

2020 Libertarian Party Bylaws and Rules Committee
Meeting Minutes
April 11, 2020

Credentialing

The following 10 members and 4 ranked alternates were appointed to the 2020 LP Bylaws and Rules Committee by the Libertarian National Committee at its October 26, 2019 electronic meeting held on Zoom. Mr. Rutherford was appointed interim chair of the committee by the LNC. Mr. Bishop-Henchman was elected chair and Dr. Moulton was elected secretary at the Bylaws and Rules Committee's December 29, 2019 electronic meeting held on Zoom.

- Joe Bishop-Henchman, Esq. (*chair*)
- Andy Craig
- Cris Crawford
- Richard Longstreth
- Alicia Mattson, PRP
- Dr. Chuck Moulton, Esq., RP (*secretary*)
- Dr. Brent Olsen
- Mark Rutherford, Esq.
- Paige Sexton, RN
- Christopher Thrasher
- Chris Wiest, Esq. (*1st alt*)
- David Blau, Esq. (*2nd alt*)
- Alex DeBenedetto (*3rd alt*)
- Shawn Levasseur (*4th alt*)

Call to Order

An electronic meeting of the 2020 LP Bylaws and Rules Committee came to order on Saturday, April 11, 2020 at 6:10 pm EDT on Zoom. Chair Bishop-Henchman presided.

Attendance

Present:

- **Committee:** Andy Craig, Joe Bishop-Henchman, Cris Crawford, Richard Longstreth, Alicia Mattson (arrived during postponement vote), Dr. Chuck Moulton, Dr. Brent Olsen, Mark Rutherford, Paige Sexton, Christopher Thrasher, Chris Wiest (*1st alt*), Alex DeBenedetto (*3rd alt*), Shawn Levasseur (*4th alt*)
- **Gallery:** Joe Dehn (CA), Daniel Hayes (LA), Bishop Hayes (LA), Caryn Ann Harlos (CO), Preston Harris (VA), Omar Recuero (FL), Kathy Yeniscavich (AZ)

Absent:

- David Blau (*2nd alt*)

With Ms. Mattson absent for most of the meeting, first alternate Mr. Wiest participated in the meeting making motions and voting.

Agenda

The chair submitted the following agenda in the call of the meeting.

1. Call to Order
2. Attendance
3. Approval of the Agenda
4. Approval of the minutes of our last meeting
5. Public comment
6. Action Item: Convention Proposals
7. Good of the Order
8. Public comment
9. Adjourn

The chair moved to amend the agenda to allow Mr. Hayes to address the committee after public comments. The amendment passed without objection.

The agenda as amended then read as follows:

1. Call to Order
2. Attendance
3. Approval of the Agenda
4. Approval of the minutes of our last meeting
5. Public comment
6. Mr. Hayes Addresses the Committee
7. Action Item: Convention Proposals
8. Good of the Order
9. Public comment
10. Adjourn

Mr. Thrasher moved that the chair's agenda be adopted as amended. Mr. Longstreth seconded. The agenda was adopted without objection.

Approval of Minutes

The secretary emailed a copy of the previous meeting's minutes to the committee at 4:31 pm with minor revisions from the copy distributed on March 29, 2020. Mr. Longstreth moved that minutes from the March 29, 2020 meeting via Zoom be approved as submitted. Ms. Sexton seconded. The minutes were approved without objection.

Public Comment

Mr. Recuero spoke about his proposal to eliminate LNC appointed alternates to convention committees, which was distributed to the committee earlier today. He also finds parts of rule 5 troubling (plank deletion & minority reports).

Ms. Harlos spoke to disagree with Mr. Recuero on several points.

Mr. Hayes Addresses the Committee

Mr. Hayes addressed the committee about the convention. The convention hotel should be open by May 8 if nothing changes from the Texas governor's orders. The LNC has scheduled an electronic meeting on May 2 to make some decisions on how to deal with the convention in light of the coronavirus problem. He suggested that everyone needs to be flexible.

Action Item: Convention Proposals

Mr. Craig moved the proposal as amended by Mr. Wiest. Mr. Longstreth seconded.

The proposal is as follows:

Article 19: Special 2020 Convention Bylaws

1. Due to the present emergency and the inability of many delegates to attend, this Bylaws amendment is adopted for the purposes of disposing of the remaining business of the 2020 national convention. This Article 19 shall take immediate effect, supersede any conflicting provisions of the Bylaws and Special Convention Rules, apply solely to the 2020 national convention, and be automatically repealed on December 31, 2020.
2. Upon adoption of this proposal, the 2020 convention shall adjourn its in-person session to a time set as provided in Section 6 of this Article, at which time it will reconvene through the an electronic convention as provided in this Article, consisting of electronic nominations and ballots to decide:
 - a. Nominations for President and Vice President
 - b. Election of Chair, Vice Chair, Secretary, Treasurer, and at at-large representatives.
 - c. Filling the vacancies in the judicial committee for the remainder of its current term.
3. No motions from the floor shall be recognized, nor points of order, points of privilege, motions to suspend the rules, or appeals of the ruling of the Chair, unless submitted to the Secretary via email, through delegation chairs, and supported with the electronic signatures of at least 51% of the convention body, which shall then be counted as voting for the measure. Any motion requiring a 2/3 vote shall be voted on through the delegation chair within one hour of a motion meeting this section being made, with voting to occur by and through the delegation chair.
4. All affiliate parties shall, within 72 hours of the adoption of this Article 19, ensure that the Credentials Committee has received, if they have not already, the names,

email addresses, and phone numbers of all delegates chosen to the 2020 national convention. The names and contact information received by the Credentials Committee from the affiliate parties shall constitute the credentials report, and all such delegates shall be presumed present for electronic balloting upon the adoption of that report by the committee no later than June 5, 2020. Delegation Chairs shall be permitted to substitute alternate delegates with primary delegates between any one round of voting, which shall be deemed, once confirmed by the Credentials Committee, to automatically be added to the credentials report. A delegate is determined to be present for quorum purposes, for any particular vote by casting a vote for that office.

5. Electronic balloting shall take place via suitable software or other electronic means selected by the executive committee of the national committee, provided that such method shall (i) permit all credentialed delegates to vote in a matter that is sufficiently verified and secure; (ii) that delegates shall be informed via e-mail, text message, or other electronic means of when ballots are sent and how long they have to vote; (iii) that an electronic receipt be sent once a ballot is cast to that delegate with their votes, and to their Delegation Chair that the particular delegate has voted; at the end of each round of balloting, the system will send each Delegation Chair a running total of the votes cast by their delegation for each election. Any such system shall be secure, preserve to the extent possible the anonymity of particular delegates' votes, and create a sufficient audit trail to be available for inspection and auditing if discrepancies should arise. Each electronic ballot shall be a single question or election, delegates shall have three (3) hours to vote, and only one electronic ballot shall be conducted at a time unless the system clearly annotates what the ballot being cast is being cast for, and in that event, not more than two ballots shall be cast at the same time. Ballots for President shall precede ballots for Vice President, and ballots for LNC Chair shall precede ballots for LNC Vice Chair. Ballots shall not begin or conclude prior to 10 A.M. or after 10 P.M., Eastern Time.
6. In the event of technical difficulties, which impedes the casting of any votes or the functioning of the elections system, including, without limitation, the tabulation of votes, or the auditing functions, the Executive Committee of the LNC, shall have the ability to declare, by a 3/4 vote, that a technical difficulty has arisen, and either (i) extend the period for that particular election or (ii) to declare a particular vote and election void, and redo that election.
7. Nominations for President, Vice President, officers and at-large representatives of the national committee, and judicial committee shall be made via email to the Delegation Chair, who shall communicate the total number of nominations of each candidate to the Secretary, with the Secretary will be copied on these nominations; in the alternative, the software or other electronic system may permit nominations to be made. Each delegate is entitled to one nomination for each office to be filled. Nominations for President and Vice President must be made by at least twenty credential delegates. Nominations for officers and at-large representatives of the national committee must be made by at least ten credentialed delegates. Nominations for judicial committee must be made by at least five credentialed delegates. Nominations shall close one hour before the

start of the electronic ballot for that particular election; provided that any candidate that was not successful for the office of President shall be deemed automatically nominated for Vice President if they communicate to the Secretary that they would accept the nomination for that office; and further provided that any candidate that was not successful for any LNC office may communicate to Secretary that they would accept the nomination for any other LNC office (including at-large).

8. The agenda for electronic balloting shall be as follows and commence at noon eastern time on June 7, provided that electronic balloting for President/Vice President can be made concurrently with the electronic balloting for LNC office:
 - a. nominations for President, followed by nominations for Vice President; provided that at least two hours shall pass between the conclusion of the election for office of President, and the nomination closing for office of Vice President;
 - b. Election of LNC Chair, followed by LNC Vice Chair, followed by LNC Secretary, and followed by LNC Treasurer; provided that at least two hours shall pass between the conclusion of the election for office of LNC Chair, and the nomination closing for office of Vice Chair;
 - c. Election of at-large representatives to the national committee
 - d. Election of Judicial Committee
 - e. Final adjournment of the 2020 national convention
9. Amendments and committee reports for Bylaws, Rules, and Platform shall be postponed until the next regular convention and the reports of those committees will be communicated to their successors.
10. The Chair shall, via public livestream or other suitable method, announce each ballot, the options nominated or available on that ballot, and if applicable and available, the results of any previous ballot(s). At the discretion of the Chair, nominating speeches for any office can be livestreamed, or, in the alternative, a link to pre-recorded nominating speeches, can be provided.
11. Ballots for all nominations and offices shall be conducted under the usual procedures regarding successive elimination ballots, provided that for all elections other than judicial committee and at-large LNC, any candidate not receiving 5% of the vote shall be eliminated in the next round. For judicial committee and at-large LNC, any candidate not receiving the approval of at least 10% of the delegates will be eliminated in the next round. In the event that None of the Above (NOTA) should prevail on any ballot, rather than re-opening nominations, that office shall be vacant and subject to vacancy filling procedures, but no losing candidate shall be eligible to fill the vacancy. Votes shall be recorded including the numbers for each state delegation, and these results shall be posted for each ballot on the party's website or via the electronic voting system. In the event of any discrepancy between the totals the delegation chair received and the totals posted, the delegation chair and Secretary shall endeavor to resolve the discrepancy, and, if they are not able to do so, the LNC shall resolve that discrepancy.
12. The terms of the current national committee will continue until the final adjournment of the 2020 national convention, which shall not occur until all

voting is completed, and the terms of their successors will then commence. The final adjournment of the 2020 national convention shall happen no later than July 15, provided that the Chair may certify and report the results of the nomination for President to Vice President at an earlier date upon the conclusion of those ballots, if such certification is needed to meet any ballot access or filing deadlines.

13. The timing for regional formation agreements is automatically extended until the time the convention is adjourned, and any requirements for in writing notifications to the Secretary may be made electronically, including by email. Such agreements may be sent by .pdf or otherwise electronically, which constitute an original. Notwithstanding any other provisions, the state chairs of a particular region may, by a majority vote of the chairs in the region, agree to hold the election for regional representative or alternate electronically, in person at state conventions at date(s) not to extend past 90 days following the adjournment of this 2020 national convention, in which case current representatives will continue in office, or a combination of the two.

Dr. Moulton moved to amend by striking an extraneous “the” preceding “an electronic convention” in section 2. Ms. Crawford seconded. The amendment passed without objection.

Ms. Crawford moved to amend by changing the word “purposes” to “purpose” in section 1. Mr. Craig seconded. The amendment passed without objection.

Mr. Longstreth moved to amend by substituting “at least 3 members of the convention body” for “51% of the convention body” in section 3. Ms. Crawford seconded. Mr. Craig moved to amend the amendment by substituting “1/5 of the convention body” instead of “at least 3 members of the convention body”. Dr. Moulton seconded. The 1/5 amendment to the amendment passed by a vote of 8-1-1. Dr. Olsen moved to amend the amendment by substituting “10 delegates” instead of “1/5 of the convention body”. Mr. Longstreth seconded. The 10 delegates amendment to the amendment failed by a vote of 4-5-1. Mr. Longstreth moved to amend the amendment by substituting “10% of the convention body or the majority of the delegation of at least 3 state delegations” instead of “1/5 of the convention body”. Ms. Sexton seconded. Dr. Moulton moved to divide the amendment to the amendment into 1) “10% of the convention body” and 2) “or the majority of the delegation of at least 3 state delegations”. Mr. Longstreth seconded. The 10% part of the divided amendment to the amendment passed without objection. The 3 state delegations part of the divided amendment to the amendment passed by a vote of 8-2-0. As amended, the amendment now reads to substitute “10% of the convention body or the majority of the delegation of at least 3 state delegations” for “51% of the convention body” in section 3. The amendment passed without objection.

Motion (1/5 amendment to the amendment) roll call vote:

- *Aye:* Andy Craig, Cris Crawford, Richard Longstreth, Dr. Chuck Moulton, Dr. Brent Olsen, Mark Rutherford, Paige Sexton, Chris Wiest
- *Nay:* Joe Bishop-Henchman
- *Abstain:* Christopher Thrasher

Motion (10 delegates amendment to the amendment) roll call vote:

- *Aye:* Richard Longstreth, Dr. Brent Olsen, Mark Rutherford, Christopher Thrasher
- *Nay:* Andy Craig, Cris Crawford, Dr. Chuck Moulton, Paige Sexton, Chris Wiest
- *Abstain:* Joe Bishop-Henchman

Motion (3 state delegations divided amendment to the amendment) roll call vote:

- *Aye:* Joe Bishop-Henchman, Cris Crawford, Richard Longstreth, Dr. Brent Olsen, Mark Rutherford, Paige Sexton, Christopher Thrasher, Chris Wiest
- *Nay:* Andy Craig, Dr. Chuck Moulton
- *Abstain:* none

Mr. Craig moved to amend by striking the phrase “, which shall then be counted as voting for the measure” from section 3. Mr. Longstreth seconded. The amendment passed without objection.

Mr. Longstreth moved to amend by substituting “per their instructions” for “via email” in section 3. Mr. Craig seconded. The amendment passed without objection.

Mr. Thrasher moved to amend by striking the entirety of section 3. The amendment failed for lack of a second.

Mr. Bishop-Henchman moved to amend by striking “points of order, points of privilege,” from section 3. Mr. Thrasher seconded. The amendment passed without objection.

Mr. Bishop-Henchman moved to amend by substituting “Libertarian National Committee” for “executive committee of the national committee” in section 5 and substituting “Libertarian National Committee” for “Executive Committee of the LNC” in section 6. Mr. Thrasher seconded. The amendment passed without objection.

Mr. Bishop-Henchman moved to amend by substituting “Filling the vacancies in the judicial committee for the remainder of its current term.” for “Election of Judicial Committee” in section 8.d. The amendment passed without objection.

Mr. Craig moved to amend by inserting “All questions requiring a vote shall be conducted in the same manner as other electronic ballots.” before “Any motion requiring a 2/3 vote” in section 3. Mr. Longstreth seconded. The amendment passed without objection.

The proposal as amended now read as follows:

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 - a. Nominations for President and Vice President
 - b. Election of Chair, Vice Chair, Secretary, Treasurer, and at at-large representatives.
 - c. Filling the vacancies in the judicial committee for the remainder of its current term.
3. No motions from the floor shall be recognized, nor motions to suspend the rules, or appeals of the ruling of the Chair, unless submitted to the Secretary per their instructions, through delegation chairs, and supported with the electronic signatures of at least 10% of the convention body or the majority of the delegation of at least 3 state delegations. All questions requiring a vote shall be conducted in the same manner as other electronic ballots. Any motion requiring a 2/3 vote shall be voted on through the delegation chair within one hour of a motion meeting this section being made, with voting to occur by and through the delegation chair.
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Chair. Ballots shall not begin or conclude prior to 10 A.M. or after 10 P.M., Eastern Time.

6. In the event of technical difficulties, which impedes the casting of any votes or the functioning of the elections system, including, without limitation, the tabulation of votes, or the auditing functions, the Libertarian National Committee shall have the ability to declare, by a 3/4 vote, that a technical difficulty has arisen, and either (i) extend the period for that particular election or (ii) to declare a particular vote and election void, and redo that election.
7. Nominations for President, Vice President, officers and at-large representatives of the national committee, and judicial committee shall be made via email to the Delegation Chair, who shall communicate the total number of nominations of each candidate to the Secretary, with the Secretary will be copied on these nominations; in the alternative, the software or other electronic system may permit nominations to be made. Each delegate is entitled to one nomination for each office to be filled. Nominations for President and Vice President must be made by at least twenty credential delegates. Nominations for officers and at-large representatives of the national committee must be made by at least ten credentialed delegates. Nominations for judicial committee must be made by at least five credentialed delegates. Nominations shall close one hour before the start of the electronic ballot for that particular election; provided that any candidate that was not successful for the office of President shall be deemed automatically nominated for Vice President if they communicate to the Secretary that they would accept the nomination for that office; and further provided that any candidate that was not successful for any LNC office may communicate to Secretary that they would accept the nomination for any other LNC office (including at-large).
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10. The Chair shall, via public livestream or other suitable method, announce each ballot, the options nominated or available on that ballot, and if applicable and

available, the results of any previous ballot(s). At the discretion of the Chair, nominating speeches for any office can be livestreamed, or, in the alternative, a link to pre-recorded nominating speeches, can be provided.

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12. The terms of the current national committee will continue until the final adjournment of the 2020 national convention, which shall not occur until all voting is completed, and the terms of their successors will then commence. The final adjournment of the 2020 national convention shall happen no later than July 15, provided that the Chair may certify and report the results of the nomination for President to Vice President at an earlier date upon the conclusion of those ballots, if such certification is needed to meet any ballot access or filing deadlines.
13. The timing for regional formation agreements is automatically extended until the time the convention is adjourned, and any requirements for in writing notifications to the Secretary may be made electronically, including by email. Such agreements may be sent by .pdf or otherwise electronically, which constitute an original. Notwithstanding any other provisions, the state chairs of a particular region may, by a majority vote of the chairs in the region, agree to hold the election for regional representative or alternate electronically, in person at state conventions at date(s) not to extend past 90 days following the adjournment of this 2020 national convention, in which case current representatives will continue in office, or a combination of the two.

Mr. Longstreth moved to postpone to the April 25-26, 2020 electronic meeting. Mr. Thrasher seconded. Ms. Mattson entered the meeting in the middle of the vote to postpone definitely, having been 3 hours late due to a time zone misunderstanding. The chair ruled that Mr. Wiest's vote on this motion would count. Therefore, the postponement motion passed by a vote of 6-4-0. If Ms. Mattson's vote had been counted instead of Mr. Wiest's, the result would have been 6-3-1.

Motion (postpone) roll call vote:

- *Aye:* Joe Bishop-Henchman, Cris Crawford, Richard Longstreth, Dr. Brent Olsen, Paige Sexton, Christopher Thrasher
- *Nay:* Andy Craig, Dr. Chuck Moulton. Mark Rutherford, Chris Wiest (counted)

- *Abstain:* Alicia Mattson (not counted)

Good of the Order

Ms. Crawford noted in section 6 “impedes” should be “impede”; however, the proposal had already been postponed, so she will move to amend at the April 25-26 meeting.

Mr. Wiest asked that an electronic meeting be scheduled very soon after the LNC’s May 2 meeting.

Public Comment

Ms. Harlos asked the committee to solicit her feedback on parts of this proposal which may impact the secretary’s convention duties.

Adjournment

Mr. Longstreth moved to adjourn. Dr. Olsen seconded. The meeting adjourned without objection at 9:06 pm EDT.

Respectfully submitted,
Dr. Chuck Moulton
Secretary, 2020 LP Bylaws and Rules Committee