

2020 Libertarian Party Bylaws and Rules Committee
Meeting Minutes
April 25-26, 2020

Credentialing

The following 10 members and 4 ranked alternates were appointed to the 2020 LP Bylaws and Rules Committee by the Libertarian National Committee at its October 26, 2019 electronic meeting held on Zoom. Mr. Rutherford was appointed interim chair of the committee by the LNC. Mr. Bishop-Henchman was elected chair and Dr. Moulton was elected secretary at the Bylaws and Rules Committee's December 29, 2019 electronic meeting held on Zoom.

- Joe Bishop-Henchman, Esq. (*chair*)
- Andy Craig
- Cris Crawford
- Richard Longstreth
- Alicia Mattson, PRP
- Dr. Chuck Moulton, Esq., RP (*secretary*)
- Dr. Brent Olsen
- Mark Rutherford, Esq.
- Paige Sexton, RN
- Christopher Thrasher
- Chris Wiest, Esq. (*1st alt*)
- David Blau, Esq. (*2nd alt*)
- Alex DeBenedetto (*3rd alt*)
- Shawn Levasseur (*4th alt*)

Call to Order

An electronic meeting of the 2020 LP Bylaws and Rules Committee came to order on Saturday, April 25, 2020 at 12:04 pm EDT on Zoom. Chair Bishop-Henchman presided.

Attendance

Present:

- **Committee:** Joe Bishop-Henchman, Andy Craig, Cris Crawford, Richard Longstreth, Alicia Mattson (joined at 12:22 pm), Dr. Chuck Moulton, Dr. Brent Olsen, Mark Rutherford, Paige Sexton, Christopher Thrasher, Chris Wiest (*1st alt*), Shawn Levasseur (*4th alt*)
- **Gallery:** Mimi Robson (CA)

Absent:

- David Blau (*2nd alt*), Alex DeBenedetto (*3rd alt*)

Agenda

The chair submitted the following agenda in the call of the meeting.

1. Call to Order
2. Attendance
3. Approval of the Agenda
4. Approval of the minutes of our last meeting
5. Public comment
6. Action Item: Reconfirming, rescheduling, or canceling the in-person Bylaws Committee meeting scheduled for late April in Ogden, Utah
7. Discussion Item: Bylaws and Rules relating to convention operation and elections, including convention voting process and adjustments advisable as a result of the present coronavirus pandemic
8. Discussion Item: Bylaws and Rules relating to Judicial Committee election and resolving vacancies, including vacancies as a result of the 2018 convention
9. Discussion Item: Bylaws and Rules relating to procedures to suspend or terminate memberships
10. Discussion Item: Bylaws and Rules relating to the size of LNC regions
11. Discussion Item: Other Bylaws and Rules proposals submitted for the Committee's consideration

Mr. Thrasher moved to reorder the agenda putting items 8 (judicial committee) and 9 (suspend or terminate memberships) before item 7 (convention / elections / corona). Mr. Longstreth seconded. Mr. Thrasher withdrew his motion without objection.

The chair moved to amend the agenda by striking item 6 (Utah meeting rescheduling), which was an artifact of carrying over this agenda from our earlier meeting. Dr. Moulton seconded. The amendment passed without objection.

The agenda as amended then read as follows:

1. Call to Order
2. Attendance
3. Approval of the Agenda
4. Approval of the minutes of our last meeting
5. Public comment
6. Discussion Item: Bylaws and Rules relating to convention operation and elections, including convention voting process and adjustments advisable as a result of the present coronavirus pandemic
7. Discussion Item: Bylaws and Rules relating to Judicial Committee election and resolving vacancies, including vacancies as a result of the 2018 convention
8. Discussion Item: Bylaws and Rules relating to procedures to suspend or terminate memberships
9. Discussion Item: Bylaws and Rules relating to the size of LNC regions
10. Discussion Item: Other Bylaws and Rules proposals submitted for the Committee's consideration

Dr. Olsen moved to approve the agenda as amended. Mr. Longstreth seconded. Dr. Olsen withdrew his motion without objection to allow Mr. Craig to amend the agenda. Mr. Craig decided not to amend the agenda. Dr. Olsen again moved to approve the agenda as amended. Mr. Longstreth again seconded. The agenda as amended was approved without objection.

Approval of Minutes

The secretary emailed a copy of the April 11, 2020 meeting's minutes to the committee on April 11, 2020 at 10:18 pm EDT. The secretary emailed a copy of the April 13, 2020 meeting's minutes to the committee on April 13, 2020 at 11:59 pm EDT. Both sets of minutes were recirculated by email on April 24, 2020 at 3:59 pm EDT. Dr. Moulton moved that minutes from the April 11, 2020 meeting via Zoom and the April 13, 2020 meeting via Zoom be approved as submitted. Mr. Thrasher seconded. The minutes were approved without objection.

Public Comment

There was no one in the gallery at this time.

Convention Proposals

Mr. Craig shared a number of possible amendments to the proposal postponed from the earlier meeting, and the committee informally workshopped them.

The proposal as amended at the April 11, 2020 committee meeting which was postponed definitely until this meeting read as follows:

Article 19: Special 2020 Convention Bylaws

1. Due to the present emergency and the inability of many delegates to attend, this Bylaws amendment is adopted for the purpose of disposing of the remaining business of the 2020 national convention. This Article 19 shall take immediate effect, supersede any conflicting provisions of the Bylaws and Special Convention Rules, apply solely to the 2020 national convention, and be automatically repealed on December 31, 2020.
2. Upon adoption of this proposal, the 2020 convention shall adjourn its in-person session to a time set as provided in Section 6 of this Article, at which time it will reconvene through an electronic convention as provided in this Article, consisting of electronic nominations and ballots to decide:
 - a. Nominations for President and Vice President
 - b. Election of Chair, Vice Chair, Secretary, Treasurer, and at at-large representatives.
 - c. Filling the vacancies in the judicial committee for the remainder of its current term.
3. No motions from the floor shall be recognized, nor motions to suspend the rules, or appeals of the ruling of the Chair, unless submitted to the Secretary per their

instructions, through delegation chairs, and supported with the electronic signatures of at least 10% of the convention body or the majority of the delegation of at least 3 state delegations. All questions requiring a vote shall be conducted in the same manner as other electronic ballots. Any motion requiring a 2/3 vote shall be voted on through the delegation chair within one hour of a motion meeting this section being made, with voting to occur by and through the delegation chair.

4. All affiliate parties shall, within 72 hours of the adoption of this Article 19, ensure that the Credentials Committee has received, if they have not already, the names, email addresses, and phone numbers of all delegates chosen to the 2020 national convention. The names and contact information received by the Credentials Committee from the affiliate parties shall constitute the credentials report, and all such delegates shall be presumed present for electronic balloting upon the adoption of that report by the committee no later than June 5, 2020. Delegation Chairs shall be permitted to substitute alternate delegates with primary delegates between any one round of voting, which shall be deemed, once confirmed by the Credentials Committee, to automatically be added to the credentials report. A delegate is determined to be present for quorum purposes, for any particular vote by casting a vote for that office.
5. Electronic balloting shall take place via suitable software or other electronic means selected by the Libertarian National Committee, provided that such method shall (i) permit all credentialed delegates to vote in a matter that is sufficiently verified and secure; (ii) that delegates shall be informed via e-mail, text message, or other electronic means of when ballots are sent and how long they have to vote; (iii) that an electronic receipt be sent once a ballot is cast to that delegate with their votes, and to their Delegation Chair that the particular delegate has voted; at the end of each round of balloting, the system will send each Delegation Chair a running total of the votes cast by their delegation for each election. Any such system shall be secure, preserve to the extent possible the anonymity of particular delegates' votes, and create a sufficient audit trail to be available for inspection and auditing if discrepancies should arise. Each electronic ballot shall be a single question or election, delegates shall have three (3) hours to vote, and only one electronic ballot shall be conducted at a time unless the system clearly annotates what the ballot being cast is being cast for, and in that event, not more than two ballots shall be cast at the same time. Ballots for President shall precede ballots for Vice President, and ballots for LNC Chair shall precede ballots for LNC Vice Chair. Ballots shall not begin or conclude prior to 10 A.M. or after 10 P.M., Eastern Time.
6. In the event of technical difficulties, which impedes the casting of any votes or the functioning of the elections system, including, without limitation, the tabulation of votes, or the auditing functions, the Libertarian National Committee shall have the ability to declare, by a 3/4 vote, that a technical difficulty has arisen, and either (i) extend the period for that particular election or (ii) to declare a particular vote and election void, and redo that election.
7. Nominations for President, Vice President, officers and at-large representatives of the national committee, and judicial committee shall be made via email to the Delegation Chair, who shall communicate the total number of nominations of

each candidate to the Secretary, with the Secretary will be copied on these nominations; in the alternative, the software or other electronic system may permit nominations to be made. Each delegate is entitled to one nomination for each office to be filled. Nominations for President and Vice President must be made by at least twenty credential delegates. Nominations for officers and at-large representatives of the national committee must be made by at least ten credentialed delegates. Nominations for judicial committee must be made by at least five credentialed delegates. Nominations shall close one hour before the start of the electronic ballot for that particular election; provided that any candidate that was not successful for the office of President shall be deemed automatically nominated for Vice President if they communicate to the Secretary that they would accept the nomination for that office; and further provided that any candidate that was not successful for any LNC office may communicate to Secretary that they would accept the nomination for any other LNC office (including at-large).

8. The agenda for electronic balloting shall be as follows and commence at noon eastern time on June 7, provided that electronic balloting for President/Vice President can be made concurrently with the electronic balloting for LNC office:
 - a. nominations for President, followed by nominations for Vice President; provided that at least two hours shall pass between the conclusion of the election for office of President, and the nomination closing for office of Vice President;
 - b. Election of LNC Chair, followed by LNC Vice Chair, followed by LNC Secretary, and followed by LNC Treasurer; provided that at least two hours shall pass between the conclusion of the election for office of LNC Chair, and the nomination closing for office of Vice Chair;
 - c. Election of at-large representatives to the national committee
 - d. Filling the vacancies in the judicial committee for the remainder of its current term
 - e. Final adjournment of the 2020 national convention
9. Amendments and committee reports for Bylaws, Rules, and Platform shall be postponed until the next regular convention and the reports of those committees will be communicated to their successors.
10. The Chair shall, via public livestream or other suitable method, announce each ballot, the options nominated or available on that ballot, and if applicable and available, the results of any previous ballot(s). At the discretion of the Chair, nominating speeches for any office can be livestreamed, or, in the alternative, a link to pre-recorded nominating speeches, can be provided.
11. Ballots for all nominations and offices shall be conducted under the usual procedures regarding successive elimination ballots, provided that for all elections other than judicial committee and at-large LNC, any candidate not receiving 5% of the vote shall be eliminated in the next round. For judicial committee and at-large LNC, any candidate not receiving the approval of at least 10% of the delegates will be eliminated in the next round. In the event that None of the Above (NOTA) should prevail on any ballot, rather than re-opening nominations, that office shall be vacant and subject to vacancy filling procedures, but no losing

candidate shall be eligible to fill the vacancy. Votes shall be recorded including the numbers for each state delegation, and these results shall be posted for each ballot on the party's website or via the electronic voting system. In the event of any discrepancy between the totals the delegation chair received and the totals posted, the delegation chair and Secretary shall endeavor to resolve the discrepancy, and, if they are not able to do so, the LNC shall resolve that discrepancy.

12. The terms of the current national committee will continue until the final adjournment of the 2020 national convention, which shall not occur until all voting is completed, and the terms of their successors will then commence. The final adjournment of the 2020 national convention shall happen no later than July 15, provided that the Chair may certify and report the results of the nomination for President to Vice President at an earlier date upon the conclusion of those ballots, if such certification is needed to meet any ballot access or filing deadlines.
13. The timing for regional formation agreements is automatically extended until the time the convention is adjourned, and any requirements for in writing notifications to the Secretary may be made electronically, including by email. Such agreements may be sent by .pdf or otherwise electronically, which constitute an original. Notwithstanding any other provisions, the state chairs of a particular region may, by a majority vote of the chairs in the region, agree to hold the election for regional representative or alternate electronically, in person at state conventions at date(s) not to extend past 90 days following the adjournment of this 2020 national convention, in which case current representatives will continue in office, or a combination of the two.

Mr. Craig moved to amend the motion as emailed and workshopped. Mr. Longstreth seconded. There was objection, so the committee decided to consider these amendments individually. Mr. Craig withdrew his amendment without objection.

Mr. Craig moved to amend section 3 by striking out "one hour" and inserting "three hours". Mr. Longstreth seconded. The motion passed without objection.

Ms. Mattson moved to amend section 3 by striking it entirely. Dr. Moulton seconded. Dr. Moulton moved to substitute by striking section 3 and inserting (leaving in) "No motions from the floor shall be recognized." Mr. Craig seconded. Ms. Mattson moved to amend the substitute amendment by inserting ", but the Chair is authorized to restart a ballot in order to correct a rules violation or technical error." Mr. Craig seconded. The amendment to the substitute passed without objection. As amended, the substitute amendment now would strike section 3 and insert "No motions from the floor shall be recognized, but the Chair is authorized to restart a ballot in order to correct a rules violation or technical error." The substitute to the amendment passed by a roll call vote of 7-3-0. The amendment passed by a roll call vote of 6-4-0.

Motion (substitute for no motions from the floor) roll call vote:

- *Aye:* Joe Bishop-Henchman, Andy Craig, Cris Crawford, Alicia Mattson, Dr. Chuck Moulton, Mark Rutherford, Paige Sexton
- *Nay:* Richard Longstreth, Dr. Brent Olsen, Christopher Thrasher

- *Abstain:* none

Motion (amendment for no motions from the floor) roll call vote:

- *Aye:* Andy Craig, Cris Crawford, Alicia Mattson, Dr. Chuck Moulton, Mark Rutherford, Paige Sexton
- *Nay:* Joe Bishop-Henchman, Richard Longstreth, Dr. Brent Olsen, Christopher Thrasher
- *Abstain:* none

Mr. Longstreth moved to amend section 2b by striking the first “at” from “at at-large”. Dr. Moulton seconded. The motion passed without objection.

Mr. Craig moved to amend section 2c by removing “Filling the vacancies in the judicial committee for the remainder of its current term.” and inserting “A vote to appoint the top seven vote-getters for judicial committee at the 2018 convention to serve as the judicial committee until the adjournment of the 2022 convention.” The motion failed by a roll call vote of 2-7-1.

Motion (amendment for JC election) roll call vote:

- *Aye:* Joe Bishop-Henchman, Andy Craig
- *Nay:* Cris Crawford, Richard Longstreth, Alicia Mattson, Dr. Brent Olsen, Mark Rutherford, Paige Sexton, Christopher Thrasher
- *Abstain:* Dr. Chuck Moulton

Mr. Longstreth moved to amend section 4 by inserting the word “cell” before “phone numbers”. Dr. Moulton seconded. The motion passed without objection.

Ms. Mattson moved amend section 4 by inserting “and determined by the committee to be eligible delegates” after “The names and contact information received by the credentials committee from the affiliate parties”. Mr. Craig seconded. The amendment passed without objection.

Mr. Craig moved to amend section 4 by inserting “and registered in attendance” after “shall be presumed present”. Ms. Mattson seconded. The amendment passed without objection.

Mr. Craig moved to amend section 4 by striking the last sentence: “A delegate is determined to be present for quorum purposes, for any particular vote by casting a vote for that office.” Dr. Moulton seconded. The amendment passed without objection.

Mr. Craig moved to amend section 4 by inserting the phrase “, and may be adopted on behalf of the body via its adoption by a two-thirds vote of the Credentials Committee.” Dr. Moulton seconded. The amendment passed without objection.

Mr. Craig moved to amend section 5 by striking “sufficiently” and inserting “reasonably”; by inserting “a confirmation” after “, and to their Delegation Chair”, and by striking “Any such system shall be secure, preserve to the extent possible the anonymity of particular delegates’ votes, and create a sufficient audit trail to be available for inspection and auditing if discrepancies should arise.” Dr. Moulton seconded. Ms. Mattson moved to substitute by striking

“, provided that such method shall (i) permit all credentialed delegates to vote in a matter that is sufficiently verified and secure; (ii) that delegates shall be informed via e-mail, text message, or other electronic means of when ballots are sent and how long they have to vote; (iii) that an electronic receipt be sent once a ballot is cast to that delegate with their votes, and to their Delegation Chair that the particular delegate has voted; at the end of each round of balloting, the system will send each Delegation Chair a running total of the votes cast by their delegation for each election. Any such system shall be secure, preserve to the extent possible the anonymity of particular delegates’ votes, and create a sufficient audit trail to be available for inspection and auditing if discrepancies should arise.” Mr. Longstreth seconded. The substitute to the amendment passed without objection. The amendment passed without objection.

Mr. Longstreth moved to amend section 5 by striking “begin or conclude prior to 10 A.M. or” and inserting “begin prior to 12 noon or conclude”. Ms. Sexton seconded. The amendment passed without objection.

Mr. Craig moved to amend section 6 by striking the word “any” before “votes”. Dr. Moulton seconded. The amendment passed without objection.

Mr. Longstreth moved to amend section 6 by inserting the following sentence to the end: “The Libertarian National Committee shall meet at 11 A.M. Eastern Time every day following a balloting day to review the results from the previous day.” Ms. Crawford seconded. Ms. Mattson moved to amend the amendment by striking “at 11 A.M. Eastern Time”. Mr. Longstreth seconded. The amendment to the amendment passed without objection. Ms. Mattson moved to amend the amendment by inserting “electronically in open session” after “meet”. Mr. Thrasher seconded. The amendment to the amendment passed without objection. The amendment as amended now reads “The Libertarian National Committee shall meet electronically in open session every day following a balloting day to review the results from the previous day.” The amendment passed without objection.

Ms. Mattson moved to amend section 6 by inserting “or rules violations” after “technical difficulties” and by striking “that a technical difficulty has arisen, and either” and inserting “to”. Mr. Craig seconded. The amendment passed without objection.

The following is the proposal as amended until the 3 pm recess:

Article 19: Special 2020 Convention Bylaws

1. Due to the present emergency and the inability of many delegates to attend, this Bylaws amendment is adopted for the purpose of disposing of the remaining business of the 2020 national convention. This Article 19 shall take immediate effect, supersede any conflicting provisions of the Bylaws and Special Convention Rules, apply solely to the 2020 national convention, and be automatically repealed on December 31, 2020.
2. Upon adoption of this proposal, the 2020 convention shall adjourn its in-person session to a time set as provided in Section 6 of this Article, at which time it will

reconvene through an electronic convention as provided in this Article, consisting of electronic nominations and ballots to decide:

- a. Nominations for President and Vice President
 - b. Election of Chair, Vice Chair, Secretary, Treasurer, and at-large representatives.
 - c. Filling the vacancies in the judicial committee for the remainder of its current term.
3. No motions from the floor shall be recognized, but the Chair is authorized to restart a ballot in order to correct a rules violation or technical error.
 4. All affiliate parties shall, within 72 hours of the adoption of this Article 19, ensure that the Credentials Committee has received, if they have not already, the names, email addresses, and cell phone numbers of all delegates chosen to the 2020 national convention. The names and contact information received by the Credentials Committee from the affiliate parties and determined by the committee to be eligible delegates shall constitute the credentials report, and may be adopted on behalf of the body via its adoption by a two-thirds vote of the Credentials Committee. and all such delegates shall be presumed present and registered in attendance for electronic balloting upon the adoption of that report by the committee no later than June 5, 2020. Delegation Chairs shall be permitted to substitute alternate delegates with primary delegates between any one round of voting, which shall be deemed, once confirmed by the Credentials Committee, to automatically be added to the credentials report.
 5. Electronic balloting shall take place via suitable software or other electronic means selected by the Libertarian National Committee. Each electronic ballot shall be a single question or election, delegates shall have three (3) hours to vote, and only one electronic ballot shall be conducted at a time unless the system clearly annotates what the ballot being cast is being cast for, and in that event, not more than two ballots shall be cast at the same time. Ballots for President shall precede ballots for Vice President, and ballots for LNC Chair shall precede ballots for LNC Vice Chair. Ballots shall not begin prior to 12 noon or conclude after 10 P.M., Eastern Time.
 6. In the event of technical difficulties or rules violations, which impedes the casting of votes or the functioning of the elections system, including, without limitation, the tabulation of votes, or the auditing functions, the Libertarian National Committee shall have the ability to declare, by a 3/4 vote, to (i) extend the period for that particular election or (ii) to declare a particular vote and election void, and redo that election. The Libertarian National Committee shall meet electronically in open session every day following a balloting day to review the results from the previous day.
 7. Nominations for President, Vice President, officers and at-large representatives of the national committee, and judicial committee shall be made via email to the Delegation Chair, who shall communicate the total number of nominations of each candidate to the Secretary, with the Secretary will be copied on these nominations; in the alternative, the software or other electronic system may permit nominations to be made. Each delegate is entitled to one nomination for each office to be filled. Nominations for President and Vice President must be

made by at least twenty credential delegates. Nominations for officers and at-large representatives of the national committee must be made by at least ten credentialed delegates. Nominations for judicial committee must be made by at least five credentialed delegates. Nominations shall close one hour before the start of the electronic ballot for that particular election; provided that any candidate that was not successful for the office of President shall be deemed automatically nominated for Vice President if they communicate to the Secretary that they would accept the nomination for that office; and further provided that any candidate that was not successful for any LNC office may communicate to Secretary that they would accept the nomination for any other LNC office (including at-large).

8. The agenda for electronic balloting shall be as follows and commence at noon eastern time on June 7, provided that electronic balloting for President/Vice President can be made concurrently with the electronic balloting for LNC office:
 - a. nominations for President, followed by nominations for Vice President; provided that at least two hours shall pass between the conclusion of the election for office of President, and the nomination closing for office of Vice President;
 - b. Election of LNC Chair, followed by LNC Vice Chair, followed by LNC Secretary, and followed by LNC Treasurer; provided that at least two hours shall pass between the conclusion of the election for office of LNC Chair, and the nomination closing for office of Vice Chair;
 - c. Election of at-large representatives to the national committee
 - d. Filling the vacancies in the judicial committee for the remainder of its current term
 - e. Final adjournment of the 2020 national convention
9. Amendments and committee reports for Bylaws, Rules, and Platform shall be postponed until the next regular convention and the reports of those committees will be communicated to their successors.
10. The Chair shall, via public livestream or other suitable method, announce each ballot, the options nominated or available on that ballot, and if applicable and available, the results of any previous ballot(s). At the discretion of the Chair, nominating speeches for any office can be livestreamed, or, in the alternative, a link to pre-recorded nominating speeches, can be provided.
11. Ballots for all nominations and offices shall be conducted under the usual procedures regarding successive elimination ballots, provided that for all elections other than judicial committee and at-large LNC, any candidate not receiving 5% of the vote shall be eliminated in the next round. For judicial committee and at-large LNC, any candidate not receiving the approval of at least 10% of the delegates will be eliminated in the next round. In the event that None of the Above (NOTA) should prevail on any ballot, rather than re-opening nominations, that office shall be vacant and subject to vacancy filling procedures, but no losing candidate shall be eligible to fill the vacancy. Votes shall be recorded including the numbers for each state delegation, and these results shall be posted for each ballot on the party's website or via the electronic voting system. In the event of any discrepancy between the totals the delegation chair received and the totals

posted, the delegation chair and Secretary shall endeavor to resolve the discrepancy, and, if they are not able to do so, the LNC shall resolve that discrepancy.

12. The terms of the current national committee will continue until the final adjournment of the 2020 national convention, which shall not occur until all voting is completed, and the terms of their successors will then commence. The final adjournment of the 2020 national convention shall happen no later than July 15, provided that the Chair may certify and report the results of the nomination for President to Vice President at an earlier date upon the conclusion of those ballots, if such certification is needed to meet any ballot access or filing deadlines.
13. The timing for regional formation agreements is automatically extended until the time the convention is adjourned, and any requirements for in writing notifications to the Secretary may be made electronically, including by email. Such agreements may be sent by .pdf or otherwise electronically, which constitute an original. Notwithstanding any other provisions, the state chairs of a particular region may, by a majority vote of the chairs in the region, agree to hold the election for regional representative or alternate electronically, in person at state conventions at date(s) not to extend past 90 days following the adjournment of this 2020 national convention, in which case current representatives will continue in office, or a combination of the two.

Orders of the day called for the meeting to recess at 3:01 pm EDT until 5:00 pm EDT.

Call to Order

An electronic meeting of the 2020 LP Bylaws and Rules Committee came back to order on Saturday, April 25, 2020 at 5:05 pm EDT on Zoom. Chair Bishop-Henchman presided.

Convention Proposals

Dr. Moulton moved to amend section 6 by striking “, which impedes” and inserting “which impede”. Mr. Craig seconded. The amendment passed without objection.

Dr. Moulton moved to amend section 4 by striking “and all” preceding “such delegates shall be presumed present” and inserting “All” Mr. Craig seconded.

Mr. Craig moved to amend section 7 by striking “, with the Secretary will be copied on these nominations”; inserting “by the required number of delegates” after “permit nominations to be made”; striking “would accept the” and inserting “wish to transfer their”; and striking “would accept the” and insert “wish to transfer their”. Mr. Longstreth seconded. The amendment passed without objection.

Ms. Mattson moved to amend section 7 by striking “and” after “officers” and inserting “;”. Dr. Moulton seconded. The amendment passed without objection.

Ms. Mattson moved to amend section 7 by striking “twenty” and inserting “thirty”. Dr. Olsen seconded. The amendment passed without objection.

Ms. Mattson moved to amend section 8 by striking “, provided that electronic balloting” and inserting “Ballots”. Mr. Craig seconded. The amendment passed without objection.

Ms. Mattson moved to amend section 8b by striking “for office of LNC Chair, and the nomination closing for office of Vice Chair” and inserting “for each office and the nomination closing for the subsequent office”. Mr. Craig seconded. The amendment passed without objection.

Mr. Longstreth moved to amend section 8c by adding “provided that at least two hours shall pass between the conclusion of the election for all LNC officers and the nomination closing for at large representative”. Dr. Moulton seconded. The amendment passed without objection.

Mr. Craig moved to amend sections 8a, 8b, and 8c by striking “the nomination” and inserting “nominations”. Dr. Moulton seconded. The amendment passed without objection.

Ms. Mattson moved to amend section 9 by striking it entirely. Dr. Moulton seconded. The amendment passed without objection.

Ms. Mattson moved to amend section 10 by striking “discretion of the Chair, nominating speeches for any office can be livestreamed, or, in the alternative, a link to pre-recorded nominating speeches, can be provided” and inserting “discretion of the Chair nominating speeches for any office can either be livestreamed or a link to pre-recorded nominating speeches can be provided”. Dr. Moulton seconded. The amendment passed without objection.

Mr. Craig moved to amend section 10 by striking “and if applicable and available, the results of any previous ballot(s)” and inserting “the results of any previous ballot(s), and the times set by the Chair for upcoming deadlines, ballots, or other business”. Ms. Mattson seconded. The amendment was adopted without objection.

Mr. Craig moved to amend section 11 by striking “regarding successive elimination ballots, provided that for all elections other than judicial committee and at-large LNC, any candidate not receiving 5% of the vote shall be eliminated in the next round. For judicial committee and at-large LNC, any candidate not receiving the approval of at least 10% of the delegates will be eliminated in the next round.” and inserting “, except that in the event an insufficient number of candidates receive a majority to be elected for at-large representative or judicial committee, subsequent rounds of balloting will be conducted among the top-ranked remaining candidates equal in number to double the number of seats remaining to be filled.” after “under the usual procedures”. Dr. Moulton seconded. The amendment was adopted without objection.

Ms. Mattson moved to amend section 11 by striking “In the event that None of the Above (NOTA) should prevail on any ballot, rather than re-opening nominations, that office shall be vacant and subject to vacancy filling procedures, but no losing candidate shall be eligible to fill the vacancy.” Dr. Moulton seconded. The amendment passed without objection.

Ms. Mattson moved to amend section 8e by inserting “upon majority vote of the national committee following review of the final day’s ballots.” Mr. Craig seconded. The amendment was adopted without objection.

Ms. Mattson moved to amend section 12 by inserting “officers and at-large representatives” after “the current national committee”, striking “President to Vice President” and inserting “President and Vice President”, and striking the “,” after “the conclusion of those ballots”; and striking section 13 entirely inserting “The deadline for regional formation agreements and selection of regional representatives and alternates is extended until August 31, 2020, and the terms of the current regional representatives shall continue until the selection of their successors.” Mr. Craig seconded. Mr. Craig moved to amend the amendment by striking “The deadline for regional formation agreements and selection of regional representatives and alternates is extended until August 31, 2020, and the terms of the current regional representatives shall continue until the selection of their successors.” and inserting “The deadline for regional formation agreements is extended until July 15. The deadline for the selection of regional representatives and alternates is extended until August 31, and the terms of the current regional representatives shall continue until August 31.” Dr. Moulton seconded. The amendment to the amendment passed without objection. Mr. Longstreth moved to amend the amendment to section 13 by striking “August 31” and inserting “July 15” two places. Mr. Craig seconded. The amendment to the amendment passed without objection. Mr. Bishop Henchman moved to amend the amendment by adding “and alternates” after the second instance of “regional representatives”. Ms. Crawford seconded. The amendment to the amendment passed without objection. The amendment as amended now read to amend section 12 by inserting “officers and at-large representatives” after “the current national committee”, striking “President to Vice President” and inserting “President and Vice President”, and striking the “,” after “the conclusion of those ballots”; and striking section 13 entirely inserting “The deadline for regional formation agreements is extended until July 15. The deadline for the selection of regional representatives and alternates is extended until July 15, and the terms of the current regional representatives and alternates shall continue until July 15.” Mr. Craig seconded. The amendment passed without objection.

At this point the empty section 9 was removed and subsequent sections re-numbered.

The following is the proposal as amended:

Article 19: Special 2020 Convention Bylaws

1. Due to the present emergency and the inability of many delegates to attend, this Bylaws amendment is adopted for the purpose of disposing of the remaining business of the 2020 national convention. This Article 19 shall take immediate effect, supersede any conflicting provisions of the Bylaws and Special Convention Rules, apply solely to the 2020 national convention, and be automatically repealed on December 31, 2020.
2. Upon adoption of this proposal, the 2020 convention shall adjourn its in-person session to a time set as provided in Section 6 of this Article, at which time it will

reconvene through an electronic convention as provided in this Article, consisting of electronic nominations and ballots to decide:

- a. Nominations for President and Vice President
 - b. Election of Chair, Vice Chair, Secretary, Treasurer, and at-large representatives.
 - c. Filling the vacancies in the judicial committee for the remainder of its current term.
3. No motions from the floor shall be recognized, but the Chair is authorized to restart a ballot in order to correct a rules violation or technical error.
 4. All affiliate parties shall, within 72 hours of the adoption of this Article 19, ensure that the Credentials Committee has received, if they have not already, the names, email addresses, and cell phone numbers of all delegates chosen to the 2020 national convention. The names and contact information received by the Credentials Committee from the affiliate parties and determined by the committee to be eligible delegates shall constitute the credentials report, and may be adopted on behalf of the body via its adoption by a two-thirds vote of the Credentials Committee. All such delegates shall be presumed present and registered in attendance for electronic balloting upon the adoption of that report by the committee no later than **June 5, 2020**. Delegation Chairs shall be permitted to substitute alternate delegates with primary delegates between any one round of voting, which shall be deemed, once confirmed by the Credentials Committee, to automatically be added to the credentials report.
 5. Electronic balloting shall take place via suitable software or other electronic means selected by the Libertarian National Committee. Each electronic ballot shall be a single question or election, delegates shall have three (3) hours to vote, and only one electronic ballot shall be conducted at a time unless the system clearly annotates what the ballot being cast is being cast for, and in that event, not more than two ballots shall be cast at the same time. Ballots for President shall precede ballots for Vice President, and ballots for LNC Chair shall precede ballots for LNC Vice Chair. Ballots shall not begin prior to 12 noon or conclude after 10 P.M., Eastern Time.
 6. In the event of technical difficulties or rules violations which impede the casting of votes or the functioning of the elections system, including, without limitation, the tabulation of votes, or the auditing functions, the Libertarian National Committee shall have the ability to declare, by a 3/4 vote, to (i) extend the period for that particular election or (ii) to declare a particular vote and election void, and redo that election. The Libertarian National Committee shall meet electronically in open session every day following a balloting day to review the results from the previous day.
 7. Nominations for President, Vice President, officers, at-large representatives of the national committee, and judicial committee shall be made via email to the Delegation Chair, who shall communicate the total number of nominations of each candidate to the Secretary; in the alternative, the software or other electronic system may permit nominations to be made by the required number of delegates. Each delegate is entitled to one nomination for each office to be filled. Nominations for President and Vice President must be made by at least thirty

credential delegates. Nominations for officers and at-large representatives of the national committee must be made by at least ten credentialed delegates. Nominations for judicial committee must be made by at least five credentialed delegates. Nominations shall close one hour before the start of the electronic ballot for that particular election; provided that any candidate that was not successful for the office of President shall be deemed automatically nominated for Vice President if they communicate to the Secretary that they wish to transfer their nomination for that office; and further provided that any candidate that was not successful for any LNC office may communicate to Secretary that they wish to transfer their nomination for any other LNC office (including at-large).

8. The agenda for electronic balloting shall be as follows and commence at noon eastern time on **June 7**. Ballots for President/Vice President can be made concurrently with the electronic balloting for LNC office:
 - a. nominations for President, followed by nominations for Vice President; provided that at least two hours shall pass between the conclusion of the election for office of President, and nominations closing for office of Vice President;
 - b. Election of LNC Chair, followed by LNC Vice Chair, followed by LNC Secretary, and followed by LNC Treasurer; provided that at least two hours shall pass between the conclusion of the election for each office and nominations closing for the subsequent office;
 - c. Election of at-large representatives to the national committee provided that at least two hours shall pass between the conclusion of the election for all LNC officers and nominations closing for at large representative
 - d. Filling the vacancies in the judicial committee for the remainder of its current term
 - e. Final adjournment of the 2020 national convention upon majority vote of the national committee following review of the final day's ballots.
9. The Chair shall, via public livestream or other suitable method, announce each ballot, the options nominated or available on that ballot, the results of any previous ballot(s), and the times set by the Chair for upcoming deadlines, ballots, or other business. At the discretion of the Chair nominating speeches for any office can either be livestreamed or a link to pre-recorded nominating speeches can be provided.
10. Ballots for all nominations and offices shall be conducted under the usual procedures, except that in the event an insufficient number of candidates receive a majority to be elected for at-large representative or judicial committee, subsequent rounds of balloting will be conducted among the top-ranked remaining candidates equal in number to double the number of seats remaining to be filled. Votes shall be recorded including the numbers for each state delegation, and these results shall be posted for each ballot on the party's website or via the electronic voting system. In the event of any discrepancy between the totals the delegation chair received and the totals posted, the delegation chair and Secretary shall endeavor to resolve the discrepancy, and, if they are not able to do so, the LNC shall resolve that discrepancy.

11. The terms of the current national committee officers and at-large representatives will continue until the final adjournment of the 2020 national convention, which shall not occur until all voting is completed, and the terms of their successors will then commence. The final adjournment of the 2020 national convention shall happen no later than **July 15**, provided that the Chair may certify and report the results of the nomination for President and Vice President at an earlier date upon the conclusion of those ballots if such certification is needed to meet any ballot access or filing deadlines.
12. The deadline for regional formation agreements is extended until **July 15**. The deadline for the selection of regional representatives and alternates is extended until **July 15**, and the terms of the current regional representatives and alternates shall continue until **July 15**.

Relevant dates have been highlighted.

Dr. Moulton moved to postpone to the May 3, 2020 electronic meeting. Ms. Mattson seconded. The postponement passed without objection.

Judicial Committee Proposals

Mr. Craig moved the Wiest proposal to elect the JC by regions (see language below). Ms. Crawford seconded. Ms. Mattson moved a substitute retaining 4-year terms and retaining vacancy filling by the JC rather than regions (see language below). Mr. Thrasher seconded. Ms. Mattson moved to amend the substitute by striking rule 9 and striking “the election of Judicial Committee Members,” from rule 2. Dr. Moulton seconded. The amendment to the substitute passed without objection. The substitute passed without objection, and becomes the main proposal. Mr. Craig moved to amend by striking “The remaining members of the Judicial Committee shall appoint new members if vacancies occur, such appointees to serve until the final adjournment of the next Regular Non-Presidential Convention.” and inserting “Vacancies shall be filled in the same manner as the regional representatives.” Mr. Longstreth seconded. Due to orders of the day and a desire to consider the language overnight, the committee adjourned for the night.

Wiest Proposal to elect the JC by regions:

ARTICLE 8: JUDICIAL COMMITTEE

1. The Judicial Committee shall be composed of ~~seven~~ **up to ten** Party members elected at each Regular ~~Non-Presidential~~ Convention **with one member elected by each representative Region**, and ~~any five~~ **3/5 of the** members shall constitute a quorum. No member of the National Committee may be a member of the Judicial Committee. The members of the Judicial Committee shall select the Chair of the Judicial Committee. The Judicial Committee shall take office immediately upon the close of the Regular ~~Non-Presidential~~ Convention at which elected and shall serve until the final adjournment of the next Regular ~~Non-Presidential~~ Convention. All Judicial Committee members shall have been Party members at

least four years at the time of their selection. In the event of a vacancy, the representative Region shall appoint a new member to the committee in accordance with its regional agreement, or, in the absence of such provisions, by the majority vote of the state chairs comprising the region. ~~The remaining members of the Judicial Committee shall appoint new members if vacancies occur, such appointees to serve until the final adjournment of the next Regular Non-Presidential Convention.~~

RULE 1: ORDER OF BUSINESS

~~7. Election of Judicial Committee (in appropriate years)~~ [re-number subsequent items]

RULE 2: VOTING PROCEDURE AND MOTIONS

1. On all matters, except the retention of platform planks, ~~the election of Judicial Committee Members,~~ Party Officers and at-large members of the National Committee, and the nomination of Presidential and Vice-Presidential candidates, voting will be by either voice vote or rising vote. If any delegate objects to the Chair's ruling on the outcome of a voice vote, a rising vote shall be conducted. If 20 or more delegates object to the Chair's ruling on the outcome of a rising vote, a counted vote will be held.

RULE 9: ELECTION OF JUDICIAL COMMITTEE

~~Nominations and elections for members of the Judicial Committee shall be conducted in the same manner as specified for at-large members of the National Committee.~~ Each representative Region shall elect one member of the Judicial Committee at each national convention in accordance with its procedures or regional agreement, provided each Delegate is given an equal vote. Vacancies shall be filled according to the regional agreement, or, in the absence of such provisions, by the majority vote of the state chairs comprising the region.

Mattson original substitute to elect the JC by regions, but retain 4-year terms:

ARTICLE 8: JUDICIAL COMMITTEE

2. The Judicial Committee shall be composed of ~~seven~~ Party members ~~elected at each Regular Non-Presidential Convention~~, and any five members shall constitute a quorum. Each National Committee region shall elect, in the same manner as Regional Representatives, one Judicial Committee member for each Regional Representative to which the region is entitled. No member of the National Committee may be a member of the Judicial Committee. The members of the Judicial Committee shall select the Chair of the Judicial Committee. The Judicial Committee shall take office immediately upon the close of the Regular Non-Presidential Convention at which elected and shall serve until the final

adjournment of the next Regular Non-Presidential Convention. All Judicial Committee members shall have been Party members at least four years at the time of their selection. The remaining members of the Judicial Committee shall appoint new members if vacancies occur, such appointees to serve until the final adjournment of the next Regular Non-Presidential Convention.

RULE 1: ORDER OF BUSINESS

~~7.—Election of Judicial Committee (in appropriate years)~~ [re-number subsequent items]

Mattson substitute (as amended, adding rule 2 and 9):

ARTICLE 8: JUDICIAL COMMITTEE

3. The Judicial Committee shall be composed of ~~seven~~ Party members ~~elected at each Regular Non-Presidential Convention~~, and any five members shall constitute a quorum. Each National Committee region shall elect, in the same manner as Regional Representatives, one Judicial Committee member for each Regional Representative to which the region is entitled. No member of the National Committee may be a member of the Judicial Committee. The members of the Judicial Committee shall select the Chair of the Judicial Committee. The Judicial Committee shall take office immediately upon the close of the Regular Non-Presidential Convention at which elected and shall serve until the final adjournment of the next Regular Non-Presidential Convention. All Judicial Committee members shall have been Party members at least four years at the time of their selection. The remaining members of the Judicial Committee shall appoint new members if vacancies occur, such appointees to serve until the final adjournment of the next Regular Non-Presidential Convention.

RULE 1: ORDER OF BUSINESS

~~7.—Election of Judicial Committee (in appropriate years)~~ [re-number subsequent items]

RULE 2: VOTING PROCEDURE AND MOTIONS

2. On all matters, except the retention of platform planks, ~~the election of Judicial Committee Members~~, Party Officers and at-large members of the National Committee, and the nomination of Presidential and Vice-Presidential candidates, voting will be by either voice vote or rising vote. If any delegate objects to the Chair's ruling on the outcome of a voice vote, a rising vote shall be conducted. If 20 or more delegates object to the Chair's ruling on the outcome of a rising vote, a counted vote will be held.

~~RULE 9: ELECTION OF JUDICIAL COMMITTEE~~ [re-number subsequent rules]

~~Nominations and elections for members of the Judicial Committee shall be conducted in the same manner as specified for at large members of the National Committee.~~

Adjournment for the night

Dr. Olsen moved to adjourn the meeting until 12:00 noon EDT on Sunday, April 26. Dr. Moulton seconded. The meeting adjourned without objection at 8:00 pm EDT.

Call to Order

An electronic meeting of the 2020 LP Bylaws and Rules Committee came to order on Sunday, April 26, 2020 at 12:03 pm EDT on Zoom. Chair Bishop-Henchman presided.

Attendance

Present:

- **Committee:** Andy Craig, Joe Bishop-Henchman, Cris Crawford, Richard Longstreth, Alicia Mattson, Dr. Chuck Moulton, Dr. Brent Olsen, Mark Rutherford, Paige Sexton, Christopher Thrasher, Chris Wiest (*1st alt*), Shawn Levasseur (*4th alt*)
- **Gallery:** none

Absent:

- David Blau (*2nd alt*), Alex DeBenedetto (*3rd alt*)

Judicial Committee Proposals

When we resumed, we were continuing consideration of the Mattson substitute, which had become the main motion. Mr. Craig had moved to amend by striking “The remaining members of the Judicial Committee shall appoint new members if vacancies occur, such appointees to serve until the final adjournment of the next Regular Non-Presidential Convention.” and inserting “Vacancies shall be filled in the same manner as the regional representatives.” The amendment failed by a roll call vote of 4-6-0. The proposal passed by a roll call vote of 8-2-0.

Motion (amendment for regions filling vacancies) roll call vote:

- *Aye:* Joe Bishop-Henchman, Andy Craig, Richard Longstreth, Paige Sexton
- *Nay:* Cris Crawford, Alicia Mattson, Dr. Chuck Moulton, Dr. Brent Olsen, Mark Rutherford, Christopher Thrasher
- *Abstain:* none

Motion (proposal for regions electing the JC) roll call vote:

- *Aye:* Joe Bishop-Henchman, Andy Craig, Cris Crawford, Richard Longstreth, Alicia Mattson, Mark Rutherford, Paige Sexton, Christopher Thrasher
- *Nay:* Dr. Chuck Moulton, Dr. Brent Olsen
- *Abstain:* none

Ms. Mattson moved a contingent proposal (if the elect JC by regions proposal fails) to amend article 8.1 by inserting “Should all Judicial Committee positions be vacant, an intervening convention may fill such vacancies.” The proposal passed by a roll call vote of 8-1-1.

Motion (proposal for JC vacancies filled intervening conventions) roll call vote:

- *Aye:* Andy Craig, Cris Crawford, Richard Longstreth, Alicia Mattson, Dr. Brent Olsen, Mark Rutherford, Paige Sexton, Christopher Thrasher
- *Nay:* Joe Bishop-Henchman
- *Abstain:* Dr. Chuck Moulton

Member Termination Proposals

Mr. Longstreth moved the Wiest proposal allowing the LNC to terminate memberships (see language below). Dr. Moulton seconded. Mr. Craig moved to substitute amending bylaw 4 by inserting a new clause 5: “The national committee may refund a donation within 30 days.” Mr. Thrasher seconded. Mr. Thrasher moved to amend the Craig substitute by inserting “, with a three-fourths (3/4) vote of the entire national committee.” Mr. Longstreth seconded. The amendment to the substitute failed by a roll call vote of 2-5-3. The substitute failed by a roll call vote of 1-9-0. Mr. Thrasher moved to postpone consideration of this proposal to the May 3 meeting. Dr. Moulton seconded. The postponement failed by a roll call vote of 3-7-0. The proposal failed by a roll call vote of 0-10-0.

Motion (amendment to 3/4) roll call vote:

- *Aye:* Dr. Chuck Moulton, Mark Rutherford
- *Nay:* Joe Bishop-Henchman, Andy Craig, Alicia Mattson, Dr. Brent Olsen, Paige Sexton, Christopher Thrasher
- *Abstain:* Cris Crawford, Richard Longstreth

Motion (substitute to refund donations) roll call vote:

- *Aye:* Andy Craig
- *Nay:* Joe Bishop-Henchman, Cris Crawford, Richard Longstreth, Alicia Mattson, Dr. Chuck Moulton, Dr. Brent Olsen, Mark Rutherford, Paige Sexton, Christopher Thrasher
- *Abstain:* none

Motion (postpone to May 3 meeting) roll call vote:

- *Aye:* Dr. Chuck Moulton, Mark Rutherford, Christopher Thrasher
- *Nay:* Joe Bishop-Henchman, Andy Craig, Cris Crawford, Richard Longstreth, Alicia Mattson, Dr. Brent Olsen, Paige Sexton
- *Abstain:* none

Motion (proposal to allow the LNC to terminate memberships) roll call vote:

- *Aye:* none
- *Nay:* Joe Bishop-Henchman, Andy Craig, Cris Crawford, Richard Longstreth, Alicia Mattson, Dr. Chuck Moulton, Dr. Brent Olsen, Mark Rutherford, Paige Sexton, Christopher Thrasher
- *Abstain:* none

Wiest proposal allowing the LNC to terminate memberships:

ARTICLE 4: MEMBERSHIP

5. Membership in the Party may be revoked by the National Committee, by a 2/3 vote of the entire National Committee, under the following guidelines:
 - a. The member concerned is not a member in good standing of any state-level affiliate party; the National Committee may not take any action against the membership of any member in good standing with any state-level affiliate;
 - b. The member concerned has violated the Party's Statement of Principles, and the burden shall be on the National Committee to establish this violation by clear and convincing evidence;
 - c. The National Committee has afforded the member concerned at least 14 days notice of its intent to revoke the member's membership, and, if requested by the member, has afforded that member an opportunity to respond and present any evidence in opposition to the revocation;
 - d. The National Committee may also vote, by 2/3 vote of the entire National Committee, to prohibit the person from becoming a member in the future for such time as the National Committee determines; and
 - e. If membership is revoked by the National Committee and/or future membership precluded, the member in question may challenge the revocation by an appeal in writing to the Judicial Committee within fourteen days of receipt of notice of revocation. Failure to appeal within fourteen days shall confirm the suspension and bar any later challenge or appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the National Committee. The Judicial Committee shall either affirm the National Committee's revocation or order reinstatement of the member within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute reversal of the National Committee's revocation of membership.

ARTICLE 8: JUDICIAL COMMITTEE

3. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:
 - a. revocation of membership (Article 4, Section 5); [re-number subsequent items]

Region Size Proposals

Ms. Crawford discussed a proposal to shrink the size of regions and increase the number of regions. However, no one moved a proposal.

Other Proposals

No further proposals were moved.

Good of the Order

Ms. Crawford discussed a proposal using ranked choice voting instead of approval voting for at-large.

Mr. Levasseur discussed a proposal addressing delegate allocations from presidential vote totals for states with ranked choice voting.

Mr. Thrasher discussed a proposal creating a token system for LNC nominations, especially at-large.

Ms. Mattson discussed proposals addressing joke nominations and changing the procedure for minority reports.

Dr. Moulton discussed a proposal allowing committees to limit debate, requiring seconds for motions in committees, and requiring a vote to divide rather than unilateral divisions.

Adjournment

Mr. Longstreth moved to adjourn. Mr. Rutherford seconded. The meeting adjourned without objection at 1:46 pm EDT.

Respectfully submitted,
Dr. Chuck Moulton
Secretary, 2020 LP Bylaws and Rules Committee