee, or initiative committee, or an interested Party member in conjunction with Party activities that facilitate the Party organization under the following conditions:

- A. Three Party officers or two County Central Committee officers give approval to the request,
- B. The requesting individual or group agree to pay the amount for receiving the list in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, and
- C. The requesting individual or group agrees to terms, in effect at the time of the request as established by a current Standing Resolution of the Executive Committee that are solely intended to assure that the membership list is not to be used for any other purpose, nor sold or

following: Chair, Vice Chair, Treasurer, Secretary, Area Coordinators, and At-Large Members.

- J. All past Chairs of the State Central Committee.
- K. All public officeholders within California who are registered Libertarians, whether elected in partisan or non-partisan public elections.
- L. Any current Libertarian Party candidate for each of the following partisan elective offices within California:
  - 1. Governor
  - 2. Lieutenant Governor
  - 3. Attorney General
  - 4. Secretary of State
  - 5. Controller
  - 6. Treasurer
  - 7. Insurance Commissioner
  - 8. Members of the State Board of Equalization
  - 9. United States Senator
  - 10. Members of the United States House of Representatives
  - 11. Members of the

furnished to any other group, organization, government official or agency. If maintenance of the State Central Committee membership database is delegated to someone other than the Secretary, the Secretary and the Chair shall be provided with current membership information in keeping with their Party duties.

Bylaw 9: County Organizations

Section 1

The Party shall be divided into county organizations. Each county organization shall have its own County Central Committee.

Section 2

State Central Committee membership shall be the only requirement for County Central Committee membership.

A Party member may be a member of only one County Central Committee, which does not have to be the Committee of the county of the member's residence.

A County Central Committee membership confers voting privileges for that member in that county.

Section 3

County Central Committees shall

State Senate

12. Members of the State Assembly

- M. Any Libertarian candidate currently running within California for State Superintendent of Public Instruction.
- N. The California State Chair, or equivalent, of each Caucus recognized by the Executive Committee per the rules stated within the Operating Procedures Manual, or other person designated by the Chair of said Caucus.
- O. All members of all Bylaws-mandated Committees.
- P. The Chairs of all Standing Committees as designated within the Operating Procedures Manual.

Section 2

Each County Central Committee of the Party shall elect, from its own members, as defined by its Bylaws, representatives to the State Central Committee who serve at the pleasure of the County Central Committee. The number elected to represent each County Central Committee shall be determined as follows:

conduct their business in any manner they choose consistent with these Bylaws and the national Bylaws. County Central Committees may endorse only those candidates for public office in any partisan election whose political party affiliation is either "Libertarian" or "Decline to State."

#### Section 4

The appropriate Area Coordinator may appoint a county Chair Pro Tem for any county in which there is no active county organization. It shall be the responsibility of said Chair Pro Tem to promote the development of a county organization within that county.

#### Section 5

Each County Central Committee may maintain one or more campaign finance funds independent of any campaign finance funds maintained by the State Central Committee or any other Committees of the Party.

Each County Central Committee shall be responsible for compliance with any applicable election and campaign finance laws.

#### Section 6

A county organization is deemed as having selected its officers only if an election notice has been mailed to its members at least thirty days but no more than sixty days in advance of that election. The election notice shall also be sent to and received by the Party

1. One State Central Committee member for each 1,000 registered Libertarians, or fraction therefor, per the most recent report of registration to the Secretary of State. The Secretary of the State Central Committee shall secure the registration totals received by the Secretary of State no more than 120 days, and a minimum of 90 days prior to the annual convention of the State Central Committee and shall forthwith notify the respective Secretaries of the County Central Committees of the Party of the registrations and of the allocation of State Central Committee members to be elected.
2. Once State Central Committee member for each of the 10 Sustaining Members, or fraction thereof, who are affiliated with each county. The Secretary of the State Central Committee shall notify the respective Secretaries of the County Central Committees of

Secretary at least thirty days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election shall be held every year. The results of the election shall be reported to the Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election by bringing the issue before the Judicial Committee. The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

#### Bylaw 19: Convention

##### Section 1 (2/3 required to amend)

The Party shall hold an annual convention of delegates of the State Central Committee ("convention") to conduct such business as may properly come before it, at a time and place set according to these Bylaws and in conformance with these Bylaws and Convention Rules.

##### Section 2

The Executive Committee shall be responsible for setting the time, place, and schedule of events for the convention. The Executive Committee shall provide to the membership at least one hundred twenty days advance notice concerning these arrangements.

##### Section 3

Delegates to the convention shall be

the Party of the number of Sustaining Members affiliated with each county and of the allocation of State Central Committee members to be elected 90 days prior to the annual convention of the State Central Committee.

##### Section 3

All Party candidates for public office, Executive Committee members, county Party office holders, Libertarian National Committee representatives, and Judicial Committee members shall be registered in the Libertarian Party in California if eligible.

##### Section 4

The Secretary automatically shall terminate a State Central Committee membership if that member requests in writing such termination, or if, except for elected Central Committee members, that member fails to remit prescribed dues by that member's renewal date.

##### Section 5

The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. The County Central Committee may also have the power to suspend a County Central Committee membership in accordance with that County Central Committee's Bylaws. Notification of the suspension is subject to written appeal

current State Central Committee members., and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention.

Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.

#### Section 4

All delegates in good standing shall be eligible to vote on all matters. In order to vote on a given matter, a delegate shall be present on the floor at the time that the vote is taken. Each delegate present shall have one vote.

#### Section 5

On all matters except elections and endorsements, voting shall be conducted by voice vote or a show of hands. If ten or more delegates object to the Chair's ruling on the outcome of a vote, a division or counted vote shall be held. On any vote, the Chair may satisfy the first call for a division or counted vote with order in the room and an uncounted show of hands.

All voting for Party officers or for endorsements of candidates for public office, when more than one candidate has been nominated, shall be by secret ballot. In all voting for Party officers or for endorsements of candidates for public office, the voting shall include the option of "None of the Above."

The Chair may require any motion

within fifteen days of notification. Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term "cause" as used in this section shall include but not be limited to the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- B. Having unpaid debts over ninety days old outstanding to the Party.

#### Section 6 (2/3 required to amend)

Upon appeal by a County or State Central Committee member, the Judicial Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to restore the membership.

#### Bylaw 6: Membership Lists

##### Section 1

The Executive Committee shall provide one copy of a list of all Sustaining Members and Associate Members affiliated with a county monthly to that County Central Committee's Secretary or designated officer at no charge, or by mutual arrangement, or to any other

offered from the convention floor to be in writing, to be signed by the maker, and to be submitted to the Secretary.

Bylaw 23: Presidential Preference Primary

Section 1

Candidates may appear on the presidential preference primary ballot as provided for in Sections 6720 through 6726 of the California Elections Code.

Section 2

The presidential preference primary election vote shall be advisory only.

Section 3

The candidates nominated for President and Vice-President at the Libertarian Party national convention shall appear on the California general election ballot as the Libertarian Party's nominees for those offices, regardless of the presidential preference primary results.

Bylaw 24: National Convention Delegates

Section 1

Delegates to the national convention shall be selected at the state convention preceding the national convention. The procedures in Rule 12 shall be used for such election.

Section 2

After the state convention has selected delegates, the Executive Committee may fill any vacancies in the delegation prior to the deadline for reporting the names of delegates to the national Party.

officer of that county at cost within ten days of a request.

The Executive Committee may also provide mailing lists to individuals or groups, but not to any government official or government agency. Counties may exchange lists.

Section 2

The Executive Committee shall provide a list of all Sustaining Members and Associate Members affiliated with a county to the national Libertarian Party, a Libertarian candidate, campaign committee, or initiative committee, or an interested Party member in conjunction with Party activities that facilitate the Party organization under the following conditions:

- A. Three Party officers or two County Central Committee officers give approval to the request,
- B. The requesting individual or group agree to pay the amount for receiving the list in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, and
- C. The requesting individual or group agrees to terms, in effect at the time of the request as established

Section 3

Sections 6760 through 6798 of the California Elections Code are superseded.

Bylaw 25: National Convention Alternates

In the event that duly selected California delegates or alternates are unable to attend or be seated at the national convention for which they were selected, additional alternates may be selected by a two-thirds vote of the California delegates and alternates then registered at the national convention.

- A. Those members seeking additional alternate delegate status under this section shall have been a State Central Committee member at least thirty days prior to the national convention.
- B. This provision shall be included in all written statements to the National Convention Credentials Committee whenever requests are made for seating newly-selected additional alternates.

CONVENTION RULES

RRule 11: Election of Party Officers

Section 2

by a current Standing Resolution of the Executive Committee that are solely intended to assure that the membership list is not to be used for any other purpose, nor sold or furnished to any other group, organization, government official or agency. If maintenance of the membership database is delegated to someone other than the Secretary, the Secretary and the Chair shall be provided with current membership information in keeping with their Party duties.

Bylaw 9: County Organizations

Section 1

The Party shall be divided into county organizations. Each county organization shall have its own County Central Committee.

Section 2

County Central Committee members shall be elected by the registered Libertarians within the county in accordance with that County Central Committee's Bylaws. If that County's Bylaws do not specify the manner in which they shall be elected, then the following default shall be used: a county committee shall be elected by voters during the Primary Elections on

Delegates shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of ten minutes.

Elections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. Delegates shall turn in all individual ballots to the Secretary. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened.

If there is only one candidate for an office,

even number election years. The county committee shall be elected by supervisor districts, and the number to be elected from any supervisor district shall be determined as follows: There shall be taken the number of votes cast in the supervisor district at the last presidential election for that party's candidate for President. This number shall be divided by one-twentieth of the number of votes cast in that county for President. The integer next larger than the quotient obtained by that division shall constitute the number of members of the committee to be elected by that party in that supervisor district. Further, In the event that the candidates elected to a committee from a district do not equal the number of party committeepersons to which the district is entitled to be represented, a vacancy or vacancies exist to the extent of the difference between the number of elected committeepersons and the number of committeepersons by which the district is entitled to be represented. When the vacancy or vacancies exist they shall be filled by the committee to which insufficient members were elected, in the following manner: In the event of the appointment or election to a committee of an ineligible person, or whenever any member of the committee dies, resigns or becomes incapacitated to act, or removes from the jurisdiction of the committee, or ceases to be a member of this party, a vacancy exists which shall be filled by appointment by the committee in which the ineligibility or vacancy occurs. A vacancy shall also exist on a committee

the election will be conducted by voice vote, with the choice between the candidate and None of the Above.

Rule 12: Election of Area Coordinators

the offices of Area Coordinators, delegates from each office's respective area shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of five minutes.

lections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates from each office's respective area may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. Delegates shall turn in all individual ballots to the Secretary. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above"

when a member is removed from the committee. Any member of a committee, other than an ex officio member, who misses more than three consecutive regularly called meetings may be removed by a vote of the committee concerned, unless his or her absence is caused by illness or temporary absence from the county on the date of the meeting. A committee may remove any member, other than an ex officio member, who during his or her term of membership affiliates with, or registers as a member of another party or who gives support or avows a preference for a candidate of another party or candidate who is opposed to a candidate of this party. Whenever any person is appointed to fill a vacancy on a committee, the chairperson of the committee shall file notices of the appointment with the elections official and the chairperson of the state central committee within 30 days after it is made. The notices shall contain the name and address of the person appointed and the name of the person replaced, and shall indicate the date of the appointment.

A Sustaining Member or Associate Member may be affiliated with only one County Central Committee; The member shall be affiliated with the county in which they are registered to vote. If they are not registered to vote in California, the member may choose to be affiliated with a county they do not reside within.

A County Central Committee membership confers voting privileges for that member in that

shall cause nominations for that office to be reopened.

### Rule 13: Election of At-Large Executive Committee Members

Delegates shall make nominations for the at-large Executive Committee members from the floor. All State Central Committee members shall be eligible for nomination. Each candidate shall be allowed one nominating speech no longer than two minutes, made by a delegate, and each candidate may also speak for no longer than two minutes. The election shall be conducted in the following manner:

- A. Each delegate may cast up to five votes, but not more than one vote for any one candidate.
- B. Each delegation shall tabulate its total votes, and the delegation chair shall deliver a written total to the Secretary, along with the ballots cast. When all of the delegates have submitted their votes, the Secretary shall declare the voting closed.

county.

### Section 3

County Central Committees shall conduct their business in any manner they choose consistent with these Bylaws and the national Bylaws. County Central Committees may endorse only those candidates for public office in any partisan or non-partisan election whose political party affiliation is "Libertarian."

### Section 4

The appropriate Area Coordinator may appoint a county Chair Pro Tem for any county in which there is no active County Central Committee. It shall be the responsibility of said Chair Pro Tem to promote the development of a County Central Committee within that county.

### Section 5

Each County Central Committee may maintain one or more campaign finance funds independent of any campaign finance funds maintained by the State Central Committee or any other Committees of the Party.

Each County Central Committee shall be responsible for compliance with any applicable election and campaign finance laws.

### Section 6

A County Central Committee is deemed as having selected its officers and Executive Committee members only if an election notice has been mailed to its

members at least thirty days but no more than sixty days in advance of that election. If the County Central Committee is elected by other means than ballot election, such as by caucus or convention, a County Central Committee is deemed as having selected its members only if an election notice has been mailed to registered Libertarians within that county at least thirty days but no more than sixty days in advance of that election. Such election notices shall also be sent to and received by the Party Secretary at least thirty days in advance of the election. Such notices shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election of officers and county Executive Committee shall be held every year. An election of the County Central Committee must be held a minimum of every two years. The results of such election shall be reported to the Party Secretary within fifteen days after the election. Any member of that County Central Committee may challenge the legality of an election by bringing the issue before the Judicial Committee. The Executive Committee may declare a county organization to be inactive if it fails to hold elections in accordance with this section.

Bylaw 19: Convention

Section 1 (2/3 required to amend)

The Party shall hold an annual convention of delegates of the State

Central Committee (“convention”) to conduct such business as may properly come before it, at a time and place set according to these Bylaws and in conformance with these Bylaws and Convention Rules.

#### Section 2

The Executive Committee shall be responsible for setting the time, place, and schedule of events for the convention. The Executive Committee shall provide to the membership at least one hundred twenty days advance notice concerning these arrangements.

#### Section 3

Delegates to the convention shall be current State Central Committee members.

#### Section 4

All delegates in good standing shall be eligible to vote on all matters. In order to vote on a given matter, a delegate shall be present on the floor at the time that the vote is taken. Each delegate present shall have one vote.

#### Section 5

On all matters except elections and endorsements, voting shall be conducted by voice vote or a show of hands. If ten or more delegates object to the Chair’s ruling on the outcome of a vote, a division or counted vote shall be held. On any vote, the Chair may satisfy the first call for a division or counted vote with order in the room and an uncounted show of hands.

All voting for Party officers or for endorsements of candidates for public office, when more than one candidate has been nominated, shall be by secret ballot. In all voting for Party officers or for endorsements of candidates for public office, the voting shall include the option of "None of the Above."

The Chair may require any motion offered from the convention floor to be in writing, to be signed by the maker, and to be submitted to the Secretary.

#### Bylaw 23: Presidential Preference Primary

##### Section 1

Candidates may appear on the presidential preference primary ballot as provided for in Sections 6720 through 6726 of the California Elections Code.

##### Section 2

The presidential preference primary election vote shall be advisory only.

##### Section 3

The candidates nominated for President and Vice-President at the Libertarian Party national convention shall appear on the California general election ballot as the Libertarian Party's nominees for those offices, regardless of the presidential preference primary results.

#### Bylaw 24: National Convention Delegates

##### Section 1

Delegates to the national convention shall be selected at the state

convention preceding the national convention. The procedures in Rule 12 shall be used for such election.

#### Section 2

After the state convention has selected delegates, the Executive Committee may fill any vacancies in the delegation prior to the deadline for reporting the names of delegates to the national Party.

#### Section 3

Sections 6760 through 6798 of the California Elections Code are superseded.

#### Bylaw 25: National Convention Alternates

In the event that duly selected California delegates or alternates are unable to attend or be seated at the national convention for which they were selected, additional alternates may be selected by a two-thirds vote of the California delegates and alternates then registered at the national convention.

- A. Those members seeking additional alternate delegate status under this section shall have been a Sustaining Member at least thirty days prior to the national convention and must be registered Libertarians in the State of California.
- B. This provision shall be included in all written statements to the National Convention

Credentials Committee whenever requests are made for seating newly-selected additional alternates.

### CONVENTION RULES

#### Rule 3: Voting Eligibility (add and renumber)

Delegates in good standing shall be eligible to vote on all matters. In order to vote on a given matter, a delegate must be present on the floor at the time that the vote is taken. Each delegate present shall have one vote. Any delegate from a county as provided in Bylaw 19, Section 3 may be replaced by an alternate from that county with the consent of the county delegation.

#### Rule 4: Polling Procedure (add and renumber)

- A. Convention seating will be by county. Each county's delegates shall elect a representative for their county to act as the delegation chair. If any delegate challenges the vote reported by any county's representative, the Secretary shall poll the delegates from that county individually.
- B. In all cases where a roll call vote is required, polling shall be conducted by county. The Secretary will solicit the vote from each county delegation in alphabetic order. A representative for each delegation shall report the vote for that delegation.

C. In cases where ballots are used, each delegate must submit their ballot to the delegation chair. After verifying that the number of votes cast does not exceed the number the county is entitled to, the chair of each delegation shall submit the ballots to the Secretary. During the period of time allotted for such votes, the business of the convention shall continue without interruption.

Rule 13: Election of Party Officers

*Section 2*

Delegates shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of ten minutes.

Elections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. Each delegation shall turn in all individual ballots to the Secretary along with the tabulation of the first choice votes. When all delegations have submitted their votes, the Secretary shall declare the voting closed. In cases in which no candidate receives a majority of First Choice votes, the candidate

with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened.

If there is only one candidate for an office, the election will be conducted by voice vote, with the choice between the candidate and None of the Above.

#### Rule 14: Election of Area Coordinators

the offices of Area Coordinators, delegates from each office's respective area shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of five minutes.

lections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates from each office's respective area may rank their candidate choices on their ballots in order of preference, such as First

Choice, Second Choice, Third Choice, and so on. Each delegation shall turn in all individual ballots to the Secretary along with the tabulation of the first choice votes. When all delegations have submitted their votes, the Secretary shall declare the voting closed. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened.

Rule 15: Election of At-Large Executive Committee Members

Delegates shall make nominations for the at-large Executive Committee members from the floor. All State Central Committee members shall be eligible for nomination. Each candidate shall be allowed one nominating speech no longer than two minutes, made by a delegate, and each candidate may also speak for no longer than two minutes. The election shall be conducted in the following manner:

- A. Each delegate may cast up to four votes, but not more than one vote for any one candidate.
- B. Each delegation shall tabulate

	its total votes, and the delegation chair shall deliver a written total to the Secretary, along with the ballots cast. When all of the delegations have submitted their votes, the Secretary shall declare the voting closed.
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## **XI. Recommendation: Bylaw 12-Executive Committee (Would only be considered if Recommendations IX and X do not pass)**

### **Reason**

Believing that critical decisions made regarding the Libertarian Party of California should be made by Party members that live in the state, this would add an eligibility condition stating that all members of the Executive Committee must live within the state of California. The goal of this change is not to bar those who may have to leave the state temporarily (such as for personal/family reasons), but would result in those that take jobs elsewhere and move out of state on a more permanent basis to automatically vacate their seats upon doing so.

### **Impact**

This amendment would ensure that all members of the Executive Committee live within the state and those that move out of state vacate their positions to allow another California-based member to take their place.

### **Proposed Amendment**

The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 5-0 (Dawson, Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 12: Convention amend as follows:

#### ***Bylaw 12: Executive Committee***

##### ***Section 1***

The Executive Committee shall be responsible for the control and management of all of

the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse any registered Libertarian candidate for public office, or it may rescind its endorsement of any candidate for public office.

The Executive Committee of the Party shall be composed of the following members of the State Central Committee [that live within the state of California](#):

- The four elected officers of the Party;
- Three Area Coordinators. The Northern Area Coordinator shall be affiliated in a county in the northern area of the state, the Southern Area Coordinator shall be affiliated in a county in the southern area of the state, and the Central Area Coordinator shall be affiliated in a county in the central area of the state (with the state divided as follows: The southern area shall be the 6 southern counties which end at Los Angeles and San Bernardino Counties; the central area shall be the 21 counties which begin north of the southern boundary and extend to the northern boundaries of Santa Cruz, San Benito, Stanislaus, San Joaquin, Amador and Alpine counties; and the northern area shall be the 31 counties that begin north of the central boundaries). Each Area Coordinator shall be responsible for coordinating activities in their respective area of the state and shall be elected by the delegates from that area for two-year terms.
- Eight at-large members, four elected for two-year terms at each convention; and
- Two alternates, each elected for one-year terms. There will be free substitution of alternates in ranked order at Executive Committee meetings.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 12: Executive Committee</b></p> <p><b>Section 1</b></p> <p>The Executive Committee shall be responsible for the control and management of all of the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse any registered Libertarian candidate for public office, or it may rescind its endorsement of any candidate for public office.</p> <p>The Executive Committee of the Party shall be composed of the following members of the State Central Committee:</p>	<p><b>Bylaw 12: Executive Committee</b></p> <p><b>Section 1</b></p> <p>The Executive Committee shall be responsible for the control and management of all of the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse any registered Libertarian candidate for public office, or it may rescind its endorsement of any candidate for public office.</p> <p>The Executive Committee of the Party shall be composed of the following members of the State Central Committee that live within the</p>

- The four elected officers of the Party;
- Three Area Coordinators. The Northern Area Coordinator shall be affiliated in a county in the northern area of the state, the Southern Area Coordinator shall be affiliated in a county in the southern area of the state, and the Central Area Coordinator shall be affiliated in a county in the central area of the state (with the state divided as follows: The southern area shall be the 6 southern counties which end at Los Angeles and San Bernardino Counties; the central area shall be the 21 counties which begin north of the southern boundary and extend to the northern boundaries of Santa Cruz, San Benito, Stanislaus, San Joaquin, Amador and Alpine counties; and the northern area shall be the 31 counties that begin north of the central boundaries). Each Area Coordinator shall be responsible for coordinating activities in their respective area of the state and shall be elected by the delegates from that area for two-year terms.
- Eight at-large members, four elected for two-year terms at each convention; and
- Two alternates, each elected for one-year terms. There will be free substitution of alternates in ranked order at Executive Committee meetings.

state of California:

- The four elected officers of the Party;
- Three Area Coordinators. The Northern Area Coordinator shall be affiliated in a county in the northern area of the state, the Southern Area Coordinator shall be affiliated in a county in the southern area of the state, and the Central Area Coordinator shall be affiliated in a county in the central area of the state (with the state divided as follows: The southern area shall be the 6 southern counties which end at Los Angeles and San Bernardino Counties; the central area shall be the 21 counties which begin north of the southern boundary and extend to the northern boundaries of Santa Cruz, San Benito, Stanislaus, San Joaquin, Amador and Alpine counties; and the northern area shall be the 31 counties that begin north of the central boundaries). Each Area Coordinator shall be responsible for coordinating activities in their respective area of the state and shall be elected by the delegates from that area for two-year terms.
- Eight at-large members, four elected for two-year terms at each convention; and
- Two alternates, each elected for one-year terms. There will be free substitution of alternates in ranked order at Executive Committee meetings.

## **XII. Recommendation: Bylaw 19-Convention (Would only be considered if Recommendations IX and X do not pass)**

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### **Reason**

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Believing that critical decisions made regarding the Libertarian Party of California should be made by Party members that live in the state, this would add an eligibility condition stating that all delegates live within the state of California. The goal of this change is not to bar those who may have to leave the state temporarily (such as for personal/family reasons), but would result in those that take jobs elsewhere and move out of state on a more permanent basis to automatically vacate their seats upon doing so.

### **Impact**

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This amendment would ensure that all delegates live within the state and those that move out of state vacate their positions to allow another California-based member to take their place.

### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 5-0 (Dawson, Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 19: Convention amend as follows:

#### **Bylaw 19: Convention**

##### **Section 3**

Delegates to the convention shall be current State Central Committee members that live within California or shall have purchased a Lifetime membership prior to the start of the 2020 Convention, and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the

convention.

Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p><b>Bylaw 19, Section 3: Section 3</b></p> <p>Delegates to the convention shall be current State Central Committee members, and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention.</p> <p>Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.</p>	<p><b>Bylaw 19, Section 3: Section 3</b></p> <p>Delegates to the convention shall be current State Central Committee members that live within California or shall have purchased a Lifetime membership prior to the start of the 2020 Convention, and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention.</p> <p>Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.</p>

### **XIII. Recommendation: Bylaw 17-National Committee Regional Representation**

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#### **Reason**

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As California's membership levels make it eligible to be its own region, it makes sense to ensure that the Bylaws governing the Region 4 Representative and Alternate positions ensure that the individuals reside and are registered to vote in California (where applicable). This would help to ensure better representation for the Libertarian Party of California and its members at the National level.

#### **Impact**

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Those individuals who are not California residents and registered to vote in California as either Libertarian or No Party Preference would be ineligible for nomination to the positions of Region 4 Representative and Alternate.

#### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 5-0 (Dawson, Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 17: National Committee Regional Representation amend as follows:

#### **Bylaw 17: National Committee Regional Representation**

##### **Section 1**

The Party may enter into an agreement with other affiliates of the national Libertarian Party (LP) in accordance with the LP Bylaws in order to form a region for representation on the Libertarian National Committee (LNC). The terms of any new agreement shall be reported by the Party Secretary to the Chair and Secretary of the LNC without delay.

## Section 2

Those elected representatives shall replace previous representatives and take office as soon as consistent with the LP Bylaws and the provisions of the current LNC Representation Agreement. The Party Secretary shall report the election results to the Chair and Secretary of the LNC without delay.

## Section 3

Delegates to each Party convention that immediately precedes a national convention, in an election which is separate from that of the representatives shall elect two alternates to the LNC. Alternates shall be ranked by the number of votes received, provided that no alternate shall be ranked who does not receive a majority of the votes cast.

## Section 4

If a reduction occurs in the number of representatives that the Party is entitled to, the Party Executive Committee shall select the representatives from those elected at the convention. Any vacancy, including a vacancy resulting from a change in the LP Bylaws or the current LNC Representation Agreement, shall be filled by the Executive Committee. The Party Secretary shall report to the Chair and Secretary of the LNC any changes to Party representation to the LNC without delay.

## Section 5

A National Committee Regional Representative may be recalled by the Executive Committee. A vacancy shall automatically occur whenever an LNC representative misses two consecutive meetings during a term. The Executive Committee may reappoint the previous holder of the vacated seat.

## [Section 6](#)

[In order to be nominated for Region 4 Representative or Alternate, individuals must live within California and registered voters designated Libertarian \(where applicable\) within the state of California.](#)

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<b>.Bylaw 17: National Committee Regional Representation</b> Section 1 The Party may enter into an agreement with other affiliates of the national Libertarian Party (LP) in accordance with the LP Bylaws in order to form a region for representation on the	<b>Bylaw 17: National Committee Regional Representation</b> Section 1 The Party may enter into an agreement with other affiliates of the national Libertarian Party (LP) in accordance with the LP Bylaws in order to form a region for representation on the

Libertarian National Committee (LNC). The terms of any new agreement shall be reported by the Party Secretary to the Chair and Secretary of the LNC without delay.

Section 2

Those elected representatives shall replace previous representatives and take office as soon as consistent with the LP Bylaws and the provisions of the current LNC Representation Agreement. The Party Secretary shall report the election results to the Chair and Secretary of the LNC without delay.

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Delegates to each Party convention that immediately precedes a national convention, in an election which is separate from that of the representatives shall elect two alternates to the LNC. Alternates shall be ranked by the number of votes received, provided that no alternate shall be ranked who does not receive a majority of the votes cast.

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If a reduction occurs in the number of representatives that the Party is entitled to, the Party Executive Committee shall select the representatives from those elected at the convention. Any vacancy, including a vacancy resulting from a change in the LP Bylaws or the current LNC Representation Agreement, shall be filled by the Executive Committee. The Party Secretary shall report to the Chair and Secretary of the LNC any changes to Party representation to the LNC without delay.

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Section 2

Those elected representatives shall replace previous representatives and take office as soon as consistent with the LP Bylaws and the provisions of the current LNC Representation Agreement. The Party Secretary shall report the election results to the Chair and Secretary of the LNC without delay.

Section 3

Delegates to each Party convention that immediately precedes a national convention, in an election which is separate from that of the representatives shall elect two alternates to the LNC. Alternates shall be ranked by the number of votes received, provided that no alternate shall be ranked who does not receive a majority of the votes cast.

Section 4

If a reduction occurs in the number of representatives that the Party is entitled to, the Party Executive Committee shall select the representatives from those elected at the convention. Any vacancy, including a vacancy resulting from a change in the LP Bylaws or the current LNC Representation Agreement, shall be filled by the Executive Committee. The Party Secretary shall report to the Chair and Secretary of the LNC any changes to Party representation to the LNC without delay.

Section 5

A National Committee Regional Representative may be recalled by the Executive Committee. A vacancy shall automatically occur whenever an LNC representative misses two consecutive meetings during a term. The Executive Committee may reappoint the previous holder of the vacated seat.

Section 5

A National Committee Regional Representative may be recalled by the Executive Committee. A vacancy shall automatically occur whenever an LNC representative misses two consecutive meetings during a term. The Executive Committee may reappoint the previous holder of the vacated seat.

Section 6

In order to be nominated for Region 4 Representative or Alternate, individuals must live within California and registered voters designated Libertarian (where applicable) within the state of California.

## **XIV. Recommendation: Bylaw 26-Amendment of Bylaws**

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### **Reason**

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In the past, many Bylaws Amendments made from the floor were not considered or failed due to delegates leaving the floor, making it difficult to get a two-thirds vote of all registered delegates. This amendment doesn't change the two-thirds vote requirement but only requires two-thirds of the delegates on the floor.

### **Impact**

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This Amendment decreases the chance of losing quorum during the convention therefore making it more likely to complete party business as specified in the Bylaws.

### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 5-0 (Dawson, Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 26: National Committee Regional Representation amend as follows:

#### **Bylaw 26: Amendment of Bylaws**

Except as indicated in a particular Bylaw, these Bylaws may be amended by a majority vote of all the registered delegates at a convention with previous notice. Bylaws changes proposed from the convention floor without prior notice, or substantive, non-technical amendments made to the Bylaws Committee Report by the Bylaws Committee subsequent to the report adoption deadline, shall require a two-thirds vote of **those present and voting, but no less than a majority of** registered delegates to pass.

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<b>.Bylaw 26: Amendment of Bylaws</b> Except as indicated in a particular Bylaw, these Bylaws may be amended by a majority vote of all the registered delegates at a convention with previous	<b>Bylaw 26: Amendment of Bylaws</b> Except as indicated in a particular Bylaw, these Bylaws may be amended by a majority vote of all the registered delegates at a convention with previous

notice. Bylaws changes proposed from the convention floor without prior notice, or substantive, non-technical amendments made to the Bylaws Committee Report by the Bylaws Committee subsequent to the report adoption deadline, shall require a two-thirds vote of registered delegates to pass.

notice. Bylaws changes proposed from the convention floor without prior notice, or substantive, non-technical amendments made to the Bylaws Committee Report by the Bylaws Committee subsequent to the report adoption deadline, shall require a two-thirds vote of those present and voting, but no less than a majority of registered delegates to pass.

## **XV. Recommendation: Bylaw 20-Platform**

### **Reason**

During the 2019 Convention the delegates voted to delete the Platform in its entirety but the Judicial Committee ruled against that decision stating that the Bylaws required the Party to have a Platform.

### **Impact**

This Amendment would eliminate the need to have a Platform.

### **Proposed Amendment**

The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 5-0 (Dawson, Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 20: Platform and other Bylaws amend as follows:

#### **Bylaw 1: Name**

F. Preparing a statewide political environment to enhance the election of Party candidates pledged to the Statement of Principles for the singular purpose of abolishing statist law, and restoring civil and economic liberty and property rights ~~as proclaimed in the Principles and defined in the Platform;~~

#### **Bylaw 20: Platform**

##### **Section 1**

The Party **may choose to have a** Platform. **The platform** shall consist of a number of planks which state the Party position on specific state and national issues.

The Platform may be amended by deletion, substitution, or addition of any plank **or combination of planks** at any Party convention. The delegates may, by majority vote, delete a plank. The delegates, by a two-thirds vote, but not less than a majority of all registered delegates, may add a new plank, or substitute a new plank for an old plank.

## CONVENTION RULES

### Rule 8: Platform Committee

The Chair of the Platform Committee shall report the Committee's recommendations to the floor, ~~plank by plank~~. The delegates shall vote on each recommendation separately.

Platform committee recommendations may be to add, amend or delete any plank or any combination of planks. After the delegates have debated and voted on all of the Committee's recommendations, if time permits, any delegate may propose new planks or additional amendments from the floor, which the delegates shall vote on separately.

Current Bylaw	Proposed Bylaw as Amended
<p>Bylaw 1: Name F. Preparing a statewide political environment to enhance the election of Party candidates pledged to the Statement of Principles for the singular purpose of abolishing statist law, and restoring civil and economic liberty and property rights as proclaimed in the Principles and defined in the Platform; Bylaw 20: Platform Section 1 The Party Platform shall consist of a number of planks which state the Party position on specific state and national issues. The Platform may be amended by deletion, substitution, or addition of any plank at any Party convention. The delegates may, by majority vote, delete a plank. The delegates, by a two-thirds vote, but not less than a majority of all registered delegates, may add a new plank, or substitute a new plank for an old plank. CONVENTION RULES Rule 8: Platform Committee The Chair of the Platform Committee shall report the Committee's recommendations to the floor, plank by plank. The delegates shall vote on each recommendation separately. After the delegates have debated and voted on all of the Committee's recommendations, if time permits, any delegate may propose new planks or additional amendments from the floor, which the delegates shall vote on separately.</p>	<p>Bylaw 1: Name F. Preparing a statewide political environment to enhance the election of Party candidates pledged to the Statement of Principles for the singular purpose of abolishing statist law, and restoring civil and economic liberty and property rights. Bylaw 20: Platform Section 1 The Party may choose to have a Platform. The platform shall consist of a number of planks which state the Party position on specific state and national issues. The Platform may be amended by deletion, substitution, or addition of any plank or combination of planks at any Party convention. The delegates may, by majority vote, delete a plank. The delegates, by a two-thirds vote, but not less than a majority of all registered delegates, may add a new plank, or substitute a new plank for an old plank. CONVENTION RULES Rule 8: Platform Committee The Chair of the Platform Committee shall report the Committee's recommendations to the floor. The delegates shall vote on each recommendation separately. Platform committee recommendations may be to add, amend or delete any plank or any combination of planks. After the delegates have debated and voted on all of the Committee's recommendations, if time permits, any delegate may propose new planks or additional amendments from the floor, which the delegates shall vote on separately.</p>

## **XVI. Recommendation: Repeal Bylaw 21-Program**

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### **Reason**

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Since its inception, the Program Committee has been generally dysfunctional, either preparing a Program late in the year or not preparing a Program at all.

### **Impact**

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This Amendment would eliminate the Program.

### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 21: Program repeal as follows:

#### **Bylaw 21: Program**

##### *Section 1*

~~The Party Program shall consist of up to five planks which state interim measures and practical policies, designed to implement the Party position on issues of Bylaws and Convention Rules 16 of 26 interest to California. The Program shall not conflict with the Statement of Principles or the Platform.~~

##### *Section 2*

~~The Program Committee shall be a standing committee of five State Central Committee members selected by the Executive Committee. The Program Committee may at any time, by a majority vote, recommend the adoption, amendment, or deletion of a plank. Changes to the Program recommended by the Program Committee shall take effect immediately upon ratification by the Executive Committee. The Executive Committee may adopt or amend a plank by a two-thirds vote. The Executive Committee may rescind a plank by a simple majority vote.~~

##### *Section 3*

~~If a delegate believes that an adopted plank is in conflict with the Statement of Principles of the national Libertarian Party, or with the Statement of Principles or Platform of the Party, then the delegate may challenge that plank in writing to the Judicial Committee.~~

~~The challenger shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The Judicial Committee shall decide whether the plank in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the plank is vetoed by the Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Program by a three-fourths vote of the convention.~~

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 21: Program</b></p> <p>Section 1</p> <p>The Party Program shall consist of up to five planks which state interim measures and practical policies, designed to implement the Party position on issues of Bylaws and Convention Rules 16 of 26 interest to California. The Program shall not conflict with the Statement of Principles or the Platform.</p> <p>Section 2</p> <p>The Program Committee shall be a standing committee of five State Central Committee members selected by the Executive Committee. The Program Committee may at any time, by a majority vote, recommend the adoption, amendment, or deletion of a plank. Changes to the Program recommended by the Program Committee shall take effect immediately upon ratification by the Executive Committee. The Executive Committee may adopt or amend a plank by a two-thirds vote. The Executive Committee may rescind a plank by a simple majority vote.</p> <p>Section 3</p> <p>If a delegate believes that an adopted plank is in conflict with the Statement of Principles of the national Libertarian Party, or with the Statement of Principles or Platform of the Party, then the delegate</p>	<p><b>***Bylaw 21 would not exist. Bylaws would be renumbered and reordered as appropriate.***</b></p>

may challenge that plank in writing to the Judicial Committee. The challenger shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The Judicial Committee shall decide whether the plank in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the plank is vetoed by the Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Program by a three-fourths vote of the convention.

## **XVII. Recommendation: Bylaw 15, Section 3-Platform Committee**

### **Reason**

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After the delegates voted to delete the 2019 Platform, many delegates complained that they were unaware of what the Platform Committee's report recommendations. This is due to the fact that the Platform Committee is formed so close to the convention and can't produce a report until the day before the convention business begins.

### **Impact**

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This Amendment would form the Platform Committee at an earlier date and give them more time to prepare a report and provide delegates with more time to review the committee's report.

### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 5-0 (Dawson, Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 15: Committees amend as follows:

Bylaw 15: Committees

Section 3: Platform Committee

The Platform Committee shall consist of a coordinator and one delegate from each County Central Committee. A coordinator shall be appointed by the Executive Committee at least **ninety 120** days before each convention. The county delegates shall be selected at least **90 thirty** days prior to the convention in such a manner as each County Central Committee shall provide. **The Platform Committee shall adopt its initial report not less than thirty days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than 20 days prior to the convention. The Platform Committee shall adopt its final report, which may include corrections or improvements to proposals in the initial report, but shall not introduce new proposals, not less than ten days prior to the convention and the Secretary shall cause it to be published on the Party's website five days prior to the convention.**

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p data-bbox="186 241 592 304">Bylaw 15: Committees Section 3: Platform Committee</p> <p data-bbox="186 346 795 661">The Platform Committee shall consist of a coordinator and one delegate from each County Central Committee. A coordinator shall be appointed by the Executive Committee at least ninety days before each convention. The county delegates shall be selected at least thirty days prior to the convention in such a manner as each County Central Committee shall provide.</p>	<p data-bbox="823 241 1226 304">Bylaw 15: Committees Section 3: Platform Committee</p> <p data-bbox="823 346 1429 1081">The Platform Committee shall consist of a coordinator and one delegate from each County Central Committee. A coordinator shall be appointed by the Executive Committee at least 120 days before each convention. The county delegates shall be selected at least 90 days prior to the convention in such a manner as each County Central Committee shall provide. The Platform Committee shall adopt its initial report not less than thirty days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than 20 days prior to the convention. The Platform Committee shall adopt its final report, which may include corrections or improvements to proposals in the initial report, but shall not introduce new proposals, not less than ten days prior to the convention and the Secretary shall cause it to be published on the Party's website five days prior to the convention.</p>

## **XVIII. Recommendation: Bylaw 15, Section 2-Bylaws Committee**

### **Reason**

In the recent past no Bylaws Committee Report was presented at Convention as the committee was unable to meet the stringent requirement of having its report finalized 70 days prior to the convention.

This amendment would allow for the Bylaws Committee to have a meeting closer to the time of the convention.

### **Impact**

With the revision changing the deadline to complete the report to 30 days it will make it more likely that a Bylaws Committee Report is presented at each convention.

### **Proposed Amendment**

The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 5-0 (Dawson, Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 15: Committees amend as follows:

#### **Bylaw 15: Committees**

##### ***Section 2: Bylaws Committee***

Not later than sixty days following the close of each convention, the Executive Committee shall appoint a Bylaws Committee of five State Central Committee members to recommend changes in these Bylaws and Convention Rules. The Bylaws Committee shall adopt its **initial** report not less than seventy days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than sixty days prior to the convention. **The Bylaws Committee shall adopt its final report, which may include corrections or improvements to proposals in the initial report but shall not introduce new proposals, not less than twenty days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than fifteen days prior to the convention.**

Current Bylaw	Proposed Bylaw as Amended
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**Bylaw 15: Committees**

**Section 2: *Bylaws Committee***

Not later than sixty days following the close of each convention, the Executive Committee shall appoint a Bylaws Committee of five State Central Committee members to recommend changes in these Bylaws and Convention Rules. The Bylaws Committee shall adopt its report not less than seventy days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than sixty days prior to the convention.

**Bylaw 15: Committees**

**Section 2: *Bylaws Committee***

Not later than sixty days following the close of each convention, the Executive Committee shall appoint a Bylaws Committee of five State Central Committee members to recommend changes in these Bylaws and Convention Rules. The Bylaws Committee shall adopt its initial report not less than seventy days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than sixty days prior to the convention. The Bylaws Committee shall adopt its final report, which may include corrections or improvements to proposals in the initial report but shall not introduce new proposals, not less than twenty days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than fifteen days prior to the convention.

## **XIX. Recommendation: Bylaw 22-Nominations and Endorsements of Candidates for Public Office**

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### **Reason**

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With the State moving the primary elections to March, this does not allow the State Executive Committee to endorse candidates for the primary election with enough time to write a statement of endorsement for the ballot.

### **Impact**

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This amendment would allow for the State Party to hold two conventions - one to conduct Party business and the other to endorse candidates in a timely manner.

### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 22: Nomination for Partisan Public Office amend as follows:

**Bylaw 22: ~~Nomination for Partisan Public Office~~**

## **Nominations and Endorsements of Candidates for Public Office**

### **Section 1**

Unless otherwise necessitated by the laws of the state of California, or by decision of the Executive Committee, nominations for partisan office shall be made by statewide nominating convention and by district caucus. **Endorsement of candidates for any elected public office shall be made at the time of the statewide nominating convention.**

- A. Nomination for statewide office shall be made by a statewide nominating convention.
- B. Nomination for U.S. House of Representatives, California State Legislature, and California State Board of Equalization shall be made by district caucus.

## Section 5

The Chair shall forward a list of all candidates nominated in convention and caucuses to the Secretary of State no later than thirty days after the convention or caucuses. [The Chair shall forward a list of all candidates endorsed in convention to the appropriate County Registrar of Voters by the deadline issued by the Secretary of State.](#)

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p>Bylaw 22: Nomination for Partisan Public Office</p> <p>Section 1 Unless otherwise necessitated by the laws of the state of California, or by decision of the Executive Committee, nominations for partisan office shall be made by statewide nominating convention and by district caucus.</p> <p>A. Nomination for statewide office shall be made by a statewide nominating convention.</p> <p>B. Nomination for U.S. House of Representatives, California State Legislature, and California State Board of Equalization shall be made by district caucus.</p> <p>Section 5 The Chair shall forward a list of all candidates nominated in convention and caucuses to the Secretary of State no later than thirty days after the convention or caucuses.</p>	<p>Bylaw 22: Nominations and Endorsements of Candidates for Public Office</p> <p>Section 1 Unless otherwise necessitated by the laws of the state of California, or by decision of the Executive Committee, nominations for partisan office shall be made by statewide nominating convention and by district caucus. Endorsement of candidates for any elected public office shall be made at the time of the statewide nominating convention.</p> <p>A. Nomination for statewide office shall be made by a statewide nominating convention.</p> <p>B. Nomination for U.S. House of Representatives, California State Legislature, and California State Board of Equalization shall be made by district caucus.</p> <p>Section 5 The Chair shall forward a list of all candidates nominated in convention and caucuses to the Secretary of State no later than thirty days after the convention or caucuses. The Chair shall forward a list of all candidates endorsed in convention to the appropriate County Registrar of Voters by the deadline issued by the Secretary of State.</p>

## **XX. Recommendation: Bylaw 12-Executive Committee - Alternates**

### **Reason**

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Currently Alternates are not specifically designated in the Bylaws to fill in for specific members of the Executive Committee and it is left open to interpretation who the Alternates may fill in behind.

### **Impact**

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This amendment clarify that At-Large Alternates would fill in behind At-Large Members and would add additional Alternates for Area Coordinators.

### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 12: Executive Committee and Convention Rules amend as follows:

Bylaw 12: Executive Committee

Section 1

The Executive Committee shall be responsible for the control and management of all of the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse any registered Libertarian candidate for public office, or it may rescind its endorsement of any candidate for public office. The Executive Committee of the Party shall be composed of the following members of the State Central Committee:

A. The four elected officers of the Party;

B. Three Area Coordinators. The Northern Area Coordinator shall be affiliated in a county in the northern area of the state, the Southern Area Coordinator shall be affiliated in a county in the southern area of the state, and the Central Area Coordinator shall be affiliated in a county in the central area of the state (with the state divided as follows: The southern area shall be the 6 southern counties which end at Los Angeles and San Bernardino Counties; the central area shall be the 21 counties which begin north of the southern boundary and extend to the northern boundaries of Santa Cruz, San Benito, Stanislaus, San Joaquin, Amador and Alpine counties; and the northern area shall be the 31 counties that begin north of the central boundaries). Each

Area Coordinator shall be responsible for coordinating activities in their respective area of the state and shall be elected by the delegates from that area for two-year terms.

C. Eight at-large members, four elected for two-year terms at each convention; and

D. Two [at-large](#) alternates, each elected for one-year terms. There will be free substitution of [at-large](#) alternates in ranked order at Executive Committee meetings [substituting for at-large members](#).

[E. One alternate for each Area Coordinator, each elected for one-year terms. There will be free substitution of Area Coordinator alternates at Executive Committee meetings substituting for the respective Area Coordinators.](#)

## CONVENTION RULES

### Rule 4: Agenda

The business of the convention shall consist of the following items, and shall be conducted in the following order:

A. Credentials report;

B. Reports of the Party officers and working committees;

C. Consent calendar;

D. In even-numbered years, the Platform Committee report, and in odd-numbered years, the Bylaws Committee report;

E. Elections, in the following order:

1. In odd-numbered years, Party officers and Area Coordinators and in even-numbered years to fill the unexpired terms of vacated Party officers or Area Coordinators;

[2. Area Coordinator alternates;](#)

~~2.~~ [3.](#) At-large Executive Committee members;

~~3.~~ [4.](#) At-large Executive Committee alternates;

~~4.~~ [5.](#) Judicial Committee members;

~~5.~~ [6.](#) At Party conventions immediately preceding national conventions, national convention delegates, Libertarian National Committee representatives and alternates;

F. In odd-numbered years, the Platform Committee report, and in even-numbered years, the Bylaws Committee report;

G. In a Presidential election year, the Presidential Straw Poll, roll call vote, one vote only;

H. Endorsements of candidates;

I. Resolutions and other matters.

The Secretary shall cause the minutes of the previous day's session to be distributed or to be plainly posted each morning. The minutes of the convention shall be approved by the Executive Committee within ninety days of the convention's close.

### Rule 12: Election of Area Coordinators

For the offices of Area Coordinators, delegates from each office's respective area shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of five minutes. Elections will be conducted using Instant Runoff Voting

(IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates from each office’s respective area may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. Delegates shall turn in all individual ballots to the Secretary. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for “None of the Above” shall cause nominations for that office to be reopened. [Elections of Area Coordinator alternates shall be conducted in the same manner as Area Coordinators.](#)

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p>Bylaw 12: Executive Committee Section 1</p> <p>The Executive Committee shall be responsible for the control and management of all of the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse any registered Libertarian candidate for public office, or it may rescind its endorsement of any candidate for public office. The Executive Committee of the Party shall be composed of the following members of the State Central Committee:</p> <p>A. The four elected officers of the Party; B. Three Area Coordinators. The Northern Area Coordinator shall be affiliated in a county in the northern area of the state, the Southern Area Coordinator shall be affiliated in a county in the southern area of the state, and the Central Area Coordinator shall be affiliated in a county in the central area of the state (with the state divided as follows: The southern area shall be the 6 southern counties which end at Los Angeles and San Bernardino Counties; the central area shall be the 21 counties which begin north of the southern boundary and extend to the northern boundaries of Santa Cruz, San Benito, Stanislaus, San Joaquin, Amador and Alpine counties; and the northern area shall be the 31 counties that begin north</p>	<p>Bylaw 12: Executive Committee Section 1</p> <p>The Executive Committee shall be responsible for the control and management of all of the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse any registered Libertarian candidate for public office, or it may rescind its endorsement of any candidate for public office. The Executive Committee of the Party shall be composed of the following members of the State Central Committee:</p> <p>A. The four elected officers of the Party; B. Three Area Coordinators. The Northern Area Coordinator shall be affiliated in a county in the northern area of the state, the Southern Area Coordinator shall be affiliated in a county in the southern area of the state, and the Central Area Coordinator shall be affiliated in a county in the central area of the state (with the state divided as follows: The southern area shall be the 6 southern counties which end at Los Angeles and San Bernardino Counties; the central area shall be the 21 counties which begin north of the southern boundary and extend to the northern boundaries of Santa Cruz, San Benito, Stanislaus, San Joaquin, Amador and Alpine counties; and the northern area shall be the 31 counties that begin north</p>

of the central boundaries). Each Area Coordinator shall be responsible for coordinating activities in their respective area of the state and shall be elected by the delegates from that area for two-year terms.  
C. Eight at-large members, four elected for two-year terms at each convention; and  
D. Two alternates, each elected for one-year terms. There will be free substitution of alternates in ranked order at Executive Committee meetings.

#### CONVENTION RULES

##### Rule 4: Agenda

The business of the convention shall consist of the following items, and shall be conducted in the following order:

- A. Credentials report;
- B. Reports of the Party officers and working committees;
- C. Consent calendar;
- D. In even-numbered years, the Platform Committee report, and in odd-numbered years, the Bylaws Committee report;
- E. Elections, in the following order:
  1. In odd-numbered years, Party officers and Area Coordinators and in even-numbered years to fill the unexpired terms of vacated Party officers or Area Coordinators;
  2. At-large Executive Committee members;
  3. At-large Executive Committee alternates;
  4. Judicial Committee members;
  5. At Party conventions immediately preceding national conventions, national convention delegates, Libertarian National Committee representatives and alternates;
- F. In odd-numbered years, the Platform Committee report, and in even-numbered years, the Bylaws Committee report;
- G. In a Presidential election year, the Presidential Straw Poll, roll call vote, one vote only;
- H. Endorsements of candidates;
- I. Resolutions and other matters.

The Secretary shall cause the minutes of the previous day's session to be distributed or to be plainly posted each morning. The minutes

of the central boundaries). Each Area Coordinator shall be responsible for coordinating activities in their respective area of the state and shall be elected by the delegates from that area for two-year terms.  
C. Eight at-large members, four elected for two-year terms at each convention; and  
D. Two at-large alternates, each elected for one-year terms. There will be free substitution of at-large alternates in ranked order at Executive Committee meetings substituting for at-large members.

E. One alternate for each Area Coordinator, each elected for one-year terms. There will be free substitution of Area Coordinator alternates at Executive Committee meetings substituting for the respective Area Coordinators.

#### CONVENTION RULES

##### Rule 4: Agenda

The business of the convention shall consist of the following items, and shall be conducted in the following order:

- A. Credentials report;
- B. Reports of the Party officers and working committees;
- C. Consent calendar;
- D. In even-numbered years, the Platform Committee report, and in odd-numbered years, the Bylaws Committee report;
- E. Elections, in the following order:
  1. In odd-numbered years, Party officers and Area Coordinators and in even-numbered years to fill the unexpired terms of vacated Party officers or Area Coordinators;
  2. Area Coordinator alternates;
  3. At-large Executive Committee members;
  4. At-large Executive Committee alternates;
  5. Judicial Committee members;
  6. At Party conventions immediately preceding national conventions, national convention delegates, Libertarian National Committee representatives and alternates;
- F. In odd-numbered years, the Platform Committee report, and in even-numbered years, the Bylaws Committee report;

of the convention shall be approved by the Executive Committee within ninety days of the convention's close.

**Rule 12: Election of Area Coordinators**

For the offices of Area Coordinators, delegates from each office's respective area shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of five minutes. Elections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates from each office's respective area may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. Delegates shall turn in all individual ballots to the Secretary. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened.

G. In a Presidential election year, the Presidential Straw Poll, roll call vote, one vote only;

H. Endorsements of candidates;

I. Resolutions and other matters.

The Secretary shall cause the minutes of the previous day's session to be distributed or to be plainly posted each morning. The minutes of the convention shall be approved by the Executive Committee within ninety days of the convention's close.

**Rule 12: Election of Area Coordinators**

For the offices of Area Coordinators, delegates from each office's respective area shall make nominations from the floor. Each candidate shall be allowed one nominating speech and one seconding speech, made by delegates. The total time for both speeches shall not exceed five minutes. After delegates give the nominating and seconding speeches, the candidate may then speak for a maximum of five minutes. Elections will be conducted using Instant Runoff Voting (IRV). For each office, to be elected to the office, a candidate shall receive a majority vote of all of the ballots cast. Delegates from each office's respective area may rank their candidate choices on their ballots in order of preference, such as First Choice, Second Choice, Third Choice, and so on. Delegates shall turn in all individual ballots to the Secretary. In cases in which no candidate receives a majority of First Choice votes, the candidate with the least number of votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots are recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting, shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened. Elections of

	Area Coordinator alternates shall be conducted in the same manner as Area Coordinators.
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## **XXI. Recommendation: Bylaw 12-Executive Committee - Moves Santa Clara County to Central Area**

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### Reason

Currently the number of members in each Area is unbalanced. The Northern Area and Southern Area both have far larger numbers of members than the Central Area. This leads to an imbalance in representation and members to draw upon to help develop the Central Area.

### Impact

This amendment would move Santa Clara County into the Central Area.

### Proposed Amendment

The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 12: Executive Committee amend as follows:

Bylaw 12: Executive Committee  
Section 1

The Executive Committee shall be responsible for the control and management of all of the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse any registered Libertarian candidate for public office, or it may rescind its endorsement of any candidate for public office. The Executive Committee of the Party shall be composed of the following members of the State Central Committee:

- A. The four elected officers of the Party;
- B. Three Area Coordinators. The Northern Area Coordinator shall be affiliated in a county in the northern area of the state, the Southern Area Coordinator shall be affiliated in a county in the southern area of the state, and the Central Area Coordinator shall be affiliated in a county in the central area of the state (with the state divided as follows: The southern area shall be the 6 southern counties which end at Los Angeles and San Bernardino Counties; the central area shall be the ~~21~~22 counties which begin north of the southern boundary and extend to the northern boundaries of Santa Cruz, [Santa Clara](#), ~~San Benito~~, Stanislaus, San Joaquin, Amador and Alpine

counties; and the northern area shall be the ~~31~~30 counties that begin north of the central boundaries). Each Area Coordinator shall be responsible for coordinating activities in their respective area of the state and shall be elected by the delegates from that area for two-year terms.

C. Eight at-large members, four elected for two-year terms at each convention; and

D. Two alternates, each elected for one-year terms. There will be free substitution of alternates in ranked order at Executive Committee meetings.

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p>Bylaw 12: Executive Committee Section 1</p> <p>The Executive Committee shall be responsible for the control and management of all of the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse any registered Libertarian candidate for public office, or it may rescind its endorsement of any candidate for public office. The Executive Committee of the Party shall be composed of the following members of the State Central Committee:</p> <p>A. The four elected officers of the Party; B. Three Area Coordinators. The Northern Area Coordinator shall be affiliated in a county in the northern area of the state, the Southern Area Coordinator shall be affiliated in a county in the southern area of the state, and the Central Area Coordinator shall be affiliated in a county in the central area of the state (with the state divided as follows: The southern area shall be the 6 southern counties which end at Los Angeles and San Bernardino Counties; the central area shall be the 21 counties which begin north of the southern boundary and extend to the northern boundaries of Santa Cruz, San Benito, Stanislaus, San Joaquin, Amador and Alpine counties; and the northern area shall be the 31 counties that begin north of the central boundaries). Each Area Coordinator shall be responsible for coordinating activities in their respective area of the state and shall be elected by the delegates from that area for two-year terms.</p>	<p>Bylaw 12: Executive Committee Section 1</p> <p>The Executive Committee shall be responsible for the control and management of all of the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse any registered Libertarian candidate for public office, or it may rescind its endorsement of any candidate for public office. The Executive Committee of the Party shall be composed of the following members of the State Central Committee:</p> <p>A. The four elected officers of the Party; B. Three Area Coordinators. The Northern Area Coordinator shall be affiliated in a county in the northern area of the state, the Southern Area Coordinator shall be affiliated in a county in the southern area of the state, and the Central Area Coordinator shall be affiliated in a county in the central area of the state (with the state divided as follows: The southern area shall be the 6 southern counties which end at Los Angeles and San Bernardino Counties; the central area shall be the 22 counties which begin north of the southern boundary and extend to the northern boundaries of Santa Cruz, Santa Clara, Stanislaus, San Joaquin, Amador and Alpine counties; and the northern area shall be the 30 counties that begin north of the central boundaries). Each Area Coordinator shall be responsible for coordinating activities in their respective area of the state and shall be elected by the delegates from that area for two-year terms.</p>

C. Eight at-large members, four elected for two-year terms at each convention; and D. Two alternates, each elected for one-year terms. There will be free substitution of alternates in ranked order at Executive Committee meetings.	C. Eight at-large members, four elected for two-year terms at each convention; and D. Two alternates, each elected for one-year terms. There will be free substitution of alternates in ranked order at Executive Committee meetings.
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## **XXII. Recommendation: Bylaw 5-Membership Suspension**

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### Reason

Currently there is no requirement to give written notification to a suspended member.

### Impact

This amendment would require that a written notice be sent to a member suspended for cause and provide additional time to appeal.

### Proposed Amendment

The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 5-0 (Dawson, Hamm, Nelson, J. Olsen, K. B. Olsen)

Amend Bylaw 5: Membership amend as follows:

Bylaw 5: Membership

Section 5

The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. ~~Notification of the suspension is subject to written appeal within fifteen days of notification.~~ If a member is suspended for cause, the member shall be notified in writing by the Chair or someone designated by the Chair within 7 days of the suspension. The written notice must contain at minimum a short statement of the cause for suspension. The suspended member has 30 days from notification to appeal the suspension. Failure to appeal shall

terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term "cause" as used in this section shall include but not be limited to the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- B. Having unpaid debts over ninety days old outstanding to the Party.

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
Bylaw 5: Membership	Bylaw 5: Membership

Section 5

The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. Notification of the suspension is subject to written appeal within fifteen days of notification. Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term "cause" as used in this section shall include but not be limited to the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- B. Having unpaid debts over ninety days old outstanding to the Party.

Section 5

The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. If a member is suspended for cause, the member shall be notified in writing by the Chair or someone designated by the Chair within 7 days of the suspension. The written notice must contain at minimum a short statement of the cause for suspension. The suspended member has 30 days from notification to appeal the suspension. Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term "cause" as used in this section shall include but not be limited to the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- B. Having unpaid debts over ninety days old outstanding to the Party.

