

## 2024 LIBERTARIAN PARTY BYLAWS AND RULES COMMITTEE

### MINUTES OF MEETING MAY 4, 2023

Meeting called to order at 8:49 PM ET.

| MEMBERS             | ALTERNATES          | GUESTS            |
|---------------------|---------------------|-------------------|
| SYLVIA ARROWWOOD    | DAVID ROBERSON (A3) | STEPHEN ECKER     |
| PAUL BRACCO         | DATA LOGAN (A6)     | J.J. JACOBS       |
| NICKOLAS CIESIELSKI | DEAN ROGERS (A7)    | NATHAN MADDEN     |
| CARYN ANN HARLOS    |                     | KEN MATTES        |
| ROB LATHAM          |                     | MARRION SKINNER   |
| FRANK MARTIN        |                     | JESSICA TEWKSBURY |
| KEN MOELLMAN        |                     |                   |
| CHUCK MOULTON (A1)  |                     |                   |
| MIKE RUFO           |                     |                   |
| MIKE SEEBECK        |                     |                   |

ABSENT: TOM ROWLETTE

**MINUTES 4-20:** Town Hall and Regular Meeting to be approved by email ballot.

#### **RULING BY CHAIR ON POINT OF ORDER 2023-02:**

History and relevant documents: Ken Moellman submitted a Proposal W to restructure the LNC. It fundamentally changed the structure of the LNC to a consortium of state chairs. It would revamp the structure of the LNC. The proposal can be found at:

<https://tinyurl.com/BylawsW>. Sylvia Arrowwood raised a Point of Order that this was essentially a revision of the Bylaws and this committee was not authorized to perform a revision. She laid out her Point of Order here: <https://tinyurl.com/BylawsPOO2>. The Chair ruled the Point of Order not well taken. The relevant sections of RONR are: 57:5 and footnote 2 of same provision. The Point of Order was challenged by members on two grounds: 1. This Committee is authorized to do a revision. 2. Even if this Committee is not authorized to do a revision this is not a revision. **Summary of Ruling:** The Chair finds that this Committee is NOT authorized to do a revision, but it doesn't matter as the same result can be obtained a different way due to our lack of notice requirements. However, this is not a revision. Despite the proposal being in order with regards to the specific Point of Order raised, the Chair would note that each portion is divisible upon the demand of a single member considering that many motions which are not untangle-able are being made in one motion. NO APPEAL TO RULING.

**PUBLIC COMMENT:** J. J. Jacobs, Ken Moellman, Rob Latham, Chair Harlos addressed electronic voting issues and procedures.

ROWLETTE ENTERED MEETING AT 9:00 PM. MOULTON RETURNED TO (A1) STATUS.

HARLOS: Addressed bylaws, special rules of order and standing rules. It is substance and not the name or location that determines which is which. Determining what is a rule of order can be tricky. Sometimes not clear.

RONR, Page 13, 2:14 “The term “rules of order” refers to written rules of parliamentary procedure formally adopted by an assembly or an organization. Such rules relate to the orderly transaction of business in meetings and to the duties of officers in that connection.”  
RONR, Page 14, 2:15 “In contrast to bylaws, rules of order derive their proper substance largely from the general nature of the parliamentary process rather than from the circumstances of a particular assembly.”

Standing rules relate to detailed rules of administration. All Delegates should display their nametag; that’s a standing rule. Be careful when using those terms. Not good practice to put standing rules in the bylaws.

### **PROPOSAL O DISCUSSION CONTINUATION FROM APRIL 20 MEETING.**

HARLOS: When we adjourned, Proposal O was on the floor. After further negotiations between Bracco and Chair the Chair came up with CAH Alternate O in an attempt to save amendments. Would ask the Committee if there is any objection to Withdrawal of original Proposal O and in its stead place Proposal O Alternate which will save a lot of time as to amendments which could surface anyway.

SEEBECK STEPPED OUT. MOULTON (A1) TO REPLACE AT APPROXIMATELY 9:15 PM.

HARLOS: Is there objection to withdrawing Proposal O and placing the further workshopped version to avoid having to make so many amendments? (No Response).

### **PROPOSAL O WITHDRAWN. PROPOSAL CAH ALTERNATE O PENDING. (Without Objection).**

BRACCO: A lot of this depends on whether Proposal E is adopted.

MOULTON: That is highlighted, the yellow part?

HARLOS: That would hinge on whether Proposal E passes.

BRACCO: To me it seems like Proposal E has failed or not been heard yet.

HARLOS: Does that help, Dr. Moulton?

MOULTON: Yes. Understand now.

HARLOS: (Flipping through CAH-ALT O) Moving all of the amendment language into ARTICLE 17 rather than having in ARTICLE 3. Whether Proposal E passes or not, we would still be deleting about how to amend the platform. It does not belong in ARTICLE 3 and should be under ARTICLE 17. Then change the title of 17 which would amend the

amendment to notice and lay out a process for notice of proposed amendment either from official committees which had notice requirement of 35 days or by petition, where a party member could submit a proposal provided signatures of 50 sustaining members. Those also have notice requirement. Usually better to come from a committee. Standing order of business or the agenda would include notice for other bylaw amendments and same thing for platform in my proposal and Bracco's does not. That is major difference. My proposal would turn around and then delete Rule 5. Rule 5 puts some power in the hands of the delegates to be able to have an automatic vote on platform deletion. Then it moves on to rules for debate and submission. Bracco would like to keep Rule 5 and make allowance for it in ARTICLE 17. It would add a new subsection 2 and 3. These bylaws could be amended by the delegates at any regular convention by 2/3 vote with prior notice or a 3/4 vote from floor without notice. The alternative amendment language is the contingency and it is part of my proposal. It hinges on whether Proposal E has not been heard or has failed.

MOULTON: Would like to replace 1 a. and 1 b. – On second thought will leave it as is for now.

HARLOS: Would it replace 1 as well – or you could have notice of proposed amendment and then add that whole paragraph? **1. Notice is defined as submission of a proposal to the Party Secretary no later than 45 days earlier to the regular convention.** Then adding the a., b. -- and that is instead of?

MOULTON: It's instead of 1., 1. a. and 1. b. – Actually will leave it as is for now.

HARLOS: And making it a., b., and c.?

MOULTON: We could. That would be fine. Let me look at something real quick.

HARLOS: The indents are all mixed up. But to insert the purple language; is that correct, Dr. Moulton? **a. By the Bylaws and Rules Committee; b. By the Platform Committee; and c. By any Party sustaining member that the amendment has been signed by at least 60 sustaining members at the time of amendment submission.**

MOULTON: Maybe keep the "1." at the top and remove the a. and b.

HARLOS: Where does "notice as defined" go?

MOULTON: You can keep the "1." at the top and remove the a. and b.

HARLOS: Then where would "notice as defined" go?

MOULTON: Right under "1." We did a bunch of workshopping after the meeting two weeks ago and this is the thrust of what we were doing was to make things briefer, to provide brevity, while still accomplishing the same thing. A lot of what is in Harlos's proposal is not

really necessary and it is generally assumed. It is really extra language that is not needed. The one thing I have changed from what we were discussing in workshopping it is put a hard number and used the same number as Harlos did of 50 sustaining members. Prior we had one percent of the stated membership. The main difference between this and the Harlos approach is that there is an even playing field as far as time between the committees' and members' time proposals and now all would be 45 days notice. Harlos approach requires 35 days notice for committees and 60 days of notice for member proposals. It may be the Bylaws Committee would want to look at them and recommend for or against them. But nothing stops them from doing that anyway. This is briefer, simpler and it accomplishes the same thing. The other part of what we workshopped is specifying all in one short sentence the requirement with 2/3 notice and 3/4 without notice. That's fine. No amendments to that. There are some things that Bracco will later bring up. Want to bring this workshopped version up as an alternative. I think it is better approach. It is clear; easy to read; briefer; does a good job to accomplish what we want to accomplish.

HARLOS: Would Bracco like to speak to the amendment or after?

BRACCO: Both. Point of Parliamentary Information. The way that 1. c. is written, would you agree with the sentiment that despite there being no explicit callout to say whether it's the Bylaws and Rules or Platform, the appropriate committee can provide commentary within the 45-day window? Would you agree with that from parliamentary standpoint?

HARLOS: What do you mean by "commentary"?

BRACCO: Last sentence of 1. b.

HARLOS: No. Don't think they officially can. A report is due at a certain date. No amendments to that report are in order after that date.

BRACCO: Is submission of a proposal the same as submission of the report?

HARLOS: That's the notice. The way a committee gives notice is by submitting its report.

MOULTON: Want to push back on that. The whole point of notice requirement is that it allows one to do something. It allows one to make a proposal. If a committee is doing something that is not a proposal and is saying we like this or don't, it does not matter if they have notice or not because they are taking no action.

HARLOS: A recommendation is not action.

MOULTON: That is what I'm saying.

HARLOS: We are getting into debate at this point. Will let you know my interpretation. It is ultimately up to the Party chair.

BRACCO: Given that this is a point of debate, it does not seem to me that anyone would be against a committee providing a recommendation.

HARLOS: Libertarians wouldn't be against something?

BRACCO: No one on this committee has said they are against –

HARLOS: Going to give this a push! If I were a member who submitted a proposal, I would be super angry if a committee got to publish an opinion on my proposal after a submission deadline. Whether in order or not will be up to Party Chair. If you don't believe that, you need to meet more Libertarian Party Members!

BRACCO: You seem to be pushing against your own proposal because that is exactly what the initial –

HARLOS: No. Will get to my debate.

BRACCO: Given that this is a point of disagreement, would it be in order to amend the amendment at this time?

HARLOS: It would be.

BRACCO: Then would like to add to amendment 1. c. the last sentence of 1. b of original proposal and put it at the end. Initial was 35 to 60, a gap of 25 days. If we are going to maintain that. Maybe other people have a different idea. Then I'd say at the end of 1. c. of the new one, [“The committees may include recommendations on these proposals in the report provided those” ...](#)

HARLOS: You need to put this language in chat.

BRACCO: Sure. Well, maybe other people have a different idea but at the end of 1. c. of the new one, [“The committees may include recommendations on these proposals in the reports provided those” ...](#)

HARLOS: You need to put this language in chat.

BRACCO: Sure. Need to take from original. So would like to append that sentence to the end of c. This would eliminate a point of disagreement. This would make it explicitly allowed. The original proposal had a member submission deadline of 60 days prior to the regular convention and a committee deadline of 35 days prior to convention. If someone wants to change by 10, that's fine.

HARLOS: Clapback. Some people say they will be upset about a clapback anyway. Do not think they will be if they realize it can happen because of a staggered deadline. When it comes out of the blue, don't know. Don't think they will like that. Can tell you I would get

upset and tend to be easily lathered up more than other members but don't think I'm too unusual -- but might be more extreme toward one side than the other.

MOELLMAN: In the past it's been possible to remove the rules to bring something to the floor that was not on the report or in a different order on the report but guess it requires  $\frac{3}{4}$  notice to do from floor?

HARLOS: Exactly. It would require suspension of the rules and  $\frac{3}{4}$  vote. Notice does not only deal with mechanics of letting people know. It also deals with scope of amendment. If a committee wishes to propose something outside of the scope of amendment, it would be treated as if it were a floor proposal and would require  $\frac{3}{4}$  and suspension of the rules.

MOULTON: Point of Information. Not only members but the Bylaw and Rules Committee can do things outside the notice window; it's just the threshold is higher?

HARLOS: Would have to go to mic on the floor. Would not have privilege of the podium.

MOULTON: Believe Bylaws and Rules Committee has the right to give recommendations whenever they want. They don't need notice.

HARLOS: Once their report is submitted, they are discharged.

MOULTON: Not done that in the past.

HARLOS: Once report submitted, they can meet informally.

MOULTON: Do not agree with that. But will debate that later.

HARLOS: Mr. Jacobs, what is your opinion on that? Let's say there is a bylaws committee and there is a bylaws requirement by which they must submit their report. Can that bylaws committee, after submission of their prior report, still meet and deliberate and deliver additional recommendations?

JACOBS: Is it a standing committee?

HARLOS: It is a bylaws created committee. Yes.

JACOBS: It would still continue. Would have to agree with Moulton on that point.

HARLOS: If there is disagreement, it would ultimately be up to the Party Chair.

MOULTON: Take issue with what you are saying. Bylaws must submit by a certain time in order to get the lower voting threshold. It does not say they cannot submit after that time and at the higher threshold. They can still do that.

HARLOS: We disagree. A part of it is that is privilege of the podium. What is in report gets privilege of the podium. Otherwise nothing to stop any committee member from going to

a mic on the floor and even speaking against their own report as a minority report. It is ultimately up to the Party Chair.

JACOBS: Would tend to agree on that point. While the committee would not be dissolved, notice would still apply. Those are two separate things. The report would be final unless the membership would grant the authority to further report.

HARLOS: Yes, exactly.

MOULTON: The bylaw we are currently considering would require staggered notice. Something could be proposed with a lower vote if noticed. As written this bylaw says that the Bylaws Committee if it submits 35 days or earlier before a convention gets lower notice requirement. It does not prevent them from submitting things for a higher voting threshold without notice as defined in this particular matter. Think the Bylaws Committee like a member can submit things after deadline. It just has to have a higher voting threshold. Therefore the Bylaws Committee can say we like it or don't. That requires no vote.

HARLOS: Would like to respond first. Understand was responding to Moellman who argued against the amendment to the amendment saying he did not want the staggered. He did not think not having staggered would prevent the Bylaws Committee from doing what was being discussed. Your argument is the staggered allows it which is completely different. Moellman was arguing against the amendment to the amendment. In that 15-day window, certainly they can because they have not submitted their report yet. Once the report is submitted, the Bylaws Chair cannot make recommendations. Party Chair will ultimately prevail and Jacobs and I agree on that. Where we might disagree is whether the Bylaws Committee can still meet. Agree with Moulton that nothing prevents any member of the Bylaws Committee after the 35 days from submitting from the floor with a higher vote threshold – but they are not doing it as a Bylaws member. They are doing it as an individual member.

MOULTON: My point is – and look at language in front of us – which I proposed by the way (Indicating) – what this language says is the Bylaws Committee can submit things before a deadline and if before a certain deadline, there is a lower threshold. Nothing prevents them from submitting after that deadline and therefore would need a higher threshold. They would still have authority to do so.

HARLOS: Disagree. Bracco is next before Jacobs.

BRACCO: Couple Points of Information and maybe a Parliamentary Inquiry. Would a recommendation of the Bylaws Committee be a formal vote just like a proposal would be; is that correct?

HARLOS: Correct.

BRACCO: Could there be a minority report to have a different recommendation?

HARLOS: Correct.

BRACCO: We have not yet dealt with the amendment to the amendment; right?

HARLOS: This is all related to the amendment to the amendment. All started from Moellman's argument against the amendment to the amendment that lead us on this trail.

BRACCO: Point of Parliamentary Inquiry: Language of original proposal 1. a. says that Platform Committee and Bylaws Committee must provide "reports"; whereas the amendment and the amendment to the amendment say "proposals". Are reports and proposals the same or different?

HARLOS: Different things. It's reasonable to assume a committee will deliver a proposal in the form of a report but you do have a point there as well. They are not exactly the same although most people would consider them the same. A report is more formal.

BRACCO: Under the language as written – putting aside the staggered nature of it – would the Bylaws or Platform Committee have opportunity under amended language, either of the purple language, to say reorder the report within 35-day window even though – so not changing a proposal but saying we want b. over a. instead of a. over b. but the proposals b. and a. are the same? Would that be in order or would it trigger, oh, you failed notice?

HARLOS: No. Order does not have to do with notice. It does have to do with committee authority and "report" is the report at time of submission when you asked about point of order in your original Parliamentary Inquiry unless the committee made a resolution that they grant the Committee Chair discretion to change the order under certain conditions which often is asked by Committee Chair. Will be asking the committee for that authority because sometimes things need to be changed on the fly. Sometimes granted and sometimes not. Once a report is submitted unless there is some type of on-going authority to the Committee Chair to flip things around, the report is the report but that does not have to do with notice. That has to do with authority of the committee and approval of the report. It is not a notice issue.

JACOBS: Once the committee makes its final report it moves the committee to make its final report unless the assembly would limit that authority. Agree on that point even if the committee could meet and could technically request that authority, it would be up the assembly – not even the chair – but to the assembly to grant that ability.

MOELLMAN: JJ just said what I was going to get to. I want the members to have the right to override a committee gone wild. Want to make sure that is preserved because it's been done. Want to make sure our members get out of this organization what they want.



BRACCO: Parliamentary Inquiry. The assembly can grant the Bylaws Chair the authority to reorder the report. Is that correct?

HALOS: No. That is not what was said.

BRACCO: That's what Jacobs said. That's what I want clarified.

HARLOS: No. He did not. He said if there were additional recommendations not included in the report, then the assembly could grant the privilege of the podium to the Bylaws Committee Chair to make recommendation. Ordering has nothing to do with this section.

BRACCO: That's not what I was asking. When it says the assembly can grant the Bylaws Committee Chair – the "assembly" is the delegates at convention?

HARLOS: Yes.

BRACCO: Or is it the committee itself?

HARLOS: It's the delegates. Brief rebuttal to Moulton. If a committee were to run amuck as you just mentioned. You do conventioning and you vote things down. Notice requirement staggered or not gives them more power. We all have the experience of successfully conventioning to get things passed. It could be done in the older system and it will be easier to do here. Don't want to swing too far in other direction. There is still a purpose to have committees with more careful deliberation and you can get 50 people to sign on to some really bad ideas. Any further debate on the amendment to the amendment?

MOELLMAN: Given my position that I want it to be equal, does this amendment make it less equal or equal between the members -- I'm so confused with so many pieces. We have picked and chosen pieces and I'm just lost. Does it make the gap between the delegates and the committee wider or narrower?

HARLOS: The amendment to the amendment, the amendment and the original proposal, all narrow the gap.

MOELLMAN: Is Seebeck back now?

HARLOS: No.

ROWLETTE: Think I know what Moellman is asking. Think that the most equal thing is the amendment; and the amendment to the amendment, which we are debating right now, makes it slightly less equal.

HARLOS: Not in favor of complete equality because there is a purpose to having committees. Am looking for the committee to have an advantage, slighter than they have now but there

is still purpose to having committees. We are on the amendment to the amendment. Is there further debate on the amendment to the amendment?

MOELLMAN: Is the part in yellow the amendment to the amendment?

HARLOS: No. Part in yellow is the original, my original motion. The original amendment is the stricken-through language that is highlighted with my cursor (Indicating). Amendment to the amendment is language below it. If language below it passes, it becomes the primary amendment which competes against the high-lighted language (Indicating). What is being proposed is to take this non-stricken language in place of what is being struck. A No Vote will get rid of this here and will keep the language that has the line struck through it. A Yes Vote will get rid of that language with the lines struck through it (Indicating) and then the second part will become the primary amendment which will then compete with the highlighted language. Is that now clear?

MOELLMAN: I think so.

HARLOS: One more opportunity to debate? (No Response) Favor the amendment to the amendment although ultimately do not favor the amendment. If we are going to pass the amendment, I like the amendment to the amendment better. Does anyone else have any further comment? (No Response). We are voting on whether to adopt the amendment to the amendment.

|            |         |
|------------|---------|
| Arrowwood  | Yes     |
| Bracco     | Yes     |
| Ciesielski | Yes     |
| Latham     | Yes     |
| Martin     | Yes     |
| Moellman   | No      |
| Rowlette   | No      |
| Rufo       | Yes     |
| Moulton    | Abstain |
| Harlos     | Abstain |

**ADOPTED 6-2-2**

HARLOS: Now on the amendment. Language in purple is the amendment; highlighted language is the original (Indicating).

BRACCO: Nothing now. Once this question dealt with, will speak.

HARLOS: Like the amended amendment better but still do not like the amendment because it does not state enough clarity what “notice” actually means. Just says giving it to secretary. Do not agree with Moulton that it is assumed or not. Don’t want assumptions

when it comes to members' rights. There are no minority reports when it comes to a proposal. Word "proposal" is way too vague and the duties are also too vague.

BRACCO: In 1. a. of the proposal you do reference "minority reports".

HARLOS: Consistent in my thinking. Thank you. Did you have anything further?

BRACCO: Not at this time.

MOELLMAN: As to definitions and further refining things, immediate thought was maybe put shorter version in the bylaws and the more descriptive putting it into the rules of order. The Secretary cannot arbitrarily – never mind. That's not going to work because this happens before the convention. So rules of order would not apply.

HARLOS: Notice is not a rule.

MOELLMAN: Giving a convention body flexibility is usually good. The goal is making sure people in particular roles execute their duties. We can put convention rules in convention rules of order or at least specifics of those duties. Now they could suspend the rules and ram it right through. They could do that. As all are aware, you can't suspend bylaws.

HARLOS: Unless they are rules of order.

MOELLMAN: Other than minority reports – I see what you are saying.

HARLOS: Yellow is the original proposal. The purple is the amendment which is proposing to strike out a. and b. and putting in the purple language.

MOELLMAN: Substantively what's the difference? Just fewer words? What is substantively the difference? Is "minority report" in the top one but not the bottom one?

HARLOS: Yes (Indicating). Will read out loud. In original proposal, **ARTICLE 17 AMENDMENT AND NOTICE 1. Notice of Proposed Amendments a. The Platform committee and the Bylaws and Rules Committee must provide reports of their recommendations along with minority reports to the Party Secretary at least 35 days prior to the regular convention which shall then be published on the Party website within five days of receipt. b. Any Party sustaining member may submit to the Party Secretary proposals to amend either the Platform or these bylaws, provided they are signed by 50 sustaining members at the time of proposal submission and provided to the Party Secretary no later than 60 days prior to the regular convention. These proposals shall be forwarded to the respective committee chairs and published on the Party website within five days of receipt. The committees may include recommendations on these proposals in their reports.** The purple amendment is below (Indicating). What the difference in the amendment notice is defined as submission to the Secretary. It does not talk about publication. In paragraph a.

there are time frames given as to how long the Secretary has to post to the website. In amendment b. it has time frames when it is to be posted to the website which is the same time frame as they must send it to respective committee chairs and also explicit permission of recommendations on these proposals in the committee reports.

MOELLMAN: Let it go for the time being but may have an amendment. Move to extend time by 15 minutes.

HARLOS: Is there any objection to extend time for 15 minutes? (No Response). ADOPTED WITHOUT OBJECTION. Time is extended.

MOULTON: Is this if the Secretary gets the proposal and then not sending to the membership? Chair indicated that could be a problem with that amendment. But it is a problem in original proposal as well because what do you do if there is a document submitted to the Secretary and the Secretary does not distribute it? That goes for the original as well. Nothing prevents that from happening. Does that mean there was not notice from the Secretary if the Secretary does not distribute it? Is there effective notice? What remedy is there? Would that still be the case with the amendment? In my mind there is no substantive difference between the two. It is assumed that the Secretary is going to distribute it but in both cases the Secretary could not distribute it. You would have a problem either way.

HAROS: What if LNC does not call a convention? We can always mine the subjunctive. Explicitly laying out the duties gives an expectation and the Party Chair can step in and they know what to do. You always can have an issue where someone does not do what they are supposed to do. It is easier to say they did not when it is spelled out because you might say it's implied that the Secretary publishes the document on the website. How long do they have? Is it implied that they do it in a week? In ten days? Just before the convention? Would rather have it spelled out. Ultimately the buck stops with the Party Chair. The Convention Oversight Chair might be taking a look as well. There is not a remedy for everything. The remedy would be that things get moved from the floor. People get all lathered up from the floor and get a 3/4 vote and there could be a member lawsuit for fiduciary responsibility related to the Party unless things are explicitly spelled out.

BRACCO: Gave anecdotal information as to LPVA relating to a rogue secretary.

MOELLMAN: Move to Amend. After the line that says, "Notice is defined as submission of a proposal to the Party secretary; " and adding the words "who shall forward the proposal to the respective committee chairs and publish on the Party website within five days of receipt." Instead of having in both sections, it covers it right there and it covers the five days. Will validate that secretary has received a copy and also keeps it brief.

HARLOS: Will vote for amendment to the amendment but not for the amendment. There is a difference between “proposal” and “report”.

ROWLETTE: On amendment to the amendment. Does this mean if the Party Secretary does not forward or put it on the website, that notice is not given?

HARLOS: Not germane because it is not different. It could be said about the original. Ultimately it’s up to the Party Chair. That means notice was blown and everything would have to be done by the floor. Yes, notice will not have been given.

MOELLMAN: Agree with point Chair just made. Notice is blown and secretary is in breach of their duties. Is not a report a series of proposals?

HARLOS: No, a report also includes rationale and introductory language and many other things included in a report.

MOELLMAN: Could a minority report be a proposal?

HARLOS: But not so the report of the committee. A convention could decline to hear a minority report. We are at time. Move to extend another 15 minutes. (Without Objection).

ROWLETTE: Against the amendment to the amendment. These are two dangers. 1. A Party secretary not doing what they are supposed to do and blowing notice. 2. Secretary might not post something on the website because it’s not spelled out in bylaws. Between those two, would prefer to have the one that does not disadvantage a proposal that some future secretary might try to nix by not doing what they are supposed to do. That would be worse. Will vote against the amendment to the amendment. Still like Moulton’s original.

HAROS: No further debate on the amendment to the amendment which is to add the green language. We will take a roll call vote.

|            |         |
|------------|---------|
| Arrowwood  | No      |
| Bracco     | Yes     |
| Ciesielski | Yes     |
| Harlos     | Abstain |
| Latham     | Abstain |
| Martin     | Yes     |
| Moellman   | Yes     |
| Rowlette   | No      |
| Rufo       | Abstain |
| Moulton    | No      |

**ADOPTED 4-3-3**

HARLOS: We will vote now whether to adopt the amendment to the primary.

Arrowwood No

|            |         |
|------------|---------|
| Bracco     | No      |
| Ciesielski | No      |
| Harlos     | Abstain |
| Latham     | No      |
| Martin     | No      |
| Moellman   | Yes     |
| Rowlette   | Yes     |
| Rufo       | No      |
| Moulton    | Yes     |

**FAILED 3-6-1**

HARLOS: We are back to the original.

BRACCO: Would like to propose an amendment. However would like to make one slight change from the agenda. If e. fails, there is one sentence I want to add –

HARLOS: Are you doing a substitute of the entire proposal?

BRACCO: Yes. But not too substantive. Can explain where differences are. In chat I put a sentence. If we could add that to the end of 1. a. (Indicating).

HARLOS: Separate because it could be divisible by one member. It deals with notice and then your other proposal gets into –

BRACCO: Okay. Forget what I put in chat. Let's add to the end of a. that one sentence ["In the event Party secretary fails to post a proposal after five days, notice shall be considered met "](#).

HARLOS: Not so sure that's in order. That would void a requirement and is a contradiction and would require reconsideration. It's not in order.

BRACCO: While that amendment was pending, was it in order to amend the original proposal in a different way?

HARLOS: Not in order now but in different way, not because you did it at different time. It's not in order because it's like saying blue is red except when red is not; it's blue. You cannot amend to contradict a statement before it. Cannot have notice and have notice. This is not Shrodinger's notice. A cat is either alive or it's dead. Cannot have it both ways. It is not in order because it was not done at right time. It is because it is conflicting. You would have to amend more. Just adding that makes the proposal non-sensical.

BRACCO: Would it be in order to ask JJ?

HARLOS: No. But committee could override me. A committee by a 2/3 vote can allow a non-member to speak. We cannot allow a non-committee member to join in debate.

MOELLMAN: We have only 30 seconds left.

BRACCO: We are talking about a person and in this case, the person is supposed to do it. What happens if they don't?

HARLOS: Understand your point but it is out of order.

BRACCO: Is there an exception to the rule we just established?

HARLOS: You can appeal if you would like. Am saying that amendment is not in order. We are out of time but can take it up next time.

BRACCO: Then would like to Appeal.

HARLOS: Want all that language in the notes, so we don't lose it.

MOELLMAN: When you are finished with notes, will Call for Orders of the Day.

HARLOS: Want to make sure our record is preserved. Chair ruled out of order. Bracco appealed – start here (Indicating). Have to know where we are at. Unless there is a motion to extend time, we are adjourned –

MOULTON: Point of information. After meeting adjourns, will you stick around?

HARLOS: Yes. May 18 is our next meeting. As no motion to extend time, we are adjourned at 11:17 PM ET

**DRAFT ONLY 5-10 AT 8:30 PM**

