



Libertarian Party  
Bylaws Committee 2015-2016  
15 November, 2015 Session  
Rosen Centre, Orlando Florida  
Salons 11-12

Legend:

~~Strike out or deletion~~

**Insertion or addition**

**Immediately pending question when confusion may arise (accompanied by appropriate notation.)**

Note: Proposals are numbered by the sequence in which they were presented to the committee and for ease of reference. These numbers have no relevance for the order of presentation.

### **Call To Order and Attendance**

The November 15, 2015 meeting of the Bylaws Committee was called to order in Salon 11-12 of the Rosen Centre in Orlando, Florida at 1:56 PM Eastern. Present were Committee Chair M Carling, and Joshua Katz as Secretary. A quorum was present, consisting of the following members:

Carling, M; Mattson, A.; Starr, A.; Katz, J.; Orrok, J.; Moulton, C.; Goldstein, S.; Tomasso, R.; Wiener, D.

### **Adoption of the Agenda**

The Chair had proposed the agenda below, which was adopted by unanimous consent.

The meeting will be called to order following the adjournment of the LNC Session.

It is proposed that each agenda item have a time limit of 5 minutes. The chair will appreciate if members limit speeches to 1 minute each.

Proposed Agenda:

Call to order  
Credentialing and quorum

DRAFT

## Adoption of Agenda

Amendment of adopted rationale to "Alternative Pledge" - Proposal 21

## New Proposals:

Consideration of proposals 1-20, in that order

Consideration of proposals 22-24, in that order

Consideration of proposal 26

## Appointment of subcommittees

### **Amendment of adopted rationale to "Alternative Pledge" - Proposal 21**

The body took up the matter of amending the rationale to Proposal 21. The committee had previously adopted this proposal with its rationale, which read:

#### Rationale:

Some are not comfortable with the current certification language for membership because they believe it implies that initiating force is acceptable, so long as it is not for political or social goals. For those with that point of view, we offer alternative certification language we borrowed from the Statement of Principles in our Platform.

It was proposed to amend by striking "because...goals." The motion was adopted by unanimous consent. The rationale for this proposal now reads:

#### Rationale:

Some are not comfortable with the current certification language for membership. For those with that point of view, we offer alternative certification language we borrowed from the Statement of Principles in our Platform.

### **Consideration of Proposals 1-20, in that order**

All proposals having been previously submitted, motions to adopt each proposal for inclusion in the report of the committee were assumed as each agenda item came up.

#### Proposal 1:

The body took up consideration of the following proposal to amend the Rule 5 of the Convention Rules by striking Section 8 and to amend Article 8 of the Bylaws by adding a new Section 15, together with its rationale:

#### Convention Rules

##### Rule 5

~~8: Should changes to the bylaws or platform result in a grammatical error in accordance with the latest edition of the Chicago Manual of Style, the LNC presiding at the time of that discovery is authorized to make those grammatical corrections provided it does not change the meaning or intent of the item edited.~~

Bylaws  
Article 8

**15. The National Committee is authorized to make corrections required to conform the Bylaws and Convention Rules and the Platform with the latest edition of the Chicago Manual of Style®, provided such changes do not alter the meaning or intent. The National Committee may not delegate this power.**

Problem: The Rule that was approved several years ago allowing the LNC to fix style errors in the Platform has a single flaw: it should not be a Rule but rather a Bylaw. Since then, several attempts have been made to correct that problem, but all such attempts have complicated the fix by creating a style committee. Those attempts have all failed, rejected by the delegates, leaving the original problem unaltered. This proposal attempts to fix the only problem with the original (while improving some minor language issues).

Solution: Move the current text, and fix only the things that are clearly wrong without trying to fix a problem that doesn't exist. For example, "LNC" should be referred to as the National Committee, and "Bylaws" and "Platform" should be capitalized. Reference made to the National Committee "presiding at the time" of the discovery of an error are unnecessary, because if the error is not corrected at the time it is discovered, that language would prevent any future National Committee from correcting the error. And most importantly, do NOT create a Style Committee.

The motion was adopted. (8-1)

Proposal 2:

The body took up consideration of the following proposal and rationale:

Remove Redundant Quorum Language

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<b>ARTICLE 8: NATIONAL COMMITTEE</b> 10. A majority of the membership of the National Committee shall constitute a quorum for the transaction of business at all meetings.	<b>ARTICLE 8: NATIONAL COMMITTEE</b> <del>10. A majority of the membership of the National Committee shall constitute a quorum for the transaction of business at all meetings.</del>	

and renumber accordingly.

Rationale: Instead of having to write hundreds of pages of rules for how to run meetings, organizations will typically adopt a parliamentary authority for a default set of rules and then adopt special rules to override that authority where needed. In our case, Article 17 of our bylaws makes Robert's Rules of Order, Newly Revised (RONR) our parliamentary authority. Our bylaws specify that a majority of the National Committee's membership constitutes a quorum. But according to RONR, in the absence of a provision in the bylaws, a majority of the entire membership would already be a quorum.

*RONR page 21: “In an ordinary society, therefore, a provision of the bylaws should specify the number of members that shall constitute a quorum, which should approximate the largest number that can be depended on to attend any meeting except in very bad weather or other extremely unfavorable conditions. In the absence of such a provision in a society or assembly whose real membership can be accurately determined at any time – that is, in a body having an enrolled membership composed only of persons who maintain status as members in a prescribed manner – the quorum is a majority of the entire membership, by the common parliamentary law.”*

The motion was adopted. (8-1)

Proposal 3:

The body took up consideration of the following proposal and rationale:

Eliminate the National Committee’s power to revoke the status of an affiliate party.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 6: AFFILIATE PARTIES</b></p> <p>6. The National Committee shall have the power to revoke the status of any affiliate party, for cause, by a vote of 3/4 of the entire National Committee. A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation. The affiliate party may challenge the revocation of its status by written appeal to the Judicial Committee within 30 days of receipt of notice of such revocation. Failure to appeal within 30 days shall confirm the revocation and bar any later challenge or appeal. The National Committee shall not revoke the status of any affiliate party within six months prior to a Regular Convention. The Judicial Committee shall set a date for hearing the appeal</p>	<p><b>ARTICLE 6: AFFILIATE PARTIES</b></p> <p>6. <del>The National Committee shall have the power to revoke the status of any affiliate party, for cause, by a vote of 3/4 of the entire National Committee. A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation. The affiliate party may challenge the revocation of its status by written appeal to the Judicial Committee within 30 days of receipt of notice of such revocation. Failure to appeal within 30 days shall confirm the revocation and bar any later challenge or appeal. The National Committee shall not revoke the status of any affiliate party within six months prior to a Regular Convention. The Judicial Committee shall set a date for hearing the appeal</del></p>	

<p>within 20 to 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and submit evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's revocation of affiliate party status or order reinstatement of the affiliate party. The Judicial Committee shall issue its ruling within 30 days of the hearing and in no case later than 90 days prior to a Regular Convention. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's revocation of affiliate party status except when the last day of the 30 day period falls within 90 days prior to a Regular Convention, in which case the Judicial Committee's non-action shall result in reinstatement of affiliate party status.</p>	<p><del>within 20 to 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and submit evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's revocation of affiliate party status or order reinstatement of the affiliate party. The Judicial Committee shall issue its ruling within 30 days of the hearing and in no case later than 90 days prior to a Regular Convention. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's revocation of affiliate party status except when the last day of the 30 day period falls within 90 days prior to a Regular Convention, in which case the Judicial Committee's non-action shall result in reinstatement of affiliate party status.</del></p>	
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<b>ARTICLE 9: JUDICIAL COMMITTEE</b>	<b>ARTICLE 9: JUDICIAL COMMITTEE</b>	<b>ARTICLE 9: JUDICIAL COMMITTEE</b>
<p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <ul style="list-style-type: none"> <li>a. suspension of affiliate parties (Article 6, Section 6),</li> <li>b. suspension of officers (Article 7, Section 7),</li> <li>c. suspension of National Committee members-at-large (Article 8, Section 5),</li> <li>d. voiding of National Committee decisions (Article 8, Section 12),</li> <li>e. challenges to platform planks (Rule 5, Section 7),</li> <li>f. challenges to Resolutions (Rule 6, Section 2), and</li> <li>g. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</li> </ul>	<p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <ul style="list-style-type: none"> <li><del>a. suspension of affiliate parties (Article 6, Section 6),</del></li> <li>b. suspension of officers (Article 7, Section 7),</li> <li>c. suspension of National Committee members-at-large (Article 8, Section 5),</li> <li>d. voiding of National Committee decisions (Article 8, Section 12),</li> <li>e. challenges to platform planks (Rule 5, Section 7),</li> <li>f. challenges to Resolutions (Rule 6, Section 2), and</li> <li>g. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</li> </ul>	<p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <ul style="list-style-type: none"> <li>a. suspension of officers (Article 7, Section 7),</li> <li>b. suspension of National Committee members-at-large (Article 8, Section 5),</li> <li>c. voiding of National Committee decisions (Article 8, Section 12),</li> <li>d. challenges to platform planks (Rule 5, Section 7),</li> <li>e. challenges to Resolutions (Rule 6, Section 2), and</li> <li>f. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</li> </ul>

and renumber and reletter accordingly.

Rationale: The bylaws authorize the National Committee to revoke the status of an affiliate party, for cause, by a vote of 3/4 of the entire National Committee. It's almost impossible to meet such a threshold because the subject is so controversial, so why do we bother to have such language taking up space in our bylaws?

Following debate, the motion failed to be adopted. (2-7)

Proposal 4:

The body took up consideration of the following proposal, rationale, and proviso:

Make Convention the Body of Appeal for LNC Decisions

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 9: JUDICIAL COMMITTEE</b></p> <p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <p>a. suspension of affiliate parties (Article 6, Section 6),  b. suspension of officers (Article 7, Section 7),  c. suspension of National Committee members-at-large (Article 8, Section 5),  d. voiding of National Committee decisions (Article 8, Section 12),  e. challenges to platform planks (Rule 5, Section 7),  f. challenges to Resolutions (Rule 6, Section 2), and  g. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</p>	<p><b>ARTICLE 9: JUDICIAL COMMITTEE</b></p> <p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <p>a. suspension of affiliate parties (Article 6, Section 6),  b. suspension of officers (Article 7, Section 7),  c. suspension of National Committee members-at-large (Article 8, Section 5),  <del>d. voiding of National Committee decisions (Article 8, Section 12),</del>  e. challenges to platform planks (Rule 5, Section 7),  f. challenges to Resolutions (Rule 6, Section 2), and  g. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</p>	<p><b>ARTICLE 9: JUDICIAL COMMITTEE</b></p> <p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <p>a. suspension of affiliate parties (Article 6, Section 6),  b. suspension of officers (Article 7, Section 7),  c. suspension of National Committee members-at-large (Article 8, Section 5),  d. challenges to platform planks (Rule 5, Section 7),  e. challenges to Resolutions (Rule 6, Section 2), and  f. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</p>
<p><b>ARTICLE 8: NATIONAL COMMITTEE</b></p> <p>12. Upon appeal by ten percent of the delegates credentialed at the most recent Regular Convention or one percent of the Party sustaining members the Judicial Committee shall consider the question of whether or not a decision of the National Committee contravenes specified sections of the Bylaws. If the decision is vetoed by the Judicial Committee, it shall be declared null and void.</p>	<p><b>ARTICLE 8: NATIONAL COMMITTEE</b></p> <p>12. Upon appeal by ten percent of the delegates credentialed at the most recent Regular Convention or one percent of the Party sustaining members the <del>Judicial Committee</del> <b>next Regular Convention</b> shall consider the question of whether or not a decision of the National Committee contravenes specified sections of the Bylaws. If the decision is vetoed by the <del>Judicial Committee</del> <b>Regular</b></p>	<p><b>ARTICLE 8: NATIONAL COMMITTEE</b></p> <p>12. Upon appeal by ten percent of the delegates credentialed at the most recent Regular Convention or one percent of the Party sustaining members the next Regular Convention shall consider the question of whether or not a decision of the National Committee contravenes specified sections of the Bylaws. If the decision is vetoed by the Regular Convention, it shall be declared null and void.</p>

	<b>Convention</b> , it shall be declared null and void.	
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and renumber and reletter accordingly.

Rationale: The Judicial Committee has broad discretion to overturn actions of the Libertarian National Committee. Actions taken by the LNC requiring a super majority vote may be overturned by the Judicial Committee by a simple majority vote. Thus, actions requiring 10, 12, or more votes, from committee members selected by the convention and by representative regions, may be overturned by only 3 people elected at the convention. That is a lot of power in the hands of a few. Appeals should be to a larger body, not a smaller one.

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

Following debate, the motion failed to be adopted. (3-6)

Proposal 5:

The body took up consideration of the following proposal, rationale, and proviso:

Increase the vote threshold required to remove an officer or at-large member from 2/3 to 3/4 and eliminate the appeals process.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 7: OFFICERS</b></p> <p>7. The National Committee may, for cause, suspend any officer by a vote of 2/3 of the entire National Committee. The suspended officer may challenge the suspension by an appeal in writing to the Judicial Committee within seven days of receipt of notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of receipt of the</p>	<p><b>ARTICLE 7: OFFICERS</b></p> <p>7. The National Committee may, for cause, <del>suspend</del> <b>remove</b> any officer by a 3/4 vote. <b>The vote may only be conducted at an in-person meeting with at least 30 days' notice or by electronic mail ballot.</b> <del>of 2/3 of the entire National Committee. The suspended officer may challenge the suspension by an appeal in writing to the Judicial Committee within seven days of receipt of notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any</del></p>	<p><b>ARTICLE 7: OFFICERS</b></p> <p>7. The National Committee may, for cause, remove any officer by a 3/4 vote. The vote may only be conducted at an in-person meeting with at least 30 days' notice or by electronic mail ballot.</p>

<p>appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's suspension of the officer or order the officer's reinstatement within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's suspension of the officer. At such time as the suspension is final, the office in question shall be deemed vacant.</p>	<p><del>later challenge or appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's suspension of the officer or order the officer's reinstatement within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's suspension of the officer. At such time as the suspension is final, the office in question shall be deemed vacant.</del></p>	
<p><b>ARTICLE 8: NATIONAL COMMITTEE</b></p> <p>8. The National Committee may, for cause, any member-at-large by a vote of 2/3 of the entire National Committee. The suspended member-at-large may challenge the suspension by an appeal in writing to the Judicial Committee within seven days of receipt of notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or</p>	<p><b>ARTICLE 8: NATIONAL COMMITTEE</b></p> <p>9. The National Committee may, for cause, <del>suspend</del> <b>remove</b> any member-at-large by a 3/4 vote. <b>The vote may only be conducted at an in-person meeting with at least 30 days' notice or by electronic mail ballot.</b> appeal. The Judicial Committee of 2/3 of the entire National Committee. The suspended member-at-large may challenge the suspension by an appeal in writing to the</p>	<p><b>ARTICLE 8: NATIONAL COMMITTEE</b></p> <p>10. The National Committee may, for cause, remove any member-at-large by a 3/4 vote. The vote may only be conducted at an in-person meeting with at least 30 days' notice or by electronic mail ballot.</p>

<p>appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's suspension of the member-at-large or order reinstatement of the member-at-large within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's suspension of the member-at-large. At such times as the suspension is final, the office in question shall be deemed vacant.</p>	<p>Judicial Committee within seven days of receipt of notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's suspension of the member-at-large or order reinstatement of the member-at-large within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's suspension of the member-at-large. At such times as the suspension is final, the office in question shall be deemed vacant.</p>	
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<b>ARTICLE 9: JUDICIAL COMMITTEE</b>	<b>ARTICLE 9: JUDICIAL COMMITTEE</b>	<b>ARTICLE 9: JUDICIAL COMMITTEE</b>
<p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <p>a. suspension of affiliate parties (Article 6, Section 6),                      b. suspension of officers (Article 7, Section 7),                      c. suspension of National Committee members-at-large (Article 8, Section 5),                      d. voiding of National Committee decisions (Article 8, Section 12),                      e. challenges to platform planks (Rule 5, Section 7),                      f. challenges to Resolutions (Rule 6, Section 2), and                      g. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</p>	<p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <p>a. suspension of affiliate parties (Article 6, Section 6),  <del>b. suspension of officers (Article 7, Section 7),</del>  <del>c. suspension of National Committee members-at-large (Article 8, Section 5),</del>                      d. voiding of National Committee decisions (Article 8, Section 12),                      e. challenges to platform planks (Rule 5, Section 7),                      f. challenges to Resolutions (Rule 6, Section 2), and                      g. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</p>	<p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <p>a. suspension of affiliate parties (Article 6, Section 6),                      b. voiding of National Committee decisions (Article 8, Section 12),                      c. challenges to platform planks (Rule 5, Section 7),                      d. challenges to Resolutions (Rule 6, Section 2), and                      e. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</p>

and reletter accordingly.

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

Rationale: (1) Much language in the Bylaws is dedicated to this process, but no vote has ever been held by the National Committee to remove an officer or at-large member. (2) Currently, the National Committee may remove an officer or at-large member with a 2/3 vote of the entire committee, but that decision may be appealed to the Judicial Committee. The appeals process is of little value. Both the National Committee and Judicial Committee are elected by convention delegates from the same population, so there is no reason to believe that someone elected to the Judicial Committee is any more capable of making an objective, fair decision than someone elected to the National Committee. (3) If there is serious cause to remove someone, it ought to be obvious to 3/4 of the National Committee. Having such a vote conducted by electronic mail ballot or with at least 30 days' notice assures that there is sufficient opportunity for the entire committee to participate in such a decision.

It was moved to amend by striking "an in-person" and inserting in its place "a" in the two places the phrase appears. The amendment having been adopted by unanimous consent, the pending motion now read:

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 7: OFFICERS</b></p> <p>8. The National Committee may, for cause, suspend any officer by a vote of</p>	<p><b>ARTICLE 7: OFFICERS</b></p> <p>8. The National Committee may, for cause, <del>suspend</del> <b>remove</b> any officer by a</p>	<p><b>ARTICLE 7: OFFICERS</b></p> <p>11. The National Committee may, for cause, remove any officer by a 3/4 vote.</p>

<p>2/3 of the entire National Committee. The suspended officer may challenge the suspension by an appeal in writing to the Judicial Committee within seven days of receipt of notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's suspension of the officer or order the officer's reinstatement within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's suspension of the officer. At such time as the suspension is final, the office in question shall be deemed vacant.</p>	<p>3/4 vote. <b>The vote may only be conducted at an in-person meeting with at least 30 days' notice or by electronic mail ballot.</b> <del>of 2/3 of the entire National Committee. The suspended officer may challenge the suspension by an appeal in writing to the Judicial Committee within seven days of receipt of notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's suspension of the officer or order the officer's reinstatement within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's suspension of the officer. At such time as the suspension is final, the office in question shall be deemed vacant.</del></p>	<p>The vote may only be conducted at an <del>in-person</del> meeting with at least 30 days' notice or by electronic mail ballot.</p>
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ARTICLE 8: NATIONAL COMMITTEE	ARTICLE 8: NATIONAL COMMITTEE	ARTICLE 8: NATIONAL COMMITTEE
<p>12. The National Committee may, for cause, any member-at-large by a vote of 2/3 of the entire National Committee. The suspended member-at-large may challenge the suspension by an appeal in writing to the Judicial Committee within seven days of receipt of notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's suspension of the member-at-large or order reinstatement of the member-at-large within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's suspension of the member-at-large. At such times as the suspension is final, the office in question shall be deemed vacant.</p>	<p>13. The National Committee may, for cause, <del>suspend</del> <b>remove</b> any member-at-large by a 3/4 vote. <b>The vote may only be conducted at an in-person meeting with at least 30 days' notice or by electronic mail ballot.</b> appeal. The Judicial Committee of <del>2/3 of the entire National Committee.</del> The <del>suspended member-at-large may challenge the suspension by an appeal in writing to the Judicial Committee within seven days of receipt of notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's suspension of the member-at-large or order reinstatement of the member-at-large within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation</del></p>	<p>14. The National Committee may, for cause, remove any member-at-large by a 3/4 vote. The vote may only be conducted at an <del>in-person</del> meeting with at least 30 days' notice or by electronic mail ballot.</p>

	<p><del>of the National Committee's suspension of the member-at-large. At such times as the suspension is final, the office in question shall be deemed vacant.</del></p>	
<p><b>ARTICLE 9: JUDICIAL COMMITTEE</b></p> <p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <p>a. suspension of affiliate parties (Article 6, Section 6),  b. suspension of officers (Article 7, Section 7),  c. suspension of National Committee members-at-large (Article 8, Section 5),  d. voiding of National Committee decisions (Article 8, Section 12),  e. challenges to platform planks (Rule 5, Section 7),  f. challenges to Resolutions (Rule 6, Section 2), and  g. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</p>	<p><b>ARTICLE 9: JUDICIAL COMMITTEE</b></p> <p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <p>a. suspension of affiliate parties (Article 6, Section 6),  <del>b. suspension of officers (Article 7, Section 7),</del>  <del>c. suspension of National Committee members-at-large (Article 8, Section 5),</del>  d. voiding of National Committee decisions (Article 8, Section 12),  e. challenges to platform planks (Rule 5, Section 7),  f. challenges to Resolutions (Rule 6, Section 2), and  g. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</p>	<p><b>ARTICLE 9: JUDICIAL COMMITTEE</b></p> <p>2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:</p> <p>a. suspension of affiliate parties (Article 6, Section 6),  b. voiding of National Committee decisions (Article 8, Section 12),  c. challenges to platform planks (Rule 5, Section 7),  d. challenges to Resolutions (Rule 6, Section 2), and  e. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).</p>

After debate, the motion as amended failed to be adopted. (3-6)

Proposal 6:

The body took up consideration of the following proposal, rationale, and proviso:

Require National Delegates be Party Members

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 11: CONVENTIONS</b>  <b>3. Delegates:</b></p> <p>a. Delegates shall be required to be members of either the Party</p>	<p><b>ARTICLE 11: CONVENTIONS</b>  <b>3. Delegates:</b></p> <p>a. Delegates shall be required to be members of <del>either</del> the Party</p>	<p><b>ARTICLE 11: CONVENTIONS</b>  <b>3. Delegates:</b></p> <p>a. Delegates shall be required to be members of the Party. At all</p>

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.	<del>or an affiliate party.</del> 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.	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.
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Proviso:

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

Rationale:

- (1) All one must do to become a national member is to sign the pledge. Do we really want people to serve as delegates at the Libertarian Party convention and vote on our leadership, platform, and bylaws if they do not support our core beliefs?
- (2) Our bylaws establish an affiliate relationship between the national party and state parties. Affiliate parties would rightfully protest a proposal from the national party requiring that national party members must be allowed to vote at state conventions. Why shouldn't that same courtesy be extended the other way? A state affiliate should not be able to compel the national party to accept as a national delegate someone who is only a member of that state party.
- (3) This change further commits us to the model that both the states and the national party are truly affiliates, with neither being subservient to the other.

It was moved to amend by inserting "prior to the first call to order" immediately following "members of the Party." Following debate and the order of a 5 minute extension, unanimous consent was given for the maker of the motion to withdraw it.

The body returned to consideration of the main motion, which was adopted after debate. (6-2)

Proposal 7:

The body took up consideration of the following proposal, rationale, and proviso:

Nominate Presidential and Vice Presidential Candidates as a Ticket

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 15: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS</b></p> <p>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.</p> <p>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. A stand-in is an individual who has agreed to be placed on a state affiliate's nomination petition prior to the selection of nominees by the Libertarian Party at Convention.</p>	<p><b>ARTICLE 15: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS</b></p> <p>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. <b>The Party's nominees for President and Vice President shall be chosen as a slate.</b></p> <p>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 <b>as part of that slate,</b> who served as a stand-in candidate during the current election cycle, or who is not a member of the Party. A stand-in is an individual who has agreed to be placed on a state affiliate's nomination petition prior to the selection of nominees by the Libertarian Party at Convention.</p>	<p><b>ARTICLE 15: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS</b></p> <p>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. The Party's nominees for President and Vice President shall be chosen as a slate.</p> <p>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 as part of that slate, who served as a stand-in candidate during the current election cycle, or who is not a member of the Party. A stand-in is an individual who has agreed to be placed on a state affiliate's nomination petition prior to the selection of nominees by the Libertarian Party at Convention.</p>
<p><b>RULE 7: NOMINATION OF PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES</b></p> <p>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.</p>	<p><b>RULE 7: NOMINATION OF PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES</b></p> <p>1. No <del>person</del> <b>slate</b> shall be nominated for President or and 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 <del>candidate for each office</del> <b>slate</b>. 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.</p>	<p><b>RULE 7: NOMINATION OF PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES</b></p> <p>1. No slate shall be nominated for President and 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 slate. 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.</p>

<p>2. The Party's nominee for President shall be chosen by majority vote. If no candidate has attained a majority, the candidate with the fewest votes and any candidates polling less than 5% shall be struck from subsequent ballots. This procedure shall be repeated after every ballot in which no candidate has received a majority vote, until one candidate attains a majority.</p> <p>4. The Party's nominee for Vice-President shall be chosen by the same procedure as for the Presidential nominee except that the Presidential nominee shall have the privilege of addressing the Convention for 5 minutes, after nominations have been made but before voting has begun, for the purpose of endorsing or objecting to any of the Vice-Presidential nominees. Nominations for Vice-President shall close after selection of the Presidential nominee.</p> <p>5. Nominating and seconding speeches for each candidate shall be limited in duration as follows:</p> <p>a. President: Total of 16 minutes;</p> <p>b. Vice-President: Total of 11 minutes.</p> <p>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.</p>	<p>2. The Party's nominees for President and Vice President shall be chosen by majority vote. If no <del>candidate</del> <b>slate</b> has attained a majority, the <del>candidate</del> <b>one</b> with the fewest votes and any <del>candidates</del> polling less than 5% shall be struck from subsequent ballots. This procedure shall be repeated after every ballot in which no <del>candidate</del> <b>slate</b> has received a majority vote, until one <del>candidate</del> attains a majority.</p> <p><del>4. The Party's nominee for Vice-President shall be chosen by the same procedure as for the Presidential nominee except that the Presidential nominee shall have the privilege of addressing the Convention for 5 minutes, after nominations have been made but before voting has begun, for the purpose of endorsing or objecting to any of the Vice-Presidential nominees. Nominations for Vice-President shall close after selection of the Presidential nominee.</del></p> <p>5. Nominating and seconding speeches for each candidate slate shall be limited to a total of 20 minutes. <del>in duration as follows:</del></p> <p><del>a. President: Total of 16 minutes;</del></p> <p><del>b. Vice-President: Total of 11 minutes.</del></p> <p>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.</p>	<p>2. The Party's nominees for President and Vice President shall be chosen by majority vote. If no slate has attained a majority, the one with the fewest votes and any polling less than 5% shall be struck from subsequent ballots. This procedure shall be repeated after every ballot in which no slate has received a majority vote, until one attains a majority.</p> <p>4. Nominating and seconding speeches for each slate shall be limited to a total of 20 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.</p>
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<p><b>ARTICLE 11: CONVENTIONS</b></p> <p>8. Votes cast for "None of the Above" in voting on the Party's nominees for President and Vice-President, the Party</p>	<p><b>ARTICLE 11: CONVENTIONS</b></p> <p>8. Votes cast for "None of the Above" in voting on the Party's nominees for President and Vice-President, the Party</p>	<p><b>ARTICLE 11: CONVENTIONS</b></p> <p>8. Votes cast for "None of the Above" in voting on the Party's nominees for President and Vice-President, the Party</p>
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<p>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.</p>	<p>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 candidates shall be nominated for that those offices. 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.</p>	<p>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/Vice-Presidential balloting, no candidates shall be nominated for those offices. 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.</p>
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Proviso: This amendment shall take effect upon the final adjournment of the convention at which it is adopted.

Rationale: (1) Delegates devote much attention to who will be selected as our Presidential nominee. Not so much for our Vice Presidential nominee. We often do not know who will emerge as a Vice Presidential Nominee until just before the nomination. And because the Presidential candidate did not run as a team with the Vice Presidential candidate while seeking the nomination, the Vice Presidential nominee is often not incorporated into the campaign afterward. (2) By placing the onus on our Presidential candidates to select their running mates ahead of time it increases the likelihood that the successful slate will act as a team after the nomination and makes it more likely that a Vice Presidential candidate will be vetted in advance.

It was moved to postpone consideration of this proposal until after the consideration of all other proposals to be considered at this session, and the motion was adopted by unanimous consent.

Proposal 8:

The body took up consideration of the following proposal and rationale:

Delete Bylaw Article 2: Period of Duration.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 2: PERIOD OF DURATION</b> The duration of the Party shall be perpetual.</p>	<p><del><b>ARTICLE 2: PERIOD OF DURATION</b></del> <del>The duration of the Party shall be perpetual.</del></p>	

and renumber accordingly.

Rationale: Bylaws need not be cluttered with unnecessary language. One unnecessary article is Article 2: Period of Duration.

The motion was adopted by unanimous consent.

Proposal 9:

The body took up consideration of the following proposal, rationale, and proviso:

Make Elected Libertarians Automatic Delegates at Convention

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 11: CONVENTIONS</b>            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 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 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.</p>	<p><b>ARTICLE 11: CONVENTIONS</b>            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 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 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.  <b>Unless disapproved by a majority vote of the affiliate's or Convention's non-ex-officio delegates, in addition to the delegate allocation, any sustaining member serving in public office subject to a vote of the general electorate is entitled to be a delegate in the corresponding affiliate's delegation upon presenting proof of such status to the Credentials Committee. The Credentials Committee shall</b></p>	<p><b>ARTICLE 11: CONVENTIONS</b>            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 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 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.            Unless disapproved by a majority vote of the affiliate's or Convention's non-ex-officio delegates, in addition to the delegate allocation, any sustaining member serving in public office subject to a vote of the general electorate is entitled to be a delegate in the corresponding affiliate's delegation upon presenting proof of such status to the Credentials Committee. The Credentials Committee shall</p>

	<b>include in its report the number of such delegates added to each delegation.</b>	include in its report the number of such delegates added to each delegation.
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Proviso: The amendment shall take effect upon the close of the convention at which it is adopted.

Rationale:

(1) It is not easy to become an elected Libertarian. Our Libertarian elected officials are important to our development as a successful political party. We need to do more to recognize our elected officials. Providing them with special status as a delegate is one cost-effective method of recognition.

(2) Giving automatic delegate status to Libertarians who are serving in elected office will encourage more of them to attend our conventions and share their success stories. By learning more from these individuals first-hand we may encourage a greater number of us to run for winnable elections.

The motion was adopted. (7-0)

Proposal 10:

The body took up consideration of the following proposal, rationale, and proviso:

Re-Authorize LNC Establishment of Dues with a Two-Thirds Vote

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 5: MEMBERSHIP</b></p> <p>1. Members of the Party shall be those persons who have certified in writing that they oppose the initiation of force to achieve political or social goals.</p> <p>2. The National Committee may offer life memberships, and must honor all prior and future life memberships.</p> <p>3. "Sustaining member" is any Party member who has given at least \$25 to the Party in the prior twelve months, or who is a life member.</p> <p>4. The National Committee may create other levels of membership and shall determine the contribution or dues levels for such</p>	<p><b>ARTICLE 5: MEMBERSHIP</b></p> <p>1. Members of the Party shall be those persons who have certified in writing that they oppose the initiation of force to achieve political or social goals.</p> <p>2. The National Committee may offer life memberships, and must honor all prior and future life memberships.</p> <p><del>3.</del>  <del>"Sustaining member" is any Party member who has given at least \$25 to the Party in the prior twelve months, or who is a life member.</del></p> <p><del>3.</del>  The National Committee may create other levels of membership and shall</p>	<p><b>ARTICLE 5: MEMBERSHIP</b></p> <p>1. Members of the Party shall be those persons who have certified in writing that they oppose the initiation of force to achieve political or social goals.</p> <p>2. The National Committee may offer life memberships, and must honor all prior and future life memberships.</p> <p>3. "Sustaining members" are members of the Party who:</p> <p>a. During the prior twelve months have donated, or have had donated on their behalf, an amount of at least \$25 prescribed by a two-thirds vote of the National</p>

<p>memberships. 5. Higher levels of contribution by or on behalf of a Party member qualify as sustaining member status for any provision of these Bylaws. 6. Only sustaining members shall be counted for delegate apportionment and National Committee representation. Only sustaining members shall be eligible to hold National Party office or be a candidate for President or Vice-President.</p>	<p><del>determine the contribution or dues levels for such memberships:</del> <del>4. Higher levels of contribution by or on behalf of a Party member qualify as sustaining member status for any provision of these Bylaws:</del> <del>5. Only sustaining members shall be counted for delegate apportionment and National Committee representation. Only sustaining members shall be eligible to hold National Party office or be a candidate for President or Vice-President:</del> <b>3. "Sustaining members" are members of the Party who:</b> <b>a. During the prior twelve months have donated, or have had donated on their behalf, an amount of at least \$25 prescribed by a two-thirds vote of the National Committee; or</b> <b>b. Are Life members</b></p>	<p>Committee; or b. Are Life members</p>
<p><b>ARTICLE 15: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS</b> 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</p>	<p><b>ARTICLE 15: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS</b> 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</p>	<p><b>ARTICLE 15: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS</b> 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</p>

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. A stand-in is an individual who has agreed to be placed on a state affiliate's nomination petition prior to the selection of nominees by the Libertarian Party at Convention.	the nomination of the Party, who served as a stand-in candidate during the current election cycle, or who is not a <b>sustaining</b> member of the Party. A stand-in is an individual who has agreed to be placed on a state affiliate's nomination petition prior to the selection of nominees by the Libertarian Party at Convention.	the nomination of the Party, who served as a stand-in candidate during the current election cycle, or who is not a sustaining member of the Party. A stand-in is an individual who has agreed to be placed on a state affiliate's nomination petition prior to the selection of nominees by the Libertarian Party at Convention.
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and renumber accordingly.

Proviso: The dues for a Sustaining Member shall remain at \$25 until and unless a change is adopted by a two-thirds vote of the National Committee.

Rationale:

(1) Back in 2004/2005 the National Committee, with a bare majority, first increased dues from \$25 to \$50, and several months later decreased dues from \$50 to \$0. In response, the Bylaws Committee proposed – and the delegates at the 2006 convention adopted – a bylaw change setting the dues at \$25, not taking into account future debasement of the U.S. Dollar. In hindsight, we believe this was the wrong solution to a legitimate problem. Instead, we propose returning the setting of dues to the National Committee, but only allow changes to dues be enacted with a two-thirds vote.

(2) We are also taking this opportunity to clean up the existing language, eliminate redundancy and correct a conflicting provision. The following redundant items in Article 5.6 are addressed elsewhere in the bylaws:

- Sustaining membership requirements for delegate apportionment (Article 11.4)
- Sustaining membership requirements for national committee representation (Article 8.2.c)
- Sustaining membership requirements to hold national party office (Articles 7.1 and 8.4)

Article 5.6 requires that our candidate for President be a sustaining member, while Article 15.2 does not. We are correcting Article 15.2.

After debate, the motion was adopted. (9-0)

Proposal 11:

The body took up consideration of the following proposal and rationale:

Establish a Party Mission Statement

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
	<b>ARTICLE 3: MISSION STATEMENT</b>  Elect Libertarian candidates to public office to defend freedom and expand liberty in America.	<b>ARTICLE 3: MISSION STATEMENT</b>  Elect Libertarian candidates to public office to defend freedom and expand liberty in America.

Rationale: We propose a Party mission statement: a clear, memorable and concise sentence that explains our reason for being. There are three pivotal elements of a great mission statement. It should saliently state:

- 1) A cause or who we serve.
- 2) What we do.
- 3) The result we want.

Examples of mission statements from other organizations:

Google: *“to organize the world’s information and make it universally accessible and useful.”*

American Heart Association: *“To build healthier lives, free of cardiovascular diseases and stroke.”*

charity:water: *“We’re a nonprofit organization bringing clean, safe drinking water to people in developing countries.”*

A substitute was moved, which read "Defend freedom and expand liberty in America by electing Libertarians to public office." The substitution was adopted by unanimous consent, and the body took up the pending motion as substituted.

A substitute was moved, which read "To build healthier lives, free of cardiovascular diseases and stroke." The chair ruled the amendment out of order as not germane, and the body returned to consideration of the pending main motion.

The motion as substituted was adopted. (8-0)

Proposal 12:

The body took up consideration of the following proposal, rationale, and proviso:

Elect officers to four-year terms at the Mid-Term Convention and make them subject to recall if delegates conclude that they are not performing well.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 11: CONVENTIONS</b></p> <p>1. Regular Conventions: The Party shall hold a Regular Convention every two 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 year through August of an even-numbered year. All business required to be conducted at Regular Conventions shall be conducted at Regular Conventions only.</p>	<p><b>ARTICLE 11: CONVENTIONS</b></p> <p>1. Regular Conventions: The Party shall hold a Regular Convention every two 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 year through August of an even-numbered year. All business required to be conducted at Regular Conventions shall be conducted at Regular Conventions only.</p> <p><b>The Regular Convention held between Presidential Nominating Conventions shall be a Mid-Term Convention.</b></p>	<p><b>ARTICLE 11: CONVENTIONS</b></p> <p>1. Regular Conventions: The Party shall hold a Regular Convention every two 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 year through August of an even-numbered year. All business required to be conducted at Regular Conventions shall be conducted at Regular Conventions only. The Regular Convention held between Presidential Nominating Conventions shall be a Mid-Term Convention.</p>
<p><b>ARTICLE 7: OFFICERS</b></p> <p>1. The officers of the Party shall be: o Chair, o Vice-Chair, o Secretary, and o Treasurer. All of these officers shall be elected by a Regular Convention of the Party, shall take office immediately upon the close of the Convention and shall serve thereafter until the final adjournment of the next Regular Convention. No person</p>	<p><b>ARTICLE 7: OFFICERS</b></p> <p>1. The officers of the Party shall be: o Chair, o Vice-Chair, o Secretary, and o Treasurer. All of these officers shall be elected by a Regular <b>at a Mid-Term</b> Convention of the Party, shall take office immediately upon the close of the Convention and shall serve thereafter until the final adjournment of the next <b>Regular Mid-Term</b> Convention, <b>or until removed from office.</b> No</p>	<p><b>ARTICLE 7: OFFICERS</b></p> <p>1. The officers of the Party shall be: o Chair, o Vice-Chair, o Secretary, and o Treasurer. All of these officers shall be elected at a Mid-Term Convention of the Party, shall take office immediately upon the close of the Convention and shall serve thereafter until the final adjournment of the next Mid-Term Convention, or until removed from office.</p>

<p>shall serve as an officer who is not a sustaining member of the Party.</p>	<p>person shall serve as an officer who is not a sustaining member of the Party.</p>	<p>No person shall serve as an officer who is not a sustaining member of the Party.</p>
<p><b>ARTICLE 8: NATIONAL COMMITTEE</b></p> <p>7. The National Committee shall appoint new officers and members-at-large if vacancies occur, such officers and members-at-large to complete the term of the office vacated.</p>	<p><b>ARTICLE 8: NATIONAL COMMITTEE</b></p> <p>7. The National Committee shall appoint new officers and members-at-large if vacancies occur, such officers and members-at-large to complete the term of the office vacated, <b>or until there is an intervening Regular Convention, at which time a special election will be conducted to fill the seat.</b></p>	<p><b>ARTICLE 8: NATIONAL COMMITTEE</b></p> <p>7. The National Committee shall appoint new officers and members-at-large if vacancies occur, such officers and members-at-large to complete the term of the office vacated, or until there is an intervening Regular Convention, at which time a special election will be conducted to fill the seat.</p>
	<p><b>RULE 8: ELECTION OF OFFICERS AND NATIONAL COMMITTEE</b></p> <p><b>5. If a petition requesting the removal of a named Party Officer is signed by ten percent of the credentialed delegates and submitted to the Secretary by the close of business of the first day of a Presidential Nominating Convention, a vote to remove that Party Officer from office shall be included in the Order of Business immediately prior to Election of Party Officers and At-large Members of the National Committee. Each petition shall name no more than one person.</b></p>	<p><b>RULE 8: ELECTION OF OFFICERS AND NATIONAL COMMITTEE</b></p> <p>5. If a petition requesting the removal of a named Party Officer is signed by ten percent of the credentialed delegates and submitted to the Secretary by the close of business of the first day of a Presidential Nominating Convention, a vote to remove that Party Officer from office shall be included in the Order of Business immediately prior to Election of Party Officers and At-large Members of the National Committee. Each petition shall name no more than one person.</p>

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

Rationale:

- (1) Officers are particularly responsible for making sure the advance work is done obtaining ballot access for our Presidential campaigns. Yet, it is difficult to hold them accountable if we elect them only a few months prior to the Presidential election. Having Party Officers elected at the Mid-Term Convention means that we aren't trying to get them up-to-speed only a few months before a Presidential election.
- (2) We spent XX hours electing officers at the 2012 Presidential Nominating Convention. The time saved every four years by adopting this proposal will allow more people to stay through the entire convention and not miss out on important business, or allow more time for other activities important to attendees.

It was moved to amend by striking "XX" in the rationale and inserting in its place "eight," conditional on verification of the correctness of this number by the LNC Secretary. The amendment having been adopted by unanimous consent, the rationale, conditional upon verification by the LNC Secretary, will now read:

Rationale:

- (1) Officers are particularly responsible for making sure the advance work is done obtaining ballot access for our Presidential campaigns. Yet, it is difficult to hold them accountable if we elect them only a few months prior to the Presidential election. Having Party Officers elected at the Mid-Term Convention means that we aren't trying to get them up-to-speed only a few months before a Presidential election.
- (2) We spent ~~XX~~ **eight** hours electing officers at the 2012 Presidential Nominating Convention. The time saved every four years by adopting this proposal will allow more people to stay through the entire convention and not miss out on important business, or allow more time for other activities important to attendees.

The motion was adopted as amended. (9-0)

Proposal 13:

The body took up consideration of the following proposal, rationale, and proviso:

Protect Party Name Rights for Affiliates

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 6: AFFILIATE PARTIES</b></p> <p>1. No person, group or organization may use the name "Libertarian Party" or any confusingly similar designation except the Party or an organization to which the Party grants affiliate party status or as otherwise provided in these bylaws.</p>	<p><b>ARTICLE 6: AFFILIATE PARTIES</b></p> <p>1. No person, group or organization may use the name "Libertarian Party" or any confusingly similar designation except the Party or an organization to which the Party grants affiliate party status or as otherwise provided in these bylaws. <b>An affiliate that does not have on file with the Party a signed standard agreement acknowledging that the affiliate's use of the Libertarian Party name is</b></p>	<p><b>ARTICLE 6: AFFILIATE PARTIES</b></p> <p>1. No person, group or organization may use the name "Libertarian Party" or any confusingly similar designation except the Party or an organization to which the Party grants affiliate party status or as otherwise provided in these bylaws. An affiliate that does not have on file with the Party a signed standard agreement acknowledging that the affiliate's use of the Libertarian Party name is contingent upon it</p>

	<p><b>contingent upon it remaining an affiliate, that affiliate shall not be eligible to:</b></p> <ul style="list-style-type: none"><li>• <b>send delegates to any Regular Convention;</b></li><li>• <b>join a representative region;</b></li><li>• <b>receive resources from the Party;</b></li><li>• <b>appoint anyone to serve on any Party board or committee.</b></li></ul>	<p>remaining an affiliate, that affiliate shall not be eligible to:</p> <ul style="list-style-type: none"><li>• send delegates to any Regular Convention;</li><li>• join a representative region;</li><li>• receive resources from the Party;</li><li>• appoint anyone to serve on any Party board or committee.</li></ul>
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Proviso: This amendment shall take effect upon the final adjournment of the convention at which it is adopted.

Rationale: Though the National Committee has a registered trademark on the name "Libertarian Party", and though the bylaws already state that no organization may use that name except an affiliate party, the reality is that intellectual property laws are quite complex. If a hijacked state affiliate were to disaffiliate and a new group of Libertarians in that same state wanted to become the affiliate, a state government might allow the previous affiliate to continue to use the name and require that the new affiliate place candidates on the ballot with a party label other than "Libertarian Party." By having all affiliates sign agreements that they may only use the name as long as they are affiliated with the national party, we increase the likelihood of the national party being able to successfully protect the use of the name for our current affiliates.

The motion was adopted. (8-0)

At 3:17, the body adopted by unanimous consent a motion to recess for 5 minutes. The body returned to order at 3:32.

Proposal 14:

The body took up consideration of the following proposal, rationale, and proviso:

Define in Advance the Agreement between the Party and the Presidential Campaign

Require the National Committee to publish in advance a contract stating what the Party will do to support the candidate should he or she become the nominee and what the nominee will do for the Party.

The candidate need not sign the contract until he or she arrives at the Convention, so this proposal does not foreclose the possibility of a last-minute “dark horse” candidate.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
	<p><b>ARTICLE 15: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS</b></p> <p>3. Not less than six months prior to each Presidential Nominating Convention, the National Committee shall publish the 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 each person who otherwise qualifies and desires to be our candidate. Only those persons who have signed prior to the close of nominations and are in compliance with the contract shall be recognized as candidates and be eligible to be nominated for President or Vice-President.</p>	<p><b>ARTICLE 15: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS</b></p> <p>3. Not less than six months prior to each Presidential Nominating Convention, the National Committee shall publish the 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 each person who otherwise qualifies and desires to be our candidate. Only those persons who have signed prior to the close of nominations and are in compliance with the contract shall be recognized as candidates and be eligible to be nominated for President or Vice-President.</p>

and renumber accordingly.

Proviso: This amendment shall take effect upon the final adjournment of the convention at which it is adopted. The contract presented as an attachment shall be in effect unless it is revised by the LNC.

Rationale: The Bylaws specify that the National Committee must provide "full support" to the national candidate selected by the delegates. Sometimes the Presidential nominee does not know what to reasonably expect from the Party, nor does he or she understand what corresponding duty his or her campaign has to the Party. Such a situation can leave both sides disappointed.

We have had problems with previous Presidential campaigns because we did not have this bylaw in place. The Bob Barr campaign refused to sign an agreement with the National Committee, so the Party was never given the opportunity to solicit that campaign's donors for Party membership. The Gary Johnson campaign wanted to sign an agreement, but the National Committee didn't craft one until almost two months after the nomination and that delayed integrating the campaign's efforts with the national headquarters. Having an agreement published in advance makes it clear to all parties what should be reasonably expected of each. And upon nomination, the Party shall already have a contract with the nominee, so time can be better spent campaigning, rather than negotiating support.

Following debate, the motion was adopted. (9-0)

Proposal 15:

The body took up consideration of the following proposal to amend the Article 10, Section 2 of the Bylaws, and Convention Rule 1, as shown, and renumber accordingly:

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.

3. Audit Committee.

The non-officer members of the National Committee shall appoint a standing Audit Committee of three members with power to **engage** ~~select~~ the independent auditor. One member ~~shall~~ **may** be **either** a non-officer member **or an alternate** of the National Committee and the other two shall not be members **or alternates** of the National Committee. **The officers, the National Committee, and employees of the Party shall have no authority to contravene the Audit Committee's instructions to the auditor.** The Audit Committee shall **present its findings to each Regular Convention and** clarify for the National Committee any recommendations made by the auditor.

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. **Audit Committee report**
6. Bylaws and Rules Committee report
7. Platform Committee report
8. Nomination of Party candidates for President and Vice-President (in appropriate years)
9. Election of Party Officers and at-large members of the National Committee

10. Election of Judicial Committee
11. Resolutions
12. Other business

By unanimous consent it was ordered to extend debate by 5 minutes.

It was moved to amend by striking the words "The National Committee," immediately following "The officers,". The amendment having been adopted by unanimous consent, the pending motion as amended now read:

#### 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.
3. Audit Committee.

The non-officer members of the National Committee shall appoint a standing Audit Committee of three members with power to **engage** ~~select~~ the independent auditor. One member ~~shall~~ **may** be **either** a non-officer member **or an alternate** of the National Committee and the other two shall not be members **or alternates** of the National Committee. **The officers; the National Committee; and employees of the Party shall have no authority to contravene the Audit Committee's instructions to the auditor.** The Audit Committee shall **present its findings to each Regular Convention and** clarify for the National Committee any recommendations made by the auditor.

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9. Election of Party Officers and at-large members of the National Committee
10. Election of Judicial Committee
11. Resolutions
12. Other business

It was ordered by unanimous consent to extend debate for 5 minutes.

It was moved to divide the question by separating the matter of presenting the Audit Committee report to the Convention from the remainder of the proposal. The division was ordered by unanimous consent, and the body took up the first question:

#### 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.

3. Audit Committee.

The non-officer members of the National Committee shall appoint a standing Audit Committee of three members with power to **engage** ~~select~~ the independent auditor. One member ~~shall~~ **may** be **either** a non-officer member **or an alternate** of the National Committee and the other two shall not be members **or alternates** of the National Committee.

**The officers; the National Committee; and employees of the Party shall have no authority to contravene the Audit Committee's instructions to the auditor.** The Audit Committee shall clarify for the National Committee any recommendations made by the auditor.

The previous question having been ordered by unanimous consent as regards the immediately pending question, the body moved to a vote, and the motion was adopted.

The body then took up the second question (additions as indicated with underlines):

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.

3. Audit Committee.

The non-officer members of the National Committee shall appoint a standing Audit Committee of three members with power to **engage** ~~select~~ the independent auditor. One member ~~shall~~ **may** be **either** a non-officer member **or an alternate** of the National Committee and the other two shall not be members **or alternates** of the National Committee. **The officers; the National Committee; and employees of the Party shall have no authority to contravene the Audit Committee's instructions to the auditor.** The Audit Committee shall **present its findings to each Regular Convention and** clarify for the National Committee any recommendations made by the auditor.

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

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

Following debate, the motion was adopted. (5-3)

Proposal 16:

The body took up consideration of the following proposal to amend by addition Article 9 of the Bylaws:

## 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. 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.

2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows: a. suspension of affiliate parties (Article 6, Section 6), b. suspension of officers (Article 7, Section 7), c. suspension of National Committee members-at-large (Article 8, Section 5), d. voiding of National Committee decisions (Article 8, Section 12), e. challenges to platform planks (Rule 5, Section 7), f. challenges to Resolutions (Rule 6, Section 2), and g. suspension of Presidential and Vice-Presidential candidates (Article 15, Section 5).

3. Within 90 days following the Regular Convention at which elected, the Judicial Committee shall establish Rules of Appellate Procedure to govern its consideration of matters within the scope of its jurisdiction. The existing Rules shall remain in effect until and unless the Judicial Committee submits new proposed rules to the National Committee for approval, which approval shall be deemed given unless denied by a 2/3 vote of the National Committee within 60 days of submission. A copy of the current Rules of Appellate Procedure shall be maintained by the Secretary at the Party Headquarters and shall be available to any member at cost. **The Judicial Committee's deliberations shall be conducted in an open manner. Meetings of the Committee shall be open to any Party member as an observer; teleconferences of the Committee shall likewise permit Party members as observers, up to the limits of the technology used. The Committee may, by a majority vote, enter into Executive Session after specifying the broad purpose of said Session.**

Following debate, the motion was adopted. (4-3)

### Proposal 17:

By unanimous consent, the body informally considered several competing proposals, during which time the body ordered a 10 minute extension of debate followed by two five minute extensions of debate on this agenda item.

A proposal to amend Article 11 of the Bylaws by substituting the text below for the entirety of Section 9 was moved:

### Bylaws Article 11 CONVENTIONS

#### (9) Quorum:

For the purpose of electing Party officials, a quorum shall consist of one-third of the maximum number of delegates registered in attendance at the Convention. For all other business, a quorum shall consist of a majority of the maximum number of delegates registered in attendance at the Convention.

A substitute was then moved. The substitute would amend Articles 11 and 18 of the Bylaws and as shown, and would adopt the rationale shown below:

DISCUSSION: Experience at past conventions indicates that the existing 40% quorum requirement may be too high. Important matters such as the election of Judicial Committee members often get pushed to the end of the convention, where the lack of a quorum risks preventing a new Judicial Committee from being constituted. Sometimes a convention will attempt to circumvent the quorum threshold by asking delegates to “check out” before departing. However, Robert’s Rules of Order explicitly forbid this method of circumvention. (*“If the Bylaws or the convention’s standing rules do not prescribe a quorum – which they should do – the quorum is a majority of the number of voting members who have actually registered, **irrespective of whether some may have departed.**” [emphasis added]*)

Lowering the quorum requirement from 40% to 33.3% ought to solve this problem without violating RONR. But at the same time, it’s important to protect the Bylaws from drastic alterations by a rump group of delegates who hang around until everyone else has departed. So this change would add a provision that Bylaws Amendments will need both a 2/3 vote of the delegates present and 1/3 of the maximum number of delegates who attended the convention.

#### Bylaws Article 11 CONVENTIONS

##### (9) Quorum:

A quorum shall consist of ~~40%~~ **one-third** of the total number of delegates registered in attendance at the Convention.

#### Bylaws Article 18 AMENDMENT

1. These Bylaws may be amended by a 2/3 vote of the delegates at any Regular Convention, **as long as those in the affirmative constitute at least one-third of the maximum number of delegates.**

The substitution having failed to be adopted, the body returned to consideration of the main motion, which was adopted. (5-2)

#### Proposals 18 and 19:

By unanimous consent, the body informally considered several competing proposals. During this time, the body ordered a 5 minute extension of debate, followed by a further 2 minute extension of debate on this agenda item.

A proposal to amend Article 18, Section 1 of the Bylaws by addition as shown was then moved:

#### Article 18

1. These Bylaws may be amended by a 2/3 vote of the delegates at any Regular Convention. **These bylaws may be amended only with previous notice satisfied by submitting to the Secretary the exact text of the proposed amendment at least 24 hours in advance. The Secretary shall promptly notify the delegates.**

Following debate, the motion failed to be adopted. (4-4)

Proposal 20:

The body took up consideration of the following proposal, rationale, and proviso:

Eliminate Non-Regular Conventions from Bylaws

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>ARTICLE 11: CONVENTIONS</b></p> <p>1. Regular Conventions:            The Party shall hold a Regular Convention every two 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 year through August of an even-numbered year. All business required to be conducted at Regular Conventions shall be conducted at Regular Conventions only.</p> <p>2. Non-Regular Conventions:            In any year which does not include a Regular Convention, a non-regular convention may be held at the discretion of the National Committee.</p> <p>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.</p>	<p><b>ARTICLE 11: CONVENTIONS</b></p> <p>1. Regular Conventions:            The Party shall hold a Regular Convention every two 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 year through August of an even-numbered year. All business required to be conducted at Regular Conventions shall be conducted at Regular Conventions only.</p> <p><del>2. Non-Regular Conventions:            In any year which does not include a Regular Convention, a non-regular convention may be held at the discretion of the National Committee.</del></p> <p>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.  <del>At all Non-Regular Conventions, any person who wishes to attend may do so.</del></p>	<p><b>ARTICLE 11: CONVENTIONS</b></p> <p>1. Regular Conventions:            The Party shall hold a Regular Convention every two 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 year through August of an even-numbered year. All business required to be conducted at Regular Conventions shall be conducted at Regular Conventions only.</p> <p>2. 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.</p>

and renumber accordingly.

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

Rationale:

- (1) The Party has not held a non-regular convention since the late 1970s.
- (2) In the absence of this language, nothing prohibits the National Committee from organizing informal gatherings where no official business takes place.

The motion was adopted. (9-0)

### **Consideration of Proposals 22-26, in that order**

*Proposal 23 (Proposal 22 was not introduced):*

The body took up consideration of the following proposal to amend Article 14 of the Bylaws by insertion, and Article 8, Section 14 of the Bylaws by insertion, as shown, together with its rationale:

#### **ARTICLE 14: ELECTRONIC MAIL BALLOTS**

Boards and committees **other than the National Committee** may transact business by electronic mail. The chair or secretary shall send out electronic mail ballots on any question submitted by the chair or cosponsored by at least 1/5 of the members of the board or committee. The period for voting on a question shall remain open for ten days, unless all members have cast votes, or have stated an intention to abstain or be absent during the voting period, by electronic mail to the entire board or committee. Votes from alternates will be counted, in accordance with previously defined ranked order, in the absence of the corresponding committee member(s). The outcome of each motion shall be announced promptly and recorded in the minutes of the next meeting. The number of votes required for passage of any motion shall be the same as that required during a meeting. Motions dispensed through electronic mail ballots satisfy the requirement of giving previous notice.

#### **Article 8: National Committee**

14. The Secretary or a designee shall promptly post notice for each session of the National Committee; any National Committee proposed agendas; and approved minutes of each Convention and open National Committee session to a permanent archive section on the Party's website. Any person may record the National Committee's proceedings while in open session, ~~or subscribe to a read-only email list on which LNC votes are recorded.~~

Reason: There are two things to be explained - why the LNC should not be permitted to use email ballots, and why other committees are not included.

1. A deliberative assembly is one where members gather in one place and can hear each other. Email balloting clearly fails this requirement. It is a mistake to say that Henry Robert simply did not foresee the possibility since he lacked the technology; there were available means of asynchronous voting which were deliberately excluded, and for good reason. Asynchronous voting methods make it easy for members to be non-responsive to points made in debate, indeed, to completely ignore points made in debate, such as by simply not opening emails. They violate, in spirit at least, the basic principle that the majority must hear from the minority before deciding. As a result, they inflame factionalism. In addition, they are messy from a parliamentary standpoint, with RONR telling organizations that choose to use them that they are on their own without providing any guidance. Amendments simply do not work, making it impractical to

perfect a motion in the technical sense. Members are able to consult informally before making a motion, as they can before a physical meeting, but are likely to do so only with those with whom they agree, preventing the give and take of the amendment process, and, again, increasing factionalism. Challenging an email ballot which would be out of order in a physical meeting is difficult, and impossible at times, allowing members to get away with things they could not do in a meeting. Finally, the LNC has an Executive Committee, and has the ability to conduct video-conferences should the entire committee wish to conduct business between meetings.

2. Not all committees have Executive Committees, and not all are well-equipped to conduct video-conferences, even though they are authorized to do so by the Bylaws. Certain committees regularly conduct email ballots in a context where they are unlikely to encounter the issues above, but it would be impractical and, in the case of non-mandated committees, a mistake, for a Bylaw to list those committees. Therefore, it seems prudent to leave this ability in place for other committees.

By unanimous consent, the body ordered a 2 minute extension of debate.

After debate, the motion failed to be adopted. (3-4)

Proposal 24:

The body took up consideration of the following proposal to amend the Convention Rules by adding a new Section 10, together with its rationale:

**VERIFICATION OF DELEGATION VOTE TOTALS**

Rationale: Because elections at our conventions are manually tabulated by humans, mistakes inevitably occur. Even the best-intentioned human makes mistakes, especially under time pressures. These mistakes have the potential for changing the outcome of an election. Sometimes the errors are caught onsite during the election, but sometimes they are not. Our conventions tend to not scrutinize election totals a second time unless the race seems to be close, but this approach is based on the erroneous assumption that any mistakes would be of a small magnitude, though large mistakes are just as easy to make as small ones. An appendix to the minutes of the 2014 national convention documents that during that convention, one officer was mistakenly declared elected when the correct results indicated it was a tie, and the convention should have undertaken another round of voting. In the 2014 At-Large race, 12.5% of the state chairs made errors in their tabulations. In the 2014 Judicial Committee race, 15.15% of the state chairs made errors in their tabulations. Numerous other examples can be cited from numerous other years. To increase the likelihood of finding these errors during the election process, this proposal would require that state delegation totals be double-checked by a second person, and also that those totals be reviewed on projection screens once they have been transferred into the Secretary's tabulation system.

**RULE 10: VERIFICATION OF DELEGATION VOTE TOTALS**

**For each vote in which subtotals are submitted by delegation, each delegation shall conduct its vote by written ballot. After each delegation has tabulated its own vote totals, before submitting the totals to the Secretary, the delegation chair of another delegation shall review the ballot tabulation for accuracy and co-sign the delegation totals. After the Secretary has recorded all delegation submissions, the state-by-state delegation totals for each candidate or choice shall be displayed on a projection screen for each delegation to review for accuracy.**

By unanimous consent, the body ordered a 3 minute extension of debate.

It was moved to amend by striking "the delegation chair of another delegation" and inserting "tellers appointed by the Secretary" in its place. The amendment having been adopted by unanimous consent, the question was now on the addition of Rule 10 as follows:

#### **RULE 10: VERIFICATION OF DELEGATION VOTE TOTALS**

**For each vote in which subtotals are submitted by delegation, each delegation shall conduct its vote by written ballot. After each delegation has tabulated its own vote totals, before submitting the totals to the Secretary, the delegation chair of another delegation tellers appointed by the Secretary shall review the ballot tabulation for accuracy and co-sign the delegation totals. After the Secretary has recorded all delegation submissions, the state-by-state delegation totals for each candidate or choice shall be displayed on a projection screen for each delegation to review for accuracy.**

After debate, the motion was adopted as amended. (9-0)

At 5:03, the body adopted by unanimous consent a motion to recess until the call of the chair. The body returned to order at 5:05.

#### Proposal 26:

The body took up consideration of the following proposal to amend Article 12, Section 6 of the Bylaws by striking out Subsection a and relettering accordingly, together with its rationale:

#### **DELETE REDUNDANT AND CONFUSING ARTICLE 12.6.a**

Rationale: As our parliamentary authority, Robert's Rules already provides that a majority vote is a fundamental necessity for official action to be taken by a body, thus the first portion of Bylaw Article 12.6.a is redundant with Robert's Rules and doesn't need to be stated again in our bylaws. It is difficult to understand what is even intended by the second portion of the section. Does it mean that the Platform Committee must vote on every single plank in the platform even if they are proposing no changes to some of them? Does it instead mean that no proposal can be made if it affects more than one plank, such as moving language from one plank to another, or that could be done as long as two separate votes were taken? If it were intended to prevent a dominant group on the committee from adopting a number of recommendations for different-subject planks in a single vote, note that Robert's Rules (p. 274-275) already permits a single person to demand division of the question in such a case:

*"MOTIONS THAT MUST BE DIVIDED ON DEMAND. Sometimes a series of independent resolutions or main motions dealing with different subjects is offered in one motion. In such a case, one or more of the several resolutions must receive separate consideration and vote at the request of a single member, and the motion for Division of a Question is not used..."*

#### **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.

The motion was adopted. (7-1)

New proposal 27:

The body took up a further proposal to amend Article 12, Section 6, by striking out Subsection c, as follows:

~~e. A majority of the membership of each committee shall constitute a quorum.~~

The motion was adopted. (8-1)

**Appointment of Subcommittees**

Rationale Subcommittee

It was moved by the Chair to appoint a subcommittee with the power to amend rationales of adopted proposals, and to appoint Mr. Wiener, Mr. Starr, and Mr. Moulton to this subcommittee, with the subcommittee selecting its own chair. The motion was adopted by unanimous consent.

Sequencing Subcommittee

It was moved by Mr. Starr to appoint a subcommittee to propose a sequencing of proposals in the final report, and to appoint Mr. Goldstein, Ms. Mattson, and Mr. Katz to this subcommittee, with the subcommittee selecting its own chair. The motion was adopted by unanimous consent.

**Adjournment**

At 5:29, Mr. Starr moved to adjourn to meet at the call of the chair. The motion was adopted.

**Appendix: Email Ballots**

The committee had conducted the following email ballots prior to this inaugural formal committee meeting.

Election of Chair:

We have an electronic mail ballot. (April 3, 2015)

Votes are due to all members of this group (or to the bylaws list that will be setup by HQ on Monday) by April 13, 2015 at 11:59:59pm Pacific time.

Co-Sponsors: Alicia Mattson, M Carling, Aaron Starr, and Joshua Katz

Motion: Election of permanent chair of the Bylaws and Rules Committee

The vote to select the permanent chair of the Bylaws and Rules Committee will proceed as follows:

On each ballot, a member of the Committee will cast a vote for at most one person on the ballot, or cast a vote for "None of the Above." The candidate who receives a majority of the votes cast on a given ballot is selected to serve as permanent chair.

The first ballot shall include anyone who has been nominated for the position (committee members may nominate during the first ballot). Should no candidate receive a majority of the votes cast on a given ballot, a subsequent ballot will be distributed. Candidates who received 0 votes on the given ballot will not be included on the subsequent ballot. In addition, of those candidates on the given ballot who received at least 1 vote, the person with the fewest votes will not be included on the subsequent ballot.

The voting process will continue until a ballot produces a candidate who receives a majority of the votes cast on that given ballot.

Please retain the subject line "[Bylaws-committee] Email Ballot 2015-01" with your email vote.

Chuck Moulton  
Interim Chair, 2016 LP Bylaws and Rules Committee

\*\*\*

Colleagues,

The email ballot to elect the permanent chair of the 2016 LP Bylaws and Rules Committee has concluded.

I am traveling, so apologies if I get the vote total wrong. My recollection is the final vote is as follows:

M Carling - 8  
Chuck Moulton - 1

Therefore M Carling has been elected as the permanent chair.

Congratulations to M Carling!

Thank you for the opportunity to serve (briefly) as your interim chair. I look forward to continue working as a committee member under M Carling's leadership to propose bylaws changes that will benefit the Libertarian Party.

*Election of Secretary:*

Approval voting for Secretary of the Bylaws Committee shall begin at midnight PDT tonight and end ten days later, as the 24th gives way to the 25th PDT. (April 14, 2015, sent by Chair M Carling.)

All ten members and one alternate are eligible to vote. Each eligible voter may cast one vote for any number of candidates (whether nominated or not) or may vote for NOTA.

Matt's vote will be counted if any one or more members does not vote.

A majority is required to win. Nominations remain open.

\*\*\*

The voting period for Secretary of the Bylaws Committee has ended. Joshua Katz is elected.

The results were:

Carling -	Katz
Goldstein -	Katz
Karlan -	Katz
Katz -	No ballot received
Mattson -	Katz
Moulton -	No ballot received
Orrok -	No ballot received
Starr -	Katz
Tomasso -	No ballot received
Wiener -	Katz
and	
Wittlief -	No ballot received

I think our committee will benefit from having a secretary and in particular from having Josh Katz as our secretary.

*Proposal: Add Alternative Certification Language (21)*

We have an electronic mail ballot. (Sept. 24, 2015.)

Votes are due by replying-all to this list by October 4, 2015 at 11:59:59pm Pacific time. Voting will close at that time or when all members have voted or expressly abstained by email to this list.

Sponsor: Carling (Chair)

Motion:

Rationale: Some are not comfortable with the current certification language for membership because they believe it implies that initiating force is acceptable, so long as it is not for political or social goals. For

those with that point of view, we offer alternative certification language we borrowed from our Statement of Principles.

#### Article 5: Membership

1. Members of the Party shall be those persons who have certified in writing that they:

a. oppose the initiation of force to achieve political or social goals,

**or**

**b. agree all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose.**

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

\*\*\*

Voting on this motion has now closed.

Voting in the affirmative: Goldstein, Starr, Moulton, Mattson, Carling, Wiener, Katz

Voting in the negative: Orrek, Karlan, Wittlief (whose vote is counted since not all regular members have voted.)

The final vote is thus 7-3 in the affirmative.

*Proposal: Amend Platform Only During Presidential Nominating Conventions*

We have an electronic mail ballot. (October 25, 2015)

Votes are due by replying-all to this list by November 3, 2015 at 11:59:59pm Pacific time. Voting will close at that time or when all members have voted or expressly abstained by email to this list.

Sponsor: Carling (Chair)

Motion:

Rationale: Our platform is based on succinct principles that do not need to be updated frequently. Since our platform gets the most attention from the public during presidential election years, this proposed change would have us only update the platform during presidential nominating conventions every four years, rather than updating it every two years. As side benefits, convention delegates during the off-presidential years could spend more time attending breakout sessions, and platform committee

members can be freed up to do other volunteer activities during those years without incurring the travel costs required by committee service.

#### 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~~ **Presidential Nominating** Conventions. Additional planks, or additions to planks, must be approved by 2/3 vote. A platform plank may be deleted by majority vote.

#### ARTICLE 12: OTHER COMMITTEES

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

3.d These members shall be selected no later than the last day of the fifth month prior to the ~~Regular~~ **Presidential Nominating** Convention.

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

RULE 5: DEBATING AND VOTING – PLATFORM 2. The Platform Committee shall meet before each ~~Regular~~ **Presidential Nominating** Convention and prepare a report containing its recommendations. At the convention, the Platform Committee's recommendations shall be reported to the floor and debated and voted upon separately. The Platform Committee shall set forth the order in which each recommendation shall be considered.

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Voting on this motion has now closed.

Voting in the affirmative: Moulton, Wiener, Katz, Mattson, Carling, Starr, Orrok

Voting in the negative: Goldstein, Karlan

The final vote is thus 7-2 in the affirmative and the motion is adopted.