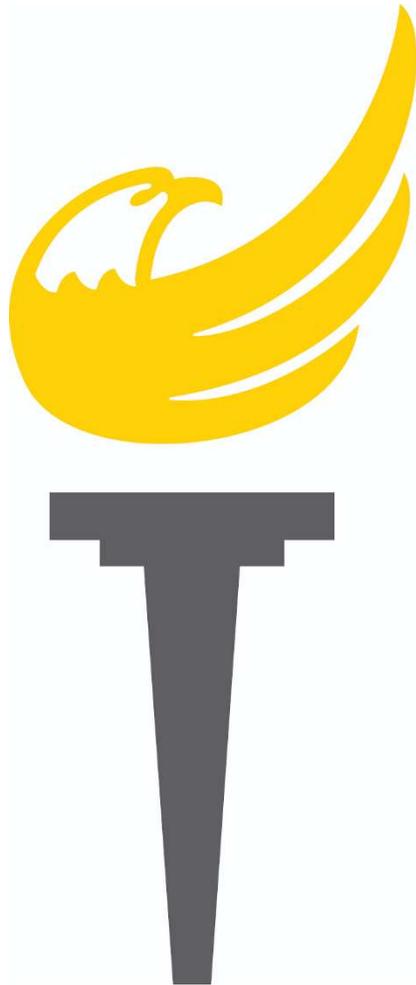


# **Libertarian Party of California 2022 Bylaws Committee Preliminary Report**



**Adopted:  
December 11, 2021**

**Submitted:  
December 13, 2021**

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# 2022 Bylaws Committee Report

Submitted December 13, 2021

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**Elected by the Executive Committee on June 26, 2021, per the LPC Bylaws**

**Committee Chair:** Rachel Nyx (Elected by Committee July 12, 2021)

**Members:**

Kenneth Brent Olsen (Secretary - Elected by Committee July 12, 2021)  
Gary Alvstad  
Adrian F Malagon  
Cheyne Strawn

## Bylaws Committee

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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 initial 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. The Bylaws Committee shall adopt its final report, which may include corrections or improvements to proposals in the initial report but shall not introduce new proposals, not less than twenty 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.

#### Meeting History

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- 07/12/2021 Online Meeting via Zoom (Nyx, Olsen, Malagon, Strawn, Alvstad)
- 08/16/2021 Online Meeting via Zoom (Nyx, Olsen, Malagon, Strawn, Alvstad)
- 09/20/2021 Online Meeting via Zoom (Nyx, Olsen, Malagon, Alvstad)
- 10/11/2021 Online Meeting via Zoom (Nyx, Olsen, Malagon, Strawn, Alvstad)

- 11/8/2021 Online Meeting via Zoom (Nyx, Olsen, Malagon, Strawn, Alvstad)
- 11/15/2021 Online Meeting via Zoom (Nyx, Olsen, Malagon, Strawn, Alvstad)
- 12/11/2021 Hybrid In-Person Meeting (Nyx, Olsen, Malagon, Strawn, Alvstad)  
(Fresno, CA)

## **I. Recommendation 1: Bylaw 26: Amendment of Bylaws**

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### Reason

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To add a specific bylaws provision clarifying the start of any amendments to these or future bylaws.

### Impact

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Amendments to bylaws will no longer require a proviso as to when they will take effect. The default implementation will be at the end of each convention. The existing text in Bylaw 26 will be renumbered as Section 1, with this proposal creating a new Section 2.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 3-1-0-1 (Yes: Alvstad, Malagon, Nyx; No: Olsen; Not Voting: Strawn).

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

### **Section 1**

Except as indicated in a particular Bylaw, these Bylaws may be amended by a majority vote of all the registered delegates present and voting 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 present and voting to pass.

### **Section 2**

**All amendments to the bylaws shall take effect upon the close of the convention.**

Current Bylaw	Proposed Bylaw as Amended
<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 present and voting 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 present and voting to pass.</p>	<p><b>Bylaw 26: Amendment of Bylaws</b></p> <p><u><b>Section 1</b></u></p> <p>Except as indicated in a particular Bylaw, these Bylaws may be amended by a majority vote of all the registered delegates present and voting 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 present and voting to pass.</p> <p><u><b>Section 2</b></u></p> <p><u><b>All amendments to the bylaws shall take effect upon the close of the convention.</b></u></p>

## II. Recommendation 2: Bylaw 5 Section 1: Membership

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### Reason

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There has been confusion regarding the Lifetime membership provision added during the 2021 Convention after the residency requirement was added. Members are confused as to whether moving out of state invalidates a lifetime membership.

### Impact

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If adopted, this amendment will clarify that Lifetime members are members for life. “Become” becomes simply “be” to clarify status.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0-0-1 (Yes: Alvstad, Malagon, Olsen, Nyx; Not Voting: Strawn).

## Bylaw 5: Membership

### Section 1

Individuals may be ~~come~~ members of the State Central Committee by:

- A. Residing in California, and
- B. Accepting the Certification, and
- C. Being a registrant of the Libertarian Party if eligible, and either
  1. Becoming a holder of California public office that is subject to election other than County Central Committee, or
  2. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement.

No State or County Central Committee member shall be a registrant of or hold office in any political party other than the Libertarian Party.

All Party officeholders are required to be members of the State Central Committee.

~~Lifetime members shall retain their lifetime membership.~~ Lifetime Central Committee members may retain their Central Committee membership in the event they no longer reside in California, so long as they meet all other requirements.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 5: Membership</b></p> <p><b>Section 1</b></p> <p>Individuals may become members of the State Central Committee by:</p> <ul style="list-style-type: none"> <li>A. Residing in California, and</li> <li>B. Being a registrant of the Libertarian Party if eligible, and either               <ul style="list-style-type: none"> <li>1. Becoming a holder of California public office that is subject to election other than County Central Committee, or</li> <li>2. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the</li> </ul> </li> </ul>	<p><b>Bylaw 5: Membership</b></p> <p><b>Section 1</b></p> <p>Individuals may <u>be</u> members of the State Central Committee by:</p> <ul style="list-style-type: none"> <li>A. Residing in California, and</li> <li><u>B. Accepting the Certification,</u></li> <li><u>and</u></li> <li><u>C.</u> Being a registrant of the Libertarian Party if eligible, and either               <ul style="list-style-type: none"> <li>1. Becoming a holder of California public office that is subject to election other than County Central Committee, or</li> <li>2. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for</li> </ul> </li> </ul>

<p>national Libertarian Party for the purpose of satisfying the dues requirement.</p> <p>No State or County Central Committee member shall be a registrant of or hold office in any political party other than the Libertarian Party.</p> <p>All Party officeholders are required to be members of the State Central Committee.</p> <p>Lifetime members shall retain their lifetime membership.</p>	<p>the purpose of satisfying the dues requirement.</p> <p>No State or County Central Committee member shall be a registrant of or hold office in any political party other than the Libertarian Party.</p> <p>All Party officeholders are required to be members of the State Central Committee.</p> <p><u>Lifetime Central Committee members may retain their Central Committee membership in the event they no longer reside in California, so long as they meet all other requirements.</u></p>
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### III. Recommendation 3: Bylaw 19, § 3

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#### Reason

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Having to be a State Central Committee member so long prior to convention in order to be a voting delegate hurts the Party in both the short-term and the long-term. It disenfranchises those who might otherwise attend convention, buy a package, donate to the Party at convention and volunteer their time afterward. It also discourages current members from continuing to recruit new members during this time. Many other State Affiliates either have no such requirement, or have made it a mere thirty days (or less).

#### Impact

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This Bylaws Amendment would allow anyone who has been a State Central Committee member any sixty days prior to convention is eligible to be a voting delegate.

#### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 3-1-0-1 (Yes: Malagon, Alvstad, Nyx; No: Olsen; Not Voting: Strawn).

### **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~~ sixty days prior to the convention.

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

<b>Current Bylaw</b>	<b>Proposed Bylaw as Amended</b>
<p data-bbox="203 310 592 352"><b>Bylaw 19: Convention</b></p> <p data-bbox="203 436 358 468"><b>Section 3</b></p> <p data-bbox="203 495 779 1020">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. Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.</p>	<p data-bbox="821 310 1211 352"><b>Bylaw 19: Convention</b></p> <p data-bbox="821 436 977 468"><b>Section 3</b></p> <p data-bbox="821 495 1386 1020">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 <u>sixty</u> days prior to the convention. Notwithstanding the above, each Executive Committee member may seat one current State Central Committee member as a delegate.</p>

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## IV. Recommendation 4: Bylaw 5: Membership

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### Reason

There are members who wish to revisit the provision regarding requiring LPCA State Central Committee Members to be registered Libertarian voters, including the phrase “if eligible.” Voter registration has proven difficult to enforce due to faulty tracking systems. “If eligible” is also difficult to enforce, as there are a number of private, confidential, and/or personal reasons one may not be eligible to vote, including reasons resulting from state actions that Libertarians typically do not agree with.

### Impact

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This amendment would allow members registered as No Party Preference (NPP) to be State Central Committee members. It also eliminates the phrase “if eligible” in exchange for “if registered.” “Become” becomes simply “be” to clarify status.

\*\*This proposal would include the changes from Proposal 2 if that proposal is adopted. While the Committee voted on the following with the adoption of Proposal 2 in mind, and the Committee does not consider the two proposals to be in conflict, for the purpose of preparing this report the following text includes the original language as currently found in the bylaws as of the 2021 Convention and therefore does not include those change; It cannot be yet assumed that those changes will have been adopted when this proposal is voted on.\*\*

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 3-2-0-0 (Yes: Alvstad, Malagon, Nyx; No: Olsen, Strawn).

## Bylaw 5: Membership

### Section 1

Individuals may become members of the State Central Committee by:

- A. Residing in California, and
- B. Being a registrant of the Libertarian Party or No Party Preference (NPP) if ~~eligible~~ registered, and either
  1. Becoming a holder of California public office that is subject to election other than County Central Committee, or
  2. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement.

No State or County Central Committee member shall be a registrant of or hold office in any political party other than the Libertarian Party.

All Party officeholders are required to be members of the State Central Committee.

Lifetime members shall retain their lifetime membership.

\*\* SEE NOTE UNDER "IMPACT" \*\*

Current Bylaw	Proposed Bylaw as Amended
<p data-bbox="204 373 586 411"><b>Bylaw 5: Membership</b></p> <p data-bbox="204 499 776 583">Individuals may become members of the State Central Committee by:</p> <ul data-bbox="302 625 789 1747" style="list-style-type: none"><li data-bbox="302 625 711 659">A. Residing in California, and</li><li data-bbox="302 697 740 835">B. Being a registrant of the Libertarian Party if eligible, and either<ol data-bbox="399 877 789 1747" style="list-style-type: none"><li data-bbox="399 877 789 1129">1. Becoming a holder of California public office that is subject to election other than County Central Committee, or</li><li data-bbox="399 1171 789 1747">2. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement.</li></ol></li></ul> <p data-bbox="204 1789 753 1873">No State or County Central Committee member shall be a registrant of or hold</p>	<p data-bbox="824 373 1206 411"><b>Bylaw 5: Membership</b></p> <p data-bbox="824 499 1396 583">Individuals may become members of the State Central Committee by:</p> <ul data-bbox="922 625 1409 1793" style="list-style-type: none"><li data-bbox="922 625 1331 659">A. Residing in California, and</li><li data-bbox="922 697 1377 886">B. Being a registrant of the Libertarian Party or <u>No Party Preference (NPP)</u> if <u>registered</u>, and either<ol data-bbox="1019 928 1409 1793" style="list-style-type: none"><li data-bbox="1019 928 1409 1180">1. Becoming a holder of California public office that is subject to election other than County Central Committee, or</li><li data-bbox="1019 1222 1409 1793">2. Making application and paying such dues as prescribed by the Executive Committee. The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement.</li></ol></li></ul>

<p>office in any political party other than the Libertarian Party.</p> <p>All Party officeholders are required to be members of the State Central Committee.</p> <p>Lifetime members shall retain their lifetime membership.</p>	<p>No State or County Central Committee member shall be a registrant of or hold office in any political party other than the Libertarian Party.</p> <p>All Party officeholders are required to be members of the State Central Committee.</p> <p>Lifetime members shall retain their lifetime membership.</p>
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## V. Recommendation 5: Bylaw 12: Executive Committee

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### Reason

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In 2021 a situation arose in which it was realized that the Bylaws were vague as to when an At-Large Alternate on the Executive Committee would be seated in the event of a vacancy on the ExComm. Reference to RONR (12<sup>th</sup> Edition) did not specify in a manner that addressed the problem. The Executive Committee had in its past utilized both opinions expressed on the matter, so for the sake of consistency it was decided that the Bylaws needed to make clear when At-Large Alternates would be seated or fill vacancies if a vacancy were to again occur.

### Impact

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This amendment would codify that At-Large Alternates shall fill the vacancy and be seated on the Executive Committee during its meetings in the event of a vacancy until the Executive Committee is able to elect a replacement to the seat at the next available opportunity.

### Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 4-0-0-1 (Yes: Alvstad, Malagon, Olsen, Nyx; Not Voting: Strawn).

## Bylaw 12: Executive Committee

### Section 1

D. Two alternates, each elected for one-year terms. There will be free substitution of alternates in ranked order at Executive Committee meetings. In the case of vacancies alternate(s) will fill the vacancy in ranked order until a replacement At Large member is appointed by the Executive Committee.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 12: Executive Committee</b></p> <p><b>Section 1</b></p> <p>D. Two alternates, each elected for one-year terms. There will be free substitution of alternates in ranked order at Executive Committee meetings.</p>	<p>Bylaw 12: Executive Committee</p> <p>Section 1</p> <p>D. Two alternates, each elected for one-year terms. There will be free substitution of alternates in ranked order at Executive Committee meetings. <u>In the case of vacancies alternate(s) will fill the vacancy in ranked order until a replacement At-Large member is appointed by the Executive Committee.</u></p>

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## VI. Recommendation 6: Bylaw 9: County Organizations

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### Reason

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This amendment would replace the existing language in Section 2 of Bylaw 9. The change would give county parties more flexibility in deciding who is eligible to be a County Central Committee member and how those members are selected. It adds the option—but not the requirement—to elect County Central Committee members during a statewide primary election, or at a caucus or convention. County Central Committees can keep their current membership eligibility requirements or selection process.

This change would give county organizations more freedom to improve the party's representation at the local level and engage with Libertarian voters. It would give County Central Committees the freedom to decide whether or not they want to allow all registered Libertarians to directly participate in the selection of party representatives at the county level.

In addition, the Libertarian Party of California has agreed to adhere to the “Peace and Freedom Party” section of the California Election Code (Sections 7700-7884); this change brings our County Central Committee selection process more in line with those rules. The first paragraph in the proposed change uses some of the language found in the California Election Code, which was adopted by other qualified political parties, regarding the selection of County Central Committee members:

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201120120SB1272](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201120120SB1272)

### Impact

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This proposal would have no impact on the way State Central Committee members are selected or defined. It may impact who can qualify as a County Central Committee

member, or how those members are selected, in counties where the county organization chooses to change their current requirements or selection process.

## Proposed Amendment

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 3-1-0-1 (Yes: Alvstad, Olsen, Nyx; No: Malagon; Not Voting: Strawn).

## Bylaw 9: County Organizations

### Section 2

~~State Central Committee membership shall be the only requirement for County Central Committee membership.~~

~~A Party member may be a member of only one County Central Committee, which does not have to be the Committee of the county of the member's residence.~~

~~A County Central Committee membership confers voting privileges for that member in that county.~~

A County Central Committee, in accordance with the rules and regulations adopted by that committee, may select its County Central Committee members in a statewide direct primary election, by holding a caucus or convention, or by using any other method of selection approved by the County Central Committee.

State Central Committee membership shall be one of the requirements for membership on a County Central Committee. A State Central Committee member may be a member of only one County Central Committee. A County Central Committee member shall not be a registrant of, or hold office in, any political party other than the Libertarian Party.

[A County Central Committee may establish additional eligibility requirements for County Central Committee membership.](#)

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 9: County Organizations</b></p> <p><b>Section 2</b></p> <p>State Central Committee membership shall be the only requirement for County Central Committee membership.</p> <p>A Party member may be a member of only one County Central Committee, which does not have to be the Committee of the county of the member’s residence.</p> <p>A County Central Committee membership confers voting privileges for that member in that county.</p>	<p><b>Bylaw 9: County Organizations</b></p> <p><b>Section 2</b></p> <p><u><a href="#">A County Central Committee, in accordance with the rules and regulations adopted by that committee, may select its County Central Committee members in a statewide direct primary election, by holding a caucus or convention, or by using any other method of selection approved by the County Central Committee.</a></u></p> <p><u><a href="#">State Central Committee membership shall be one of the requirements for membership on a County Central Committee. A State Central Committee member may be a member of only one County Central Committee. A County Central Committee member shall not be a registrant of, or hold office in, any political party other than the Libertarian Party.</a></u></p>

	<p><u>A County Central Committee may establish additional eligibility requirements for County Central Committee membership.</u></p>
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## **VII. Recommendation 7: Bylaw 12: Executive Committee and Bylaw 14: Judicial Committee**

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### **Reason**

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Presently there is no specified period of membership to be eligible to be an Officer, Executive Committee member, or Judicial Committee member of the Party. There is a concern that this allows for the possibility of members with too limited experience in the Party to be elected to these positions.

### **Impact**

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This Bylaws Amendment would ensure that Officers and Area Coordinators have been a member of the Party for a period of at least one year, that all other Executive Committee members have been members of the Party for at least 90 days, and that Judicial Committee members have been members of the Party for at least four years consecutively or non-consecutively.

This would create a new Section 9 to Bylaw 12 and a new Section 10 to Bylaw 14.

### **Proposed Amendment**

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The Bylaws Committee voted to recommend a yes vote on this proposal with a vote of 3-2-0-0 (Yes: Olsen, Strawn, Nyx; No: Alvstad, Malagon).

## **Bylaw 12: Executive Committee**

### **Section 9: Eligibility**

To be eligible to serve on the Executive Committee, members shall meet the following qualifications:

1. To serve as an Officer or as an Area Coordinator, one shall have been a State Central Committee member for any twelve month period prior to being elected or appointed.
2. To serve as an At Large member or Alternate At Large member, one shall have been a State Central Committee member for any 90 day period prior to being elected or appointed.

**Bylaw 14: Judicial Committee**

**Section 10: Eligibility**

In order to be eligible to serve as a Judicial Committee member, one shall have been a State Central Committee member for an amount of time totaling at least forty-eight months prior to being elected or appointed.

Current Bylaw	Proposed Bylaw as Amended
*creates new sections*	<p><b>Bylaw 12: Executive Committee</b></p> <p><b>Section 9: Eligibility</b></p> <p><u>To be eligible to serve on the Executive Committee, members shall meet the following qualifications:</u></p> <ol style="list-style-type: none"> <li>1. <u>To serve as an Officer or as an Area Coordinator, one shall have been a State Central Committee member for any twelve month period prior to being elected or appointed.</u></li> <li>2. <u>To serve as an At Large member or Alternate At Large member, one</u></li> </ol>

shall have been a State Central Committee member for any 90 day period prior to being elected or appointed.

**Bylaw 14: Judicial Committee**

Section 10: Eligibility

In order to be eligible to serve as a Judicial Committee member, one shall have been a State Central Committee member for an amount of time totaling at least forty-eight months prior to being elected or appointed.

## VIII. Recommendation 8: Bylaw 24: National Convention Delegates and Rule 10

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### Reason

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National delegation size and representation by the state party on the LNC is dictated by the national party's bylaws.

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

The Libertarian Party of California has historically maintained enough members of national to be able to elect their own representative as dictated in our bylaws.

Further, the national bylaws determine that delegates from a given state to the national convention are determined in the following way:

Each affiliate party shall be entitled to send delegates to each regular convention on the following basis:

- a. One delegate for each 0.14 percent, or fraction thereof, of the total Party sustaining membership in that affiliate; provided that at least one such delegate must be a resident of that State or District.

b. One delegate for each 0.35 percent, or fraction thereof, of the votes cast nationwide for the Libertarian Party candidate in the most recent presidential election, cast in that affiliate's state. If a state conducts its presidential election via Ranked-Choice or Instant Runoff Voting, the ballots for the Libertarian candidate as tabulated in the first round of ballot counting will be used for this purpose.

Because the participation of the Libertarian Party of California in both the LNC and in the national convention requires membership in the national party, this bylaw would help promote membership in the national party among those who wish to be involved as delegates at the national convention.

## Impact

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This proposal would require members who wish to be delegates to the national convention to be members of both the national and the state party.

## Proposed Amendment

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The Bylaws Committee voted to recommend a YES vote on this proposal with a vote of 3-2-0-0 (Yes: Nyx, Olsen, Strawn; No: Alvstad, Malagon).

## **Bylaw 24: National Convention Delegates**

### **Bylaw 24: National Convention Delegates**

#### **Section 1**

Delegates to the national convention shall be selected at the state convention preceding the national convention. The procedures in Rule 10 shall be used for such election.

**Delegates shall be State Central Committee members in good standing, and in order to represent the party at the National Convention, all delegates must have been a bylaws sustaining member (BSM) of the**

National Party no later than the last day of the seventh month prior to the Regular National Convention. The requirement for being a National member may be suspended by the California delegates at the national convention with a 2/3 vote.

## **Rule 10: Election of National Convention Delegates**

National convention delegate nominations shall begin immediately following the call to order.

The Party officers shall be automatically nominated as national convention delegates, by reason of their official status within the Party.

State convention delegates shall only nominate and elect ~~State-Central Committee members in good standing~~ members who qualify to be a delegate in accordance with Bylaw 24, who confirm to the Secretary their acceptance of their nomination and their intention to serve as a California delegate to the national convention. Nominations that are not confirmed by the time voting commences shall be removed from the ballot.

State convention delegates shall submit nominations to the Secretary by placing the name of the nominee on a ballot as designated by the Secretary. Such ballots shall be displayed conspicuously for easy review.

The Secretary shall call for the nominating ballots at the close of business on the next-to-last day of the convention.

The Secretary shall provide a printed list of all nominees to each state convention delegate on the last day of the convention. Additional nominations may be made from the floor of nominees who are members who are eligible and in-good standing who confirm to the Secretary by the time of their nomination their acceptance of their nomination and their intention to serve as a California delegate to the national convention.

The Secretary shall calculate the number of votes each state convention delegate may cast by determining one-third of the number of national convention delegates allocated to California and rounding upward.

Each state convention delegate may cast either one Yes vote or one No vote per nominee up to the number determined by the Secretary.

The Secretary shall rank the nominees for national convention delegates in order of the votes received by each nominee and shall make this ranking, without the number of votes received, available to interested members within thirty days of the close of the convention.

After receiving notice of the number of national convention delegates allotted to California, the Secretary shall submit to the national Secretary that number of nominees, starting at the top of the list, as national convention delegates, and the remaining nominees, in ranked order up to the number of allotted national convention delegates, as alternate national convention delegates. No nominee for national convention delegate or alternate shall be elected unless that nominee receives a minimum of three Yes votes greater than No votes.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Bylaw 24: National Convention Delegates</b></p> <p><b>Section 1</b></p> <p>Delegates to the national convention shall be selected at the state convention preceding the national convention. The procedures in Rule 10 shall be used for such election.</p> <p><b>Rule 10: Election of National Convention Delegates</b></p> <p>National convention delegate nominations shall begin immediately following the call to order.</p>	<p><b>Bylaw 24: National Convention Delegates</b></p> <p><b>Section 1</b></p> <p>Delegates to the national convention shall be selected at the state convention preceding the national convention. The procedures in Rule 10 shall be used for such election.</p> <p><u>Delegates shall be State Central Committee members in good standing, and in order to represent the party at the National Convention, all delegates must have been a bylaws sustaining member (BSM) of</u></p>

The Party officers shall be automatically nominated as national convention delegates, by reason of their official status within the Party.

State convention delegates shall only nominate and elect State Central Committee members in good standing who confirm to the Secretary their acceptance of their nomination and their intention to serve as a California delegate to the national convention. Nominations that are not confirmed by the time voting commences shall be removed from the ballot.

State convention delegates shall submit nominations to the Secretary by placing the name of the nominee on a ballot as designated by the Secretary. Such ballots shall be displayed conspicuously for easy review.

The Secretary shall call for the nominating ballots at the close of business on the next-to-last day of the convention.

[the National Party no later than the last day of the seventh month prior to the Regular National Convention. The requirement for being a National member may be suspended by the California delegates at the national convention with a 2/3 vote.](#)

### **Rule 10: Election of National Convention Delegates**

National convention delegate nominations shall begin immediately following the call to order.

The Party officers shall be automatically nominated as national convention delegates, by reason of their official status within the Party.

State convention delegates shall only nominate and elect [members who qualify to be a delegate in accordance with Bylaw 24,](#) who confirm to the Secretary their acceptance of their nomination and their intention to serve as a California delegate to the national convention.

Nominations that are not confirmed by the time voting commences shall be removed from the ballot.

State convention delegates shall submit nominations to the Secretary by placing the name of the nominee on a ballot as

The Secretary shall provide a printed list of all nominees to each state convention delegate on the last day of the convention. Additional nominations may be made from the floor of nominees who are members who are in good standing who confirm to the Secretary by the time of their nomination their acceptance of their nomination and their intention to serve as a California delegate to the national convention.

The Secretary shall calculate the number of votes each state convention delegate may cast by determining one-third of the number of national convention delegates allocated to California and rounding upward.

Each state convention delegate may cast either one Yes vote or one No vote per nominee up to the number determined by the Secretary.

The Secretary shall rank the nominees for national convention

designated by the Secretary. Such ballots shall be displayed conspicuously for easy review.

The Secretary shall call for the nominating ballots at the close of business on the next-to-last day of the convention.

The Secretary shall provide a printed list of all nominees to each state convention delegate on the last day of the convention. Additional nominations may be made from the floor of nominees who are members who are eligible and who confirm to the Secretary by the time of their nomination their acceptance of their nomination and their intention to serve as a California delegate to the national convention.

The Secretary shall calculate the number of votes each state convention delegate may cast by determining one-third of the number of national convention delegates allocated to California and rounding upward.

Each state convention delegate may cast either one Yes vote or one No vote per nominee up to the number determined by the Secretary.

The Secretary shall rank the nominees for national convention delegates in order of the votes received by each nominee and

<p>delegates in order of the votes received by each nominee and shall make this ranking, without the number of votes received, available to interested members within thirty days of the close of the convention.</p> <p>After receiving notice of the number of national convention delegates allotted to California, the Secretary shall submit to the national Secretary that number of nominees, starting at the top of the list, as national convention delegates, and the remaining nominees, in ranked order up to the number of allotted national convention delegates, as alternate national convention delegates. No nominee for national convention delegate or alternate shall be elected unless that nominee receives a minimum of three Yes votes greater than No votes.</p>	<p>shall make this ranking, without the number of votes received, available to interested members within thirty days of the close of the convention.</p> <p>After receiving notice of the number of national convention delegates allotted to California, the Secretary shall submit to the national Secretary that number of nominees, starting at the top of the list, as national convention delegates, and the remaining nominees, in ranked order up to the number of allotted national convention delegates, as alternate national convention delegates. No nominee for national convention delegate or alternate shall be elected unless that nominee receives a minimum of three Yes votes greater than No votes.</p>
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## IX. Recommendation 9: Rule 10: Election of National Convention Delegates

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### Reason

The Chair of the Libertarian Party of California is expected to attend the national convention as the delegation chair for the California delegation. However, officers of the party are not automatically appointed as delegates at the convention and must be elected along with all other delegates. Therefore, the convention chair could potentially not be a member of the delegation.

### Impact

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This would ensure that all party officers are automatically delegates at the national convention.

### Proposed Amendment

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The Bylaws Committee voted to recommend a Yes vote on this proposal with a vote of 3-2-0-0 ((Yes: Nyx, Olsen, Strawn; No: Alvstad, Malagon).

### **Rule 10: Election of National Convention Delegates**

National convention delegate nominations shall begin immediately following the call to order.

The Party officers shall be automatically ~~nominated~~ selected as national convention delegates, if willing to serve, by reason of their official status within the Party.

Current Bylaw	Proposed Bylaw as Amended
<p><b>Rule 10: Election of National Convention Delegates</b></p> <p>National convention delegate nominations shall begin immediately following the call to order.</p> <p>The Party officers shall be automatically nominated as national convention delegates by reason of their official status within the Party.</p>	<p><b>Rule 10: Election of National Convention Delegates</b></p> <p>National convention delegate nominations shall begin immediately following the call to order.</p> <p>The Party officers shall be automatically <u>selected</u> as national convention delegates, <u>if willing to serve</u>, by reason of their official status within the Party.</p>

## X. Recommendation 10: Bylaw 5: Membership

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### Reason

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With the increased use of online meetings in the COVID age, there was a push to use web-based voting apps. Since it is possible to vote using these apps from any location that has internet service, it creates a potential for illegal votes to be cast.

This change would be app-agnostic. Rather than mandate a fixed policy on the use of web-based voting apps, this allows for the delegation to decide and allows for the app designer to include proximity checks. In the case where an app is selected that cannot support proximity verification, all voters are considered to be proximate and their votes cannot be appealed.

### Impact

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Will require approval of the delegation to use web-based voting apps and move the responsibility for guaranteeing presence on the floor to the app.

### Proposed Amendment

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The Bylaws Committee voted to recommend a Yes vote on this proposal with a vote of 3-0-0-2 (Yes: Alvstad, Malagon, Olsen; Not Voting: Nyx, Strawn).

Dr. Olsen later moved to reconsider recommending a Yes vote on this proposal, with a vote of 2-2-0-1 (Yes: Olsen, Strawn; No: Alvstad, Malagon; Not Voting: Nyx).

Create a new rule before Rule 10 as follows:

### **Rule 10: Elections**

The default method for voting in convention elections is the paper ballot. If the delegation, by a two-thirds vote, allows for the use of web-based voting apps, delegates must still be allowed to cast their vote by paper ballot. The app may be designed to require the physical presence of the voter on the convention floor

using technology (e.g. GPS, private server, NFC). If the voting app cannot guarantee a voter's physical presence on the convention floor, then any vote cast by a credentialed delegate using the app will be considered to have met the requirement that the voter be present on the convention floor.

Rules 10-15 will be incremented to keep the numbering consistent.

Current Bylaw	Proposed Bylaw as Amended
*creates new rule*	<b>Rule 10: Elections</b> <u>The default method for voting in convention elections is the paper ballot. If the delegation, by a two-thirds vote, allows for the use of web-based voting apps, delegates must still be allowed to cast their vote by paper ballot. The app may be designed to require the physical presence of the voter on the convention floor using technology (e.g. GPS, private server, NFC). If the voting app cannot guarantee a voter's physical presence on the convention floor, then any vote cast by a credentialed delegate using the app will be considered to have met the requirement that the voter be present on the convention floor.</u>

## XI. Recommendation 111: Bylaw 15: Committees, Section 4

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### Reason

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The Style Committee seems to serve no legitimate purpose, and elongates our Bylaws unnecessarily.

### Impact

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This Bylaws Amendment would get rid of the Style Committee.

### Proposed Amendment

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The Bylaws Committee voted to recommend a Yes vote on this proposal with a vote of 4-1-0 (Yes: Alvstad, Malagon, Nyx, Strawn; No: Olsen)

Amend Bylaw 15: Committees, Section 4 as follows:

### Bylaw 15: Committees

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

~~The Chair shall appoint a Style Committee of not more than five State Central Committee members which shall propose stylistic changes to the Platform, the Program, and these Bylaws and Convention Rules. The proposed changes shall be submitted to the Executive Committee for ratification.~~

Current Bylaw	Proposed Bylaw as Amended
The Chair shall appoint a Style Committee of not more than five State Central Committee members which shall propose stylistic changes to the Platform, the Program, and these Bylaws and	<b>*this proposal deletes the section*</b>

Convention Rules. The proposed changes shall be submitted to the Executive Committee for ratification.	
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