

2024 BYLAWS AND RULES COMMITTEE MEETING
MINUTES NOVEMBER 30, 2023

EMAIL VOTES CONDUCTED PRIOR TO MEETING

PROPOSAL AA 11-14-23

ARROWWOOD	YES
BRACCO	YES
CIESIELSKI	YES
HARLOS	ABSTAIN
LATHAM	YES
MARTIN	YES
MOULTON	YES
ROWLETTE	YES
RUFO	YES
SEEBECK	YES

ADOPTED 9-0-1

PROPOSAL KK 11-28-23

ARROWWOOD	YES
BRACCO	YES
RODGERS(A6)	YES
HARLOS	YES
LATHAM	YES
MARTIN	YES
MOULTON	ABSTAIN
ROWLETTE	YES
RUFO	YES
SEEBECK	YES

ADOPTED 9-0-1

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Meeting called to order at 9:05 PM ET

MEMBERS	ALTERNATES	GUESTS
SYLVIA ARROWWOOD	DAVID ROBERSON (A2)	J.J. JACOBS
PAUL BRACCO	DATA LOGAN (A5)	MARRION KAUFMAN
NICKOLAS CIESIELSKI	DEAN RODGERS (A6)	LARRY SILVER
CARYN ANN HARLOS		JESSICA TEWKSBURY
ROB LATHAM		
FRANK MARTIN		
CHUCK MOULTON		
TOM ROWLETTE		
MIKE RUFO		
MIKE SEEBECK		

PUBLIC COMMENT: **LATHAM:** Question on affiliate counts. Working on proposal to address that. **HARLOS:** Putting together a Policy Manual which will address. It will require LNC ratification. This will be addressed in Policy Manual. **LATHAM:** Policy Manuals can be edited and changed. Then affiliate does not have straight-forward

answer. This would create an amendable action that an affiliate could appeal to JC if desired. Watch for that on the list. **JACOBS:** Point out there is a principle called “exhaustion of remedies”, something would not become proper for appeal or adjudication until after all internal remedies are exhausted. That may have some relevance in some of the discussions tonight. Just noting that. **LATHAM:** Aware of recent opinion that came down and states an appellant does not have to exhaust admin remedies because that can become very involved and one could lose their rights by taking all the time needed to navigate this Rube Goldberg process. There is a revisiting of that concept which allows for a more direct route and bypass appeals. Just food for thought. Am well familiar with concept of exhausting remedies. If other processes available, might be best to do those first. **HARLOS:** Believe it is a rebuttable presumption. There is presumption that you do need to exhaust your options but it is not an un rebuttable presumption. It is a rebuttable presumption. **LATHAM:** Probably deals with what statute you are dealing with and if appeals need to be exhausted. Those are not easy answers. **HARLOS:** Tend to think in bylaws concept, if there is remedy in the bylaws, a court is going to hold that. But if you are talking about weird government administrative agencies, that’s a rebuttable presumption. As to contracts it’s probably a bit stronger.

I’m with Convention Committee and we have to do things in a certain order but there has been certain concern and some drama and complaint over adding the extra two hours on Monday. We have facility for all day Monday but the CoC Committee has voted schedule adjournment sine die for Sunday. Knowing we have the facility, the delegates can move to amend with a 2/3 vote at any time over the weekend to add more time but it will not automatically be on the agenda. CoC has struck the Monday schedule and put Monday items on after President and VP. Convention can vote – because we do have the room – to extend the time because we do have the room. Giving you information that adjournment sine die is now set for Sunday.

SEEBECK: Platform Committee going to ask for more time because two hours not enough. May be some attempt to extend time as well for Platform Committee.

HARLOS: We do have a proposal for this. This is most likely to be a contentious convention. Have advised CoC if they want to add an extra day, add at the beginning and not at end. If some leave, you could have an unrepresented majority that barely meets quorum and would delete the Platform or some other item. When do we have quorum? Agree with Matteson and disagree with Mr. Brown on that. Don’t know what

party chair thinks. Don't think we should check out people. Believe that's what our bylaws say. Matteson has been screaming about this for years. If someone tries a check-out procedure, I'm raising a point of order. People need to be aware and consider, there may be very few people there on Monday. If the delegates want to delete the Platform or do anything else crazy, let's do it when the majority of delegates is present so legitimacy is not questioned.

Town Hall, January 11th.

To be able to limit debate would require a 2/3 vote to enact. Otherwise, it would not be in place. We do have authority from our appointment body to limit or to end debate. All it does is allow people to call the question. Need motion.

CIESIELSKI: Make motion to call the question. Move to adopt special order permitting motion to limit debate or end debate.

MINUTES: HARLOS: Any corrections to the minutes? (No Response) Any objection? No Response) Minutes of November 16, 2023 **ACCEPTED WITHOUT OBJECTION.**

PROPOSAL EE – Resolving Affiliate Disputes – ARTICLE 5-ROWLETTE

ROWLETTE: Move Revised Proposal with BRACCO'S two amendments but not his third.

DEBATE AS TO PROPOSAL EE – AMEND THE AMENDMENT (New Section) Section 7 to strike **either** from the phrase If the affiliate has **either** its own Judicial Committee and to strike **or held a convention to resolve the dispute.**

HARLOS: Is there any further debate? (No Response). We will take a roll call vote to strike the highlighted language. That would return that sentence back to way it was proposed on the list. A "YES" would strike as proposed on the list and a "NO" would retain the language, keep that language in.

ARROWWOOD	YES
BRACCO	YES
CIESIELSKI	YES
HARLOS	ABSTAIN
LATHAM	ABSTAIN
MARTIN	YES
MOULTON	ABSTAIN
ROWLETTE	YES

RUFO

YES

SEEBECK

YES

ADOPTED VOTE 7-0-3

LATHAM: Is it now time to turn back to the whole enchilada?

HARLOS: Yes. Further debate

DEBATE CONTINUED

LATHAM: Move “ten sustaining members or 10 percent of the sustaining members of the Party whichever is lower.” That would be my amendment. It speaks for itself.

DEBATE

HARLOS: Let’s leave it as is and fill in number later. “Upon a petition of at least ten sustaining members of the Party or “X” percent of the sustaining members of the Party whichever is lower.” We can clean that up.

LATHAM: Make it 25. Negotiable and persuadable on it. Let’s try 25.

DEBATE

LATHAM: Hoping to replace 25 with 20.

DEBATE

HARLOS: Any objection to withdrawing 25? (No Response) **WITHDRAWN WITHOUT OBJECTION.** Is there any objection to withdrawing the 20 percent? (No Response). **WITHDRAWN WITHOUT OBJECTION.** It is now back to ten.

LATHAM: How about 15? That’s one-eighth, maybe a little more. Move 15.

DEBATE

LATHAM: Can read the room and will withdraw.

HARLOS: Any objection? (No Response) **WITHDRAWN WITHOUT OBJECTION.** Leaving it at ten. It’s back at ten.

LATHAM: Do have another amendment.

HARLOS: Will read “or ten percent of sustaining members of the Party whichever is lower.” Don’t think “whichever is lower” is necessary.

DEBATE

HARLOS: Does anyone object to striking “whichever is lower”? (No Response).

ADOPTED WITHOUT OBJECTION. It would read: “Upon a petition of at least ten or 10 percent of the sustaining members of the Party residing in the appropriate state . . .”. Is there any further amendment to that? (No Response) Is there any objection to this amendment?

ROWLETTE: Yes.

HARLOS: A “YES Vote” would insert ten percent of the and a “NO Vote” would leave it at ten.

ARROWWOOD	NO
BRACCO	YES
CIESIELSKI	YES
HARLOS	ABSTAIN
LATHAM	YES
MARTIN	YES
MOULTON	YES
ROWLETTE	NO
RUFO	YES
SEEBECK	ABSTAIN

ADOPTED VOTE 6-2-2

HARLOS: We have six minutes. Actually 8 as we started late.

LATHAM: What about “upon receipt of petition”? A petition has to be received and not just signed.

DEBATE

LATHAM: No need to make that amendment. **WITHDRAWN.**

HARLOS: Back to listing officers. A lot of affiliates have more than one Vice Chair. Some have two or three or maybe North and South but don’t want us to forget about issue in first sentence.

CIESIELSKI: Hope to strike ~~Judicial Committee~~ and put in process or maybe even Party there. Some affiliates do not have a JC. Strike ~~Judicial Committee~~ and insert process.

HARLOS: Coming up on time. Don’t want to postpone this. Someone could move to extend time.

ARROWWOOD: Move to extend time for 15 minutes.

HARLOS: Any objection to extend time for 15 minutes? (No Response) **TIME EXTENDED FOR 15 MINUTES WITHOUT OBJECTION.**

CIESIELSKI: Withdraw my motion. **WITHDRAWN.**

BRACCO: Move to strike the comma , before "Treasurer" and replace the comma , between Chair and Vice Chair. It would read "Chair or Vice Chairs". "Secretary" has adequately been spoken to. Most affiliates have remedy to address a Treasurer dispute. Rest of leadership would be able to act. Should just have Chair and Vice Chair.

DEBATE

CIESIELSKI: Move to amend the amendment by striking ~~or Vice Chairs.~~

HARLOS: Not technically correct but it will get us where we want to go. Pressed for time and want to resolve tonight. Does include the "or". Is there anything further? Everyone understands what we are doing here. Is there any objection to adding to BRACCO'S strike also ~~or Vice Chairs~~? Would leave "the Chair". (No Response)

ADOPTED WITHOUT OBJECTION. Amendment now is to strike the entire section there so that it would just say "Chair". Whatever we need to do to get rid of Vice Chairs so it would just say "Chair". Is there an objection to that? (No Response) As long as everyone knows what we are doing so that no one's rights are violated. **ADOPTED WITHOUT OBJECTION.**

ROWLETTE: Move to replace word ~~state~~ with affiliate. It's on the right, third line.

DEBATE

ROWLETTE: Will withdraw. **WITHDRAWN.**

LATHAM: Second-to-last sentence change ~~persons~~ to person to make consistent.

HARLOS: Yes. "Any person claiming. . ."

SEEBECK: What about "chairmanship"? It's singular.

HARLOS: Any person claiming the disputed "chairmanship" who is not recognized . . . " It's a strike and insert.

LATHAM: Just one person can appeal?

HARLOS: Yes. Wording is fine.

BRACCO: Motion to go another ten minutes. Going to object to my own motion.

HARLOS: Can't object to own motion.

ROWLETTE: Move to finish this.

HARLOS: Move to amend to however long it takes to finish this proposal. If someone wants to finish after this amendment, they may call the question. We need to get through this. I move to extend time to however long it takes. Is there an objection? (No Response). TIME EXTENDED TO FINISH. We are going to finish this. Is there going to be further amendments to this?

SEEBECK: How deep are we on this?

HARLOS: One level but there could be another amendment.

SEEBECK: Wish to amend the amendment here. In highlighted part rearrange the wording to say "Any person who claims a disputed chairmanship and is not recognized by the LNC" Think that will clear up confusion and not worry about what's in the chat.

DEBATE

RUFO: Not making an amendment but what if we said "any unrecognized claimant of the disputed chairmanship"? That says exactly what we are trying to say without all of the ands and oohs and quotes and commas and whatnot.

HARLOS: Could say "by appeal". Does not have to say "recognized by the LNC" because that's obvious by "unrecognized claimant".

RUFO: Yes.

HARLOS: So it would say "any unrecognized claimant of the disputed chairmanship may appeal to the JC." That's way cleaner. If SEEBECK agrees it is cleaner -- and don't know if he does -- he can withdraw his and I can withdraw mine.

SEEBECK: Willing to withdraw it but also see a major problem with it which I would like to address afterwards.

HALOS: Is there an objection to SEEBECK and I withdrawing that hot mess up there and instead we will talk about RUFO'S suggestion? **(No Response) WITHDRAWN (2) WITHOUT OBJECTION.** That's what we are doing. SEEBECK can go first.

SEEBECK: May be seeing something not there but with this wording "Any unrecognized claimant of the disputed chairmanship may appeal to the JC". . . Maybe I'm tired but does that open the door for having 12 different appeals by 12 different people?

HARLOS: If that is dispute the LNC decided not to recognize.

DEBATE

LATHAM: How about replace “**Any**” with Each? “Any” has all comers energy.

RUFO: If we put “The” with parens after “claimant” it approaches everything everyone just talked about. It’s cleaner and allows for more than one and does not have that anybody tone. I’m willing to change my amendment right here if I can do that and maybe put an “s” in there on “claimant”.

LATHAM: Okay with that.

HARLOS: I’m okay with that. Is everyone else okay with that? (No Response).

ADOPTED WITHOUT OBJECTION. Is there any objection to this amendment? (No Response) Okay. That is now in here. **ADOPTED WITHOUT OBJECTION.** Any further amendment to this?

BRACCO: Call for orders of the day.

HARLOS: Amended motion to extend to say we were staying until finished no matter how long it took. If someone wants to further amend, okay; but was asking for further amendment. Asking for further amendment?

LATHAM: It is that “its” before affiliate. Change that to “the”. It’s on fourth line.

HARLOS: Don’t know why “key leadership” is there either. Would it be “affiliate’s Chair”?

LATHAM: Yes. “the identify of the affiliate’s Chair”. That’s my motion. So replace ~~its affiliate’s key leadership~~ with the affiliate’s Chair.

HARLOS: Any objection to that? We simplified all the offices with the affiliate’s Chair.(No Response) **ADOPTED WITHOUT OBJECTION.** Any further amendment? (No Response) Because some objection before will take a roll call vote. Immediately when that vote is done, we are adjourned until next meeting in two weeks. What we are voting on is approving this proposal.

ARROWWOOD	YES
BRACCO	YES
CIESIELSKI	YES
HARLOS	ABSTAIN

LATHAM	YES
MARTIN	YES
MOULTON	NO
ROWLETTE	YES
RUFO	YES
SEEBECK	NO

ADOPTED VOTE 7-2-1

HARLOS: Next meeting in two weeks. Start with Interrupting Microphone. Will start debate on the list. Will start that discussion on the list. We are adjourned now at 11:46 PM ET.

ADJOURNED AT 11:47 PM ET

DRAFT COPY ONLY 12-11-23 AT 9:08 PM ** 12-12 at 1:15 PM ***