



Report of the Bylaws and Rules Committee  
to the delegates of the  
Libertarian National Convention of 2014, Columbus, Ohio

Proposals Adopted 28 February 2014

Note: This draft will be updated by the Style Committee to revise the background information where it was not submitted, is obsolete because the proposal adopted was markedly different from the original proposal or is simply not worded well.

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## Proposal #1: Consent Recommendation at Start of Bylaws Report

*Adopted 10-0:*

- Problem:** Many delegates feel too much time is taken up with updating the Bylaws. Many delegates feel most of these updates are obvious and needed do not require hours of debate when there is a clear supermajority support for the proposals. The end result is frustration with this part of the convention business among a significant percentage of the Convention.
- Solution:** Allow the Bylaws and Rules Committee to propose a set of recommendations as one motion. This is similar to a Consent Calendar used by legislative bodies.
- Benefits:** This would save a significant amount of time for recommendations that have unanimous consent among the committee, saving debate time for those recommendations for which there are concerns, lack of consensus or a need to debate a point.
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Convention Special Rules of Order of the Libertarian Party

### RULE 4: DEBATING AND VOTING -- BYLAWS AND RULES

The Chair of the Bylaws and Rules Committee shall report each recommendation of the Committee to the Convention separately and shall have two minutes to explain the intent or purpose of the proposed amendment(s). The Convention Chair shall open each recommendation to discussion without amendment from the floor. *The committee may submit a slate of up to ten (10) recommendations as a single consent recommendation to be voted up or down. This recommendation must be made available to the delegates at least one hour before the start of regular convention business. No recommendation may be placed into the consent recommendation if there is an objection from any member of the Committee. If it is not approved by the Convention, then each recommendation shall be considered separately.* Each recommendation shall be considered and adopted separately, with a maximum of eight minutes discussion on any recommendation. After the discussion, the Convention Chair shall bring the recommendation to a vote. If the recommendation fails, the Convention Chair shall open the recommendation to amendment for an additional 10 minutes.

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## Proposal #2: Assign Alternate Credentialing to the Correct Entity

*Adopted 10-0:*

**Problem:** The bylaws allow alternate convention delegates to substitute for other delegates who have not yet registered in attendance provided that the Secretary has been provided with affiliate lists of delegates and alternates, and provided that the Secretary certifies the alternate. In reality, convention floor duties consume all of the Secretary's time, and the Secretary cannot be called away to the credentialing desk every time an alternate needs to be certified. The reality of past practice is that the Credentials Committee does this job, not the Secretary. The Credentials Committee maintains all of the necessary information to certify that the conditions have been met, so this duty should be reassigned in a more realistic way.

**Solution:** Bring the Bylaws into conformity with reality and past practice by assigning these duties to the Credentials Committee rather than to the Secretary.

**Benefits:**

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Bylaws of the Libertarian Party

### ARTICLE 11: CONVENTIONS

#### 7. Voting Eligibility:

- b. Duly selected alternates may be freely substituted for any members of their delegation who are temporarily or permanently absent from the floor, provided the procedure has been clearly specified by the affiliate party in advance of the Convention, and the **Secretary Credentials Committee** has been provided with lists of the affiliate party's delegates and alternates as well as a copy of the affiliate party's rules governing substitutions.
  - c. An alternate, upon certification by the **Secretary Credentials Committee**, may function as a delegate whenever a delegate of the same state has not been registered in attendance. This status shall continue until the absent delegate registers in attendance. If the affiliate party has made no provision for filling delegate vacancies, the alternate substitute shall be decided by drawing lots.
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## Proposal #3: Allow Fusion Candidates Where State Election Law Permits

*Adopted 10-0:*

- Problem:** Our bylaws may be interpreted to prevent states from endorsing fusion candidates (candidates running with both a Libertarian Party ballot line and a Republican or Democrat ballot line).
- Solution:** Clarify that endorsing fusion candidates is permitted.
- Benefits:** Allows states to support a wider range of libertarian candidates where state election law facilitates this.
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Bylaws of the Libertarian Party

### ARTICLE 6: AFFILIATE PARTIES

4. No affiliate party shall endorse any candidate ~~who is a member~~ of another party for public office in any partisan election unless state election law permits fusion candidates and the candidate has the Libertarian Party ballot line as well. No affiliate party shall take any action inconsistent with the Statement of Principles or these Bylaws.
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## Proposal #4: Creation of a Style Committee

Adopted 10-0:

**Problem:** A proposal quickly crafted on the floor at the 2010 convention added Convention Rule 5.8, which authorizes the National Committee with only a majority vote to amend the Platform and Bylaws (but not the Convention Special Rules of Order) for non-substantive stylistic changes.

The enacted change is more in the nature of a Bylaw, rather than a Convention Special Rule of Order, which is normally intended to address how we conduct business during the convention.

**Solution:** Require such changes receive a super-majority (rather than a simple majority) of the National Committee after providing advance notice on the Party's website, and that such changes be proposed by a separate Style Committee, a majority of who are other than National Committee members. Move it from the Convention Rules to the Bylaws, where it belongs.

**Benefits:**

1. Increases the requirement for a modification from a simple majority of the National Committee to a two-thirds vote.
2. Assures that the National Committee may not propose such a change, and that majority of those who are proposing a style change are not also serving on the National Committee.

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Convention Special Rules of Order of the Libertarian Party

RULE 5: DEBATING AND VOTING - PLATFORM

~~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.~~

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Bylaws of the Libertarian Party

ARTICLE 17: AMENDMENT

**3. The National Committee shall appoint a Style Committee composed of three members: the Secretary and two individuals who are not members of the National Committee. The Style Committee may propose stylistic changes to the Platform, Bylaws, and Convention Rules that are non-substantive in nature. Proposed changes shall be posted on the Party's website at**

least 30 days prior to being submitted to the National Committee for ratification by a two-thirds vote.

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## Proposal #5: Eliminate Redundant Language for Officers Being National Committee Members

*Adopted 9-0:*

**Problem:** This is a redundancy cleanup proposal. The sentence proposed for elimination is redundant with Bylaws Article 8.2, which says “The National Committee shall be composed of the following members: a. the officers of the Party...” In our organization, there is no parliamentary difference between a "full voting member" as it is phrased in Article 7.3 as compared to just "members" as used in Article 8.2. It is always a risk to have the same concept in two places in the bylaws, as future changes could amend one and forget to amend the other for consistency, leaving a problematic contradiction.

**Solution:** Eliminate the redundant provision by deleting Article 7.3.

**Benefits:**

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Bylaws of the Libertarian Party

ARTICLE 7: OFFICERS

~~3. The officers shall be full voting members of the National Committee.~~

*[re-number subsequent clauses]*

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# Proposal #6: Eliminate Roll Call Vote Announcement by State Chairs for National Committee Elections

*Adopted 9-0:*

**Problem:** Our Convention Rules call for a special procedure for announcing voting results for the Presidential ticket, for the first round of the National Committee Chair election, and for the At-Large election. Under this procedure, the state chairs make a verbal announcement of the results from their state. This is a fun opportunity that makes for good TV during the Presidential nominations, but it does take up a lot of time. Once the TV cameras are off after our Presidential ticket is selected, in every convention in recent memory, delegates have chosen to suspend this rule for the National Committee elections in order to save time.

**Solution:** Eliminate the roll call vote announcements by state chairs for National Committee elections.

**Benefits:**

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Convention Special Rules of Order of the Libertarian Party

## RULE 8: ELECTION OF OFFICERS AND NATIONAL COMMITTEE

1. Nominations for Party Officers shall be from the floor. The election shall be conducted in the following manner:
  - ~~c. For the first round of voting for Chair, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation. Subsequent announcements of each delegation's totals shall be made by the Secretary.~~
2. Nominations for the at-large members of the National Committee shall be from the floor. The election shall be conducted in the following manner:
  - ~~c. At this point, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation.~~

*[re-number subsequent clauses]*

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## Proposal #7: Extend Electronic Mail Ballot Voting to Committees

Adopted 9-0:

- Problem:** The bylaws authorize that business of the Libertarian National Committee may be conducted by email ballot. This same mechanism is not available to committees.
- Solution:** Generalize the rule so that it applies to boards and committees.
- Benefits:** This will allow some of the business that currently takes place in person to be handled online.
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Bylaws of the Libertarian Party

### ARTICLE 8: NATIONAL COMMITTEE

~~**10. The National Committee may, without meeting together, transact business by electronic mail. The Secretary shall send out electronic mail ballots on any question submitted by the Chair or cosponsored by at least 1/5 of the members of the 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, by electronic mail to the Secretary. Votes from alternate regional representatives will be counted, in accordance with the ranking procedure of the region, only if the regional representative fails to respond to the ballot. The number of votes required for passage of any motion shall be the same as that required during a meeting. The Secretary shall preserve all such votes until the next meeting of the National Committee, at which meeting the Committee shall order the disposition of such votes.**~~

### ARTICLE 14: ELECTRONIC MAIL BALLOTS

Boards and committees 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. 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.

[re-number subsequent articles]

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## Proposal #8: Allow Electronic Meetings for Large Committees or Boards

*Adopted 9-0:*

**Problem:** Travel, lodging, and venue fees for meetings are costly.

**Solution:** Meet electronically at the discretion of the committee.

**Benefits:** Saves money.

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Bylaws of the Libertarian Party

### ARTICLE 13: MEETINGS

Boards and committees ~~having fewer than ten members~~ may conduct business by teleconference or videoconference. ~~Each such board or committee~~ The National Committee shall have power to adopt special rules of order and standing rules to facilitate the conduct of business by teleconference or videoconference.

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## Proposal #9: Make Statement of Principles a Separate Stand-Alone Document

*Adopted 9-0:*

- Problem:** The Statement of Principles is a core enduring proclamation of our Party's values that has not been changed in over 40 years. Even though it retains a near permanent nature, its importance is obfuscated and diminished because it is submerged within the Platform, a document often amended to address current political issues.
- Solution:** Just as the Declaration of Independence is (and ought to remain) a separate document from the Articles of Confederation and the U.S. Constitution, our proposal is to elevate our Statement of Principles by making it its own distinct document.
- Benefits:** As a separate document, we can proudly point to one concise stand-alone statement that presents our vision for a better world.
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Bylaws of the Libertarian Party

### ARTICLE 4: STATEMENT OF PRINCIPLES AND PLATFORM

1. The Statement of Principles affirms that philosophy upon which the Libertarian Party is founded, by which it shall be sustained, and through which liberty shall prevail. The enduring importance of the Statement of Principles requires that it may be amended only by a vote of 7/8 of all registered delegates at a Regular Convention.
2. The Party Platform shall ~~include, but not be limited to, the Statement of Principles and~~ advocate the implementation of those principles in the form of planks.
3. The current Platform shall serve as the basis of all future platforms. The existing Platform may be amended only at Regular Conventions. Additional planks, or additions to planks, must be approved by 2/3 vote. A platform plank may be deleted by majority vote.

*Proviso: The Statement of Principles shall be detached from the Party Platform and serve as its own stand-alone document.*

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## Proposal #10: Approval of Convention Minutes

*Adopted 9-1:*

**Problem:** Our conventions are usually rushed for time by the end, and in recent memory they have never taken the time to approve the convention minutes. Due to the fast pace of our elections, oftentimes with overlapping ballots, the minutes can take a substantial amount of time to assemble into a presentable format after the convention is over. From a practical standpoint it is asking a lot to have the Secretary prepare minutes in final form during the convention on top of all the other Secretarial duties. But there should be more eyes reviewing our official records beyond just the Secretary as a single individual. Additionally, should a Secretary not actually produce convention minutes (as has happened in the past), some other body needs to be able to produce a set of minutes. Robert's Rules (11th edition, p. 628) suggests an alternative of delegating this task to either the board or to a separately appointed committee.

**Solution:** Empower the National Committee to approve convention minutes. This proposal includes a 60 day deadline for production of draft minutes. This gives a Secretary a reasonable time in which to perform, and it also gives the National Committee a specific time at which they should start looking for someone else to assemble a draft, should a Convention Secretary not complete the job.

**Benefits:**

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Bylaws of the Libertarian Party

ARTICLE 11: CONVENTIONS

**11. The Convention Secretary shall produce draft convention minutes within 60 days of the adjournment of the Convention and present them to the National Committee. Draft convention minutes shall be posted on the Party's website at least 14 days prior to being submitted to the National Committee for approval by a two-thirds vote.**

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## Proposal #11: Add Per-Capita Measure of Affiliates to Committee Appointment Process

*Adopted 9-1:*

- Problem:** Big population states have an oversized influence on LP business.
- Solution:** Use a per-capita measure for some committee appointments to balance the influence between high and low population states.
- Benefits:** Gives smaller states an incentive to increase membership. Also reflects the greater impact a marginal increase in Libertarians will have in a lower population state than in a large one.
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Bylaws of the Libertarian Party

### ARTICLE 12: OTHER COMMITTEES

3. The Platform Committee shall consist of 20 members selected as follows:
  - a. One member by each of the five affiliate parties having the greatest per capita sustaining membership as determined for Convention delegate allocations at the most recent Regular Convention.
  - b. One member by each of the ten affiliate parties having the largest sustaining memberships, excluding those affiliates with the greatest per-capita membership from (a), as determined for Convention delegate allocations at the most recent Regular Convention. ~~These members shall be selected no later than the last day of the fifth month prior to the Regular Convention.~~
    - a. ~~Ten Five~~ members ~~appointed~~ selected by the National Committee, ~~including no less than five members from states other than the ten affiliate parties. These members shall be appointed no later than the last day of the fifth month prior to the Regular Convention.~~
    - b. These members shall be selected no later than the last day of the fifth month prior to the Regular Convention.

*[re-number subsequent clauses]*

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

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## Proposal #12: Alternate Business Between Conventions

*Adopted 8-2:*

**Problem:** Delegates spend an extra day or so at convention conducting business that need not take place every two years.

**Solution:** Split up the business portions to alternating conventions so that:

1. Outwardly focused activities (i.e. nominating our Presidential candidate and updating our Platform) take place during Presidential Nominating Conventions; and
2. Inwardly focused activities (i.e. electing Party officeholders and updating our Bylaws) take place during the Mid-Term Conventions.

**Benefits:**

1. With a shorter convention it is more likely that more people will be able to stay through the entire convention and not miss out on important business, such as electing people to party office.
2. Having Party officeholders elected at the Mid-Term Convention means that we aren't trying to get a new National Committee up-to-speed only a few months before a Presidential election.
3. Dividing the business into every other convention allows us to have a convention with less time dedicated to business and more time dedicated to workshops and interesting speakers.
4. Our Presidential Nominating Conventions are often televised. And those viewing our convention are more likely to change the channel if they see us spending time debating Bylaws changes and electing people to internal Party office. The public is far more interested in who we elect for President and what issues we stand for.

*Note: The substantive parts of this proposal are in the beginning (e.g. dividing up the business between conventions, only allow vacancies to be filled until the next convention, etc.). The later changes simply conform the language so that Regular conventions are classified as either Presidential Nominating or Mid-Term Conventions. Also please note that while Representative Regions are formed every four years in this proposal, regional representatives need not serve four-year terms. A regional formation agreement may be written so that a regional representative is replaced more frequently (e.g. at each convention).*

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Bylaws of the Libertarian Party

### ARTICLE 11: CONVENTIONS

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. *A Regular Convention shall be either a Presidential Nominating Convention or a Mid-Term Convention, alternating from one to the other. Nominations for President and Vice President, and amendments to the Platform shall only occur at Presidential Nominating Conventions. Elections of Party officeholders and amendments to the Bylaws and Convention Rules shall only occur at Mid-Term Conventions.*

#### ARTICLE 8: NATIONAL COMMITTEE

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.*

#### ARTICLE 9: JUDICIAL COMMITTEE

1. The Judicial Committee shall be composed of seven Party members elected at each **Regular Mid-Term** 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 Mid-Term** Convention at which elected and shall serve until the final adjournment of the next **Regular Mid-Term** 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** *complete the term of office vacated, or until there is an intervening Regular Convention, at which time a special election will be conducted to fill the seat.*

#### ARTICLE 17: AMENDMENT

1. These Bylaws may be amended by a 2/3 vote of the delegates at any **Regular Mid-Term** Convention. *During a Presidential Nominating Convention delegates may by a 3/4 vote suspend the rules to consider an exigent amendment to the Bylaws, but such an amendment shall then require a 3/4 vote to pass.*
2. Article 4, Section 1, shall not be amended by a vote of less than 7/8 of all registered delegates at a **Regular Mid-Term** Convention.



#### ARTICLE 4: STATEMENT OF PRINCIPLES AND PLATFORM

1. The Statement of Principles affirms that philosophy upon which the Libertarian Party is founded, by which it shall be sustained, and through which liberty shall prevail. The enduring importance of the Statement of Principles requires that it may be amended only by a vote of 7/8 of all registered delegates at a Regular Convention.
2. The Party Platform shall include, but not be limited to, the Statement of Principles and the implementation of those principles in the form of planks.
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 7: OFFICERS

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~~ 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 ~~Regular~~ Mid-Term Convention. No person shall serve as an officer who is not a sustaining member of the Party.

#### ARTICLE 8: NATIONAL COMMITTEE

2. The National Committee shall be composed of the following members:
  - a. the officers of the Party;
  - b. five members elected at large by the delegates at a ~~Regular~~ Mid-Term Convention; and
  - c. any additional members as specified below:

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

3. The National Committee shall take office immediately upon the close of the ~~Regular~~ Mid-Term Convention at which they are selected, and serve until the final adjournment of the next ~~Regular~~ Mid-Term Convention.

#### ARTICLE 11: CONVENTIONS

##### 10. Convention Rules:

The Party's Convention Special Rules of Order may be amended only by a ~~Regular~~ Mid-Term Convention.

#### ARTICLE 12: OTHER COMMITTEES

1. There shall be a Platform Committee, a Bylaws and Rules Committee and a Credentials Committee for each applicable Regular Convention. The National Committee shall appoint a temporary chair of each committee to serve until each committee selects its own chair.
2. The Bylaws and Rules Committee shall consist of ten Party members appointed by the National Committee no later than three months before a ~~Regular~~ Mid-Term Convention. No more than five of these members shall be members of the current National Committee.
3. The Platform Committee shall consist of 20 members selected as follows:
  - a. One member by each of the ten affiliate parties having the largest sustaining memberships as determined for Convention delegate allocations at the most recent ~~Regular~~ Mid-Term Convention. These members shall be selected no later than the last day of the fifth month prior to the ~~Regular~~ Presidential Nominating Convention.
  - b. Ten members appointed by the National Committee, including no less than five members from states other than the ten affiliate parties having the largest sustaining memberships as determined for Convention delegate allocations at the most recent ~~Regular~~ Mid-Term Convention. These members shall be appointed no later than the last day of the fifth month prior to the ~~Regular~~ Presidential Nominating Convention.

#### ARTICLE 14: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

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

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#### Convention Special Rules of Order of the Libertarian Party

##### RULE 1: ORDER OF BUSINESS

The standing order of business for a Regular Convention shall be as follows, and further limited in these Bylaws:

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

#### RULE 5: DEBATING AND VOTING -- PLATFORM

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

*Proviso: Amendments to the Platform may still take place at the convention at which this is adopted.*

# Proposal #13: Approval Voting for At-Large Members of the National Committee

*Adopted 8-2:*

**Problem:** Our current method of selecting at-large members of the National Committee is known as plurality voting. Delegates may vote for only as many candidates as there are seats to fill (in this case five) and the top ranking candidates, sometimes with less than majority support, win the seats.

With plurality voting, if there are many good candidates, delegates that would otherwise enjoy the support of a majority of delegates can be defeated by candidates that enjoy less support.

So, for example, let's say there are 20 people running for five at-large seats and 15 of those individuals enjoy the support of 60% of the delegates, and the remaining five enjoy the support of the other 40%.

With our current method of plurality voting, none of the individuals who have majority support win a seat and all of those who have less than majority support get on the committee.

Also, with plurality voting delegates are subject to the "wasted vote" argument, in that they may feel compelled to vote for a candidate that has a chance of winning, rather than a "dark-horse" candidate they believe in.

**Solution:** Allow delegates to vote for as many candidates as they approve of (aka approval voting) for selecting at-large members of the National Committee.

**Benefits:**

1. This method of voting is simple to explain, understand, implement and tabulate.
2. It allows delegates to be able to vote their conscience.
3. It assures that the candidates that enjoy the most support will fill the seats.
4. It is in keeping with our Platform, where we advocate our support of election systems that are more representative of the electorate.

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Convention Special Rules of Order of the Libertarian Party

## RULE 8: ELECTION OF OFFICERS AND NATIONAL COMMITTEE

2. Nominations for the at-large members of the National Committee shall be from the floor. The election shall be conducted in the following manner:

- ~~a. Each delegate may cast up to five votes, but no more than one vote for any one candidate.~~
- ~~b. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all delegations have submitted their votes, the Secretary shall declare the voting closed.~~
- ~~c. At this point, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation.~~
- ~~d. Those five candidates receiving the highest vote totals shall be declared elected. If a tie vote affecting the outcome of the election occurs, another ballot for the remaining offices shall be held with each delegate allowed to cast as many votes as there are offices to fill.~~
- a. Each delegate may cast a ballot with a vote for either none-of-the-above or one vote per candidate for any number of candidates. Every ballot with a vote for none-of-the-above or one or more candidates is counted as one ballot cast. A vote for none-of-the-above shall be ignored if the ballot also includes a vote for any other candidate.
- b. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary, along with the ballots cast.
- c. When all delegations have submitted their votes, the Chair shall declare the voting closed. The top five candidates receiving a majority vote of the ballot cast shall be elected. Tie votes affecting the outcome shall be decided by lot.
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## Proposal #14: Adjust Structure of the National Committee

Adopted 7-2:

- Problem:** Currently the National Committee includes a significant number of members with no portfolio, official responsibility or constituency. That seems a problem for a board of directors. There has also been a perception that the National Committee is not as connected with the affiliates and general membership as it should be.
- Solution:** Adjust the structure of the National Committee by reducing the number of at-large representatives and increasing the number of regional representatives. Also remove some redundant language from the bylaw.
- Benefits:** This will make it easier to form Regions, which in a few cases has been a challenge, especially if the overall party membership declines. It should allow for a greater diversity of opinion on the National Committee, and have more committee members in regular contact with affiliates to share news and ideas with the National Committee. And we will have fewer National Committee members with no official responsibility or portfolio.
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Bylaws of the Libertarian Party

### ARTICLE 8: NATIONAL COMMITTEE

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

- the officers of the Party;
- ~~five~~ **four** members elected at-large by the delegates at a Regular Convention; and
- any additional Regional Representative members as specified below:

~~Any affiliate party with 10% or more of the total national party sustaining membership within affiliate parties (as determined for delegate allocation) shall be entitled to one National Committee representative and one alternate for each 10% of national sustaining membership.~~

One or more affiliate parties may, by mutual consent, band together to form "representative regions," and each such "region" with an aggregate national party sustaining membership of ~~10%~~ **12.5%** or more shall be entitled to one National Committee representative and one alternate for each ~~10%~~ **12.5%** of national party sustaining membership. "Representative regions" may be formed or dissolved once every two years during a period beginning 90 days before the beginning of and ending on the second day of the National Convention, and notice of new formations or dissolutions must be given in writing to the national Secretary prior to the close of the Convention at which they take place.

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Convention Special Rules of Order of the Libertarian Party

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

2. Nominations for the at-large members of the National Committee shall be from the floor. The election shall be conducted in the following manner:
    - a. Each delegate may cast up to **five** four votes, but no more than one vote for any one candidate.
    - b. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all delegations have submitted their votes, the Secretary shall declare the voting closed.
    - c. At this point, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation.
    - d. Those **five** four candidates receiving the highest vote totals shall be declared elected. If a tie vote affecting the outcome of the election occurs, another ballot for the remaining offices shall be held with each delegate allowed to cast as many votes as there are offices to fill.
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## Proposal #15: Convention Committee Members

*Adopted 7-3:*

**Problem:**

**Solution:**

**Benefits:**

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Bylaws of the Libertarian Party

ARTICLE 12: OTHER COMMITTEES

**2. No person shall serve on more than one committee constituted under this article at the same time.**

*[re-number subsequent clauses]*

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## Proposal #16: National Committee Vote on Convention Fee

Adopted 7-3:

**Problem:** There is debate every term about whether members who attend the convention should or should not bear at least some of the cost of the event. Reasonable arguments have been made on both sides. Compromise positions have also been proposed. This does have an impact on creating a convention budget.

**Solution:** As this keeps coming up, better to have a formal policy in place to address it and have the decision rest with the National Committee. As the leaders of the party, they should take responsibility for a decision affecting all delegates. And make it with enough lead time to establishing a pricing model for registrations.

**Benefits:**

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Bylaws of the Libertarian Party

### ARTICLE 11: CONVENTIONS

#### 7. Voting Eligibility:

*e. It shall require a vote of the National Committee to authorize or require any sort of fee for a credentialed delegate to attend the business portion of a Regular Convention as outlined in Rule 1. This vote must take place at least 180 days before the start of the Convention. This bylaw shall not prevent the establishment of registration costs for any programming outside of the business portion of the Convention.*

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## Proposal #17: Re-Authorize National Committee Establishment of Dues with a Two-Thirds Vote

Adopted 6-2:

- Problem:** 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. The delegates at the 2006 convention responded by setting the dues at \$25, not taking into account future debasement of the U.S. Dollar. In hindsight, we believe that this was the wrong solution to a legitimate problem.
- Solution:** Return the setting of dues to the National Committee, but only allow changes to be enacted with a super-majority vote. We are also taking this opportunity to clean up the existing language, eliminate redundancy and correct a conflicting provision. For example, counting sustaining membership requirements for delegate apportionment (Article 11.4) and national committee representation (8.2.c), and sustaining membership requirements to hold national party office (7.1 and 8.4) and be our candidate for President (14.2) are addressed elsewhere in the bylaws.

**Benefits:**

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Bylaws of the Libertarian Party

### ARTICLE 5: MEMBERSHIP

- ~~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.~~
  - ~~2. The National Committee may offer life memberships, and must honor all prior and future life memberships.~~
  - ~~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.~~
  - ~~4. The National Committee may create other levels of membership and shall determine the contribution or dues levels for such 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.~~
1. Members of the Party are those persons who have certified in writing that they oppose the initiation of force to achieve political or social goals.
  2. "Sustaining members" are members who:
    - a. Are life members; or

*b. During the prior twelve months have donated, or have had donated on their behalf, an amount prescribed by a two-thirds vote of the National Committee.*

ARTICLE 14: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

1. 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 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.

*Proviso: The minimum 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.*

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## Proposal #18: Require National Delegates to be Party Members

*Adopted 6-3:*

**Problem:** Our bylaws establish an affiliate relationship between the national party and state parties. For this reason, the national party cannot (and should not) compel state affiliates to accept as voting members at their conventions, national party members based solely on their national party membership. That same courtesy in the bylaws is not extended the other way – a state affiliate can compel the national party to accept as a national delegate someone who is only a member of that state party.

All a person has to do to become a national member is to certify in writing that they oppose the initiation of force to achieve political or social goals. In spite of how easy it is to become a member, our current rules allow delegates to attend Libertarian Party conventions and vote on our leadership, platform, and bylaws even if they are not members of the Libertarian Party.

**Solution:** To create a relationship where both the national and state parties are on equal footing, we propose requiring that national delegates be members.

**Benefits:** 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.

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Bylaws of the Libertarian Party

### ARTICLE 11: CONVENTIONS

#### 3. Delegates:

- c. 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.

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

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# Proposal #19: Define in Advance the Agreement between the Party and the Presidential Campaign

*Adopted 6-3:*

**Problem:** 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 Party, nor does he or she understand what corresponding duty his or her campaign has to the Party. Such a situation can leave both parties disappointed.

In the past, a contract between the candidate and the National Committee has been signed sometimes one or two months after the nomination. The Bylaws do not create any strong incentive for that to happen promptly and by then it's too late to set reasonable expectations.

**Solution:** Specify in the Bylaws that the National Committee shall publish at least six months in advance a contract that states 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 just prior to the nomination.

**Benefits:** 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.

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Bylaws of the Libertarian Party

## ARTICLE 14: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

- 3. Not less than six months prior to each Regular Convention whose order of business includes selecting Presidential and Vice Presidential nominees, the National Committee shall publish a contract specifying the terms by which the Party and the Presidential and Vice-presidential campaign shall assist and support each other. The Chair shall sign on behalf of the Party with anyone who otherwise qualifies and desires to be our candidate. Only those persons who have signed 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.**

*[re-number subsequent clauses]*

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## Proposal #20: Additional jurisdiction for Judicial Committee

Adopted 6-3:

- Problem:** We were exposed to a problem with an affiliate this year in which the members seemed to have no recourse for a non-functioning board, even one that was apparently in complete violation of their bylaws. At one point the only option seemed like disaffiliation, which seemed extreme.
- Solution:** Allow the national Judicial Committee to serve as a similar resource to our affiliates, if necessary.
- Benefits:** Helps avoid situations where a non-functioning affiliate leadership can sink an affiliate by inaction or malfeasance and there is nothing the members can do about it. Also gives affiliates without a judicial committee a means to solve problems in a similar manner.
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Bylaws of the Libertarian Party

### ARTICLE 9: JUDICIAL COMMITTEE

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 8),
    - c. suspension of National Committee members-at-large (Article 8, Section 5),
    - d. voiding of National Committee decisions (Article 8, Section 13),
    - 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 14, Section 5), ~~and~~
    - h. *service as a committee of recourse by members of affiliates without a similar functional committee to handle disputes or breach of affiliate rules.*
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## Proposal #21: Prohibit Floor Fees

*Adopted 6-4:*

**Problem:** Our bylaws are not explicit on the issue of floor fees, causing a recurring debate as to whether they are authorized.

**Solution:** Explicitly prohibit a floor fee for delegates to vote at conventions.

**Benefits:** Make explicit in the bylaws that floor fees are not allowed.

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Bylaws of the Libertarian Party

### ARTICLE 11: CONVENTIONS

#### 3. Delegates

c. *No fee may be required of any delegate to participate in the business sessions of any Regular Convention; however, fees may be required for participation in other convention events.*

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## Proposal #22: Vendors & the National Committee

Adopted 5-2:

**Problem:**

**Solution:**

**Benefits:**

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Bylaws of the Libertarian Party

ARTICLE 10: FINANCE AND ACCOUNTING

*6. While serving in office, no National Committee member, or related party, shall serve as a paid vendor or employee of the Party, or otherwise receive any remuneration beyond the reimbursement of Party expenses authorized by the National Committee. During the twelve months following the member's service in office, the member or related party may only become a vendor or employee with the express approval of the National Committee.*

*[re-number subsequent clauses]*

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## Proposal #23: Decisions of the Judicial Committee Binding

*Adopted 5-4:*

**Problem:**

**Solution:**

**Benefits:**

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Bylaws of the Libertarian Party

Article 9: Judicial Committee

**4. Decisions of the Judicial Committee shall be binding on the National Committee and any subcommittees or organizations that are authorized to use National Committee resources.**

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