

# 2022 Bylaws and Rules Committee Report

Amended May 26, 2022

## **Committee Members:**

- Dan Fishman
- Tim Hagan
- Richard Longstreth
- Ken Moellman
- Dr. Chuck Moulton, Esq., RP (*secretary*)
- Omar Recuero
- Valerie Sarwark
- Steve Scheetz (*chair*)

## **Former Committee Members:**

- Alex DiBenedetto (resigned)
- David Valente (resigned)
- Francis Wendt (resigned)
- David Sexton (resigned)
- Paige Sexton, RN (resigned)

## **Proposal A (old 11): Allow Designees to Preside**

**Rationale:** The Bylaws allow the Platform Committee Chair to designate another to present their report. This proposal adds consistency by allowing other Chairs to do the same.

**Argument against:** The national Chair's job is to preside and the committee Chairs' job is to present the committee proposals.

### Article 6: Officers

The Chair, **or their designee**, shall preside at all conventions and all meetings of the National Committee. The Chair is the chief executive officer of the Party with full authority to direct its business and affairs, including hiring and discharging of National Committee volunteers and paid personnel, subject to express National Committee policies and directives issued in the exercise of the National Committee's plenary control and management of Party affairs, properties and funds.

### Rule 4: Debating and Voting – Bylaws and Rules

The ~~Chair of the~~ Bylaws and Rules Committee **Chair, or their designee**, 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. 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.

### Rules 5: Debating and Voting – Platform

3. Recommendations for which there is no minority report shall be debated and voted upon in the following manner:
  - a. The Platform Committee Chair, **or their designee**, ~~or some other person designated by him or her~~, shall read the proposed recommendation and shall have up to two minutes to explain the recommendation.

**Committee Vote:** 6-0

## **Proposal B (old 7b): Vice Chair ascension**

**Rationale:** The current bylaw can be interpreted multiple ways, this proposed change clarifies the ascension process. The Vice Chair will “act” as Chair until a new Chair is elected.

**Argument against:** The Vice Chair should be able to take on the Chair’s duties, whether temporary or permanent. The proposal can be amended to, “excluding Chair”.

Article 6: Officers [National Committee]

8. [7.] The National Committee shall appoint new officers, including chair, [...]

*Pending amendment:*

Article 6: Officers [National Committee]

8. [7.] The National Committee shall appoint new officers, including excluding chair, [...]

**Note:** The committee reported this out with a pending amendment so the delegates can first decide whether they want the LNC to select a new permanent chair (“including chair”) or the vice-chair to automatically become chair if the chair resigns (“excluding chair”).

**Committee Vote:** 7-0-1

## **Proposal C (old 18 + 18b merged): Committee Transparency**

**Rationale:** This bylaws proposal would extend some of the transparency provisions of the LNC to the convention committees (Platform, Bylaws and Rules, and Credentials) and LNC subcommittees. + To bring the Bylaws up to modern times where the Bylaws are posted on the website and don't need to be postal mailed.

**Argument against:** Committee members are more frank when their discussions are not open to be scrutinized by social media. Only final decisions matter.

### Article 7: National Committee

- ~~13. — The National Committee shall use roll call voting on all substantive motions. Additionally, the National Committee must have a roll call vote upon request of any single committee member present on any motion. On all roll call votes, the vote of each individual committee member shall be recorded in the minutes.~~
- ~~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 National Committee votes are recorded.~~
- ~~15. — The National Committee and all of its committees shall conduct all votes and actions in open session; executive session may only be used for discussion of personnel matters, contractual negotiations, pending or potential litigation, or political strategy requiring confidentiality.~~

### Article 18: Promulgation of Bylaws

~~The National Committee shall promulgate the bylaws in accordance with applicable law. A copy of these bylaws and convention rules shall be provided to each member of the National Committee, each member of the Judicial Committee and each Chair of an affiliate party within 90 days of adoption.~~

### Article 12: Meetings

1. All boards ~~Boards~~ and committees may conduct business by teleconference or videoconference. The National Committee shall ~~have power to~~ adopt, and provide for, uniform and functional special rules of order and standing rules for all boards or committees to facilitate the conduct of business by teleconference or videoconference.
2. All boards and committees shall:
  - a. Use roll call voting on all debatable main motions or on any motion upon request of any two members present. On all roll call votes, the vote of each individual member shall be recorded in the minutes.
  - b. Conduct all votes and actions in open session; executive session may only be used for discussion of personnel matters, contractual

negotiations, pending or potential litigation, operational security information such as passwords, political strategy requiring confidentiality, or information required to remain confidential under applicable laws and regulations.

- c. Permit any Party member to attend and to record meetings while in open session and to subscribe to a read-only email list on which votes and discussion are recorded.
3. The secretary of each board or committee, or their designee, shall promptly post: notice for each open session of any board or committee, any proposed agendas, and a permanent archive of approved minutes of each meeting on a publicly accessible Party website. The Party Secretary shall also post minutes for any convention and the most current bylaws, convention rules, and standing rules.

**Committee Vote:** 6-0 amended 7-0

## **Proposal D (old 2+3 merged): Conventions**

**Rationale:** This proposal seeks to clarify the convention where we nominate presidential candidates versus those conventions where we do not. This does not create a substantive change.

**Against:** This is not an important change.

### Article 10: Conventions

#### 1. Regular Conventions:

- a.** 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.~~
- b.** A nominating convention is a regular convention in which the nomination of a Presidential and Vice-Presidential candidate is on the agenda.

### Article 8: Judicial Committee

1. The Judicial Committee shall be composed of seven Party members elected at each non-nominating ~~non-presidential~~ 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 a non-nominating ~~the regular non-presidential~~ convention at which elected and shall serve until the final adjournment of the next non-nominating ~~regular non-presidential~~ 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 non-nominating ~~regular non-presidential~~ convention. Should all Judicial Committee positions be vacant, an ~~Intervening~~ intervening convention may fill such vacancies.

**Committee Vote:** 7-1 and 8-0

**Note:** This is the combination of what was originally two separate proposals, by unanimous vote of the committee to merge the proposals together.

## **Proposal E (old 7): Merge Articles 6 (Officers) and 7 (National Committee)**

**Rationale:** Removes repeated language (though repeated sections are not the same numbering between Articles) to reduce the burden on members.

**Argument against:** Not substantial.

Proposal:

Article 6: **National Committee Officers**

**~~1. The officers of the Party shall be~~**

**~~a. Chair,~~**

**~~b. Vice-Chair,~~**

**~~c. Secretary, and~~**

**~~d. 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 shall serve as an officer who is not a sustaining member of the Party.~~**

**~~2. No offices shall be combined.~~**

**~~3. The Chair shall preside at all conventions and all meetings of the National Committee. The Chair is the chief executive officer of the Party with full authority to direct its business and affairs, including hiring and discharging of National Committee volunteers and paid personnel, subject to express National Committee policies and directives issued in the exercise of the National Committee's plenary control and management of Party affairs, properties and funds.~~**

**~~4. The Vice-Chair shall be the chief assistant to the Chair, performing such duties as the Chair shall prescribe, and holding such executive powers as the Chair shall delegate and shall perform the duties of the Chair in the event that the Chair is, for any reason, unable to perform the duties of the office.~~**

**~~5. The Secretary shall be the recording officer of the Party and shall perform such duties as are assigned by the Chair or the National Committee. The Secretary shall attend all meetings of the National Committee and all Party conventions and shall act as Secretary thereof, keeping such minutes and records as necessary.~~**

**~~6. The Treasurer shall receive, expend, and account for the funds of the Party under the supervision and direction of the Chair and the National Committee. The Treasurer shall make an annual financial report to the National Committee and shall perform all duties required of the office by applicable federal and state law. The Treasurer is responsible for oversight of all financial functions, including, but not limited to receipts, disbursements, internal and external reporting. The Treasurer shall report to the National Committee and the convention both the financial situation of the Party and the results of its activities. The report of the Treasurer to the convention, specified in Convention Rule 1 agenda item 4, shall include an independent auditor's report opining whether the financial statements present fairly, in all material respects, the financial position of the Party and the changes in its net assets and its cash flow for the years then ended, in~~**

- ~~conformity with accounting principles generally accepted in the United States of America. Unaudited interim financial statements shall also be presented. Such reports shall be made available to every delegate.~~
- ~~7. The National Committee may, for cause, suspend any officer by a vote of 2/3 of the entire National Committee, excepting the officer that is the subject of the vote who may not participate in that vote. 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.~~
- ~~8. The National Committee shall appoint new officers if vacancies occur, such officers to complete the term of the office vacated.~~

#### **Article 7: National Committee**

2. The National Committee shall be composed of the following positions, which shall not be combined members:
- a. the officers of the Party;
    - o Chair.  
The Chair shall preside at all conventions and all meetings of the National Committee. The Chair is the chief executive officer of the Party with full authority to direct its business and affairs, including hiring and discharging of National Committee volunteers and paid personnel, subject to express National Committee policies and directives issued in the exercise of the National Committee's plenary control and management of Party affairs, properties and funds.
    - o Vice-Chair.  
The Vice-Chair shall be the chief assistant to the Chair, performing such duties as the Chair shall prescribe, and holding such executive powers as the Chair shall delegate and shall perform the duties of the Chair in the event that the Chair is, for any reason, unable to perform the duties of the office.
    - o Secretary.  
The Secretary shall be the recording officer of the Party and shall perform such duties as are assigned by the Chair or the National Committee. The Secretary shall attend all meetings of the National Committee and all Party conventions and shall act

as Secretary thereof, keeping such minutes and records as necessary.

○ Treasurer.

The Treasurer shall receive, expend, and account for the funds of the Party under the supervision and direction of the Chair and the National Committee. The Treasurer shall make an annual financial report to the National Committee and shall perform all duties required of the office by applicable federal and state law. The Treasurer is responsible for oversight of all financial functions, including, but not limited to receipts, disbursements, internal and external reporting. The Treasurer shall report to the National Committee and the convention both the financial situation of the Party and the results of its activities. The report of the Treasurer to the convention, specified in Convention Rules 1 agenda item 4, shall include an independent auditor's report opining whether the financial statements present fairly, in all material respects, the financial position of the Party and the changes in its net assets and its cash flow for the years then ended, in conformity with accounting principles generally accepted in the United States of America. Unaudited interim financial statements shall also be presented. Such reports shall be made available to every delegate.

5. The National Committee may, for cause, suspend any officer or member-at-large by a vote of 2/3 of the entire National Committee, excepting the member that is the subject of the vote who may not participate in that vote. 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.

Article ~~7~~ **8**: 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 5, Section 6),
  - ~~b. — suspension of officers (Article 6, Section 7),~~
  - c d. suspension of National Committee officers and members-at-large (Article 6 ~~7~~, Section 5),
  - d e. voiding of National Committee decisions (Article 6 ~~7~~, Section 12),

- e f. challenges to platform planks (Rule 5, Section 7),
- f g. challenges to resolutions (Rule 6, Section 2), and
- g h. suspension of Presidential and Vice-Presidential candidates (Article 14, Section 5).

[re-number subsequent articles]

**Committee Vote:** 9-0

## **Proposal F (old 8 + 8b merged): Definition of Membership**

**Rationale:** Cleaning up the language and clarifying the definitions of the different types of membership:  
Signatory membership: Signed the pledge  
Dues Paying Membership: Only donating to the party  
Sustaining member: Signatory member who is also dues paying.

**Argument against:** This is a non-substantive change

### Article 4: Membership

1. **“Signatory members”** ~~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. **“Dues-paying members” shall be those persons who:**
  - a. **During the prior 12 months have donated, or have had donated on their behalf, an amount of at least \$25 excluding any event fee or any good or service provided in return for that donation; or**
  - b. **Are “life members”.** The National Committee may offer life memberships and must honor all prior and future life memberships.
- ~~3. **The National Committee may create other levels of membership and shall determine the contribution or dues levels for such memberships.**~~
- ~~3. 4.~~ **“Sustaining members” shall be those persons** ~~are members of the Party~~ who:
  - a. **Are dues-paying members of the Party; and During the prior 12 months have donated, or have had donated on their behalf, an amount of at least \$25; or**
  - b. **Are signatory members of the Party**
  - ~~b. **Are Life members.**~~

### Article 5: Affiliate Parties

2. The National Committee shall charter state-level affiliate parties from any qualifying organization requesting such status in each state, territory, and the District of Columbia (hereinafter, state). Organizations which wish to become state-level affiliate parties shall apply for such status on a standard petition form as adopted by the National Committee, which petition shall be signed by no fewer than ten **sustaining** members of the Party residing in the appropriate state. Affiliate party status shall be granted only to those organizations which adopt the Statement of Principles and file a copy of their constitution and/or bylaws with the Party Secretary.

### Article 8: Judicial Committee

2. The Judicial Committee shall be composed of seven **sustaining members of the Party** ~~Party members~~ elected at each regular nonpresidential 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 non-

presidential convention at which elected and shall serve until the final adjournment of the next regular non-presidential convention. All Judicial Committee members shall have been sustaining members of the Party **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 non-presidential convention. Should all Judicial Committee positions be vacant, an Intervening convention may fill such vacancies.

#### Article 10: Conventions

2. Delegates:
  - a. Delegates shall be required to be either a sustaining member of members of either the Party or a member of an affiliate party. At all regular conventions delegates shall be those so accredited who have registered at the convention.
  - b. Any federal or state law to the contrary notwithstanding, delegates to a regular convention shall be selected by a method adopted by each affiliate party; provided however, that only sustaining members of the Party as defined in these bylaws, or members of the affiliate party as defined in the constitution or bylaws of such affiliate party, shall be eligible to vote for the selection of delegates to a regular convention.
  
5. Delegate List:

Any sustaining member of the Party **Party-member** shall be provided, upon request and payment of copying and mailing costs, a list of the names and addresses of all delegates selected to attend and those who actually attended the most recent two conventions, with those who attended clearly identified, and all delegates / alternates selected to the upcoming convention, if available.

#### Article 11: Other Committees

2. The Bylaws and Rules Committee shall consist of 10 sustaining members of the Party **Party members** appointed by the National Committee no later than twelve months before a regular 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 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 10 affiliate parties having the largest sustaining memberships, excluding those affiliates from (a), as determined for convention delegate allocations at the most recent regular convention.
  - c. Five sustaining members of the Party **members** selected by the National Committee.
  
- d. These members shall be selected no later than the last day of the fifth month prior to the regular convention.

4. The Credentials Committee, composed of 10 members, shall be selected as follows.
  - a. Five sustaining members of the Party ~~members~~ chosen by the National Committee no later than six months before a regular convention.
  - b. One member by each of the five affiliate parties having the largest sustaining memberships as determined for convention delegate allocations at the most recent regular convention. These shall be selected by each of the affiliate parties no later than three months prior to the regular convention.

**Committee Vote:** 9-0

## **Proposal G (old 8c): Dues Indexed Instead of Fixed**

**Rationale:** Dues haven't essentially changed in decades despite inflation. Ties dues to a real-world index of value, rounds down to nearest \$5 to give benefit to members. If this proposal were in effect today, dues would be around \$30 for new/renewing members this year, and likely \$35 next year.

**Argument against:** Inflation is not within our control.

Article 4: Membership

2. [...] no less than Annual Dues ~~an amount of at least \$25~~ [...]
- X. “Annual Dues” shall be the inflation adjusted value of \$5 in July 1971, indexed to July of the year prior to the current year using the Consumer Price Index (CPI) Calculator provided by the United States Federal Government Bureau of Labor Statistics, rounded down to the nearest \$5. A change in the amount calculated for Annual Dues does not change the current status of existing Dues-Paying Members for the duration of their current membership.

[re-number subsequent sections]

**Committee Vote:** 8-0

**Note:** Vote implicit as we voted to send the survey with this language. Gold version withdrawn after the survey because it was less popular.

## **Proposal H (old 17): Platform Tokens**

**Rationale:** The token system should be more representative of a large enough minority of the delegation. Currently, as it stands 40 delegates can stop the entire convention to take up deletion of a platform plank in a field of 1000 delegates. In 1,000 delegates it would take 40 delegates under the old method, 134 under the new method (using all their tokens for the same plank).

**Argument against:** The tokens don't remove a plank, but just brings the plank up for a vote.

### Rule 5: Debating and Voting – Platform

1. After the adoption of the convention agenda, the convention will vote whether to delete planks from the existing platform. This will be accomplished as follows:
  - a. The Credentials Committee shall issue ~~three~~ **five** signature tokens to each delegate.
  - 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 ~~40%~~ **20%** or more of the number of credentialed delegates. Such votes shall be cast without amendment or debate.

*Proviso: This amendment to take effect at the close of the convention.*

**Committee Vote:** 6-0

## **Proposal I (old 14b): Appeal Qualification Timing**

**Rationale:** There was an ambiguity that came up when the membership statuses on the Judicial Committee appeal were validated.

**Argument against:** ...

Article 7: National Committee

12. Upon appeal by ten percent of the delegates credentialed at the most recent regular convention or one percent of the Party sustaining members **at the time the appeal is submitted** 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.

**Committee Vote:** 5-0

## **Proposal J (old 16): Reorganization of Removal Procedure**

**Rationale:** Consolidate all suspension and appeals processes together, making it easier for members to follow and understand the process.

**Argument against:** Reduces flexibility based on the scenario.

Proposal:

### Article 5: Affiliate Parties

~~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 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.~~

### Article 6: Officers

~~7. — The National Committee may, for cause, suspend any officer by a vote of 2/3 of the entire National Committee, excepting the officer that is the subject of the vote who may not participate in that vote. 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.~~

#### Article 7: National Committee

~~5. The National Committee may, for cause, suspend any member-at-large by a vote of 2/3 of the entire National Committee, excepting the member that is the subject of the vote who may not participate in that vote. 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.~~

#### Article 8: 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 and National Committee officers and members-at-large (Article x 5, Section 3 6),
  - ~~b. suspension of officers (Article 6, Section 7),~~
  - ~~c. suspension of National Committee members-at-large (Article 7, Section 5),~~
  - b. d. voiding of National Committee decisions (Article 7, Section 12),
  - c. e. challenges to platform planks (Rule 5, Section 7),
  - d. f. challenges to Resolutions (Rule 6, Section 2), and
  - e. g. suspension of Presidential and Vice-Presidential candidates (Article 14, Section 5).

#### Article x: Revocation of Committee Membership and Affiliate Status

1. Removal: The National Committee may, for cause,
  - a. revoke the affiliate status of any affiliate party by a vote of 3/4 of the entire National Committee more than six months prior to a regular convention or
  - b. suspend any officer or member at-large of the National Committee by a vote of 2/3 of the entire National Committee.
2. Restrictions: The National Committee shall not revoke the status of any affiliate party within six months prior to a regular convention. The National Committee officer or member-at-large that is the subject of a suspension vote

- may not participate in that vote. A revocation motion may have only one person or affiliate as its subject.
3. Appeal: The affected affiliate or person shall be informed of the revocation or suspension within 7 days, and the affected affiliate or person may submit a written appeal to the Judicial Committee within 30 days of receipt of such notice. Failure to appeal within 30 days shall confirm the revocation or suspension.
  4. Hearing: The Judicial Committee shall set a date for hearing the appeal 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.
  5. Decision: The Judicial Committee shall either affirm the National Committee's revocation or suspension or order reinstatement. 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 for an affiliate party. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's revocation; 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.

**Committee Vote:** 6-0

**Note:** See proposal T recently proposed as another substantive amendment.

## **Proposal T: Judicial Committee holds a Trial for Removals**

**Rationale:** The current bylaws have been interpreted not to give a person removed a trial at either the LNC or the JC level; the LNC is a motion and the JC is an appeal (with deference to the LNC's decision). This proposal would make the JC the place for a trial.

**Argument against:** We don't necessarily need to have a trial in our procedure.

### **Article x: Revocation of Committee Membership and Affiliate Status**

- 1. Suspension: The National Committee may, for cause,**
  - a. revoke the affiliate status of any affiliate party by a vote of 3/4 of the entire National Committee more than six months prior to a regular convention or**
  - b. suspend any officer or member at-large of the National Committee by a vote of 2/3 of the entire National Committee.**
- 2. Restrictions: The National Committee shall not revoke the status of any affiliate party within six months prior to a regular convention. The National Committee officer or member-at-large that is the subject of a suspension vote may not participate in that vote. A revocation motion may have only one person or affiliate as its subject and must occur at a meeting.**
- 3. Defense: The affected affiliate or person shall be informed of the revocation or suspension within 7 days, and the affected affiliate or person may submit a written **appeal** request for a trial to the Judicial Committee within 30 days of receipt of such notice. Failure to **appeal** request a trial within 30 days shall confirm the revocation or suspension.**
- 4. Trial: The Judicial Committee shall set a date for **hearing the appeal** conducting the trial within 20 to 40 days of receipt of the **appeal** request and shall notify all interested persons, which persons shall have the right to appear **and submit evidence and argument**, call and cross-examine witnesses, submit evidence, and present arguments. At the **hearing** trial the burden of persuasion shall rest upon the **appellant** National Committee.**
- 5. Decision: The Judicial Committee shall either affirm the National Committee's revocation or suspension or order reinstatement. 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 for an affiliate party. Failure of the Judicial Committee to rule within 30 days shall **constitute an affirmation of the National Committee's revocation; 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.**

**Committee Vote:** 6-0

**Note:** Consider this proposal immediately after or instead of proposal J.

## **Proposal K (old 16c): Change Disaffiliation Threshold and Window (requires Prop J)**

**Rationale:** Every other threshold for removal in our bylaws is 2/3. Be consistent matching the thresholds. Allow a possibility of disaffiliation within 6 months but make it a higher than normal (while still possible) threshold.

**Argument against:** Lowering the threshold to disaffiliate could be used for political purposes.

### **Article x: Revocation of Committee Membership and Affiliate Status**

- 1. Removal: The National Committee may, for cause,**
  - a. revoke the affiliate status of any affiliate party by a vote of 3/4 of the entire National Committee more than six months prior to a regular convention or**
    - by a vote of 2/3 of the entire National Committee more than six months prior to a regular convention,**
    - by a vote of 3/4 of the entire National Committee within six months prior to a regular convention,**
  - b. suspend any officer or member at-large of the National Committee by a vote of 2/3 of the entire National Committee.**
- 2. Restrictions: ~~The National Committee shall not revoke the status of any affiliate party within six months prior to a regular convention.~~ [...]**
- 5. Decision: The Judicial Committee shall either affirm the National Committee's revocation or suspension or order reinstatement. 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 for an affiliate party.~~ Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's revocation; ~~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.~~**

**Committee Vote:** 6-0

**Note:** See proposal U as possible substitute.

## Proposal U: Alternative Proposal K – higher threshold and 4 months

**Rationale:** This is an alternative to proposal K with 4 months instead of 6 months and keeping the old threshold rather than lowering it..

**Argument against:** Proposal K is another option.

### Article x: Revocation of Committee Membership and Affiliate Status

1. Removal: The National Committee may, for cause,
  - a. revoke the affiliate status of any affiliate party ~~by a vote of 3/4 of the entire National Committee more than six months prior to a regular convention or~~
    - by a vote of 3/4 of the entire National Committee more than four months prior to a regular convention,
    - by a vote of 4/5 of the entire National Committee within four months prior to a regular convention,
  - b. suspend any officer or member at-large of the National Committee by a vote of 2/3 of the entire National Committee.
2. Restrictions: ~~The National Committee shall not revoke the status of any affiliate party within six months prior to a regular convention.~~ [...]
5. Decision: The Judicial Committee shall either affirm the National Committee's revocation or suspension or order reinstatement. 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 for an affiliate party.~~ Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's revocation; ~~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.~~

**Committee Vote:** 4-0-2

**Note:** Consider this proposal along with proposal K.

**Proposal L (old 16d): Specify Cause for Removal (requires Prop J)**

**Rationale:** Cause is required for removal of affiliates and members. Cause should be clearly defined, not left up to wide discretion.

**Article x: Revocation of Membership, Committee Membership, and Affiliate Status**

**2. Restrictions: [...] Cause is defined as, and limited to:**

- a. For affiliates; acting in contravention of the Statement of Principles, these bylaws, or the governing documents of the affiliate itself.**
- b. For officers or members at-large of the National Committee; conduct injurious to the organization or its purposes.**

**Committee Vote:** 6-0 amended 5-1

## **Proposal M (old 16b): Removing Party Members (requires Prop J + L)**

**Rationale:** Add process to revoke party memberships for bad actors, and therefore end our association with the worst actors.

**Argument against:** Could lead to a cycle of purges; opening the door to future amendments to permit “purge wars”.

### Article 4: Membership

1. [...] shall be **all those** persons who have certified in writing that they oppose the initiation of force to achieve political or social goals, **and their membership has not since been removed for cause.**
2. [b.] [...] may offer life memberships, and must honor all prior and future life memberships **unless revoked for cause.**

### Article 8: 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, **Party membership, and National Committee officers and members-at-large** (Article **x 5**, Section **3 6**),

### **Article x: Revocation of Membership, Committee Membership, and Affiliate Status**

- 1. Removal: The National Committee may, for cause,**
  - a. revoke the affiliate status of any affiliate party by a vote of 3/4 of the entire National Committee more than six months prior to a regular convention, ~~or~~**
  - b. suspend any officer or member at-large of the National Committee by a vote of 2/3 of the entire National Committee, or**
  - c. revoke the membership of any Party member by a vote of 3/4 of the entire National Committee.**
- 2. Restrictions: [...] Cause is defined as, and limited to:**
  - c. For Party members; advocating for or engaging in the initiation of physical violence.**
- 6. Reinstatement: The National Committee may reinstate a removed Party member by a 2/3 vote of the entire National Committee.**

**Committee Vote:** 6-0

**Proposal N (old 16e): Shorten Deadlines to Fit Modern Times (requires Prop J + K)**

**Rationale:** Deadlines are too long. We have computers and email and electronic meetings that facilitate quicker resolution.

**Argument against:** The Judicial Committee needs the flexibility to have extra time to deliberate.

**Article x: Revocation of Committee Membership and Affiliate Status**

- 3. Appeal: The affected affiliate or person shall be informed of the revocation or suspension within 7 days, and the affected affiliate or person may submit a written appeal to the Judicial Committee within 28 ~~30~~ days of receipt of such notice. Failure to appeal within 28 ~~30~~ days shall confirm the revocation or suspension.**
- 4. Hearing: The Judicial Committee shall set a date for hearing the appeal within 7 ~~20~~ to 21 ~~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.**
- 5. Decision: The Judicial Committee shall either affirm the National Committee's revocation or suspension or order reinstatement. The Judicial Committee shall issue its ruling within 14 ~~30~~ days of the hearing. Failure of the Judicial Committee to rule within 14 ~~30~~ days shall constitute an affirmation of the National Committee's revocation.**

**Committee Vote:** 6-0

## Proposal J + T + U + L + M + N: Consolidated

**Rationale:** If all of the changes were adopted, the consolidated language would look as follows.

### Article 4: Membership

1. [...] shall be all those persons who have certified in writing that they oppose the initiation of force to achieve political or social goals, and their membership has not since been removed for cause.
2. [b.] [...] may offer life memberships, and must honor all prior and future life memberships unless revoked for cause.

### Article x: Revocation of Membership, Committee Membership, and Affiliate Status

1. Suspension: The National Committee may, for cause,
  - a. revoke the affiliate status of any affiliate party by a vote of 3/4 of the entire National Committee more than six months prior to a regular convention or
    - by a vote of 3/4 of the entire National Committee more than four months prior to a regular convention,
    - by a vote of 4/5 of the entire National Committee within four months prior to a regular convention, or
  - b. suspend any officer or member at-large of the National Committee by a vote of 2/3 of the entire National Committee, or
  - c. revoke the membership of any Party member by a vote of 3/4 of the entire National Committee.
2. Restrictions: ~~The National Committee shall not revoke the status of any affiliate party within six months prior to a regular convention.~~ The National Committee officer or member-at-large that is the subject of a suspension vote may not participate in that vote. A revocation motion may have only one person or affiliate as its subject and must occur at a meeting. Cause is defined as, and limited to:
  - a. For affiliates; acting in contravention of these bylaws or the governing documents of the affiliate itself, or a pattern of actions repugnant to libertarianism.
  - b. For officers or members at-large of the National Committee; conduct injurious to the organization or its purposes.
  - c. For Party members; advocating for or engaging in the initiation of physical violence.
3. Defense: The affected affiliate or person shall be informed of the revocation or suspension within 7 days, and the affected affiliate or person may submit a written ~~appeal~~ request for a trial to the Judicial Committee within 30 days of receipt of such notice. Failure to ~~appeal~~ request a trial within 28 ~~30~~ days of receipt of such notice. Failure to appeal within 28 ~~30~~ days shall confirm the revocation or suspension.
4. Trial: The Judicial Committee shall set a date for ~~hearing the appeal~~ conducting the trial within 7 ~~20~~ to 21 ~~40~~ days of receipt of the ~~appeal~~ request and shall notify all interested persons, which persons shall have the right to appear ~~and submit evidence and argument~~, call and cross-examine

- witnesses, submit evidence, and present arguments. At the hearing trial the burden of persuasion shall rest upon the appellant National Committee.
5. Decision: The Judicial Committee shall either affirm the National Committee's revocation or suspension or order reinstatement. The Judicial Committee shall issue its ruling within 14 ~~30~~ days of the hearing ~~and in no case later than 90 days prior to a Regular Convention for an affiliate party.~~ Failure of the Judicial Committee to rule within 14 ~~30~~ days ~~shall constitute an affirmation of the National Committee's revocation; 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.~~
6. Reinstatement: The National Committee may reinstate a removed Party member by a 2/3 vote of the entire National Committee.

Article 8: 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, Party membership, and National Committee officers and members-at-large (Article ~~x~~ 5, Section ~~3~~ 6),

## **Proposal O (old 15): Delegate List**

**Rationale:** The proposal protects delegates' personal identification information.

**Argument against:** This may make it more difficult for minority/disfavored groups to anonymously or strategically contact delegates.

Article 10: Conventions

5. Delegate List:

~~Any Party member shall be provided, upon request and payment of copying and mailing costs a list of the names and addresses of all delegates selected to attend and those who actually attended the most recent two conventions, with those who attended clearly identified, and all delegates / alternates selected to the upcoming convention, if available.~~

The National Committee shall contract with a third-party mail house to provide mailing services to postal addresses for any sustaining member to contact all delegates or alternates who attended the most recent two conventions, or all delegates or alternates selected for the upcoming convention. The requestor shall pay the vendor directly for the full cost of each mailing. The mail house shall keep the list confidential.

**Committee Vote:** 6-0

## **Proposal P (old 14): Arbitration Panel for State Bylaws Disputes**

Rationale: This proposal seeks to create a mechanism to decisively resolve affiliate disputes within the organization, using the existing framework of the organization, and therefore not requiring the state.

Argument against: This explicitly enables a nationally-elected committee to interfere in the autonomy of affiliates.

### Article 5: Affiliate Parties

- 7. If there is a legitimate dispute no later than 30 days prior to a scheduled national convention as to who the officers of a state affiliate are, or a legitimate dispute as to what contacts at the state affiliate the National Committee should work with, the dispute shall be resolved through binding arbitration. Arbitration shall be required upon a majority vote of the entire National Committee or by a petition of 3/5 of the current national sustaining membership in that state at the time the appeal is submitted. Any such arbitration shall be heard by the Judicial Committee unless the affected parties agree to an alternate arbitrator, who shall conduct an investigation and issue a ruling that resolves the particular dispute which caused arbitration, within 25 days from receipt of dispute. The ruling shall be binding upon the National Committee and the state affiliate.**

### Article 8: Judicial Committee

2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:
  - f. challenges to resolutions (Rule 5, Section 2), **and**
  - g. suspension of Presidential and Vice-Presidential candidates (Article 14, Section 5), **and**
  - h. arbitration of affiliate leadership disputes (Article 5, Section 7).**

**Committee Vote:** 3-0-3 amended 6-0

## **Proposal Q (old 22): Reorder LNC Elections**

**Rationale:** A number of members have asked that At-Large not be a “consolation prize” for those who did not win Chair, Vice-Chair, Secretary, or Treasurer. Reversing the order will prevent this scenario.

**Argument against:** May have more than one excellent candidate for officer, where the delegates think both should be on the LNC.

### 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. Election of Judicial Committee (in appropriate years)
8. Election of Party officers and at-large members of the National Committee
  - a. **Election of at-large members**
  - b. **Election of Treasurer**
  - c. **Election of Secretary**
  - d. **Election of Vice-Chair**
  - e. **Election of Chair**
9. Platform Committee report
10. Nomination of Party candidates for President and Vice-President (in appropriate years)
11. Resolutions
12. Other business

*Proviso: This takes effect immediately.*

**Committee Vote:** 6-0

## **Proposal R (old 4): Parliamentary Authority**

**Rationale:** If a rule in a new version of RONR is objectionable or hadn't had a chance to review it, we would still be obligated to use the newest version, without it having been explicitly approved. This change makes things clearer by allowing the party to define what rules are, instead of allowing the publishers of Robert's to define what the rules are.

**Argument against:** The current wording matches the recommendation in Robert's Rules of Order.

Article 16: Parliamentary Authority

**The party defines the current edition of Robert's Rules of Order, Newly Revised as the supplemental governing document of the party.**

The rules contained **therein** ~~in the current edition of Robert's Rules of Order, Newly Revised~~ shall govern the Party in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order adopted by the Party.

**Committee Vote:** 5-3

## **Proposal S (old 4b): Parliamentary Authority only Applicable when Bylaws Silent**

**Rationale:** The current wording was unclear, with differing views of the meaning of the word "inconsistent" causing contention. There is less ambiguity in the phrase "silent".

**Argument against:** The current wording matches the recommendation in Robert's Rules of Order.

Article 16: Parliamentary Authority

[...] shall govern the Party in all cases in which ~~to which they are applicable and in which they are not inconsistent with~~ these bylaws and any special rules of order adopted by the Party are silent.

**Committee Vote:** 5-3-1

## **Proposal V: Allow Debate on Platform Deltions**

**Rationale:** Currently after platform planks picked for deletion through the token system are not debated. This would provide for debate.

**Argument against:** Debate would burn more convention time.

### Rule 5. Debating and Voting – Platform

- 1.6 After the adoption of the convention agenda, the convention will vote whether to delete planks from the existing platform. This will be accomplished as follows:
  - 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~~. Debate shall be conducted using the same time limit as Rule 5.3.b.

**Committee Vote:** 6-0-1

## **Minority Report to Proposal A (old 11): Remove Preside Language Redundant with Roberts**

**Rationale:** The bylaws allow the platform committee chair to designate another to present their report. This proposal lets the bylaws and platform committees decide who presents their reports and removes language about LNC chair duties which is redundant with Robert's.

**Argument against:** The delegates may only want committee chairs to present reports. It could be useful to spell out the presiding duty of the national committee chair in case Robert's changes.

Article 6: Officers

~~The Chair shall preside at all conventions and all meetings of the National Committee.~~ The Chair is the chief executive officer of the Party with full authority to direct its business and affairs, including hiring and discharging of National Committee volunteers and paid personnel, subject to express National Committee policies and directives issued in the exercise of the National Committee's plenary control and management of Party affairs, properties and funds.

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. 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.

Rules 5: Debating and Voting – Platform

3. Recommendations for which there is no minority report shall be debated and voted upon in the following manner:
  - a. The Platform Committee ~~Chair, or some other person designated by him or her,~~ shall read the proposed recommendation and shall have up to two minutes to explain the recommendation.

**Joined by:** Ken Moellman, Dr. Chuck Moulton

## **Minority Report to Proposal G (old 8c): Dues Indexed Instead of Fixed**

**Rationale:** Dues haven't essentially changed in decades despite inflation. Raise dues in steps to \$50.

**Argument against:** Raising dues disenfranchises members of limited means.

*Part 1:*

Article 4: Membership

2. [...] an amount of at least ~~\$25~~ \$35 [...]

*Part 2:*

Article 4: Membership

2. [...] an amount of at least ~~\$35~~ \$50 [...]

*Proviso: Part 1 of this amendment (\$35) takes effect on January 1, 2023. Part 2 of this amendment (\$50) takes effect on January 1, 2026.*

**Joined by:** Ken Moellman, Dr. Chuck Moulton, Steve Scheetz

**Minority Reoirt to Proposal L (old 16d): Specify Cause for Removal (requires Prop J)**

**Rationale:** A narrower x.2.b cause for removal of officers and members at-large of the national committee seems to be more popular.

**Article x: Revocation of Membership, Committee Membership, and Affiliate Status**

**2. Restrictions: [...] Cause is defined as, and limited to:**

- a. For affiliates; acting in contravention of the Statement of Principles, these bylaws, or the governing documents of the affiliate itself.**
- ~~b. For officers or members at-large of the National Committee; conduct injurious to the organization or its purposes.~~**
- b. For officers or members at-large of the National Committee; gross malfeasance or failure to perform their official duties.**

**Joined by:** Ken Moellman, Dr. Chuck Moulton

## **Minority Report to Proposal M (old 16b): Change Thresholds**

**Rationale:** Raise threshold for removal, lower threshold for reinstatement.

**Argument against:** The existing thresholds are fine.

### **Article x: Revocation of Membership, Committee Membership, and Affiliate Status**

- 1. Removal: The National Committee may, for cause,**
  - a. revoke the affiliate status of any affiliate party by a vote of 3/4 of the entire National Committee more than six months prior to a regular convention, ~~or~~**
  - b. suspend any officer or member at-large of the National Committee by a vote of 2/3 of the entire National Committee, or**
  - c. revoke the membership of any Party member by a vote of ~~3/4~~ 4/5 of the entire National Committee.**
- 2. Restrictions: [...] Cause is defined as, and limited to:**
  - c. For Party members; advocating for or engaging in the initiation of physical violence.**
- 6. Reinstatement: The National Committee may reinstate a removed Party member by a ~~2/3~~ majority vote of the entire National Committee.**

**Joined by:** Ken Moellman, Dr. Chuck Moulton