

## **Minutes of the Bylaws and Rules Committee for the 2012 Regular Convention**

The Bylaws and Rules Committee for the 2012 Regular Convention came to order on Friday, August 19, 2011, at 8:34 A.M., at the Downtown Columbus Hyatt in Columbus, Ohio.

Secretary Aaron Starr noted the following people in attendance:

Dan Karlan, Chair  
M Carling  
Michael Johnston  
Vicki Kirkland  
Chuck Moulton  
Mark Rutherford  
Aaron Starr  
Alicia Mattson, Alternate

In the absence of Marc Goddard, Rob Oates and Jonathan Morris, Alicia Mattson served as a member.

The following agenda was adopted.

Call to Order	8:30 AM
Credentials Check	8:31
Agenda Approval	8:32
Comments from Gallery	8:35
Paperwork Check	8:40
Discussion of Changes to Proposals:	
• Open Conventions proposal change	8:45
• Conflict of Interest proposal change	8:50
• Require Minimum Term as a Sustaining Member to be Seated Automatically as a Delegate at Open Conventions proposal change	8:55
• Ensure Delegate Investment in LP proposal change	9:00
• Empower Libertarian Party Members to Amend the Bylaws proposal change	9:05
• Empower Libertarian Party Members to Elect the National Committee proposal change	9:10
• Change to Order of Proposals in Report	9:15
Comments from Gallery	9:20
Approval of Minutes of this meeting	9:25
Adjournment	9:30

### **1) Open Conventions proposal change.**

Following debate, the following proposal was adopted in place of the Open Conventions language adopted at the April meeting:

#### ARTICLE 11: CONVENTIONS

##### 6. Open Conventions:

Notwithstanding any other section of this Article, if the number of delegates registered at either of the two most recent Regular Conventions was less than ninety percent of the maximum number allowed, the requirements for delegate allocation, selection and reporting shall be waived, and any individual who is a sustaining member of the Party or a member of the affiliate party in whose delegation he or she is to be seated may register as a delegate to the Regular Convention.

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

**2) Conflict of Interest proposal change.**

Following debate, the following proposal was adopted:

ARTICLE 6: CONFLICT OF INTEREST

No individual enrolled as a registered voter affiliated with another political party, if he or she has the option of affiliating with the Libertarian Party, shall be eligible to serve as a Party employee, National Committee member, committee member, or delegate, or hold any other position of trust or responsibility within the Party.

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

Voting YES

M Carling  
Michael Johnston  
Vicki Kirkland  
Alicia Mattson  
Chuck Moulton  
Mark Rutherford  
Aaron Starr  
Dan Karlan

Voting NO

**3) Require Minimum Term as a Sustaining Member to be Seated Automatically as a Delegate at Open Conventions proposal change.**

Following debate, the following proposal was adopted in place of the Require Minimum Term as a Sustaining Member to be Seated Automatically as a Delegate at Open Conventions proposal adopted in April; the revised proposal only moves the language adopted at the April meeting to a different proposed section of the bylaws:

ARTICLE 11: CONVENTIONS

6. Open Conventions:

Notwithstanding any other section of this Article, if the number of delegates registered at either of the two most recent Regular Conventions was less than ninety percent of the maximum number allowed, the requirements for delegate allocation, selection and reporting shall be waived, and any individual who is a sustaining member of the Party or a member of the affiliate party in whose delegation he or she is to be seated may register as a delegate to the Regular Convention. However, individuals who first became eligible to register as delegates fewer than (FILL THE BLANK) days prior to the opening of the Regular Convention shall need majority approval of the Convention to be seated.

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

Voting YES

Michael Johnston  
Vicki Kirkland  
Alicia Mattson  
Chuck Moulton  
Mark Rutherford  
Aaron Starr

Voting NO

M Carling  
Dan Karlan

#### 4) Ensure Delegate Investment in LP proposal change.

Following debate, the following proposal was adopted in place of the Ensure Delegate Investment in LP proposal adopted at the April meeting; the revised proposal merely adds a proviso to the language adopted at the April meeting:

#### ARTICLE 11: CONVENTIONS

##### 3. Delegates:

- a. ~~Delegates shall be required to be members of either the Party or an affiliate party.~~  
Eligibility: Each delegate must be a sustaining member of the Party or a member of the affiliate party in whose delegation he or she is seated.

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

**5) Empower Libertarian Party Members to Amend the Bylaws proposal change.**

Following debate, several changes were approved to the language adopted in April:

A) The title of new Article 10 is amended (striking the word “Party’s” before “Bylaws): **ARTICLE 10: MAIL BALLOT PROCEDURES FOR AMENDING BYLAWS**

B) The language of Article 10.4 is amended as follows:

From:

Sustaining members as of the end of the month immediately preceding the mailing of ballots who have provided an e-mail address shall be eligible to vote.

To:

Ballots shall be sent to sustaining members who have provided an e-mail address as of the end of the month immediately preceding the mailing of ballots.

C) The language of Article 10.5 is amended as follows:

From:

The period for voting shall be 30 days.

To:

The period for voting shall be no less than 15 and no more than 30 days. The date and time for the close of voting shall be set prior to the commencement of voting.

As revised the adopted language as revised reads as follows:

**ARTICLE 17: AMENDMENT**

1. These Bylaws may be amended by a 2/3 vote of the delegates at any Regular Convention or by a 4/5 vote by electronic mail ballot of sustaining members. For an amendment to be enacted by electronic mail ballot the number participating must be greater than the number registered at the most recent Regular

Convention.

2. Article 4, Section 1, shall not be amended by a vote of less than 7/8 of all registered delegates at a Regular Convention.

ARTICLE 10: MAIL BALLOT PROCEDURES FOR AMENDING BYLAWS

1. The Party shall contract out the election services to an independent, professional firm that conducts elections for other organizations.
2. Proposed amendments to the Party's Bylaws shall be sponsored by the Bylaws and Rules Committee (or by petition on an approved form signed by ten percent of the sustaining membership to the National Committee) and submitted to sustaining members for approval via electronic mail ballot no more than once per calendar year.
3. Proposals shall be delivered together with any minority reports.
4. Ballots shall be sent to sustaining members who have provided an e-mail address as of the end of the month immediately preceding the mailing of ballots.
5. The period for voting shall be no less than 15 and no more than 30 days. The date and time for the close of voting shall be set prior to the commencement of voting.
6. The Party shall provide an online forum where sustaining members may debate any pending proposal.

**6) Empower Libertarian Party Members to Elect the National Committee proposal change.**

Following debate, several changes were approved to the language adopted in April:

A) The language of Article 10.2 is amended as follows:

From:

The officers shall be elected by Ranked Choice Voting; all other offices shall be elected by majority vote.

Change to:

The officers and regional representatives shall be elected by Ranked Choice Voting; at-large members shall be elected by majority vote.

B) The language of Article 10.5 is amended as follows:

From:

Sustaining members as of December 31 immediately following the nationwide Congressional election who have provided an e-mail address shall be eligible to vote.

Change to:

Ballots shall be sent to sustaining members who have provided an e-mail address as of December 31 immediately following the nationwide Congressional election.

C) The language of Article 10.6 is amended as follows:

From:

The period for voting shall be no less than 15 days.

Change to:

The period for voting shall be no less than 15 and no more than 30 days. The date and time for the close of voting shall be set prior to the commencement of voting.

As revised the adopted language reads as follows:

#### ARTICLE 7: OFFICERS

1. The officers of the Party shall be:

- Chair,
- Vice-Chair,
- Secretary, and
- Treasurer.

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

#### ARTICLE 8: NATIONAL COMMITTEE

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

- a) the officers of the Party, all elected by electronic mail ballot of sustaining members;
- b) five members elected at large ~~by the delegates at a Regular Convention by~~ electronic mail ballot of sustaining members; and
- c) any additional members as specified below:

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

3. ~~The National Committee shall take office immediately upon the close of the Regular Convention at which they are selected, and serve until the final adjournment of the next Regular Convention.~~ National Committee members shall serve from February 1 of the year following a nationwide Congressional election through January 31 of the year following a nationwide Congressional election or until their successors are elected.

#### ARTICLE 10: MAIL BALLOT PROCEDURES FOR ELECTIONS

1. The Party shall contract out the election services to an independent, professional firm that conducts elections for other organizations.
2. The officers and regional representatives shall be elected by Ranked Choice Voting; at-large members shall be elected by majority vote.
3. The ballot design shall allow for the casting of write-in votes and votes for "None of the Above." Should "None of the Above" be selected for any Party office, that position shall be declared vacant and none of the losing candidates for that position may be selected to fill the vacancy for that term of office.
4. Candidates shall be nominated on a standard petition form approved by the National Committee to be circulated by candidates during the period beginning the day after a nationwide Congressional election and must be received by the national office on or before December 15. The Party shall notify the membership of this deadline and of the requirements for nomination by petition on its website. Eligible candidates with petitions signed by 10 or more sustaining members shall be included on the mail ballot.
5. Ballots shall be sent to sustaining members who have provided an e-mail address as of December 31 immediately following the nationwide Congressional election.
6. The period for voting shall be no less than 15 and no more than 30 days. The date and time for the close of voting shall be set prior to the commencement of voting.
7. The Party shall provide to eligible voters website links to the campaign websites of the candidates for National Committee.

#### ARTICLE 11: CONVENTIONS

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

#### RULE 1: ORDER OF BUSINESS

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

1. Call to order
2. Credentials Committee report
3. Adoption of agenda

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

## RULE 2: VOTING PROCEDURE AND MOTIONS

1. On all matters, except the retention of platform planks, the election of ~~Party Officers and at large members of the National~~ the Judicial 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.
2. The Chair may require any motion offered from the Convention floor to be in writing, signed by the mover and submitted to the Secretary.

## ~~RULE 8: ELECTION OF OFFICERS AND NATIONAL COMMITTEE~~

- ~~1. Nominations for Party Officers shall be from the floor. The election shall be conducted in the following manner:
 
  - ~~a. For each office, a majority vote will be necessary for election.~~
  - ~~b. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all delegations have submitted their votes, the Secretary shall declare the voting closed.~~
  - ~~c. For the first round of voting for Chair, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation. Subsequent announcements of each delegation's totals shall be made by the Secretary.~~
  - ~~d. In cases where no candidate receives a majority, runoff votes will be held, dropping the candidate with the fewest votes after each ballot.~~~~
- ~~2. Nominations for the at large members of the National Committee shall be from the floor. The election shall be conducted in the following manner:
 
  - ~~a. Each delegate may cast up to five votes, but no more than one vote for any one candidate.~~
  - ~~b. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all delegations have submitted their votes, the Secretary shall declare the voting closed.~~
  - ~~c. At this point, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation.~~~~

- ~~d. Those five candidates receiving the highest vote totals shall be declared elected. If a tie vote affecting the outcome of the election occurs, another ballot for the remaining offices shall be held with each delegate allowed to cast as many votes as there are offices to fill.~~
- ~~3. Nominations for each candidate may be made by any delegate present on the floor, provided he or she has the candidate's permission. Nominating speeches shall be limited in duration as follows:
  - ~~a. Chair: Total of 10 minutes;~~
  - ~~b. All others: Total of 5 minutes.~~~~
- ~~4. In the event a region has not otherwise provided for the election of its regional representative to the National Committee then the delegates from the region shall elect its regional representative, provided there are at least five delegates present. Each Region's delegates may elect their representative in whatever manner they choose, provided all delegates present from that region are given equal voice in the selection.~~

#### **~~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.~~

Proviso: This amendment shall take effect upon the opening of the convention following the convention at which it is adopted. Those elected at this convention will be responsible for a full election cycle.

## **7) Change to Order of Proposals in Report.**

After debate, it was proposed that the ten proposals be presented in this order:

1. Appointment of Assistant Treasurer
2. Expedite LNC Mail Ballot Process
3. Transparency and Access to LNC Meeting Records
4. Ensure Delegate Investment in LP
5. Conflict of Interest
6. Empower Libertarian Party Members to Amend the Bylaws
7. Empower Libertarian Party Members to Elect the National Committee
8. Open Conventions
9. Require Minimum Term as a Sustaining Member to be Seated Automatically as a Delegate at Open Conventions
10. Creation of a Style Committee

The motion was adopted without objection.

Motion was made by M Carling to suspend the rules to consider amending the expedite LNC mail ballot proposal to reduce the number of days from ten to seven. The motion failed.

The motion to adopt the minutes as read passed without objection.

The meeting adjourned at 9:24 am.

*Aaron Starr*

Aaron Starr, Secretary