

# Bylaws and Rules Report

Committee members: Chip Spangler (Chair), Spencer Dias (Secretary), Darryl Perry, Richard Manzo, Stuart Light, Brandon Phinney\*.

\*Resigned from Committee Nov 18

## Consent Calendar (BP08)

(-) indicates a unanimous vote in the negative

Item	Description
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### Rules:

Rules Proposal 1 (RP01)	Relative to motions in writing
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### Bylaws:

Bylaws Proposal 8 (BP08)	Relative to a Consent Calendar and Regular Calendar
Bylaws Proposal 1 (BP01)	Relative to nomination of candidates
Bylaws Proposal 2 (BP02)	Relative to Conflicts of interest
Bylaws Proposal 5 (BP05)	Relative to allowing amendments to the Convention Rules, and procedures for notification
Bylaws Proposal 6 (BP06)	Relative to procedures for amending the platform, and notification of proposals
Bylaws Proposal 7 (BP07)	Relative to membership of certain Standing Committees
Bylaws Proposal 13 (BP13)	Relative to Vacancies of Chair or Secretary of a Standing Committee
(-) Bylaws Proposal 14 (BP14)	Relative to Officer eligibility

## Regular Calendar

Item	Description
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### Bylaws:

Bylaws Proposal 3 (BP03)	Relative to Rules of Order
Bylaws Proposal 4 (BP04)	Relative to removing the term "State Committee"
Bylaws Proposal 9 (BP09) + Minority Report	Relative to the requirements for being a delegate

# Bylaws and Rules Report

to the National Convention

Bylaws Proposal 10 (BP10)

Relative to the office of Immediate Prior Chair  
and At-Large

# Bylaws and Rules Report

## BEGIN CONSENT CALENDAR

### 2020 Rule Proposal 01

Relative to Motions in Writing

Add/Amend Rule Section 2 Motions in Writing

For any motion that contains any original language, including but not limited to:

- all original main motions
- all amendments to original main motions
- any complex motion to suspend the rules

The maker of the motion shall present the motion in writing to the ~~chair~~**Secretary** ~~after~~ **before** the motion has been made and seconded. ~~After the chair announces the motion to the assembly, the chair shall provide the written motion to the Secretary.~~ **After the motion is made, the chair shall confirm with the secretary that the motion has been presented in writing. If confirmed, the chair shall request a second, and if seconded the secretary shall present it to the chair who shall read it to the assembly. If not confirmed, the motion shall be ruled out of order.**

Rationale: Due to numerous confusions about what motion has been made or passed, and the rule not being strictly enforced, this requires motions to be delivered in writing to the Chair before being made.

*Committee Recommendation: Ought To Pass (4-0)*

# Bylaws and Rules Report

## 2020 Bylaw Proposal 08

Relative to Consent Calendar and Regular Calendar

Add Article XIV, D Consent Calendar

1. The Bylaws & Rules Committee and Platform Committee shall divide their reports into a Consent Calendar and a Regular Calendar. For each committee proposal, the committee shall specify whether the proposal shall be listed on the Consent Calendar or the Regular Calendar.
2. The Party Chair may place resolutions on the Consent Calendar. Members wishing to place a resolution item on the calendar shall submit the item in writing to the Party Chair at least two weeks prior to the opening of the convention.
3. Upon the written request of at least three delegates, the Chair may remove an item from the Consent Calendar, prior to a vote on that item.
4. Items on the Consent Calendar shall be voted on as prescribed in these Bylaws, Convention Rules, and Special Rules of Order.
5. The delegates shall vote on Consent Calendar items grouped together. The Chair shall read the title of each Consent Calendar item immediately before the delegates vote on the item. The delegates shall vote on the consent calendar without debate.
6. Delegates may reconsider Consent Calendar items that have been voted on if the consent calendar fails to pass, only if two-thirds of the delegates vote to reconsider, and only if the vote is taken during New Business in the convention agenda.
7. Items on the Regular Calendar shall follow the procedures specified in these bylaws, and any related procedures specified in the convention rules, and special rules of order.

Rationale: This will allow non-controversial and technical amendments and resolutions to be adopted in a single vote. It is worth noting that the New Hampshire General Court, as well as most governmental bodies, make use of a Consent Calendar and Regular Calendar.

*Committee Recommendation: Ought To Pass (4-0)*

# Bylaws and Rules Report

## 2020 Bylaw Proposal 01

Relative to nomination of candidates.

ADD Article VII, F, 5, a

**All persons nominated must meet the requirements of a delegate-eligible member before the beginning of the candidate filing period for that election or time of nomination, whichever is earlier.**

Amend Article XI Section B Part 4

~~If requested by an affiliate and approved by the Executive Committee, t~~The affiliate ~~may~~ **shall** have the responsibility for the nomination of candidates for office whose districts lie entirely within its geographical region.  
**All nominations shall comply with Article VII, F, 5, a.**

Rationale: The Anne Copp rule.

*Committee Recommendation: Ought To Pass (4-0)*

# Bylaws and Rules Report

## 2020 Bylaw Proposal 02

Relative to Conflicts of Interest

Amend Article VII, K

- 1) All officers of the party shall have any additional duties and powers specified by the Board, the state convention, these bylaws, and the rules of the State Party.
- 2) **No Officer or member of the Board shall receive compensation for services as an Officer or Board Member, but may be reimbursed for any reasonable expenses.**
- 3) **Whenever an Officer has a personal or financial interest in any matter coming before the Executive Committee or the Board, the affected person shall a) fully disclose the nature of the interest and b) withdraw from voting on the matter. The minutes of meetings at which such votes are taken shall record such disclosure, abstention, and rationale for approval.**

Rationale: Adds a Prohibition of Compensation and Conflicts of Interest clause to the Bylaws.

*Committee Recommendation: Ought To Pass (4-0)*

# Bylaws and Rules Report

## 2020 Bylaw Proposal 05

Relative to allowing amendments to the Convention Rules, and procedures for notification

Amend Article XIV, A, 1.

~~Proposed bylaw amendments to the bylaws, convention rules, new special rules of order, and modifications to existing special rules of order may be enacted at a convention by the State Committee and must follow the procedures specified in these bylaws describing the operations of the Bylaws & Rules Committee, the procedures for handling proposals from the Bylaws & Rules Committee at conventions, and any related additional procedures specified in the bylaws, and in special rules of order adopted by the State Party.~~  
**Proposed amendments to the bylaws, convention rules, and new or modified special rules of order may be enacted at a convention by the State Committee and must follow the procedures specified in these bylaws describing the operations of the Bylaws & Rules Committee, the procedures for handling proposals from the Bylaws & Rules Committee at conventions, and any related additional procedures specified in the bylaws, and in special rules of order adopted by the State Party.**

Amend Article XIV, A, 2

~~Notice of proposals of bylaw~~ **Proposed amendments to the bylaws, convention rules, and new or modified special rules of order shall be included with the official notice of a convention, and the proposals will be available for members to view as soon as practicable after the completion of the reports of the Bylaws & Rules Committee.**

Amend Article XIV, A, 3

~~Any bylaw~~ **Proposed amendments to the bylaws, convention rules, new special rules of order, and modifications to existing special rules of order enacted by the State Committee must be approved by a 2/3 vote of the State Committee at a convention.**

Rationale: LPNH currently has a document titled Convention Rules, AND the bylaws specify that a report be made for the Convention Rules, however there is no process for amending the document. This amendment also streamlines some of the language.

*Committee Recommendation: Ought To Pass (4-0)*

# Bylaws and Rules Report

## 2020 Bylaw Proposal 06

Relative to procedures for amending the platform, and notification of proposals

Amend Article XIV, C, 2.

Proposed modifications to the Platform must follow the procedures specified in these bylaws ~~describing the operations of the Platform Committee, the procedures for handling proposals from the Platform at conventions, and any related additional procedures specified in the bylaws, and in special rules of order~~ adopted by the State Party.

Amend Article XIV, C, 3

~~Notice of p~~Proposed modifications amendments to the Platform shall be included with the official notice of a convention, and the proposals will be available for members to view as soon as practicable after the completion of the report of the Platform Committee.

Amend Article XIV, C, 4

The Platform may be only modified at a convention. Additional platform planks or modifications to existing platform planks must be approved by a 2/3 vote ~~of the State Committee~~ at a convention. A platform plank may be deleted by a majority vote ~~of the State Committee~~ at a convention.

Rationale: This amendment also streamlines some of the language regarding procedures for amending the platform, and notification of proposals.

*Committee Recommendation: Ought To Pass (4-0)*



# Bylaws and Rules Report

## 2020 Bylaw Proposal 07

Relative to membership of certain Standing Committees

Amend Article IX, D, 2, 2

The committee shall consist of a minimum of three and a maximum of sixteen members. **Committee members shall be elected, upon motion and majority vote as a slate via acclamation, from a list of volunteers at a regular convention.** ~~The initial committee membership shall consist of up to eight members elected at any regular convention by the State Committee, and up to eight~~ **Additional members may be directly appointed by the Executive Committee.**

Amend Article IX, E, 2, 2

The committee shall consist of a minimum of three and a maximum of sixteen members. **Committee members shall be elected, upon motion and majority vote from a list of volunteers at a regular convention.** ~~The initial committee membership shall consist of up to eight members elected at any regular convention by the State Committee, and up to eight~~ **Additional members may be directly appointed by the Executive Committee.**

Amend Article IX, G, 2, 2

The committee shall consist of a minimum of five and a maximum of sixteen members. **Committee members shall be elected, upon motion and majority vote from a list of volunteers at a regular convention.** ~~The initial committee membership shall consist of up to eight members elected at any regular convention by the State Committee, and up to eight~~ **Additional members may be directly appointed by the Executive Committee.**

Amend Article IX, H, 2, 2

The committee shall consist of a minimum of five and a maximum of sixteen members. **Committee members shall be elected, upon motion and majority vote, from a list of volunteers at a regular convention.** ~~The initial committee membership shall consist of up to eight members elected at any regular convention by the State Committee, and up to eight~~ **Additional members may be directly appointed by the Executive Committee.**

Amend Article IX, C, 1

All committee members must be members of the State Party, **and meet the qualifications specified in Article VI, Section B, Part 2.** Additional requirements for any specific committee may be specified in these bylaws and the rules of the State Party.

Rationale: Streamlines the language for electing members of certain Standing Committees by 1) removing the requirement of a set number members being elected at convention and another number appointed by the Executive Committee, and 2) requires members of the committees to volunteer and be elected via acclamation, which will save valuable time.

*Committee Recommendation: Ought To Pass (4-0)*

# Bylaws and Rules Report

## 2020 Bylaw Proposal 13

Relative to Vacancies of Chair or Secretary of a Standing Committee

Amend Article IX, C, 2

Each standing committee shall have a chair and a secretary. For any standing committee which does not have procedures specified elsewhere in these bylaws or the rules of the State Party, the Executive Committee shall determine the initial chair and secretary of each committee. The committee members may either confirm these selections or change them as they see fit. **If the chair or secretary seat becomes vacant, the remaining committee members shall fill such seat within 14 days of the vacancy occurring. If the committee does not fill the vacancy as prescribed, the Executive Committee shall fill the vacancy within 14 days.**

Rationale: Proposal requested by Chair after the sudden resignation of a Committee Chair, and noticing there was no specified procedure for filling the vacancy.

*Committee Recommendation: Ought To Pass (3-0)*

# Bylaws and Rules Report

2020 Bylaws Proposal 14

# Bylaws and Rules Report

## **BEGIN REGULAR CALENDAR**

### 2020 Bylaw Proposal 03

Relative to Rules of Order

Amend Article XIII

~~The rules contained in the 11th edition of Robert's Rules of Order Newly Revised shall govern the State Party in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the State Party may adopt.~~ **The Democratic Rules of Order (Francis & Francis, 10th ed.) shall be the parliamentary authority for all matters of procedure not specifically covered by these Bylaws or any standing rules. The rules of procedure may be suspended for a specific purpose, if approved by three fourths (3/4) of those present provided a quorum is present.**

Rationale: Replaces RONR with Francis & Francis as the Parliamentary authority; and places the Rules of Order as subsidiary to the Bylaws and any standing rules.

Language taken almost verbatim from LP North Carolina.

*Committee Recommendation: Inexpedient Motion (2-2)*

# Bylaws and Rules Report

## 2020 Bylaws Proposal 04

Relative to removing the term “State Committee”

Amend as follows

### VIII. State Convention

Delete A & B, move F before C & re-letter accordingly

### IX. Standing Committees

B. These committees shall be governed by these bylaws, the rules of the State Party, and the parliamentary authority. They may be assigned additional powers or duties by the Executive Committee, ~~or the Board, or the State Committee.~~

#### C. Committee Operations

3. The chair of each committee shall: ~~3. Present the committee’s reports to the State Committee at any convention~~ that includes the committee’s report as part of the agenda;

4. Perform any other duties specified by these bylaws, the rules of the State Party, the Executive Committee, ~~or the Board, or the State Committee.~~

4. The secretary of each committee shall:

6. Perform any other duties specified by these bylaws, the rules of the State Party, the Executive Committee, the Board, ~~or the State Committee.~~

6. Members of standing committees, excluding any person designated to be a member of a committee by these bylaws, may be removed from a committee by a 2/3 vote ~~of the State Committee~~ **at a State Convention** or by a 2/3 vote of the Executive Committee. A motion to remove a member of a standing committee shall require prior notice.

#### 7. Vacancies

4. The Executive Committee shall ensure that the committee maintains the required minimum number of members by making appointments to fill vacancies as necessary. The Executive Committee may fill any committee positions normally selected ~~by the State Committee~~ that have not been filled at a convention.

### D. Membership & Outreach Committee

#### 2. Membership

2. The committee shall consist of a minimum of three and a maximum of sixteen members. The initial committee membership shall consist of up to eight members elected at any regular convention ~~by the State Committee~~, and up to eight members directly appointed by the Executive Committee.

### E. Politics & Campaign Committee

#### 2. Membership

2. The committee shall consist of a minimum of three and a maximum of sixteen members. The initial committee membership shall consist of up to eight members elected at any regular convention ~~by the State Committee~~, and up to eight members directly appointed by the Executive Committee.

### F. Judicial Committee

2. ~~The State Committee shall elect the m~~Members of the Judicial Committee **shall be elected** in accordance with the Convention Rules adopted by the State Party.

### G. Bylaws & Rules Committee

#### 2. Membership

# Bylaws and Rules Report

2. The committee shall consist of a minimum of five and a maximum of sixteen members. The initial committee membership shall consist of up to eight members elected at any regular convention ~~by the State Committee~~, and up to eight members directly appointed by the Executive Committee.

## H. Platform Committee

### 2. Membership

2. The committee shall consist of a minimum of five and a maximum of sixteen members. The initial committee membership shall consist of up to eight members elected at any convention ~~by the State Committee~~, and up to eight members directly appointed by the Executive Committee.

## I. Credentials Committee

### 3. The committee shall:

5. Present reports at conventions required by these bylaws, the rules of the State Party, the Executive Committee, ~~or the Board, or the State Committee.~~

## X. Special Committees

A. The Executive Committee, the Board, and ~~the State Committee~~ **delegates in a Convention** shall have the power to create special committees and appoint persons to those committees to advance the goals of the State Party. The body creating the special committee may assign an initial chair and secretary to the committee, specify reporting requirements, determine its initial membership, and assign the committee specific tasks that must be completed. If the meeting at which the special committee is created adjourns without the completion of the aforementioned tasks, the Executive Committee shall complete those tasks.

C. These committees shall be governed by these bylaws, the rules of the State Party, and the parliamentary authority. They may be assigned additional powers or duties by the Executive Committee, the Board, or the ~~State Committee~~ **delegates in a Convention**.

## XII. Libertarian National Convention

C. ~~The State Committee shall elect the~~ **Delegates to the National Convention shall be elected** in accordance with the Convention Rules adopted by the State Party.

## XIV. Amendments

### A. Changes to bylaws and special rules of order ~~by the State Committee~~

1. Proposed bylaw amendments, new special rules of order, and modifications to existing special rules of order may be enacted ~~by the~~ **at a State Committee Convention** and must follow the procedures specified in these bylaws describing the operations of the Bylaws & Rules Committee, the procedures for handling proposals from the Bylaws & Rules Committee at conventions, and any related additional procedures specified in the bylaws and in special rules of order adopted by the State Party.

3. Any bylaw amendments, new special rules of order, and modifications to existing special rules of order ~~enacted by the State Committee~~ must be approved by a 2/3 vote ~~of the State Committee~~ at a convention.

### B. Changes to special rules of order by the Board

3. ~~The State Committee shall have the power to veto a~~ Any special rules of order passed by the Board at the first convention held after the Board has enacted the special rule of order. ~~If the State Committee vetoes a special rule of order enacted by the Board,~~ **that was vetoed** until after the adjournment of the annual convention of the next calendar year. However, the Bylaws & Rules Committee may make the same proposal or a similar proposal at any convention.

# Bylaws and Rules Report

## C. Platform changes ~~by the State Committee~~

4. The Platform may be only modified at a convention. Additional platform planks or modifications to existing platform planks must be approved by a 2/3 vote ~~of the State Committee~~ at a convention. A platform plank may be deleted by a majority vote ~~of the State Committee~~ at a convention.

Rationale: Change of terms.

*Committee Recommendation:* **Ought to Pass** (3-1)

# Bylaws and Rules Report

## 2020 Bylaw Proposal 09

Relative to the requirements for being a delegate to the National Convention

Amend Article XII, Section A

### XII. Libertarian National Convention

- A. No person shall be seated with the State Party delegation to a National Convention who is not otherwise qualified to be an officer of the State Party in accordance with Art. VI, Sec. B, 1 & 2 at the beginning of the National Convention; except that any sustaining member of the State Party who has been a Bylaws Sustaining Member of the national Libertarian Party for at least the immediately preceding 2 years shall also be eligible to be seated with the State Party delegation to a National Convention.

**Provision: THIS AMENDMENT TAKES IMMEDIATE EFFECT**

Rationale: This slightly tweaks the eligibility requirements for being seated with the State Delegation to National Convention.

**Committee Recommendation: Ought To Pass (4-0)**

Minority report:

## BP09 Minority Report



# Bylaws and Rules Report

## 2020 Bylaw Proposal 10

Relative to the office of Immediate Prior Chair and At-Large (*Note: BP11 does not exist as it was merged with BP10*)

Amend Article VII, A, 2

Add Article VI, J, 3

J. Officer-at-Large

1. The Officer-at-Large will assume a major volunteer role for the party for which that member's skills, experience, and other qualities may best be utilized. The Executive Committee shall confirm the Officer-at-Large's role within the State Party.
2. The Officer-at-Large shall additionally, if required, assist the Chair and Vice Chair with duties as they may assign with the consent of the Executive Committee.
3. **There shall be two Officers-at-Large that shall be elected in accordance with the rules of multi-winner elections.**

Modify Article VII, A, 2

2. Membership
  - a. The committee shall consist of:
    - i. The officers of the State Party; and
    - ii. **The most recent previous Chair of the State Party that is not an officer of the State Party and is an officer-eligible member shall be a non-voting member of the committee and shall not be considered in determining a quorum.**
  - b. The term of the members of the Executive Committee shall be from the time they assume office until the adjournment of the next annual convention, or until their successors are selected and qualified, unless specified differently elsewhere in this article.

Rationale: This proposal removes the voting capabilities of the Prior Chair position on the Executive Committee and adds another position of At-Large

*Committee Recommendation: Ought To Pass (4-0)*

# Bylaws and Rules Report

2020 Bylaws Proposal 14

BP14 Minority Report