

Libertarian Party Bylaws and Rules Committee

Meeting in Columbus at 11:00 am on Thursday, June 26, 2014

Note: I expect and hope this meeting will be much shorter than the time allotments below. It's very likely no one will offer amendments for most of the adopted proposals.

Proposed agenda

11:00 Call to Order

11:00 Opportunity for Public Comment

Housekeeping

11:15 Credentials Check

11:18 Paperwork Check

Note: Under Robert's Rules of Order Newly Revised 11th Edition, a committee may not limit debate. Times below are only suggestions. I anticipate some proposals will go quicker and others will take longer. Moving the *Previous Question* and moving to *Limit or Extend Debate* are not allowed in a committee. With that in mind, I hope all committee members will help keep the agenda moving and refrain from belaboring points.

Amendments submitted in advance (considered with corresponding proposal)

- 1: Consent Recommendation at Start of Bylaws Report
 - remove "up to ten (10)" limit
 - increase "one hour" notice to "five hours"
 - require supermajority approval instead of unanimous
- 4: Creation of a Style Committee
 - change "are non-substantive in nature" back to the original language "do not change the meaning or intent of the item edited"
- 10: Approval of Convention Minutes
 - change the draft minutes deadline from "60" days to "30" days
- 12: Alternate Business Between Conventions
 - add ", or until their successors are elected" in three places in the proposal
- 13: Approval Voting for At-Large Members of the National Committee
 - change "ballot cast" to "ballots cast" in (c)
- 14: Adjust Structure of the National Committee
 - add a proviso delaying implementation of regional part until the next convention
- 17: Re-Authorize National Committee Establishment of Dues with a Two-Thirds Vote
 - make sure the LNC does not impose zero dues again
 - preserve language authorizing the LNC to offer life membership and other levels
- 20: Additional jurisdiction for Judicial Committee
 - limit jurisdiction to cases when the affiliate bylaws authorize it or all parties to the dispute agree to submit to JC arbitration
- 23: Decisions of the Judicial Committee Binding
 - change the background introductory text
 - change the proposal introductory text

Libertarian Party Bylaws and Rules Committee

Meeting in Columbus at 11:00 am on Thursday, June 26, 2014

Amendments to Adopted Proposals

- 11:20 1: Consent Recommendation at Start of Bylaws Report
- 11:25 2: Assign Alternate Credentialing to the Correct Entity
- 11:30 3: Allow Fusion Candidates Where State Election Law Permits
- 11:35 4: Creation of a Style Committee
- 11:40 5: Eliminate Redundant Language for Officers Being National Committee Members
- 11:45 6: Eliminate Roll Call Vote Announcement by State Chairs for National Committee Elections
- 11:50 7: Extend Electronic Mail Ballot Voting to Committees
- 11:55 8: Allow Electronic Meetings for Large Committees or Boards
- 12:00 **break** (order delivery lunch)
- 12:10 9: Make Statement of Principles a Separate Stand-Alone Document
- 12:15 10: Approval of Convention Minutes
- 12:20 11: Add Per-Capita Measure of Affiliates to Committee Appointment Process
- 12:25 12: Alternate Business Between Conventions
- 12:30 13: Approval Voting for At-Large Members of the National Committee
- 12:35 14: Adjust Structure of the National Committee
- 12:40 15: Convention Committee Members
- 12:45 16: National Committee Vote on Convention Fee
- 12:50 **break** (eat working lunch)
- 1:00 17: Re-Authorize National Committee Establishment of Dues with a Two-Thirds Vote
- 1:05 18: Require National Delegates to be Party Members
- 1:10 19: Define in Advance the Agreement between the Party and the Presidential Campaign
- 1:15 20: Additional jurisdiction for Judicial Committee
- 1:20 21: Prohibit Floor Fees
- 1:25 22: Vendors & the National Committee
- 1:30 23: Decisions of the Judicial Committee Binding
- 1:35 **break**

New Proposals

- 1:45 24: Align Regions by Circuit Court Jurisdictions
- 2:00 25: ???
- 2:15 26: ???
- 2:30 **break**

Housekeeping

- 2:40 Order Proposals
- 2:50 Opportunity for Public Comment
- 3:00 Adjournment

Proposal #1: Consent Recommendation at Start of Bylaws Report

Adopted 10-0:

Background: Many delegates feel too much time is taken up with updating the Bylaws. Some of these proposals clearly have no significant opposition, especially ones that are merely technical corrections, yet we take time to debate them anyway. The end result is delegate frustration with this part of the convention business.

Proposal: Allow the Bylaws and Rules Committee to combine a set of recommendations which had ~~unanimous consent~~ supermajority support from the Committee as one motion for the delegates. This is similar to a Consent Calendar used by legislative bodies.

Benefits: This would save a significant amount of debate time which can instead be used for those recommendations that have more substantial opposition.

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~~ five hours 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. Each consent recommendation must be approved by a 3/4 vote 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.

3 changes proposed by Chuck Moulton

- remove “up to ten (10)” limit
- increase “one hour” notice to “five hours”
- require supermajority approval instead of unanimous

Proposal #4: Creation of a Style Committee

Adopted 10-0:

[...]

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.~~

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. do not change the meaning or intent of the item edited. 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.~~

1 change proposed by Chuck Moulton

- change “are non-substantive in nature” back to the original language “do not change the meaning or intent of the item edited”
 - some survey commenters felt non-substantive was too subjective and broadened the style committee power

Proposal #10: Approval of Convention Minutes

Adopted 9-1:

Background: 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.

Proposal: 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.

Bylaws of the Libertarian Party

ARTICLE 11: CONVENTIONS

11. The Convention Secretary shall produce draft convention minutes within ~~60~~ 30 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.

1 change proposed by Chuck Moulton

- change the draft minutes deadline from “60” days to “30” days
 - many survey commenters felt 60 was too long and 30 was reasonable

Proposal #12: Alternate Business Between Conventions

Adopted 8-2:

[...]

Bylaws of the Libertarian Party

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, or until their successors are elected. 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 7: OFFICERS

3. 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, or until their successors are elected. No person shall serve as an officer who is not a sustaining member of the Party.

ARTICLE 8: NATIONAL COMMITTEE

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, or until their successors are elected.

1 change proposed by Aaron Starr

- add “, or until their successors are elected” in three places in the proposal
 - o recurring criticism: LNC members serving 4-year terms without a way to remove them

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

Adopted 8-2:

[...]

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-theabove 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 ballots cast shall be elected. Tie votes affecting the outcome shall be decided by lot.
-

1 change proposed by Chuck Moulton

- change “ballot cast” to “ballots cast” in (c)
 - I think this was a typo

Proposal #14: Adjust Structure of the National Committee

Adopted 7-2:

[...]

Proviso: The threshold for representative regions shall remain at 10% for this convention.

1 change proposed by Chuck Moulton

- add a proviso delaying implementation of regional part until the next convention
 - many regions are already negotiated, changing the rules of the game for region formation in the middle of the convention will lead to chaos

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

Adopted 6-2:

[...]

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~~ a non-zero amount prescribed by a two-thirds vote of the National Committee.
3. The National Committee may offer life memberships and create other levels of membership.

[...]

2 changes proposed by Chuck Moulton

- make sure the LNC does not impose zero dues again
- preserve language authorizing the LNC to offer life membership and other levels

Proposal #20: Additional jurisdiction for Judicial Committee

Adopted 6-3:

[...]

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 if expressly authorized by the affiliate bylaws or allowed by all parties in the dispute,***

1 change proposed by Chuck Moulton

- limit jurisdiction to cases when the affiliate bylaws authorize it or all parties to the dispute agree to submit to JC arbitration

Proposal #23: Decisions of the Judicial Committee Binding

Adopted 5-4:

Background: ~~Our Judicial Committee's authority is limited to the workings of the national party.~~
In the past, the National Committee has delegated resources and activities to other committees or organizations which have not followed the decisions of the Judicial Committee.

Proposal: ~~Expand the scope of the Judicial Committee by extending its authority to include affiliate parties, candidate committees and any other organization that might use National Committee resources, including ballot access funds, access to membership lists or being listed on the national party website.~~
Make Judicial Committee decisions binding on all activities of the National Committee, including those activities delegated to committees and organizations that use National Committee resources.

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.

2 changes proposed by Nick Sarwark

- change the background introductory text
- change the proposal introductory text

