

# **Libertarian Party of California 2019 Bylaws Committee Report**



**Submitted:  
January 25, 2019**

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# 2019 Bylaws Committee Report

Submitted January 25, 2019

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**Elected by the Executive Committee on June 9, 2018 per the LPC Bylaws**

**Committee Chair:** Kenneth Brent Olsen

**Members:**

Mark Herd (*Resigned 01/14/2019*)

Angela McArdle

Justin Quigley

Kevin Shaw

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## Bylaws Committee

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### Committee Purpose

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#### Bylaw 15: Committees

##### *Section 2: Bylaws Committee*

Not later than sixty days following the close of each convention, the Executive Committee shall appoint a Bylaws Committee of five State Central Committee members to recommend changes in these Bylaws and Convention Rules. The Bylaws Committee shall adopt its report not less than seventy days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than sixty days prior to the convention.

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### Executive Overview

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In the initial meeting of the Bylaws Committee it was discussed and decided that this committee would take recommendations from the State's Central Committee Members in developing the recommendations to be presented at the 2019 State Convention.

A proposal that was on the floor of the 2018 Convention, but ran out of time before the final vote, was the first amendment that the committee considered. The Committee asked that Central Committee Members submit proposed amendments via email and each were considered for inclusion in the final report.

From the above referenced input, the Bylaws Committee has voted to present 12 revisions to the Bylaws and Convention Rules. Bylaw 19, Section 3, had two proposed amendments submitted, therefore if the first passes, the second will not be presented or considered as it would be irrelevant.

#### **Legend**

Deletions are noted in ~~**red bold italic strikethrough**~~.

Additions are noted in **blue bold underline**.

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### Meeting History

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- 07/29/2018 Online Meeting via Zoom
- 08/26/2018 Online Meeting via Zoom
- 01/05/2019 Online Meeting via Zoom
- 01/20/2019 Online Meeting via Zoom
- 01/25/2019 Email Motion to Adopt the Final Report

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### **Legend**

Deletions are noted in ~~***red bold italic strikethrough.***~~  
Additions are noted in **blue bold underline.**

## I. Recommendation: Bylaw 7, Section 4-Duration of Membership

### No-Debate Item

#### Background

At the 2018 Convention an amendment to Bylaw 7, Section 4 was approved to extend the duration of membership from no longer than one year to no longer than two years, however in the approved amendment there was a contradiction in the final wording which stated that membership would be from the date the payment was received “until the end of that month one year later.” In addition, in the original Bylaw it calls a membership payment a “Donation” however “donation” and “membership” payments have specific definitions for reporting purposes; this amendment will correct these errors.

#### Reason

The Amendment to the Duration of Membership that was approved at the 2018 Convention included a contradiction; it left the sentence “until the end of that month on year later. This amendment will just correct that contradiction.

#### Impact

There would be no impact; it would just correct a contradiction.

#### Proposed Amendment

The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (McArdle, Olsen, Quigley, Shaw)

Amend Bylaw 7: Dues Sharing, Section 4. Duration of Membership

### **Bylaw 7: Dues Sharing**

#### ***Section 4: Duration of Membership***

Annual membership dues are good from the date the collecting organization receives the payment ~~***donation***~~, or from the date of payment to an online payment service, ~~***until the end of that month one year later.***~~ Membership expires at the end of the last day of that month. Annual membership can be renewed for no more than two years from the end of the month in which the dues are collected.

### **Legend**

Deletions are noted in ~~***red bold italic strikethrough.***~~

Additions are noted in **blue bold underline.**

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p><b>Bylaw 7: Dues Sharing</b></p> <p><b><i>Section 4: Duration of Membership</i></b></p> <p>Annual membership dues are good from the date the collecting organization receives the donation, or from the date of payment to an online payment service, until the end of that month one year later. Membership expires at the end of the last day of that month. Annual membership can be renewed for no more than two years from the end of the month in which the dues are collected.</p>	<p><b>Bylaw 7: Dues Sharing</b></p> <p><b><i>Section 4: Duration of Membership</i></b></p> <p>Annual membership dues are good from the date the collecting organization receives the payment, or from the date of payment to an online payment service. Membership expires at the end of the last day of that month. Annual membership can be renewed for no more than two years from the end of the month in which the dues are collected.</p>

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**Legend**

Deletions are noted in ~~***red bold italic strikethrough.***~~

Additions are noted in **blue bold underline.**

## II. Recommendation: Convention Rule 4-Area Coordinators Elections

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### Reason

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At the 2018 Convention the new Area Coordinators amendment to the Bylaws was passed by the delegates. This amendment removed the offices of Northern and Southern Vice-Chairs as well as two At-Large members and added a single Vice-Chair and three Area Coordinator positions on the Executive Committee. In the amendment the Area Coordinators are elected in odd numbered years along with the four party officers, which would mean that in odd numbered years a total of 11 positions will be elected at a single convention, leaving only 4 members remaining.

### Impact

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This amendment will insure that there is adequate continuity on the Executive Committee.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 3-0 (McArdle, Olsen, Shaw)

Amend Convention Rule 4: Agenda, Section E. Elections and add E. 2. and renumber as follows:

#### Convention Rules

##### *Rule 4: Agenda*

The business of the convention shall consist of the following items, and shall be conducted in the following order:

- E. Elections, in the following order:
  1. In odd-numbered years, Party officers and ~~Area Coordinators~~ the Northern Area Coordinator and in even-numbered years to fill the unexpired terms of vacated Party officers or ~~Area Coordinators~~ the Northern Area Coordinator;
  2. In even-numbered years, Southern and Central Area Coordinators and in odd-numbered years to fill the unexpired terms of vacated Southern or Central Area Coordinators;

#### Legend

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Convention Rules</b></p> <p><b>Rule 4: Agenda</b></p> <p>The business of the convention shall consist of the following items, and shall be conducted in the following order:</p> <p>E. Elections, in the following order:</p> <ol style="list-style-type: none"> <li>1. In odd-numbered years, Party officers and Area Coordinators and in even-numbered years to fill the unexpired terms of vacated Party officers or Area Coordinators;</li> </ol>	<p><b>Convention Rules</b></p> <p><b>Rule 4: Agenda</b></p> <p>The business of the convention shall consist of the following items, and shall be conducted in the following order:</p> <p>E. Elections, in the following order:</p> <ol style="list-style-type: none"> <li>1. In odd-numbered years, Party officers and the Northern Area Coordinator and in even-numbered years to fill the unexpired terms of vacated Party officers or the Northern Area Coordinator;</li> <li>2. In even-numbered years, Southern and Central Area Coordinators and in odd-numbered years to fill the unexpired terms of vacated Southern or Central Area Coordinators;</li> </ol>

**Legend**

Deletions are noted in ~~red bold italic strikethrough~~.  
 Additions are noted in blue bold underline.



### III. Recommendation: Bylaw 15, Section 2-Bylaws Committee

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#### Reason

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In the recent past no Bylaws Committee Report was presented at Convention as the committee was unable to meet the stringent requirement of having its report finalized 70 days prior to the convention.

This amendment would allow for the Bylaws Committee to have a meeting closer to the time of the convention.

#### Impact

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With the revision changing the deadline to complete the report to 30 days it will make it more likely that a Bylaws Committee Report is presented at each convention.

#### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (McArdle, Olsen, Quigley, Shaw)

Amend Bylaw 15: Committees, Section 2. Bylaws Committee as follows:

#### **Bylaw 15: Committees**

##### ***Section 2: Bylaws Committee***

Not later than sixty days following the close of each convention, the Executive Committee shall appoint a Bylaws Committee of five State Central Committee members to recommend changes in these Bylaws and Convention Rules. The Bylaws Committee shall adopt its report not less than ~~seventy~~thirty days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than ~~sixty~~fifteen days prior to the convention.

#### **Legend**

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p><b>Bylaw 15: Committees</b></p> <p><b><i>Section 2: Bylaws Committee</i></b></p> <p>Not later than sixty days following the close of each convention, the Executive Committee shall appoint a Bylaws Committee of five State Central Committee members to recommend changes in these Bylaws and Convention Rules. The Bylaws Committee shall adopt its report not less than seventy days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than sixty days prior to the convention.</p>	<p><b>Bylaw 15: Committees</b></p> <p><b><i>Section 2: Bylaws Committee</i></b></p> <p>Not later than sixty days following the close of each convention, the Executive Committee shall appoint a Bylaws Committee of five State Central Committee members to recommend changes in these Bylaws and Convention Rules. The Bylaws Committee shall adopt its report not less than thirty days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than fifteen days prior to the convention.</p>

**Legend**

Deletions are noted in ~~***red bold italic strikethrough.***~~

Additions are noted in **blue bold underline.**

## IV. Recommendation: Bylaw 15, Section 3-Platform Committee

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### Reason

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This clears up the bylaw for the establishment of the Platform Committee as it would eliminate the requirement that each County Central Committee **must** send one delegate but would allow them to send one. It would also provide more time for a coordinator to organize and coordinate discussions on amendments to the platform by the committee.

### Impact

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This will give the Platform Committee 60 additional days to form a committee and begin the work of evaluating and modifying the platform.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (McArdle, Olsen, Quigley, Shaw)

Amend Bylaw 15: Committees, Section 3. Platform Committee as follows:

#### **Bylaw 15: Committees**

##### ***Section 3: Platform Committee***

The Platform Committee shall consist of a coordinator and no more than one delegate from each County Central Committee. County Central Committees may choose as many alternates as they wish. A coordinator shall be appointed by the Executive Committee at least ~~thirty~~ ninety days before each convention. The county delegates shall be selected ~~at least thirty days~~ prior to the convention in such a manner as each County Central Committee shall provide.

#### **Legend**

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 15: Committees</b></p> <p><b><i>Section 3: Platform Committee</i></b></p> <p>The Platform Committee shall consist of a coordinator and one delegate from each County Central Committee. A coordinator shall be appointed by the Executive Committee at least thirty days before each convention. The county delegates shall be selected at least thirty days prior to the convention in such a manner as each County Central Committee shall provide.</p>	<p><b>Bylaw 15: Committees</b></p> <p><b><i>Section 3: Platform Committee</i></b></p> <p>The Platform Committee shall consist of a coordinator and no more than one delegate from each County Central Committee. County Central Committees may choose as many alternates as they wish. A coordinator shall be appointed by the Executive Committee at least ninety days before each convention. The county delegates shall be selected prior to the convention in such a manner as each County Central Committee shall provide.</p>

**Legend**

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.

## V. Recommendation: Bylaw 9, Section 1-County Organizations

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### Reason

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The state Bylaws give no direction on the steps required for a newly formed county affiliate to be recognized by the state party. Historically the requirements seem to change at the whim of each Executive Committee and have caused confusion. In addition, in the past the Bylaws have allowed for multiple regions in a single county to be recognized as affiliates however this is no longer allowed by the State of California, therefore this would clarify that each county may only have one organization that can be recognized as an affiliate. This would not impact each county affiliate to recognize additional areas in the county as being a part of the single county affiliation.

### Impact

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There would be no impact to any existing county organization but would clarify and therefore simplify the steps required to become a newly recognized affiliate.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (McArdle, Olsen, Quigley, Shaw)

Amend Bylaw 9: County Organizations, Section 1. and add Section 5 and renumber.

### Bylaw 9: County Organizations

#### *Section 1*

The Party shall be divided into county organizations. Each county may have only one organization which shall have its own County Central Committee.

#### *Section 5*

A new county organization may be recognized by the Party if it has held an organizing meeting to elect its officers and adopt bylaws.

- A. Notice must be mailed to its members at least thirty days, but no more than 60 days, in advance of the meeting. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership.
- B. The notice shall also be sent to and received by the Party Secretary at least 30 days in advance of the meeting.
- C. The election results shall be reported to the Party Secretary within fifteen days after the meeting.

### Legend

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.

After the above requirements have been met, the Party's Executive Committee will put forward a motion to recognize the new county affiliate at its next scheduled meeting.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 9: County Organizations</b></p> <p><i>Section 1</i>            The Party shall be divided into county organizations. Each county organization shall have its own County Central Committee.</p>	<p><b>Bylaw 9: County Organizations</b></p> <p><i>Section 1</i>            The Party shall be divided into county organizations. Each county may have only one organization which shall have its own County Central Committee.</p> <p><i>Section 5</i>            A new county organization may be recognized by the Party if it has held an organizing meeting to elect its officers and adopt bylaws.</p> <ul style="list-style-type: none"> <li>A. Notice must be mailed to its members at least thirty days, but no more than 60 days, in advance of the meeting. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership.</li> <li>B. The notice shall also be sent to and received by the Party Secretary at least 30 days in advance of the meeting.</li> <li>C. The election results shall be reported to the Party Secretary within fifteen days after the meeting.</li> </ul> <p>After the above requirements have been met, the Party's Executive Committee will put forward a motion to recognize the new county affiliate at its next scheduled meeting.</p>

**Legend**

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.

## VI. Recommendation: Bylaw 12, Section 4-Electronic Meetings

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### Background

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At the 2018 Convention this amendment was on the floor of the convention after being amended by the delegates, however before it came to the final vote a motion was made to adjourn for the day. This was set to be continued on the following day however time for the meeting expired before this item was completed.

### Reason

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Currently mail and email motions are the only means that the Executive Committee has to transact business in between quarterly meetings and doesn't allow utilizing newer technologies. This amendment would allow the Executive Committee to more easily and effectively use electronic communications options to conduct their business between quarterly meetings as well as complete email ballots in a more efficient manner.

### Impact

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This amendment would allow for a more productive means of doing business throughout the year, rather than only conducting business during the four business meetings each year.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0 (McArdle, Olsen, Quigley, Shaw)

Amend Bylaw 12: Agenda, Section 4. Executive Committee as follows:

#### **Bylaw 12: Executive Committee**

##### ***Section 4***

The Executive Committee may, ~~***without meeting together, transact business by mail by voting on questions submitted by the Secretary at the request of at least two members of the Executive Committee. Unless a secret ballot is requested when the question is moved, which will require either postal mail ballots or technical capabilities beyond standard e-mail, all such votes shall be counted and recorded by the Secretary as Roll Call votes. The Executive Committee will complete voting any time after forty-eight hours from the transmission time of the mail ballot:***~~ **transact business by email balloting when a motion is moved and seconded via email. All votes shall be counted and recorded by the secretary as roll call votes. E-mail motions will require**

#### **Legend**

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Additions are noted in **blue bold underline**.

the same number of votes as motions made at regular meetings. Alternates may vote, but their vote won't be counted unless a corresponding at-large member fails to cast a ballot. Voting will end after 48 hours has passed and votes from 2/3 of the committee members have been received, or in 120 hours, whichever occurs first. Up until the vote is finalized, a member or alternate may change their vote. If, at the expiration of the applicable period, a quorum of the Executive Committee has not voted, the measure being voted upon shall be deemed to have failed.

~~A. If the motion has received Yea votes from two-thirds of the Executive Committee members, or~~

~~B. If the motion has received Nay votes from two-thirds of the Executive Committee members, or~~

~~C. After one hundred twenty hours in all other cases.~~

~~An alternate's vote will not be counted towards the two-thirds requirement unless it is definitely known that a corresponding voting member will not be participating. Members may change their vote up to the close of the voting period.~~

The Executive Committee may also transact business by telephone conference or other electronic communications where the members can meet in real time. In such meetings, the normal rules of the committee apply as to quorums and voting. At least 7 days' notice is required if business is to be transacted in such a fashion.

The Secretary shall ~~preserve all such votes until the next meeting of the Executive Committee at which meeting the Executive Committee shall order the disposition of such votes.~~ keep a record of the motions and votes from email, telephone and electronic balloting, and make them available in the same fashion as minutes from Executive Committee meetings.

Current Bylaw	Proposed Bylaw as Amended
<p>Bylaw 9: Executive Committee</p> <p><i>Section 4</i></p> <p>The Executive Committee may, without meeting together, transact business by mail by voting on questions submitted by the Secretary at the request of at least two</p>	<p>Bylaw 9: Executive Committee</p> <p><i>Section 4</i></p> <p>The Executive Committee may transact business by email balloting when a motion is moved and seconded via email. All votes shall be counted and recorded by the</p>

**Legend**

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.



<p>members of the Executive Committee. Unless a secret ballot is requested when the question is moved, which will require either postal mail ballots or technical capabilities beyond standard e-mail; all such votes shall be counted and recorded by the Secretary as Roll Call votes. The Executive Committee will complete voting any time after forty-eight hours from the transmission time of the mail ballot:</p> <ul style="list-style-type: none"><li>A. If the motion has received Yea votes from two-thirds of the Executive Committee members, or</li><li>B. If the motion has received Nay votes from two-thirds of the Executive Committee members, or</li><li>C. After one hundred twenty hours in all other cases.</li></ul> <p>An alternate's vote will not be counted towards the two-thirds requirement unless it is definitely known that a corresponding voting member will not be participating. Members may change their vote up to the close of the voting period. If, at the expiration of the applicable period, a quorum of the Executive Committee has not voted, the measure being voted upon shall be deemed to have failed.</p> <p>The Secretary shall preserve all such votes until the next meeting of the Executive Committee at which meeting the Executive Committee shall order the disposition of such votes.</p>	<p>secretary as roll call votes. E-mail motions will require the same number of votes as motions made at regular meetings. Alternates may vote, but their vote won't be counted unless a corresponding at-large member fails to cast a ballot. Voting will end after 48 hours has passed and votes from 2/3 of the committee members have been received, or in 120 hours, whichever occurs first. Up until the vote is finalized, a member or alternate may change their vote. If, at the expiration of the applicable period a quorum of the Executive Committee has not voted, the measure being voted upon shall be deemed to have failed.</p> <p>The Executive Committee may also transact business by telephone conference or other electronic communications where the members can meet in real time. In such meetings, the normal rules of the committee apply as to quorums and voting. At least 7 days' notice is required if business is to be transacted in such a fashion.</p> <p>The Secretary shall keep a record of the motions and votes from email, telephone and electronic balloting, and make them available in the same fashion as minutes from Executive Committee meetings.</p>
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**Legend**

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.

## VII. Recommendation: Bylaw 5, Section 5-Membership Suspension

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### Reason

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The current bylaws are unclear about certain aspects of the disciplinary policies. This amendment would clarify them and provide additional time for appeal.

### Impact

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This amendment would provide additional time for appeal, would give specific details as to requirements for notification to the member, and would specify that a 2/3 vote would be required for suspension of membership (as is already required per Bylaw 12, Section 6).

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 3-0 (McArdle, Olsen, Shaw)

Amend Convention Rule 5: Membership, Section 5 as follows:

#### **Bylaw 5: Membership**

##### ***Section 5***

The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. Suspension of membership shall require a two-thirds supermajority of the eligible positions on the Executive Committee for approval. The Secretary shall notify the member of the suspension, via personal service or registered mail, immediately after adoption. Notification of the suspension is subject to written appeal within ~~fifteen~~ thirty days of notification.

Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term “cause” as used in this section shall include but not be limited to the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- B. Having unpaid debts over ninety days old outstanding to the Party.

#### **Legend**

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 5: Membership</b></p> <p><b><i>Section 5</i></b></p> <p>The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. Notification of the suspension is subject to written appeal within fifteen days of notification. Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term “cause” as used in this section shall include but not be limited to the following:</p> <ul style="list-style-type: none"> <li>A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or</li> <li>B. Having unpaid debts over ninety days old outstanding to the Party.</li> </ul>	<p><b>Bylaw 5: Membership</b></p> <p><b><i>Section 5</i></b></p> <p>The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. Suspension of membership shall require a two-thirds supermajority of the eligible positions on the Executive Committee for approval. The Secretary shall notify the member of the suspension, via personal service or registered mail, immediately after adoption. Notification of the suspension is subject to written appeal within thirty days of notification.</p> <p>Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term “cause” as used in this section shall include but not be limited to the following:</p> <ul style="list-style-type: none"> <li>A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or</li> <li>B. Having unpaid debts over ninety days old outstanding to the Party.</li> </ul>

**Legend**

Deletions are noted in ~~red bold italic strikethrough~~.  
 Additions are noted in blue bold underline.

## VIII. Recommendation: Bylaw 19, Section 3-County Delegations

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### **If this Recommendation passes, Recommendation IV will be omitted**

#### Reason

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In the past our annual convention was a true convention where each county affiliate elected or appointed their delegates based on the number of members in each county; this was done in much the same way that the National LP holds their conventions. Several years ago our convention was changed to be an Annual Meeting of Members, with all current Central Committee Members being allowed to vote on all party business. Many current Central Committee Members have expressed an interest in going back to the original system.

#### Impact

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This amendment would go back to when we as a party held a a true convention of delegates, with each representing their respective counties. This would have a fairly large impact in the way the party does its business, but would insure proper representation from each county affiliate.

#### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 3-0 (McArdle, Olsen, Shaw)

Amend Bylaw 19: Convention, Section 3 and Convention Rule 2: Registration of Delegates as Follows:

#### **Bylaw 19: Convention**

##### ***Section 3***

Delegates to the convention shall be current State Central Committee members, and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention.

**Every county shall be entitled to send delegates to the convention according to the following criteria:**

- A. **Each county central committee shall have one delegate for each 0.5% or fraction thereof of the total number of all members of all county central committees These delegates shall be selected by counties in such manner as the county organizations may provide.**
- B. **The Secretary shall make a count of the current central committee members and shall compute the delegate allocations for the each**

#### **Legend**

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in **blue bold underline**.

county affiliate party. Notification of the membership totals and allocation totals shall be sent by the Secretary to the Chair of each county affiliate party no later than the last day of the third month prior to a Regular Convention.

- C. In addition to the foregoing, each holder of an elective public office who is registered to vote as a Libertarian, each chair of a county central committee or a person appointed by the chair of that County Central Committee who is otherwise qualified as a delegate under Rule 3, and each member of the Party Executive Committee, at the time the convention is held, shall be a delegate from his or her respective county. Central committee membership shall not be considered to be holding of public office.
- D. No person shall be a delegate who does not meet such requirements as may be stated in the Convention Rules.

~~***Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.***~~

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 19: Convention</b></p> <p><b><i>Section 3</i></b></p> <p>Delegates to the convention shall be current State Central Committee members, and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention.</p> <p>Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.</p>	<p><b>Bylaw 19: Convention</b></p> <p><b><i>Section 3</i></b></p> <p>Delegates to the convention shall be current State Central Committee members, and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention.</p> <p>Every county shall be entitled to send delegates to the convention according to the following criteria:</p> <ul style="list-style-type: none"> <li>A. Each county central committee shall have one delegate for each 0.5% or fraction thereof of the total number of all members of all county central committees These delegates shall be selected by counties in such manner as the</li> </ul>

**Legend**

Deletions are noted in ~~***red bold italic strikethrough.***~~  
 Additions are noted in **blue bold underline.**

	<p>county organizations may provide.</p> <p>B. The Secretary shall make a count of the current central committee members and shall compute the delegate allocations for the each county affiliate party. Notification of the membership totals and allocation totals shall be sent by the Secretary to the Chair of each county affiliate party no later than the last day of the third month prior to a Regular Convention.</p> <p>C. In addition to the foregoing, each holder of an elective public office who is registered to vote as a Libertarian, each chair of a county central committee or a person appointed by the chair of that County Central Committee who is otherwise qualified as a delegate under Rule 3, and each member of the Party Executive Committee, at the time the convention is held, shall be a delegate from his or her respective county. Central committee membership shall not be considered to be holding of public office.</p> <p>D. No person shall be a delegate who does not meet such requirements as may be stated in the Convention Rules.</p>
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**Legend**

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.

## Convention Rules

### Rule 2: Registration of Delegates

#### Section 1

Any delegate or alternate to a party convention must be a current central committee member as defined in Bylaw 5, Section 1, at the meeting that the delegates are selected.

#### Section 2

Certification of delegates and alternates selected for each county shall be submitted to the party Secretary no less than 14 days prior to the opening session of the convention by the person presiding over the meeting at which the delegates were selected.

#### Section 3

Failure by a county to submit certification at least 14 days prior to the opening of the convention shall cause no delegates to be registered from that county.

#### Section ~~4~~

Each delegate shall register personally at the convention with the Secretary or a duly authorized representative.

#### Section ~~2~~ 5

A delegate shall not be registered prior to the resolution of all challenges in which that delegate has been named.

#### Section ~~3~~ 6

Delegates shall register each day of the convention. Each day's quorum shall be a simple majority of those delegates registered for that day.

### Legend

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Convention Rules</b></p> <p><b>Rule 2: Registration of Delegates</b></p> <p><i>Section 1</i></p> <p>Each delegate shall register personally at the convention with the Secretary or a duly authorized representative.</p> <p><i>Section 2</i></p> <p>A delegate shall not be registered prior to the resolution of all challenges in which that delegate has been named.</p> <p><i>Section 3</i></p> <p>Delegates shall register each day of the convention. Each day's quorum shall be a simple majority of those delegates registered for that day.</p>	<p><b>Convention Rules</b></p> <p><b>Rule 2: Registration of Delegates</b></p> <p><i>Section 1</i></p> <p>Any delegate or alternate to a party convention must be a current central committee member as defined in Bylaw 5, Section 1, at the meeting that the delegates are selected.</p> <p><i>Section 2</i></p> <p>Certification of delegates and alternates selected for each county shall be submitted to the party Secretary no less than 14 days prior to the opening session of the convention by the person presiding over the meeting at which the delegates were selected.</p> <p><i>Section 3</i></p> <p>Failure by a county to submit certification at least 14 days prior to the opening of the convention shall cause no delegates to be registered from that county.</p> <p><i>Section 4</i></p> <p>Each delegate shall register personally at the convention with the Secretary or a duly authorized representative.</p> <p><i>Section 5</i></p> <p>A delegate shall not be registered prior to the resolution of all challenges in which that delegate has been named.</p> <p><i>Section 6</i></p> <p>Delegates shall register each day of the convention. Each day's quorum shall be a simple majority of those delegates registered for that day.</p>

**Legend**

Deletions are noted in ~~red bold italic strikethrough~~.  
 Additions are noted in blue bold underline.



## **IX. Recommendation: Bylaw 19, Section 3-Convention Delegates**

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**This Recommendation will only be presented if Recommendation VIII fails**

### Reason

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In the past the state and national Libertarian Parties were able to have joint membership however due to FEC rules this is no longer an option. Because of this many national members still believe that gives them membership to the state party and only find out that's not the case when then register for the LPC's annual convention. The reasoning behind the 90 day provision for being a delegate was to insure that the party wasn't taken over by other interests but national members have already accepted all of the terms of membership.

### Impact

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This would allow for greater participation of Libertarians in California at our annual meetings.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 3-0 (McArdle, Olsen, Shaw)

Amend Convention Rule 19: Convention, Section 3 as follows:

#### **Bylaw 19: Convention**

##### ***Section 3***

Delegates to the convention shall be current State Central Committee members, and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention. ~~or shall~~ **have been members of the National LP for any ninety days prior to the convention.**

Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.

#### **Legend**

Deletions are noted in ***red bold italic strikethrough.***

Additions are noted in **blue bold underline.**

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p><b>Bylaw 19: Convention</b></p> <p><b><i>Section 3</i></b></p> <p>Delegates to the convention shall be current State Central Committee members, and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention.</p> <p>Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.</p>	<p><b>Bylaw 19: Convention</b></p> <p><b><i>Section 3</i></b></p> <p>Delegates to the convention shall be current State Central Committee members, and shall either hold public office, or shall have been State Central Committee members for any ninety days prior to the convention, or shall have been members of the National LP for any ninety days prior to the convention.</p> <p>Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.</p>

**Legend**

Deletions are noted in ~~***red bold italic strikethrough.***~~

Additions are noted in **blue bold underline.**

## X. Recommendation: Convention Rule 4, Sections D and E, Bylaws and Platform Committee Reports

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### Reason

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At the 2017 convention there was no Bylaws Committee report. At the 2018 convention the agenda was adjusted to place the Bylaws Committee report earlier in the convention and there was no Platform Committee report.

### Impact

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Because there was no Bylaws Committee report in 2017 and no Platform Committee report in 2018, these two reports have become unbalanced on the agenda. This amendment would return balance to the agenda.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 3-0-2 (McArdle, Olsen, Shaw, Quigley in favor and Herd opposed)

Amend Convention Rule 4: Agenda, Sections D and F as follows:

#### Rule 4: Agenda

The business of the convention shall consist of the following items, and shall be conducted in the following order:

- D. In ~~even-numbered~~ odd-numbered years, the Platform Committee report, and in ~~odd-numbered~~ even-numbered years, the Bylaws Committee report;
- F. In ~~odd-numbered~~ even-numbered years, the Platform Committee report, and in ~~even-numbered~~ odd-numbered years, the Bylaws Committee Platform Committee report;

#### Legend

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p><b>Convention Rules</b></p> <p><b>Rule 4: Agenda</b></p> <p>The business of the convention shall consist of the following items, and shall be conducted in the following order:</p> <ul style="list-style-type: none"><li>D. In even-numbered years, the Platform Committee report, and in odd-numbered years, the Bylaws Committee report;</li><li>F. In odd-numbered years, the Platform Committee report, and in even-numbered years, the Bylaws Committee report;</li></ul>	<p><b>Bylaw 15: Committees</b></p> <p><b><i>Section 2: Bylaws Committee</i></b></p> <p>The business of the convention shall consist of the following items, and shall be conducted in the following order:</p> <ul style="list-style-type: none"><li>D. In odd-numbered years, the Platform Committee report, and in even-numbered years, the Bylaws Committee report;</li><li>F. In even-numbered years, the Platform Committee report, and in odd-numbered years, the Bylaws Committee Platform Committee report;</li></ul>

**Legend**

Deletions are noted in ~~**red bold italic strikethrough**~~.

Additions are noted in **blue bold underline**.

## **XI. Recommendation: Bylaw 26, Amendment of Bylaws**

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### **Reason**

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In the past, many Bylaws Amendments made from the floor were not considered or failed due to delegates leaving the floor, making it difficult to get a two-thirds vote of all registered delegates. This amendment doesn't change the two-thirds vote requirement but only requires two-thirds of the delegates on the floor.

### **Impact**

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This Amendment decreases the chance of losing quorum during the convention therefore making it more likely to complete party business as specified in the Bylaws.

### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 3-0-2 (McArdle, Olsen, Quigley in favor and Herd, Olsen abstained)

Amend Bylaw 26: Amendment of Bylaws amend as follows:

#### **Bylaw 26: Amendment of Bylaws**

Except as indicated in a particular Bylaw, these Bylaws may be amended by a majority vote of all the registered delegates at a convention with previous notice. Bylaws changes proposed from the convention floor without prior notice, or substantive, non-technical amendments made to the Bylaws Committee Report by the Bylaws Committee subsequent to the report adoption deadline, shall require a two-thirds vote of **those voting, but no less than a majority of** registered delegates to pass.

### **Legend**

Deletions are noted in ***~~red bold italic strikethrough~~***.

Additions are noted in **blue bold underline**.

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p><b>Bylaw 26: Amendment of Bylaws</b></p> <p>Except as indicated in a particular Bylaw, these Bylaws may be amended by a majority vote of all the registered delegates at a convention with previous notice. Bylaws changes proposed from the convention floor without prior notice, or substantive, non-technical amendments made to the Bylaws Committee Report by the Bylaws Committee subsequent to the report adoption deadline, shall require a two-thirds vote of registered delegates to pass.</p>	<p><b>Bylaw 26: Amendment of Bylaws</b></p> <p>Except as indicated in a particular Bylaw, these Bylaws may be amended by a majority vote of all the registered delegates at a convention with previous notice. Bylaws changes proposed from the convention floor without prior notice, or substantive, non-technical amendments made to the Bylaws Committee Report by the Bylaws Committee subsequent to the report adoption deadline, shall require a two-thirds vote of those voting, but no less than a majority of registered delegates to pass.</p>

**Legend**

Deletions are noted in ~~***red bold italic strikethrough.***~~

Additions are noted in **blue bold underline.**