

Bylaws Committee – Minority Reports

Several members of the Bylaws Committee have joined together to present alternative proposals or simply oppose the Committee proposals.

Convention Special Rules of Order of the Libertarian Party

Rule 5: Committee Procedures

2. Four or more members of the Platform Committee may join together to issue a minority report regarding any plank reported to the floor of the Convention. *Two or more members of the Bylaws and Rules Committee or of the Credentials Committee may join together to issue a minority report regarding their business.*

Unfortunately the convention rule for debating and voting on bylaws and rules changes (Rule 6: Debating and Voting – Bylaws and Rules) does not provide for minority reports even though the convention rule above (Rule 5: Committee Procedures) authorizes minority reports. We recommend that the procedure for debating and voting on platform changes with minority reports (Rule 7: Debating and Voting – Platform, Paragraph 5. Recommendations for which there is a minority report) be used for bylaws with minority reports.

Conflict of Interest

The undersigned, a minority of the Bylaws Committee, disagree with the committee report on the “Conflict of Interest” proposal, recommend its rejection by the Convention delegates, and recommend that the Convention pass the following bylaws proposal instead:

ARTICLE 6: CONFLICT OF INTEREST

No person affiliated with any other political party or providing campaign support for its nominees shall serve as a Party employee, board member, or committee member, or hold any other position of trust or responsibility within the Party. This article does not apply to support of a fusion candidate nominated by the Party or an affiliate or to gathering petition signatures or signing petitions.

The proposal of the committee has two major flaws. First, it allows the Libertarian National Committee to make exceptions to the Conflict of Interest policy that is supposed to constrain the actions of members of that committee. LNC members would be prohibited from violating the policy, unless 2/3 of the LNC decides that a particular person does not have to comply.

Second, the proposal of the committee enumerates a list of activities that would be violations of the conflict of interest policy. The enumeration of such a list may act as an invitation for people seeking to skirt the rules to find ways to provide campaign support that violate the principle of the policy, but do not violate any of the activities on the specific list.

The objective of a bylaw is to create a rule for the Party that is binding. The bylaw proposed in the committee report has a hole in it that allows the LNC to avoid following it entirely by a 2/3 vote.

Signed: Nicholas Sarwark, Chuck Moulton

Bylaws Committee – Minority Reports

Speeches for NOTA

The undersigned, a minority of the Bylaws Committee, disagree with the committee report on the “Speeches for NOTA” proposal, recommend its rejection by the Convention delegates, and recommend that the Convention pass the following bylaws proposal instead:

RULE 9: NOMINATION OF PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES

5. Nominating and seconding speeches shall be limited in duration as follows:

President: Total of 16 minutes;

Vice-President: Total of 11 minutes.

A delegate who collects the required number of nominating tokens so designated may speak in favor of voting for None Of The Above for the same duration as a candidate speech.

While the committee report does allow for speeches for NOTA, fixing an oversight in our current system, it does not allow the same amount of time for a speech for NOTA as for any other candidate. As long as our bylaws require NOTA to be an option, we should treat NOTA the same as any other candidate.

Signed: Nicholas Sarwark, Chuck Moulton, Rob Latham

Ensuring the Balance of Obligations of Party and Presidential Campaigns

The undersigned, a minority of the Bylaws Committee, disagree with the committee report on the “Ensuring Balance of Obligations of Party and Presidential Campaigns” proposal, and recommend its rejection by the Convention delegates.

The committee proposal would require candidates for the Presidential nomination to comply with a contract drafted by each successive LNC in order to seek our nomination. We believe that it is entirely up to the delegates, at Convention, to decide who they would like to be a Presidential candidate. It should not be up to the LNC to stipulate conditions that must be met before a candidate can seek our nomination.

The committee proposal was created to address the problem of our most recent Presidential nominee refusing to share his donor list with the Libertarian Party. While this is a serious problem, passing a bylaw that would allow the LNC to draft a contract that all potential candidates must sign would create an even bigger problem. Whether a candidate is qualified to be our nominee is a decision that must be left entirely to the Convention delegates; it is not acceptable to allow the LNC to restrict the candidates to those who have signed a contract with whatever terms they choose to put into it.

Signed: Nicholas Sarwark, Rob Latham

Note: This handout was paid for and distributed by the minority report signers.