



Report of the Bylaws and Rules Committee
to the delegates of the
Libertarian National Convention of 2010, St. Louis, Missouri

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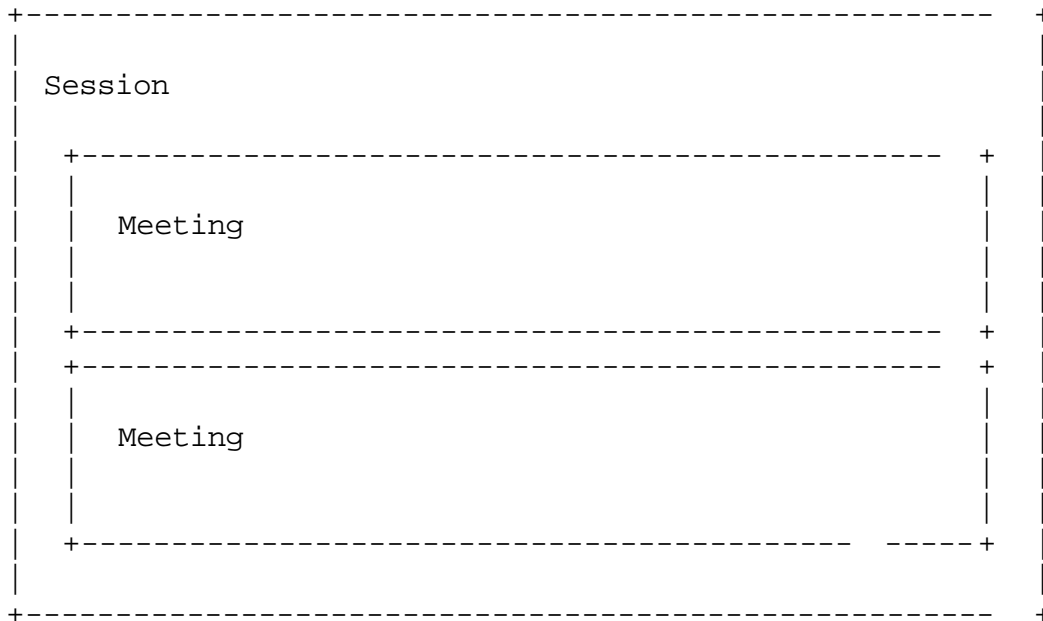
An online survey to gauge these proposals may be found here:
<http://www.lp.org/bylawssurvey>

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Terminology Correction (Recommended 10-0)

Problem: *When the LNC conducts business over a weekend, the two-day gathering is known in Robert's Rules as a session. During a session, each time the LNC adjourns for lunch or at the end of a day, a meeting comes to an end (see graphic). When the LNC reconvenes from such an adjournment, it is the beginning of a new meeting within the session. Thus there are several consecutive meetings that take place during the weekend. The last paragraph of Bylaws 8.5 as currently written, stipulating automatic removal from office of any LNC member who misses two consecutive "meetings", would apply to a member who was absent for just a single session (weekend). This clearly does not reflect the intention of delegates when this provision was incorporated.*



Solution: *Fix the terminology by replacing "meetings" with "sessions".*

ARTICLE 8: NATIONAL COMMITTEE

5. [last paragraph] A National Committee member who fails to attend two consecutive regular ~~meetings~~ sessions of the National Committee shall be deemed to have vacated his or her seat. The appointing body shall be free to reappoint the member who vacated the seat.

RONR p. 3, lines 4-7: "A session may be loosely described as a single complete course of an assembly's engagement in the conduct of business, and may consist of one or more meetings." Also p. 80, lines 8-10: "A session of an assembly ... is a meeting or series of connected meetings"

Ballot Access for Convention-Selected Presidential Nominees (Recommended 10-0)

Problem: Through Article 12, Section 1 of our bylaws, our state affiliates have mutually contracted to nominate the Presidential candidate selected by the delegates at a national convention. However, if a candidate for our nomination agrees to be a stand-in for ballot access purposes and later reneges on his agreement to be a temporary placeholder, it frustrates the convention delegates, who have chosen someone else to be the nominee.

Solution: Ensure that approved stand-ins are available for those states that require them for ballot access purposes.

Note: A "stand-in" is an individual who has agreed to be a placeholder on nomination petitions so that a state affiliate can gather signatures to place the eventual Libertarian Party nominee on the ballot. Once the Libertarian Party's nominee becomes known, the nominee's name is substituted for that of the stand-in. This process is allowed in some states so that the Party's ballot access effort can be completed prior to the convention.

Benefits: Possibly avoid the sorts of problems we had in one state in 2000 and two states in 2008.

ARTICLE 12: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

1. Nominations of candidates for President and Vice-President of the United States may be made only at the Regular Convention immediately preceding a Presidential election.

2. No candidate may be nominated for President or Vice-President who is ineligible under the United States Constitution, who has not expressed a willingness to accept the nomination of the Party, [who served as a stand-in candidate during the current election cycle](#), or who is not a member of the Party.

[3. No later than three years prior to a Presidential election, the National Committee shall appoint stand-in candidates willing to serve only as temporary placeholders for those states that require such to get our eventual nominees on the ballot.](#)

Proviso: For the 2012 election cycle only, the three year requirement shall be two years.

Judicial Committee Terms (Recommended 10-0)

Problem: The frequent turnover of the Judicial Committee at each convention impedes stability while facilitating a hostile takeover of the Party.

Solution: Increase the terms of Judicial Committee members.

Benefit: Defends the Judicial Committee against a hostile takeover of the Party, thereby helping to discourage anyone from attempting a hostile takeover.

ARTICLE 9: JUDICIAL COMMITTEE

1. The Judicial Committee shall be composed of seven Party members elected at each Regular Convention immediately preceding a Presidential election, and any five 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 Convention at which elected and shall serve until the final adjournment of the next Regular Convention immediately preceding a Presidential election.

RULE 1: ORDER OF BUSINESS

10. Election of Judicial Committee (in appropriate years)

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

Authorization of Electronic Vote Tabulation Equipment (Recommended 10-0)

Problem: Our current manual methods of voting are very time-consuming and prone to error. In addition, allegations were made that some state delegations at the Denver convention submitted votes from many delegates who were no longer present on the convention floor.

Solution: Authorize the use of electronic voting, provided that it generates paper receipts that make it possible to conduct a manual recount.

Benefits:

- 1. Saves a lot of time.*
- 2. Eliminates manual tabulation errors.*
- 3. Prevents state delegations from submitting votes for delegates who are not present.*

RULE 10: ELECTION OF OFFICERS AND NATIONAL COMMITTEE

3. The LNC Secretary and Credentials Committee may authorize an electronic voting system to supersede manual tabulation by state delegation, provided the following features are incorporated:

- a. Contemporaneously printed completed paper ballots for manual verification.
- b. A uniquely numbered receipt issued to each voting delegate.
- c. Tallies of individual votes by receipt number with subtotals by state delegation.
- d. Reports listing delegates that have cast ballots from each state delegation.

4. If an electronic voting system is in use and twenty or more delegates challenge the reported vote, there shall be a manual recount of all ballots cast. Subsequently, if twenty or more delegates challenge the vote reported after the manual recount, the Secretary shall poll by individual state delegation, requiring each delegate to read out loud the votes on his or her receipt.

Ranked Choice Voting for Officers (Recommended 10-0)

Problem: *Our current method of selecting officers is known as Runoff Voting – a process where successive rounds of voting are conducted, dropping the lowest ranking candidate from the list each round until a winner with a majority vote emerges.*

Solution: *Use Instant Runoff Voting (IRV), also known as Ranked Choice Voting, for LNC officer elections.*

Benefits:

1. *Saves time so that the convention can focus on other business.*
2. *Familiarizes LP delegates with the IRV process so they can more effectively explain the concept to others.*

RULE 10: 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.~~

- a. Officer elections shall be conducted using Ranked Choice Voting. For each office, a majority vote of all the ballots cast shall be necessary and sufficient for election.
- b. Ballots shall allow delegates to rank their choices of candidates in order of preference, such as First Choice, Second Choice, Third Choice, etc.
- c. All individual ballots shall be turned in to the Secretary along with the tabulations by affiliate of the First Choice votes.
- d. In cases in which no candidate receives a majority of First Choice votes, the candidate with the fewest votes shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots. The ballots shall then be recounted.
- e. Votes for None of the Above shall survive each round.
- f. If no candidate has a majority of votes cast, the process of eliminating the candidate with the fewest votes, redistributing according to the next choice on those ballots, and then recounting shall be repeated until one candidate has a majority.
- g. The Secretary shall retain the record of all voting rounds and make it available to delegates upon request.
- h. The Secretary shall announce the winner of the election after votes have been fully tabulated.

Judicial Committee Eligibility (Recommended 10-0)

Problem: The frequent turnover of the Judicial Committee at each convention impedes stability while facilitating a hostile takeover of the Party.

Solution: Select Judicial Committee members from those who have been members of the Party at least four years.

Benefit: Helps to deter anyone from attempting a hostile takeover of the Party.

ARTICLE 9: JUDICIAL COMMITTEE

1. The Judicial Committee shall be composed of seven Party members elected at each Regular Convention, and any five 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 Convention at which elected and shall serve until the final adjournment of the next Regular Convention. All Judicial Committee members shall have been Party members at least four years at the time of their selection.

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

Mail Ballots for Bylaws (Recommended 10-0)

Problem: *Delegates spend an extra day or so at convention every two years at great expense considering amendments to the Bylaws.*

Solution: *Provide for Bylaws amendments to be adopted by a large super-majority of the membership in accordance with the mail ballot provisions in Robert's Rules of Order, including the provision of any minority reports together with the ballot materials.*

Benefits: *Many of our members do not feel a connection to our Party and this will give them a sense of involvement, which will encourage some passive members to become activists.*

ARTICLE 11: CONVENTIONS

7. Convention Committees:

a. The Bylaws and Rules Committee shall consist of ten Party members appointed by the National Committee no later than three months before a Regular Convention. No more than five of these members shall be members of the current National Committee. The committee shall propose amendments to these Bylaws either to a Regular Convention or by mail ballot to the union of registered delegates attending the most recent Regular Convention and the Party's sustaining members. The committee shall propose amendments to the Party's Convention Special Rules of Order to a Regular Convention. Proposals shall be delivered together with any minority reports signed by two or more members.

ARTICLE 14: 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 of sustaining members and registered delegates attending the most recent Regular Convention participating in a mail ballot.

2. The casting of mail ballots to amend these Bylaws shall not be conducted more than once per calendar year. The Party shall maintain an online forum where sustaining members may debate any pending mail ballot proposal. Any sustaining member may observe the counting of mail ballots. The Party shall publish the votes by individual for any sustaining member to review. Returned mail ballots shall be available for review until three months after the announcement of results. For an amendment to be enacted by mail ballot the number participating must be greater than or equal to the number of registered delegates attending the most recent Regular Convention.

Judicial Committee Vacancies (Recommended 10-0)

Problem: There is no mechanism for filling a vacancy on the Judicial Committee. If three members were to resign prior to the end of their terms, there would be no legal way for the committee to meet to hear a case.

Solution: Allow the remaining members of the Judicial Committee to fill a vacancy until the next Regular Convention.

ARTICLE 9: JUDICIAL COMMITTEE

1. The Judicial Committee shall be composed of seven Party members elected at each Regular Convention, and any five 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 Convention at which elected and shall serve until the final adjournment of the next Regular Convention. 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 Convention.

Defense Against Taxpayer-funded Presidential Campaigns (Recommended 10-0)

Problem: Our Party is unable to prohibit our nominee for President from accepting taxpayer funds in support of his or her campaign.

If a Libertarian Party candidate for President were to win 5% of the vote (under present rules), that would qualify the next Libertarian Party candidate for President for millions of dollars in taxpayer money and lead to many DC organizations weighing the chances of success and cost to takeover our Party.

This happened to the Reform Party in 2000.

The Reform Party's presidential candidate for the 2000 election was due federal matching funds of \$12.5 million, based on Perot's 8% showing in 1996. This made the nomination an attractive target to would-be candidates. After a bitter fight that culminated in two Reform Party conventions being held simultaneously, Pat Buchanan secured the Reform Party nomination and the \$12.5 million.

Solution: Raise the cost and reduce the chances of success of a hostile takeover attempt so that no one even tries.

Note: It is the candidate that receives the taxpayer funds, not the Libertarian Party.

ARTICLE 11: CONVENTIONS

3. Delegates:

a. Delegates shall be required to be members of either the Party or an affiliate party. At all Regular Conventions delegates shall be those so accredited who have registered at the Convention. At all Non-Regular Conventions, any person who wishes to attend may do so.

b. Any federal or state law to the contrary notwithstanding, delegates to a Regular Convention shall be selected by a method adopted by each affiliate party; provided however, that only members of the Party as defined in these Bylaws, or members of the affiliate party as defined in the constitution or bylaws of such affiliate party, shall be eligible to vote for the selection of delegates to a Regular Convention.

c. If the previous Party candidate for President received enough votes to qualify the next Party candidate for President for any taxpayer-funded subsidy, then only those delegates who first became members of the Party prior to the previous Presidential general election shall be eligible to vote for Presidential and Vice-Presidential nominees.

Nominating Speech Time Limits (Recommended 9-0)

Problem: Our Convention Special Rules of Order currently micro-manage the nominating and seconding speech times for Officers and At-Large LNC members. This unnecessarily constrains the speeches.

Solution: Allocate a block of time for each candidate, and allow the candidate, nominator, and seconders the flexibility to apportion that block of time as they wish.

Benefit: Simplifies the procedure for the timer and liberates the candidate and friends to make the best use of their time. Makes this procedure consistent with that for nomination of candidates for President and Vice-President.

Note: We generally suspend the rules at every convention to do this, so this proposal would codify the procedure we already use.

RULE 9: NOMINATION OF PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES

4. Nominating and seconding speeches for each candidate shall be limited in duration as follows:

- a. President: Total of 16 minutes;
- b. Vice-President: Total of 11 minutes.

RULE 10: ELECTION OF OFFICERS AND NATIONAL COMMITTEE

4. Nominations for each candidate may be made by any delegate present on the floor, provided he or she has the candidate's permission. Nominating and seconding speeches for each candidate shall be limited in duration as follows:

- a. Chair: Total of 10 minutes ~~one five minute nominating speech, two three minute seconding speeches;~~
- b. All others: Total of 5 minutes ~~one two minute nominating speech, two one minute seconding speeches.~~

Divide Article 11.5 into Multiple Sections (Recommended 9-0)

Problem: *Article 11.5 is an extremely lengthy paragraph, with several different parts of the Delegate Allocation process thrown in.*

Solution: *As requested by the Secretary, divide this paragraph into discrete sub-sections. No text changes are proposed.*

ARTICLE 11: CONVENTIONS

5. Delegate Allocation:

a. In order to be counted for delegate allocation, sustaining membership applications must be sent to the National Headquarters by either the individual member or the affiliate party and received or postmarked no later than the last day of the seventh month prior to the Regular Convention .

b. The Secretary shall make a count of the sustaining members qualified under the requirements set forth here and shall compute the delegate allocations for the affiliate parties. Notification of the sustaining membership totals and allocation totals shall be sent by the Secretary to the Chair of each affiliate party no later than the last day of the sixth month prior to a Regular Convention.

c. A list of the names and addresses of all delegates and alternates chosen by each affiliate party shall be sent to the Credentials Committee no later than one month prior to start of the first general session of the Regular Convention. Amendments to such lists may be made by the affiliate parties and submitted to the Credentials Committee until the close of the Credentials Committee meeting preceding the Convention. The number of alternates' names submitted shall not exceed the greater of 50 or the number of delegates allocated.

d. Failure to submit a listing of delegate/alternate names and addresses, as prescribed within these Bylaws, shall cause no delegation to be registered from that affiliate party.

e. By seven-eighths vote, the Convention may approve additional delegates and alternates whose names and addresses are submitted to the Credentials Committee during the Convention.

LNC Support for Presidential Candidates (Recommended 9-0)

Problem: *The word "all" makes no sense in Article 12, Section 4, unless it applies to all sustaining members seeking our nomination. However, that doesn't fit with the clear meaning in the first part of the sentence.*

Solution: *Clarify the existing language in Section 4.*

ARTICLE 12: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

4. The National Committee shall respect the vote of the delegates at Nominating Conventions and provide full support for ~~all~~ [the Party's](#) nominee ~~s~~ for President and [nominee for](#) Vice-President as long as their campaigns are conducted in accordance with the Platform of the Party.

Split Rule 10 (Recommended 9-0)

Problem: *Rule 10: ELECTIONS OF OFFICERS AND NATIONAL COMMITTEE* addresses the entire process for selecting members to this committee. Buried in this Rule is the procedure for selecting the Judicial Committee. This makes it difficult to locate.

Solution: *Segregate the language dealing with the Judicial Committee (Rule 10.3) into a new separate rule.*

[RULE 11: ELECTION OF JUDICIAL COMMITTEE](#)

~~3.~~ 1. 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.

Split Article 11 (Recommended 9-0)

Problem: *Article 11: CONVENTIONS is currently the longest in the entire Bylaws, and includes stipulations for Convention Committees, which aren't properly Convention-related material, as these Committees ordinarily meet in advance of the Convention.*

Solution: *Split Article 11 into 2 articles.*

ARTICLE 11: CONVENTIONS

~~7. Convention Committees:~~

ARTICLE 12: OTHER COMMITTEES

1. There shall be a Platform Committee, a Bylaws and Rules Committee, and a Credentials Committee for each Regular Convention. The National Committee shall appoint a temporary chair of each committee to serve until each committee selects its own chair.

~~a.~~ 2. The Bylaws and Rules Committee shall consist of ten Party members appointed by the National Committee no later than three months before a Regular Convention. No more than five of these members shall be members of the current National Committee.

~~b.~~ 3. The Platform Committee shall consist of 20 members selected as follows:

- One member by each of the ten affiliate parties having the largest sustaining memberships as determined for Convention delegate allocations. These members shall be selected no later than the last day of the fifth month prior to the Regular Convention.

- Ten members appointed by the National Committee, including no less than five members from states other than the ten having the largest Party memberships. These members shall be appointed no later than the last day of the fifth month prior to the Regular Convention.

~~c.~~ 4. The Credentials Committee, composed of ten members, shall be selected as follows:

- Five members chosen by the National Committee.
- One member by each of the five affiliate parties having the largest sustaining memberships as determined for Convention delegate allocations. These shall be selected by each of the affiliate parties no later than one month prior to the Regular Convention.

~~d.~~ 5. Ranked alternates may be named by the appointing bodies to fill any vacancies or absences in the Convention Committees.

Audit Requirement (Recommended 9-0)

Problem: Audits have been performed in some years and not others. Several years ago, a former treasurer succeeded in persuading the LNC to fire an outside auditor who had uncovered accounting irregularities.

Solution: Ensure that audits are performed every year and ensure greater independence in the selection of the auditor.

Note: Article 7 is included for informational purposes; only Article 10 is being amended.

ARTICLE 7: OFFICERS

7. The Treasurer shall receive, expend and account for the funds of the Party under the supervision and direction of the Chair and the National Committee. The Treasurer shall make an annual financial report to the National Committee and shall perform all duties required of the office by applicable federal and state law. The Treasurer is responsible for oversight of all financial functions, including, but not limited to receipts, disbursements, internal and external reporting. The Treasurer shall report to the National Committee and the Convention both the financial situation of the Party and the results of its activities. The report of the Treasurer to the Convention, specified in Convention Rule 1 agenda item 4, shall include an independent auditor's report opining whether the financial statements present fairly, in all material respects, the financial position of the Party and the changes in its net assets and its cash flow for the years then ended, in conformity with accounting principles generally accepted in the United States of America. Unaudited interim financial statements shall also be presented. Such reports shall be made available to every delegate.

ARTICLE 10: FINANCE AND ACCOUNTING

2. The National Committee shall cause an efficient double-entry system of accounts to be installed and maintained. Financial statements of the Party shall be prepared in accordance with Generally Accepted Accounting Principles (GAAP). Audits shall be performed annually by an independent auditor. The non-officer members of the National Committee shall appoint a standing Audit Committee of three members with power to select the independent auditor. One member shall be a non-officer member of the National Committee and the other two shall not be members of the National Committee. The Audit Committee shall clarify for the National Committee any recommendations made by the auditor.

Delegate Lists (Recommended 9-0)

Problem: *Article 11, Section 6 is vague and inadequate to provide guidance to staff about responding to members' requests for lists of convention delegates. This is even more important since the adoption of a measure in Denver to provide a pathway to the Judicial Committee that depends on the delegates to the most recent Convention.*

Solution: *Clarify the language of 11.6.*

ARTICLE 11: CONVENTIONS

6. Delegate List:

Any Party member shall be provided, upon request and payment of copying and mailing costs, a list of the names and addresses of all ~~elected delegates to a Convention.~~ delegates selected to attend and those who actually attended the most recent two Conventions, with those who attended clearly identified, and all delegates/alternates selected to the upcoming convention, if available.

Move Rule 5 to new Article 12: OTHER COMMITTEES (Recommended 9-0)

Problem: *The Convention Special Rules of Order are specifically to govern the conduct and processes occurring at the Convention itself. But Rule 5: Committee Procedures deals only with the pre-Convention operations of the Platform, Bylaws and Rules, and Credentials Committees. Rule 5 is out of place in the Convention Special Rules of Order.*

Solution: *Move the text from the Convention Special Rules of Order to the Bylaws.*

Note: *Section 3 is redundant because "It is a fundamental principle of parliamentary law that the right to vote is limited to the members of an organization who are actually present at the time the vote is taken in a legal meeting, although it should be noted that a member need not be present when the question is put. Exceptions to this rule must be expressly stated in the bylaws." -- RONR (10th ed.), pp. 408-409.*

~~RULE 5: COMMITTEE PROCEDURES~~

- ~~1. A majority vote of those Committee members present is necessary for a "do pass" recommendation, and in the case of the Platform Committee, a majority must approve each specific plank separately.~~
- ~~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.~~
- ~~3. A member must be present in Committee to vote.~~
- ~~4. More than 1/2 of the membership of each committee shall constitute a quorum.~~

ARTICLE 12: OTHER COMMITTEES

6. Committee Procedures

- a. A majority vote of those Committee members present is necessary for a "do pass" recommendation, and in the case of the Platform Committee, a majority must approve each specific plank separately.
- b. 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.
- c. A majority of the membership of each committee shall constitute a quorum.

Resolve LNC Mail Ballot Ambiguity (Recommended 9-0)

Problem: *The Bylaws currently specify that a majority vote shall carry any proposal considered by the LNC via a mail ballot, even if the same proposal considered at a face-to-face meeting requires a super-majority (specified in the LNC's Policy Manual). However, the Bylaws also specify higher voting requirements for some types of motions by incorporating Robert's Rules of Order as our parliamentary authority.*

Solution: *Don't specify the fraction necessary to pass a mail ballot proposal, as this is already covered adequately by RONR.*

ARTICLE 8: NATIONAL COMMITTEE

9. The National Committee may, without meeting together, transact business by [electronic](#) mail. The Secretary shall send out [electronic](#) mail ballots on any question submitted by the Chair or by at least 1/5 of the members of the Committee. Fifteen days shall be allowed for the return of the votes cast, by [electronic](#) mail, to the Secretary. ~~The Secretary shall establish procedures for identifying voters in a mail ballot, and may accept votes through any mail system, including facsimile and electronic mail, for which such procedures have been established.~~ Votes from alternate regional representatives will be counted, in accordance with the ranking procedure of the region, only if the regional representative fails to respond to the ballot. ~~If, at the expiration of the applicable period, a quorum of the Committee have not returned their votes, the measure being voted upon shall be deemed to have failed; in all other cases, a majority of the votes returned shall carry the measure, except where a higher vote is required by the Bylaws.~~ [The number of votes required for passage of any motion shall be the same as that required during a meeting.](#) The Secretary shall preserve all such votes until the next meeting of the National Committee, at which meeting the Committee shall order the disposition of such votes.

Move Rule 7.1 to Bylaws (Recommended 9-0)

Problem: Rule 7, Section 1, is more in the nature of a Bylaw than a Rule -- it defines structure, not process. In addition, the second sentence merely empowers delegates to a Regular Convention to amend the Platform, it does not limit any other LP body -- including the LNC. Finally, as a Rule, it can be suspended -- including the requirement that amending a Plank requires 2/3 vote.

Solution: Move the entire paragraph to Bylaws, and amend the second sentence to clearly limit who can amend the Platform. Note that only the second sentence is reworded -- most importantly, by the insertion of the word "only" (after changing the word order to make it more coherent).

Benefit: Fixes several oversights in the relation between the LP and our Platform.

RULE 7: DEBATING AND VOTING -- PLATFORM

~~1. The current Platform shall serve as the basis of all future platforms. At Regular Conventions, the existing Platform may be amended. Additional planks, or additions to planks, must be approved by 2/3 vote. A platform plank may be deleted by majority vote.~~

ARTICLE 4: STATEMENT OF PRINCIPLES AND PLATFORM

3. The current Platform shall serve as the basis of all future platforms. The existing Platform may be amended only at Regular Conventions. Additional planks, or additions to planks, must be approved by 2/3 vote. A platform plank may be deleted by majority vote.

Voting Eligibility (Recommended 9-0)

Problem: *The question of voting eligibility should be answered by the Bylaws, not by a Convention Special Rule of Order. A rule about who is eligible to vote is too fundamental to allow for its suspension. Also, the first parts of Rule 2 are covered by Robert's Rules of Order ("RONR") as fundamental parliamentary principles and their repetition here is unnecessary.*

Solution: *Move most of Rule 2 into the Bylaws and delete the parts which Robert's Rules of Order covers.*

~~RULE 2: VOTING ELIGIBILITY~~

~~1. The Secretary, acting on behalf of the Credentials Committee, shall report the number of delegates registered in attendance and eligible to vote directly after the opening of the first business session, and at the beginning of each succeeding session.~~

~~2. All delegates shall be eligible to vote on all matters. In order to vote on a given matter, a delegate must be present on the floor at the time the vote is taken. Each delegate present shall have one vote.~~ [The last sentence of 2.2, and the remainder of Rule 2, are simply moved to Article 11.]

ARTICLE 11: CONVENTIONS

6. Voting Eligibility:

~~2.~~ a. Use of the unit rule or unit voting is prohibited at national conventions.

~~3.~~ b. Duly selected alternates may be freely substituted for any members of their delegation who are temporarily or permanently absent from the floor, provided the procedure has been clearly specified by the affiliate party in advance of the Convention, and the Secretary has been provided with lists of the affiliate party's delegates and alternates as well as a copy of the affiliate party's rules governing substitutions.

~~4.~~ c. An alternate, upon certification by the Secretary, may function as a delegate whenever a delegate of the same state has not been registered in attendance. This status shall continue until the absent delegate registers in attendance. If the affiliate party has made no provision for filling delegate vacancies, the alternate substitute shall be decided by drawing lots.

~~5.~~ d. If the affiliate party has made no other provision, an alternate may temporarily vote in place of a delegate from the same state while he or she has the written consent of that delegate; however, no delegate may cast more than one vote on a question.

~~6.~~ e. All members must wear the identification badge issued upon registration in order to be admitted to the Convention hall.

RONR p. 2, lines 4-5: *"In any decision made, the opinion of each member present has equal weight as expressed by vote-..."*

RONR p. 408, line 31 - p. 409, line 2: *"It is a fundamental principle of parliamentary law that the right to vote is limited to the members of an organization who are actually present*

at the time the vote is taken in a legal meeting, although it should be noted that a member need not be present when the question is put. Exceptions to this rule must be expressly stated in the bylaws."

RONR p. 255, lines 3-11: "Rules which embody fundamental principles of parliamentary law, such as the rule that allows only one question to be considered at a time (p. 56) cannot be suspended. As a further example, since it is a fundamental principle of parliamentary law that the right to vote is limited to the members of an organization who are actually present at the time the vote is taken in a legal meeting (p. 408), the rules cannot be suspended so as to give the right to vote to a non-member, or to authorize absentee (pp. 408-409) or cumulative (p. 429) voting, even by a unanimous vote."

RONR p 596, lines 33-35: "This statement [by the Credentials Committee Chair] should be followed by whatever statistical summary is customary in the particular organization...."

Voting Procedure (Recommended 9-0)

Problem: An assembly should never go directly from a voice vote to a counted vote. The correct procedure is, in the case of votes requiring a majority, to first take a voice vote, then a rising vote (i.e. standing without counting off) if the voice vote is inconclusive, then a counted vote if the rising vote is inconclusive. In the case of a vote requiring 2/3, the Chair should start with a rising vote unless there is an expectation of near unanimity.

Solution: Allow a single delegate (the default in Robert's Rule of Order, rather than 20) to require that a voice vote be retaken as a rising vote. Allow 20 delegates (rather than a majority as required by Robert's Rules of Order) to require that a rising vote be retaken as a counted vote.

RULE 3: 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 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 ~~voice~~ rising vote, a counted vote will be held.

RONR (10th ed.), pp. 44-5: “A vote by voice is the regular method of voting on any motion that does not require more than a majority vote for its adoption. ... The simple rising vote (in which the number of members voting on each side is not counted) is used principally in cases where a voice vote has been taken with an inconclusive result, and as the normal method of voting on motions requiring a two-thirds vote for adoption. ... If a rising vote remains inconclusive, the chair or the assembly can order the vote to be counted.”

RONR (10th ed.) pp. 48-49: “Verifying an Inconclusive Vote. ... If the chair feels that members may question a somewhat close result of which he is reasonably convinced, he can first say 'The ayes [or the 'noes'] seem to have it.' The chair then pauses, and any member who doubts the result is thus invited to demand verification of the vote by a division, as explained below. If no member makes such a demand or states that he doubts the result, the chair continues 'The ayes have it. . . .' as shown above. If the chair is in actual doubt in the case of such a vote, however, he should not announce a result, but should immediately retake the vote—strictly speaking, always as a rising vote. If it appears when those in the affirmative rise that the vote will be close enough to require a count, the chair should count the vote, or direct the secretary to do so, or (in a large assembly) appoint a convenient number of tellers—preferably an even number equally divided between members known to be in favor of the motion and those opposed to it. If, after a vote has been retaken as an uncounted rising vote, the chair finds himself still unable to determine the result, he should take the vote a third time as a counted rising vote.

RONR (10th ed.) pp. 49-50: *“Division of the Assembly. Whether or not the chair pauses to say ‘The ayes seem to have it . . .,’ any member (without a second) has the right to require that a voice vote be retaken as a rising vote, so long as he does not use the procedure as a dilatory tactic.... The chair must then immediately take the rising vote. Either the chair on his own initiative or the assembly can order such a vote to be counted.”*

Authorization of Teleconferences (Recommended 9-0)

Problem: Teleconferences are prohibited by RONR unless explicitly authorized by the Bylaws. "The bylaws may authorize a board or committee (or even a small assembly) to meet by videoconference or teleconference. " -- RONR (10th ed.), p.482, l. 28-30.

Solution: Authorize small boards (such as the LNC Executive Committee) and small committees (such as the Audit Committee and the Judicial Committee) to transact business by teleconference or videoconference.

Benefit: Makes legal current industry practice.

Note: The chair can't see members to know when they wish to be recognized, and the more members are on a telephone call, the harder it is to avoid chaos when trying to recognize the next person to make a motion or debate the current one. Fewer than ten members is a reasonable practical limit to maintain coherence.

Article 12: MEETINGS

1. Boards and committees having fewer than ten members may conduct business by teleconference or videoconference.

Promote NOTA to a Bylaw (Recommended 9-0)

Problem: Rule 11: None of the Above is not properly a rule, as it defines the options available to delegates rather than the procedure for deciding between or among them. It is in the nature of a Bylaw, rather than a Rule. As a Rule, delegates can suspend this by a 2/3 vote, which effect is certainly not the intent of the very existence of the NOTA option.

Solution: Move Rule 11 to the Bylaws. It properly belongs in Article 11: Conventions, immediately after Section 6: Delegate List. Note that there are no changes to the text.

~~RULE 11: NONE OF THE ABOVE~~

ARTICLE 11: CONVENTIONS

7. 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.

Delete Anachronism from Secretary's Duties (Recommended 9-0)

Problem: *Article 7, Section 6 -- the definition of the role of Secretary -- includes a sentence that appears to be left over from the 1970s when we did not have paid staff. Preparation of the Annual Report has not been a part of the Secretary's job for decades. And the expression "all information required" is an open invitation to a never-ending series of requests for yet more information.*

Solution: *Delete the last sentence of Bylaws 7.6.*

ARTICLE 7: OFFICERS

6. The Secretary shall be the recording officer of the Party and shall perform such duties as are assigned by the Chair or the National Committee. The Secretary shall attend all meetings of the National Committee and all Party Conventions and shall act as Secretary thereof, keeping such minutes and records as necessary. ~~The Secretary shall make an annual report to the National Committee containing all information required by the Committee.~~

Platform Retention Voting (Recommended 9-1)

Problem: *The results of plank retention voting are available only after platform debate has started. Our 2008 Convention demonstrated that this new method, tried for the first time, didn't reflect the true will of the delegates when it failed to delete any planks and the delegates soon thereafter deleted all the old planks.*

Solution: *Simplify the method and move it earlier in the convention.*

Benefits: *Less floor time needed, but more time available to delegates to make their choices. Less work for the Secretary in advance of the Convention, preparing the tokens.*

RULE 7: DEBATING AND VOTING -- PLATFORM

- ~~2. After the adoption of the convention agenda, the convention will vote whether to delete planks from the existing platform. This will be accomplished as follows:~~
- ~~a. The Credentials Committee shall issue five signature tokens to each delegate.~~
 - ~~b. Tokens shall only be issued to delegates. Delegates are responsible for transferring possession of unused tokens to their alternates if necessary.~~
 - ~~c. Each delegate may cast each token as a recommendation for deletion of one plank by noting on the token the plank to be deleted and signing the token.~~
 - ~~d. A delegate may cumulate recommendations by casting any number of tokens for deletion of the same plank.~~
 - ~~e. Delegates will be given until one hour prior to the scheduled start of the platform report to mark their tokens and deliver them to the Secretary.~~
 - ~~f. Prior to the scheduled start of the platform report, the Secretary shall review the tokens received and tabulate and report the tokens submitted for deletion of each plank.~~
 - ~~g. As its first item of platform business, the convention shall vote whether to delete each of those planks that received a number of tokens for deletion equal to 20% or more of the number of credentialed delegates. Such votes shall be cast without amendment or debate.~~

The Credentials Committee shall distribute to each credentialed delegate a plank retention ballot, if either four members of the Platform Committee or 10% of the delegates credentialed at the previous Regular Convention petition the Secretary at least 30 days before the opening of a Regular Convention. Ballots shall include options to retain all planks and to delete all planks, as well as the option to delete and retain specific planks. Ballots must be submitted to the tellers designated by the Secretary prior to consideration of the Bylaws Committee report. The Secretary shall announce the results of platform plank retention voting prior to the start of platform debate.

Expand Time for Affiliate Selection of Convention Committee Appointees (Recommended 9-1)

Problem: The ten largest state affiliates each get to send a representative to the Platform Committee. As our bylaws are currently written, they are required to select their representatives no later than last day of the fifth month prior to the Regular Convention. However, a state affiliate can't be certain if they are in the top ten until the last day of the sixth month prior to the Regular Convention. This leaves a state affiliate with only a 30-day window of time in which to select a representative. Meanwhile, the National Committee may have selected its members to the committee over a year prior to this measurement date, meaning that much work is being done before some state affiliates have an opportunity to influence the outcome of the report. Some states have even resorted to selecting a representative to the committee in anticipation that they might qualify.

Solution: Make the measurement date for determining a larger affiliate based on the previous convention, rather than the upcoming convention.

ARTICLE 11: CONVENTIONS

7. Convention Committees:

There shall be a Platform Committee, a Bylaws and Rules Committee and a Credentials Committee for each Regular Convention. The National Committee shall appoint a temporary chair of each committee to serve until each committee selects its own chair.

b. The Platform Committee shall consist of 20 members selected as follows:

One member by each of the ten affiliate parties having the largest sustaining memberships as determined for Convention delegate allocations [at the most recent Regular Convention](#). These members shall be selected no later than the last day of the fifth month prior to the Regular Convention.

Ten members appointed by the National Committee, including no less than five members from states other than the ten ~~having the largest Party memberships~~ [affiliate parties having the largest sustaining memberships as determined for Convention delegate allocations at the most recent Regular Convention](#). These members shall be appointed no later than the last day of the fifth month prior to the Regular Convention.

c. The Credentials Committee, composed of ten members, shall be selected as follows:

Five members chosen by the National Committee.

One member by each of the five affiliate parties having the largest sustaining memberships as determined for Convention delegate allocations [at the most recent Regular Convention](#). These shall be selected by each of the affiliate parties no later than one month prior to the Regular Convention.

Credentials Committee (Recommended 8-0)

Problem: The Bylaws stipulate the deadline for appointment of the Platform Committee and Bylaws and Rules Committee, and the members of the Credentials Committee who are appointed by the five largest affiliates, but no mention is made of the deadline for the LNC to appoint the 5 members of the Credentials Committee selected by the LNC. This is clearly an oversight.

Solution: Specify the deadline for the LNC to appoint those five members of the Credentials Committee.

ARTICLE 11: CONVENTIONS

7. Convention Committees:

- c. The Credentials Committee, composed of ten members, shall be selected as follows:
 - Five members chosen by the National Committee no later than six months before a Regular Convention.
 - One member by each of the five affiliate parties having the largest sustaining memberships as determined for Convention delegate allocations. These shall be selected by each of the affiliate parties no later than one month prior to the Regular Convention.

Order of Business (Recommended 8-1)

Problem: Many delegates leave as soon as our Presidential and Vice-Presidential nominees have been chosen.

Solution: Move selection of our Presidential and Vice-Presidential candidates to later in the convention. This ensures that we'll maintain a quorum for all important business. It will also give our delegates more time to decide which Presidential and Vice-Presidential candidates to support.

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

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

Speeches for NOTA (Recommended 8-1)

Problem: The implementation several years ago of the device of requiring candidates for the LP's nomination for President and Vice-President to submit signatures in order to qualify for stage time for nominating and seconding speeches shut out any possibility of a person advocating that the delegates vote for None of the Above (NOTA) for that position. In fact, that was one of the major reasons for some delegates to oppose that provision.

Solution: Allow a delegate to speak for NOTA by collecting the requisite number of signature tokens.

RULE 9: NOMINATION OF PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES

4. 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 up to 5 minutes in favor of voting for None Of The Above.

Seconding Procedure (Recommended 8-1)

Problem: In groups of 12 to 50 or so, requiring a single second is usually effective to prevent frivolous motions from wasting everyone's time. However, in a group of 500 to 1000, one person invariably seconds every frivolous motion -- no matter how absurd.

Solution: Require a small number of the body to second a motion.

Benefits: Saves everyone time at each convention.

Footnote: "The requirement for a second is for the chair's guidance as to whether he should state the question on the motion, thus placing it before the assembly. Its purpose is to prevent time from being consumed by the assembly's having to dispose of a motion that only one person wants to see introduced." -- RONR (10th ed.) p. 35.

RULE 3: VOTING PROCEDURE AND MOTIONS

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

2. [Any motion from the floor shall be considered seconded only if 20 or more delegates rise to second the motion.](#)

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

Speaking Order for Presidential Nominations (Recommended 8-2)

Problem: Some of our candidates at the 2008 convention who had well exceeded the number of tokens required to have a speaking slots, transferred excess tokens to other candidates. Some delegates have complained that the candidate they turned their tokens to then proceeded to hand THOSE tokens to another candidate, against the delegates' wishes.

Solution: Granting preference in choice of speaking slots to those candidates receiving greater numbers of signature tokens should discourage the practice of illicitly transferring tokens.

Benefit: This will also encourage candidates to spend more time meeting with delegates one-on-one to plead their case for why they should serve as our Party's standard-bearer.

RULE 9: NOMINATION OF PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES

1. No person shall be nominated for President or Vice-President unless at least 30 registered delegates join in the nomination in writing submitted to the Chair. No delegate may join in nominating more than one candidate for each office. The affixing of signatures to a nominating petition per this requirement shall be effected by a transfer of signature tokens issued by the Credentials Committee. Nominees submitting more signature tokens shall have choice of speaking slots in preference to nominees submitting fewer signature tokens.

Threshold for Presidential Speeches (Recommended 8-2)

Problem: The number of signatures a presidential candidate needs to get television time is too low. One candidate each at our 2004 and 2008 conventions vilified the Libertarian Party on national television.

Solution: Raise the bar a bit for presidential hopefuls to be able to make speeches at our convention -- which are broadcast on C-SPAN and sometimes on CNN.

Note: At our 2004 convention, 5 presidential candidates each collected 60 or more signatures. At our 2008 convention, 7 presidential candidates each collected 60 or more signature tokens.

RULE 9: NOMINATION OF PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES

1. No person shall be nominated for President or Vice-President unless at least ~~30~~ 50 registered delegates join in the nomination in writing submitted to the ~~Chair~~ Secretary. No delegate may join in nominating more than one candidate for each office. The affixing of signatures to a nominating petition per this requirement shall be effected by a transfer of signature tokens issued by the Credentials Committee.

Conflict of Interest Policy (Recommended 8-2)

Problem: We've encountered several examples in the last couple of years where members holding key positions in the Party have been members of other political parties and have even donated money to candidates competing with our nominees in the general election. People who hold positions of trust in our Party should be clearly committed to supporting only our Party.

Solution: Add a new Bylaw that prohibits such individuals from serving in a position of trust or responsibility, unless such activity is authorized in advance by the Party.

Note: This language applies to the national Party, not affiliates. These provisions are not retroactive. Because this proposal refers only to the "nominee" of another party, it would not have prohibited Libertarians from supporting Ron Paul in his bid for to become the Presidential nominee of the Republican Party in 2008 or prohibited those supporters from serving in leadership roles in the LP.

Some states allow for fusion candidates, which is where a candidate is nominated by more than one political party. Fusion is available in Connecticut, Delaware, Idaho, Mississippi, New York, Oregon, South Carolina, and Vermont.

ARTICLE 6: CONFLICT OF INTEREST

Unless authorized in advance by a two-thirds vote of the National Committee, no person shall serve as a Party employee, National Committee member, committee member, or hold any other position of trust or responsibility within the Party while affiliating with any other political party or providing campaign support for the nominees of any other political party in a partisan race being contested by a candidate nominated by the Party or its state-level affiliate.

One is considered affiliated with another political party by:

- a. donating to that party,
- b. agreeing to be the nominee of that party or its affiliate, unless as part of a fusion ticket with the Party or its affiliate,
- c. serving as an employee of that party or its affiliate,
- d. providing political products or services to that party or its affiliate,
- e. serving on a board or a committee of that party or its affiliate,
- f. holding any other position of trust or responsibility within that party or its affiliate,
- g. agreeing to be a member under that party's rules, or
- h. enrolling as a registered voter affiliated with that party in a state allowing the person to instead enroll with the Party's state-level affiliate.

This article does not apply to support of a fusion candidate nominated by the Party or its state-level affiliate.

This article does not apply to gathering signatures or to signing a petition to qualify a candidate for the ballot.

This article does not apply to the holding of a position of trust or responsibility within the Party's state-level affiliate or sub-affiliate.

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

Transparency of LNC Meeting Records (Recommended 7-0)

Problem: An archive of the minutes of LNC meetings from the past few terms is currently available to the membership on LP.org as mandated by the LNC Policy Manual. However, in a past term the archive was taken down and all historical minutes were removed. The LNC is currently empowered to take the archive down again by amending the LNC Policy Manual.

Solution: Move the requirement for the archiving of LNC meeting minutes on LP.org from the LNC Policy Manual, were it can be repealed at any time, to the Bylaws, where it places a requirement on the LNC.

ARTICLE 8: NATIONAL COMMITTEE

9. The Chair shall send the National Committee a proposed meeting agenda in advance of each National Committee meeting. The Secretary shall permanently retain an official copy of meeting and Convention minutes, and conference call reports. Any sustaining member may record a meeting of the National Committee in open session. The Secretary or a designee shall post all National Committee meeting proposed agendas; official meeting and Convention minutes; and conference call reports to a permanent archive section on the LP.org website.

Standing Rules (Recommended 7-2)

Problem: *Neither "policy" nor "directive" is a term of art defined by RONR or otherwise having a clear meaning in the context of Bylaws.*

Solution: *Use the clear and well-defined term of art "standing rule" where that is what the Bylaws mean.*

ARTICLE 7: OFFICERS

4. The Chair shall preside at all Conventions and all meetings of the National Committee. The Chair is the chief executive officer of the Party with full authority to direct its business and affairs, including hiring and discharging of National Committee volunteers and paid personnel, subject to express National Committee ~~policies and directives~~ [standing rules](#) issued in the exercise of the National Committee's plenary control and management of Party affairs, properties and funds.

Ensuring Balance of Obligations of Party and Presidential Campaigns (Recommended 7-2)

Problem: The Bylaws specify that the LNC must provide "full support" to the national candidate selected by the delegates, but fails to balance that with a corresponding duty of the candidate. In the past, a contract between the candidate and the LNC has been signed shortly after the nomination, but the Bylaws don't even create any strong incentive for that to happen.

Solution: Specify in the Bylaws that the proposed contract should be signed prior to nomination, by all those who seek the nomination of the delegates. (See Appendix for one possible sample contract.)

Benefit: Having an agreement published in advance makes it clear to all parties what should be reasonably expected of each. And after the nomination, the Party will already have a contract with the nominee.

Insert Article 12.3: Not less than six months prior to each Regular Convention immediately preceding a Presidential election, the National Committee shall publish a contract specifying the terms by which the Party and the Presidential and Vice-presidential campaign shall assist and support each other. The Chair shall sign on behalf of the Party with anyone who otherwise qualifies and desires to be our candidate. Only those persons who have signed and are in compliance with the contract shall be recognized as candidates and be eligible to be nominated for President or Vice-President. A candidate need not sign the contract until just prior to being nominated at the Regular Convention.

Four-Year Conventions (Recommended 6-2)

Problem: *Mid-term conventions cost our activists hundreds of thousands of dollars in travel, accommodation, and attendance costs, while usually losing money for the Party. Decisions are made by a small number of delegates less representative of our members than the larger number at presidential nominating conventions.*

Solution: *Have national conventions on a four year schedule.*

ARTICLE 11: CONVENTIONS

1. Regular Conventions:

The Party shall hold a Regular Convention every ~~two~~ four years, at a time and place selected by the National Committee. Regular Conventions shall be held sometime during the period of July of ~~an odd-numbered~~ a year before a Presidential election year through August of a year of a Presidential election. ~~an even-numbered year.~~ All business required to be conducted at Regular Conventions shall be conducted at Regular Conventions only.

Delegate Allocation (Recommended 6-3)

Problem: We are currently required to use a meeting hall with seating for 1050 delegates when actual attendance over the last four conventions has ranged from 314 to 814 delegates. This drives up the costs to the delegates and makes the room look empty on C-SPAN.

Solution: Reset the delegate allocation from about 1050 to about 750 (525+225), which is about the highest number of delegates we can reasonably expect to attend.

Benefits: Better predictability of the number of delegates means the room can be sized more appropriately, keeping costs down for the delegates and making the room look more energetic on television. A smaller venue would allow more hotels to compete for our business, driving down costs.

ARTICLE 11: CONVENTIONS

4. Affiliate Party Delegate Entitlements:

Each affiliate party shall be entitled to send delegates to each Regular Convention on the following basis:

a. One delegate for each ~~0.14~~ 0.2 percent, or fraction thereof, of the total Party sustaining membership in that affiliate; provided that at least one such delegate must be a resident of that State or District.

b. One delegate for each ~~0.35~~ 0.5 percent, or fraction thereof, of the votes cast nationwide for the Libertarian Party candidate in the most recent presidential election, cast in that affiliate's state.

Platform Consideration (Recommended 6-3)

Problem: A relatively small number of delegates were able to make major changes to our platform at the 2006 convention.

Solution: Consider platform amendments only during presidential nominating conventions where more delegates are present.

Note: The Platform Committee can still meet, and if there's urgency to considering a proposal, the Rules can be suspended by 2/3 vote.

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 ([at Presidential nominating conventions](#))
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

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

Regional Stability (Recommended 5-2)

Problem: *Sometimes regional realignment is forced by a region falling just a few members short of the number required, leading to constantly shifting regions.*

Solution: *Allow a small margin so that regional associations can be more stable.*

ARTICLE 8: NATIONAL COMMITTEE

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

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. Any existing region whose total membership is less than the threshold for new region formation may nevertheless persist as a region unchanged in affiliate composition provided the shortfall does not exceed 0.5% of national sustaining membership. "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~~ Regular 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.

Prohibit a Convention Registration Fee (Recommended 5-3)

Problem: *Our bylaws neither explicitly prohibit nor explicitly allow charging convention delegates a registration fee.*

Solution: *Explicitly prohibit charging delegates a mandatory registration fee to participate in Convention business.*

ARTICLE 11: CONVENTIONS

3. Delegates

c. Delegates shall not be required to pay a registration fee to be credentialed or to access the floor for business sessions.

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

LNC Vacancy upon Ineligibility (Recommended 5-4)

Problem: *It was argued that the Bylaws are inconsistent regarding two distinct provisions for creation of vacancy (ineligibility versus continued absence).*

Solution: *Make the inconsistency more explicit.*

ARTICLE 8: NATIONAL COMMITTEE

4. A National Committee member shall be a sustaining member of the Party, and shall not be the candidate of any party except the Party or an affiliate. Failure of a non-officer member to maintain the eligibility requirements shall operate as a motion on the agenda of the next session of the National Committee to remove the non-officer member for cause.

Single Transferable Vote for LNC At-Large (Recommended 5-4)

Problem: *Libertarians advocate for alternative voting systems that are more representative. The 2004 LP Platform addressed this as follows:*

“In order to grant voters a full range of choice in federal, state and local elections, we propose proportional voting systems with multi-member districts for legislative elections and instant runoff voting (IRV) for single winner elections.”

However, internal elections of the Libertarian Party do not follow these methods. The current voting system for At-Large allows a plurality of the delegates to elect all of the At-Large LNC members.

Solution: *Practice what we preach. Use single-transferable voting for LNC At-Large elections.*

Benefits:

- 1. Harmonizes Libertarian Party practices with our message.*
- 2. Familiarizes LP delegates with the STV process so they can more effectively explain it to others.*
- 3. Allows organized minorities of the delegates to have proportional representation on the LNC without overvoting or undervoting for a particular candidate.*
- 4. Implements the voting method that mirrors voter desires most accurately.*

RULE 10: ELECTION OF OFFICERS AND NATIONAL COMMITTEE

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.~~

- a. The winners shall be determined by single-transferable voting.
- b. Voting for each election shall take place in one round. Delegates may rank up to ten candidates on their ballots in order of preference. Only nominated candidates shall be valid options on the ranked ballots.
- c. Each delegation chair shall deliver the delegation's ballots to the Secretary. When all delegations have submitted their votes, the Chair shall declare voting closed.
- d. Convention business shall continue while the votes are counted by the Secretary or his designees. Tabulation for multiple elections may be conducted simultaneously.
- e. Tabulation shall take place in multiple rounds. Each round the full or fractional votes

for the highest ranking preferences shall be summed and recorded.

f. If the vote count for any candidate exceeds the droop quota [(droop quota) = (ballots submitted)/(seats up for election + 1) + 1], the candidate shall be considered a winner.

g. In that case, any excess votes shall be allocated to the next highest ranking preference: each ballot for the candidate shall have its weight reduced to a fractional vote [(end fractional vote) = (begin fractional vote)x(votes for candidate – droop quota)/(votes for candidate)].

h. Otherwise (if no candidates are elected in a round), the candidate (or candidates in the case of a tie) with the fewest votes shall be considered out of the race.

i. In that case, the remaining fractional vote for each ballot shall be allocated to the remaining candidates marked as the next highest ranking preference on those ballots.

j. The process shall be repeated until either all positions are filled or one candidate remains and that candidate fails to achieve the droop quota.

k. If some seats are left unfilled, none of the above (NOTA) shall be considered to have won those seats and another election shall be held for those seats with the candidates who ran previously ineligible to be nominated.

l. The Secretary shall retain the record of all voting rounds and make it available to delegates upon reasonable request.

m. The Secretary shall announce the winners of the election after votes have been fully tabulated.