



**Report of the Constitution and Bylaws Committee
to the Board and Delegates of the Libertarian
Party of Colorado 2018 State Convention**

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Report prepared by Chair Michael Seebeck

Approved by Chair and Committee

Introduction

The recommendations of the 2017 Constitution and Bylaws Committee were not completed at the 2017 Libertarian Party of Colorado's Convention. As a result, the 2018 Constitution and Bylaws Committee reviewed all proposals of the 2017 Committee to determine if these proposals should be brought to the floor for the 2018 Convention. The 2018 Committee also came up with their own recommendations for the delegation to vote on.

This report has 5 sections, and its proposals are divided by topics of Candidates, Delegates, Board of Directors, Amendments and Resolutions, and Miscellaneous.

The 2018 Committee and all of its members have been proud to serve the Libertarian Party of Colorado and thank the 2018 Convention Delegates for their consideration on all proposals presented. The Chair wishes to express gratitude to all members of the 2018 Committee for their hard work and dedication.

Respectfully Submitted,

Michael Seebeck
2018 Constitution and Bylaws Committee Chair

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

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PART I: CANDIDATES

(Constitution) Proposal #1-1: Add NAP Pledge for Candidates

Proposed by the 2016 Constitution and Bylaws Committee

Proposal was not heard on the floor at the 2016 Libertarian Party of Colorado Convention

Adopted without changes by the 2017 Constitution and Bylaws Committee, unanimously

Proposal was not heard on the floor at the 2017 Libertarian Party of Colorado Convention

Adopted without changes by the 2018 Constitution and Bylaws Committee, unanimously (1 member absent)

Problem: The Party Constitution, Article V, Section 2, requires that all Board Members sign a statement that they support the Statement of Principles of the National Libertarian Party and a statement disavowing the initiation of force to achieve political or social goals. The Party Constitution Article VIII, Section 4, requires that candidates only sign the former and not the latter.

Solution: Add the second qualifying requirement for candidates that is already required for Board Members.

Benefits: Provides consistency in Party leadership and representation requirements of basic support for Libertarian principles.

Proviso: *If passed, this change will become a part of the Constitution of the Libertarian Party of Colorado effective immediately, and apply to all current and future candidates.*

PROPOSED REVISION:

Article VIII – NOMINATION OF CANDIDATES

Section 4: Each candidate must have been a Member for at least one hundred fifty (150) days prior to the Primary Election, and shall sign a statement to the effect that he or she supports the Statement of Principles of the national Libertarian Party and a statement disavowing the initiation of force to achieve political or social goals.

MOTION: Move to append the words “and a statement disavowing the initiation of force to achieve political or social goals” to the last sentence, so that Article VIII Section 4 reads as follows:

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Article VIII – NOMINATION OF CANDIDATES

Section 4: Each candidate must have been a Member for at least one hundred fifty (150) days prior to the Primary Election, and shall sign a statement to the effect that he or she supports the Statement of Principles of the national Libertarian Party and a statement disavowing the initiation of force to achieve political or social goals.

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Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Constitution) Proposal #1-2: Establish Endorsement of Candidates

Requirements

Adopted by the 2017 Constitution and Bylaws Committee, unanimously

Proposal was not heard on the floor at the 2017 Libertarian Party of Colorado Convention

Adopted without changes by the 2018 Constitution and Bylaws Committee, 5-2 (1 member absent)

Problem: Neither the Constitution nor Bylaws require that the Libertarian Party of Colorado, its officers, or affiliate groups only endorse Libertarians for partisan office.

Solution: Require that the Party and the leadership of the Party do not hurt the chances of a Libertarian winning office by preventing said leaders and groups from choosing to endorse candidates from other parties.

Benefits: Ensures that the Libertarian Party is unified in endorsing Libertarian candidates and not those from other parties.

MOTION: Move to add a new Section 7 to Article VIII that reads as follows:

Article VIII – NOMINATION OF CANDIDATES

Section 7: The Party, its affiliates and its elected officers, either individually or as a group, shall endorse only Libertarian candidates for nomination or election to partisan public office.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

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Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Constitution) Proposal #1-3: Nomination of Candidates

Referred by Style Committee

Changes to Section 3 adopted by the 2017 Constitution and Bylaws Committee, 3-1 (3 members absent)

Changes to Sections 2 and 7 adopted by the 2017 Constitution and Bylaws Committee, unanimously (3 members absent)

Problem: The terminology of Article VIII, Section 3 concerning “the candidate must run in accordance with such procedures as the affiliate or district caucus may provide” doesn’t make sense because caucuses and affiliates cannot dictate to a candidate how they run for office. The Style Committee has referred this section to the Constitution and Bylaws Committee as a substantive change for a cleanup of the language and proposed amendment to reflect the correct process and candidacy terms. The Constitution and Bylaws Committee reviewed this section and initially could not come to an agreement on an amendment, but Committee members did agree that it needs to be fixed. Further work developed the proposal below.

Background: Article VIII, Section 2 deals with nomination of candidates for partisan statewide office, and requires that the entire convention do that nomination, or a committee designated by the delegates in lieu of the convention delegates. Section 3 deals with nomination of candidates for partisan non-statewide, districted offices, and requires that it be done by Party affiliates or district caucus of Party members. Districts are geographic entities set by the state and have no relation to affiliates or regions determined by the Party. An affiliate may overlap into multiple districts, or a district may overlap into multiple affiliates.

Solution: Amend Article VIII, Sections 2 and 3 to remove the language referring to district caucuses and to clean up the verbiage in general, and add a new Section 7 make the NOTA clause separate and more comprehensive. Section 1 remains unchanged.

Benefits: Cleanup and clarity for candidates and the Party. Places NOTA clause in proper clause to apply across all nominations, not just statewide.

Proviso: *If passed, this change will become a part of the Constitution of the Libertarian Party of Colorado effective immediately, and apply to all current and future candidates.*

Proviso: *If passed, this change may conflict with a proposal to codify the current Convention Standing Rules into the Bylaws, and if that proposal has passed, would require reconciliation. If that proposal does not pass, this change would override the Convention Standing Rules in regards to the nomination process for candidates.*

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Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

PROPOSED REVISION:**Article VIII – NOMINATION OF CANDIDATES**

Section 2: Nomination of candidates for offices requiring the vote of all the electors of the state shall be made by the Delegates to the Convention, or by a committee designated thereby. Nomination of candidates for all other offices may be made in the same way. ~~In addition to prospective candidates, “None of the Above” (NOTA) shall be a choice on every ballot cast. At no time shall NOTA be removed from the ballot, even under suspension of convention rules.~~

Section 3: Nomination of all other candidates may be made by the Party affiliates ~~or district caucuses of Party members and affiliates~~ representing the area or district in which the candidate must run in accordance with such procedures as the affiliate ~~or district caucuses~~ may provide, subject to the requirements of this ~~article~~Article and ratification by a Party Convention ~~or the Convention’s designated committee.~~ If no such nominations are made in accordance with this Section, all other candidates may be nominated in the same manner as provided in Section 2.

Section 7: In addition to candidates, “None of the Above” (NOTA) shall be a choice on every nomination ballot cast. At no time shall NOTA be removed from the nomination ballot, even under suspension of the Convention Rules. Should NOTA win the nomination for a partisan office, the Party shall put forth no candidate for that office in the general election.

MOTION: Move to amend Article VIII, Sections 2 and 3, and add a new Section 7, so that the affected Sections would then read as follows:

Article VIII – NOMINATION OF CANDIDATES

Section 2: Nomination of candidates for offices requiring the vote of all the electors of the state shall be made by the Delegates to the Convention, or by a committee designated thereby. Nomination of candidates for all other offices may be made in the same way.

Section 3: Nomination of all other candidates may be made by the Party affiliates representing the area or district in which the candidate must run in accordance with such procedures as the affiliate may provide, subject to the requirements of this Article and ratification by a Party Convention. If no such nominations are made in accordance with this Section, all other candidates may be nominated in the same manner as provided in Section 2.

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Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Section 7: In addition to candidates, “None of the Above” (NOTA) shall be a choice on every nomination ballot cast. At no time shall NOTA be removed from the nomination ballot, even under suspension of the Convention Rules. Should NOTA win the nomination for a partisan office, the Party shall put forth no candidate for that office in the general election.

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PART II: DELEGATES

(Bylaws) Proposal #2-1: Election of Delegates and Alternates to the National Convention, Part 1

Adopted by the 2018 Constitution and Bylaws Committee, unanimously (2 members absent)

Problem: The process to select delegates and alternates to the national convention lacks voting accountability. Currently all votes at convention except election of national convention delegates and alternates are done by show of hands, standing vote, or counted vote, while election of national convention delegates and alternates are done by secret written ballot where nobody knows who voted for whom. Slates of candidates for these slots are also problematic on vote tallies.

Solution: Amend Article VII, Sections 3 and 4 of the Bylaws to have the written ballots signed by the voting Party members and to ban delegate slates.

Benefits: Provides transparency and accountability of the process to all Party members and returns delegate selection to individual candidates.

Proviso: *If passed, this amendment would take effect immediately for election of delegates and alternates to the 2018 national convention.*

PROPOSED REVISION:

Article VII– ELECTION OF DELEGATES & ALTERNATES TO NATIONAL CONVENTIONS

Section 3: Nominations for delegate positions shall be received from the floor with no seconding required. Members may nominate themselves. Each member in attendance at the Convention shall cast a single vote for each delegate candidate of ~~his or her~~their choice by submitting a signed ballot prepared by the Board for this purpose. The total votes cast by each member shall not exceed the number of delegates to be selected. Delegates shall be elected by a simple majority of those voting. Subsequent ballots shall be taken as necessary to fill any remaining delegate positions. In the event that there are more candidates receiving a majority vote than there are delegate positions to be filled, those candidates receiving the highest vote totals shall be elected. No elections by slate shall be permitted.

Section 4: After the delegates are elected, alternates may be selected by ~~a majority of those~~

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Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

voting using the same procedure as specified in Section 3.

MOTION: Move to amend Article VII, Sections 3 and 4 of the Bylaws in the following manner:

- Section 3:
 - Replace “his or her” with “their” in the third sentence.
 - Add the words “by submitting a signed ballot prepared by the Board for this purpose” to the end of the third sentence.
 - Add the sentence “No elections by slate shall be permitted.” to the end of the section.
- Section 4:
 - Replace the words “a majority of those voting” with “using the same procedure as specified in Section 3.”

so that Article VII, Sections 3 and 4 would then read as follows:

Article VII– ELECTION OF DELEGATES & ALTERNATES TO NATIONAL CONVENTIONS

Section 3: Nominations for delegate positions shall be received from the floor with no seconding required. Members may nominate themselves. Each member in attendance at the Convention shall cast a single vote for each delegate candidate of their choice by submitting a signed ballot prepared by the Board for this purpose. The total votes cast by each member shall not exceed the number of delegates to be selected. Delegates shall be elected by a simple majority of those voting. Subsequent ballots shall be taken as necessary to fill any remaining delegate positions. In the event that there are more candidates receiving a majority vote than there are delegate positions to be filled, those candidates receiving the highest vote totals shall be elected. No elections by slate shall be permitted.

Section 4: After the delegates are elected, alternates may be selected by using the same procedure as specified in Section 3.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Bylaws) Proposal #2-2: Election of Delegates and Alternates to the National Convention, Part 3

Adopted by the 2018 Constitution and Bylaws Committee, unanimously (2 members absent)

Problem: The process to select delegates and alternates to the national convention lacks applications for Party members.

Solution: Amend Article VII of the Bylaws to add the qualifications and applications.

Benefits: Provides transparency and accountability of the process to all Party members.

Proviso: If passed, this amendment would take effect following the 2018 Convention since the application process cannot be retroactive.

PROPOSED REVISION:

Article VII– ELECTION OF DELEGATES & ALTERNATES TO NATIONAL CONVENTIONS

Section 2: The Board shall solicit applications from qualified Party members for election as delegates and alternates at least sixty (60) days prior the Convention and shall publish the completed applications (with addresses, phone numbers, and email addresses redacted) to the Party website at least thirty (30) days prior to the Convention. An application is not required for nomination.

MOTION: Move to amend Article VII of the Bylaws by adding a new Section 2 and renumbering subsequent sections, so that Article VII, Section 2 would then read as follows:

Article VII– ELECTION OF DELEGATES & ALTERNATES TO NATIONAL CONVENTIONS

Section 2: The Board shall solicit applications from qualified Party members for election as delegates and alternates at least sixty (60) days prior the Convention and shall publish the completed applications (with addresses, phone numbers, and email addresses redacted) to the Party website at least thirty (30) days prior to the Convention. An application is not required for nomination.

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Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

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Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Bylaws) Proposal #2-3: Selection of Delegate Alternates to the National Convention, Part 4

Referred by the 2017 Style Committee

Adopted by the 2018 Constitution and Bylaws Committee, unanimously (2 members absent)

Problem: The 2017 Style Committee feels that alternate delegates to the national convention should always be selected, without the option to not do so. Such a change is substantive in nature

Solution: Amend Article VII, Section 4 of the Bylaws to remove the option and make it mandatory.

Benefits: Protects the LPCO delegate slate and brings the state in line with other states.

PROPOSED REVISION:

Article VII – ELECTION OF DELEGATES & ALTERNATES TO NATIONAL CONVENTIONS

Section 4: After the delegates are elected, alternates ~~may~~shall be selected by a majority of those voting.

MOTION: Move to change “may” to “shall”, so that the Article VII, Section 4 would then read as follows:

Article VII – ELECTION OF DELEGATES & ALTERNATES TO NATIONAL CONVENTIONS

Section 4: After the delegates are elected, alternates shall be selected by a majority of those voting.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Bylaws) Proposal #2-4: Election of Delegates and Alternates to the National Convention, Part 2

Adopted by the 2018 Constitution and Bylaws Committee, unanimously (3 members absent)

Problem: The current process for determining the national convention delegation chair is out of date and not in line with other states. Also, the delegates are not required to inform the Party how they represented the Party at the national convention in votes.

Solution: Amend Article VII, Section 5 of the Bylaws and add a new Section 7 to have the delegation chair selection simplified, allow for delegate substitutions among alternates, and to preserve delegate ballot integrity.

Benefits: Provides transparency and accountability of the process to all Party members.

PROPOSED REVISION:

Article VII– ELECTION OF DELEGATES & ALTERNATES TO NATIONAL CONVENTIONS

Section 5: ~~The duly elected delegates shall immediately select a delegation chair and determine their own substitution procedures. Such substitutions shall be made without regard to Congressional District representation. A list of the delegates and alternates, and a description of the substitution procedures, shall be submitted by the delegation chair to the State Chair and the secretary of the national Libertarian Party within seven (7) days after the Convention is adjourned.~~ The State Chair shall serve as the delegation chair or may request that the delegates select a delegation chair. Substitutions shall only be made from lists of alternates selected by the Convention or afterwards added by a majority vote of the present Board provided said alternates did not previously receive a less than majority vote by the Convention. Substitutions and selection of additional delegates may be made at the National Convention by a majority of the attending delegates provided that such substitutes or additions would have been qualified to be elected at Convention, did not previously receive less than a majority vote at Convention, and sign a statement to the effect that they support the Statement of Principles of the Libertarian Party.

Section 7: All delegates will sign their ballots and these results will be compiled by the delegation chair in a post-convention report. Upon request, delegates shall also report how they voted on particular Bylaws, Convention Rules, and Platform changes.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

MOTION: Move to amend Article VII, Section 5 of the Bylaws and add a new Section 7 in the following manner:

- Amend Section 5:
 - Remove all original wording.
 - Add the words “The State Chair shall serve as the delegation chair or may request that the delegates select a delegation chair. Substitutions shall only be made from lists of alternates selected by the Convention or afterwards added by a majority vote of the present Board provided said alternates did not previously receive a less than majority vote by the Convention. Substitutions and selection of additional delegates may be made at the National Convention by a majority of the attending delegates provided that such substitutes or additions would have been qualified to be elected at Convention, did not previously receive less than a majority vote at Convention, and sign a statement to the effect that they support the Statement of Principles of the Libertarian Party.”
- Add a new Section 7:
 - Add the words “All delegates will sign their ballots and these results will be compiled by the delegation chair in a post-convention report. Upon request, delegates shall also report how they voted on particular Bylaws, Convention Rules, and Platform changes.”

so that Article VII, Sections 5 and 7 would then read as follows:

Article VII– ELECTION OF DELEGATES & ALTERNATES TO NATIONAL CONVENTIONS

Section 5: The State Chair shall serve as the delegation chair or may request that the delegates select a delegation chair. Substitutions shall only be made from lists of alternates selected by the Convention or afterwards added by a majority vote of the present Board provided said alternates did not previously receive a less than majority vote by the Convention. Substitutions and selection of additional delegates may be made at the National Convention by a majority of the attending delegates provided that such substitutes or additions would have been qualified to be elected at Convention, did not previously receive less than a majority vote at Convention, and sign a statement to the effect that they support the Statement of Principles of the Libertarian Party.

Section 7: All delegates will sign their ballots and these results will be compiled by the delegation chair in a post-convention report. Upon request, delegates shall also report how they voted on particular Bylaws, Convention Rules, and Platform changes.

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Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

PART III: BOARD OF DIRECTORS

(Constitution) Proposal #3-1: Procedure for Board Member Absences

Adopted by the 2017 Constitution and Bylaws Committee, unanimously

Proposal was not heard on the floor at the 2017 Libertarian Party of Colorado Convention

Adopted without changes by the 2018 Constitution and Bylaws Committee, unanimously (1 member absent)

Problem: Currently the Constitution requires that a board member be removed from office for missing two meetings. This requirement does not leave the option open to the board to excuse absences based on technological difficulties, traffic issues, or other various day-to-day emergencies.

Solution: Allow the Board the option to review absences and make determinations as to whether an absence should be excused or not, as they see fit.

Benefits: Allows the Board flexibility to interpret absences and whether members of the board made reasonable efforts to participate and clarifies language.

PROPOSED REVISION:

Article VI – BOARD OF DIRECTORS

Section 2: Any member of the Board of Directors may be suspended by vote of two-thirds (2/3) of the current Board of Directors. Any member of the Board of Directors absent from two (2) **regular** consecutive meetings of the Board ~~shall be automatically~~ **may be** suspended at adjournment of the second **regular** meeting. The Board of Directors may, by a two-thirds (2/3) vote of the current members, appoint or reinstate officers if vacancies or suspensions occur, such members to serve until the next Convention.

MOTION: Move to amend Article VI, Section 2, by adding “regular” between “two” and “consecutive”, removing “shall be automatically” and replacing with “may be”, and adding “regular” between “second” and “meeting”, so that Article VI, Section 2 reads as follows:

Article VI – BOARD OF DIRECTORS

Section 2: Any member of the Board of Directors may be suspended by vote of two-thirds (2/3) of the current Board of Directors. Any member of the Board of Directors absent from

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
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Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

two (2) regular consecutive meetings of the Board may be suspended at adjournment of the second regular meeting. The Board of Directors may, by a two-thirds (2/3) vote of the current members, appoint or reinstate officers if vacancies or suspensions occur, such members to serve until the next Convention.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Bylaws) Proposal #3-2: Meetings Written Request Clarification

Referred by the 2017 Style Committee

Adopted by the 2018 Constitution and Bylaws Committee, unanimously (2 members absent)

Problem: The 2017 Style Committee has referred Article III, Section 2 to the Constitution and Bylaws Committee for substantive change to clarify the question of exactly what “one-third (1/3) or more of the Board” actually means—total Board seats, or Board seats filled at that time? Current terminology is vague. It is the feeling of the Style Committee that it refers to the latter.

Solution: Amend to refer to the current Board at the time of the written request, meaning Board seats filled at that time.

Benefits: Clarity for the Board of Directors.

PROPOSED REVISION:

Bylaws Article III – Meetings

Section 2: The Board of Directors shall convene in open meeting at such times and places as may be determined by action of the Board, by call of the State Chair, or by written request of one-third (1/3) or more of the **current** Board, with notice to be sent to the official email address of each Board Member at least forty-eight (48) hours prior to such meeting. Such meetings shall be called at least once per calendar month.

MOTION: Amend Bylaws Article III, Section 2, by adding the word “current” between the words “the Board” in the second occurrence of the first sentence, so that the section would then read as follows:

Bylaws Article III – Meetings

Section 2: The Board of Directors shall convene in open meeting at such times and places as may be determined by action of the Board, by call of the State Chair, or by written request of one-third (1/3) or more of the current Board, with notice to be sent to the official email address of each Board Member at least forty-eight (48) hours prior to such meeting. Such meetings shall be called at least once per calendar month.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Bylaws) Proposal #3-3: Meetings Rules Clarification

Referred by the 2017 Style Committee

Adopted by the 2018 Constitution and Bylaws Committee, unanimously (2 members absent)

Problem: The 2017 Style Committee has referred Article III, Section 4 to the Constitution and Bylaws Committee for substantive changes to clarify 2 questions:

1. What does the term “Boards” in the first sentence mean? Is it a typo and means only the Board of Directors, or are there other non-Committee Boards that are not enumerated in the Bylaws?
2. Should the adopted rules be Standing Rules, Special Rules of Order, or both? This and the Policy Manual need to be in conformance with each other, and have the correct terminology.

Solution: Amend the Section to clean up the language.

Benefits: Clarity.

PROPOSED REVISION:

Bylaws Article III – Meetings

Section 4: ~~Boards~~ The Board of Directors and its appointed or Party-mandated committees may transact business by electronic communications as specified by its Special Rules of Order. ~~Standing Rules adopted by the State Board. Committees appointed by the Board may transact business by electronic communications as specified by their own Standing Rules or Special Rules of Order.~~

MOTION: Amend Bylaws Article III, Section 4, so that the section would then read as follows:

Bylaws Article III – Meetings

Section 4: The Board of Directors and its appointed or Party-mandated committees may transact business by electronic communications as specified by its Special Rules of Order.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Bylaws) Proposal #3-4: Finances and Accounting Cleanup

Referred by the 2017 Style Committee

Adopted by the 2018 Constitution and Bylaws Committee, unanimously (2 members absent)

Problem: The 2017 Style Committee has referred Article IV, Section 2 to the Constitution and Bylaws Committee for substantive changes to clarify the question of what “shall cause an efficient double-entry system of accounts to be established and maintained.”

1. Since the system in question already exists and has for years, what shall be caused to be established?
2. The feeling of the Style Committee is that this Section 2 should be amended to state, “The Board of Directors shall establish and maintain an efficient double-entry system of accounts.” However, the question was raised of whether or not this is a Board duty or a Treasurer duty?

Solution: Amend the Section to clean up the language.

Benefits: Cleanup and clarity for the Treasurer and the Board of Directors.

PROPOSED REVISION:

Bylaws Article IV – Finances and Accounting

Section 2: The ~~Board of Directors~~Treasurer shall ~~cause~~maintain an efficient double-entry system of accounts ~~to be established and maintained~~.

MOTION: Amend Bylaws Article IV, Section 2, so that the section would then read as follows:

Bylaws Article IV – Finances and Accounting

Section 2: The Treasurer shall maintain an efficient double-entry system of accounts.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Bylaws) Proposal #3-5: Duties of the Board Simplification

Referred by the 2017 Style Committee

Adopted by 3-2 majority by the 2018 Constitution and Bylaws Committee (3 members absent)

Problem: The 2017 Style Committee has referred Article II, Section 11 to the Constitution and Bylaws Committee for substantive change to clarify the question of what, if anything, the Membership Director should be reporting monthly to Affiliates. Current terminology is vague.

Solution: Delete the requirement to report monthly to the affiliates since the reports are available on the LPCO web site.

Benefits: Clarity for the Membership Director and Board of Directors.

PROPOSED REVISION:

Bylaws Article II – Duties of the Board

Section 11: The Membership Director shall be responsible for: developing membership education programs and publications (including final responsibility for publishing a regular newsletter); recruiting and training activists from the membership; overseeing leadership training and succession planning at all levels within the Party; categorizing and contacting current individual members (registered Libertarian voters) to ask/persuade the members to support the LPCO financially or actively; and monthly reporting the same to the Board ~~and~~ **Affiliates**.

MOTION: Amend Bylaws Article II, Section 11, to delete the words, “and Affiliates”, so that the section would then read as follows:

Bylaws Article II – Duties of the Board

Section 11: The Membership Director shall be responsible for: developing membership education programs and publications (including final responsibility for publishing a regular newsletter); recruiting and training activists from the membership; overseeing leadership training and succession planning at all levels within the Party; categorizing and contacting current individual members (registered Libertarian voters) to ask/persuade the members to support the LPCO financially or actively; and monthly reporting the same to the Board.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Bylaws) Proposal #3-6: Convention Committee Appointment

Adopted by the 2018 Constitution and Bylaws Committee, unanimously (3 members absent)

Problem: The 2018 Convention Committee was slow to get Board appointment, and as a result, slow to get a convention site booked with the Party being almost unable to meet its obligation to the Members for the annual state convention.

Solution: Add a new Section 8 to Article VI of the Bylaws to make the Convention Committee a standing committee with its members' appointment time-certain from the last convention so they can do their job.

Benefits: The convention can be a great money generator and a way to spread awareness. The Party cannot afford another close call. By establishing the Convention Committee as a standing committee and establishing benchmarks and reporting expectations in the Policy Manual, the Party can avoid the last minute time crunches experienced in planning the 2018 convention.

PROPOSED REVISION:

Article VI – COMMITTEES

Section 8: The Convention Committee shall be appointed by the Board within ninety (90) days of adjournment of the state convention.

Section 89: Such other committees, standing or special, shall be appointed by the State Chair as the Board of Directors or State Convention shall from time to time deem necessary to carry on the work of the Party.

MOTION: Move to add a new Section 8 to Bylaws Article VI, with renumbering of subsequent sections, so that the new Section 8 would then read as follows:

Article VI – COMMITTEES

Section 8: The Convention Committee shall be appointed by the Board within ninety (90) days of adjournment of the state convention.

Section 9: Such other committees, standing or special, shall be appointed by the State Chair as the Board of Directors or State Convention shall from time to time deem necessary to carry on the work of the Party.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

PART IV: Amendments and Resolutions

(Constitution) Proposal #4-1: Clarify Deadline for Member Amendment Submissions to the Constitution

Proposed by the 2016 Constitution and Bylaws Committee

Proposal was not heard on the floor at the 2016 Libertarian Party of Colorado Convention

Adopted without changes by the 2017 Constitution and Bylaws Committee, unanimously

Proposal was not heard on the floor at the 2017 Libertarian Party of Colorado Convention

Adopted without changes by the 2018 Constitution and Bylaws Committee, unanimously (1 member absent)

Problem: The current deadline for member submissions for Constitution amendments is unclear and not based upon a time-certain deadline, but is dependent upon a moving target of Board meeting dates.

Solution: Provide a time-certain deadline for member submissions for Constitution amendments.

Benefits: Gives Party members certainty about the deadline for proposed Constitution amendments.

PROPOSED REVISION:

Article XII – AMENDMENTS

Section 1: The Constitution may be amended at any State Party Convention by a two-thirds (2/3) vote of the Delegates to the Convention, provided the amendment is included in the annual report or a minority report of the Constitution and Bylaws Committee, or written notice including the formal language of the amendment and signed by two (2) members is provided ~~at least two (2) Board meetings prior to the State Party Convention~~ to the Board at least four (4) weeks prior to the State Party Convention. Such notice shall be posted to the Party’s website within two (2) business days of receipt. No amendment shall take effect until the adjournment of the Business Session.

MOTION: Move to amend Article XII, Section 1, by removing the words “at least two Board meetings prior to the State Party Convention” and replacing with “to the Board at least four (4) weeks prior to the State Party Convention,” so that Article XII, Section 1 reads as follows:

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted. Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Article XII – AMENDMENTS

Section 1: The Constitution may be amended at any State Party Convention by a two-thirds (2/3) vote of the Delegates to the Convention, provided the amendment is included in the annual report or a minority report of the Constitution and Bylaws Committee, or written notice including the formal language of the amendment and signed by two (2) members is provided to the Board at least four (4) weeks prior to the State Party Convention. Such notice shall be posted to the Party’s website within two (2) business days of receipt. No amendment shall take effect until the adjournment of the Business Session.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Constitution) Proposal #4-2: Clarify Deadline for Member Amendment Submissions to the Bylaws

Proposed by the 2016 Constitution and Bylaws Committee

Proposal was not heard on the floor at the 2016 Libertarian Party of Colorado Convention

Adopted without changes by the 2017 Constitution and Bylaws Committee, unanimously

Proposal was not heard on the floor at the 2017 Libertarian Party of Colorado Convention

Adopted without changes by the 2018 Constitution and Bylaws Committee, unanimously (1 member absent)

Problem: The current deadline for member submissions for Bylaws amendments is unclear and not based upon a time-certain deadline, but is dependent upon a moving target of Board meeting dates.

Solution: Provide a time-certain deadline for member submissions for Bylaws amendments.

Benefits: Gives Party members certainty about the deadline for proposed Bylaws amendments.

PROPOSED REVISION:

Article X – BYLAWS

Section 1: The Bylaws may be amended by a majority vote of the Delegates to the State Party Convention, provided the amendment is included in the annual report or a minority report of the Constitution and Bylaws Committee, or written notice including the formal language of the amendment and signed by two (2) Members is provided ~~at least two (2) Board meetings prior to the State Party Convention~~ to the Board at least four (4) weeks prior to the State Party Convention. Such notice shall be posted to the Party’s website within two (2) business days of receipt.

MOTION: Move to amend Article X, Section 1, by removing the words “at least two Board meetings prior to the State party Convention” and replacing with “to the Board at least four (4) weeks prior to the State Party Convention,” so that Article X, Section 1 reads as follows:

Article X – BYLAWS

Section 1: The Bylaws may be amended by a majority vote of the Delegates to the State Party Convention, provided the amendment is included in the annual report or a minority report of the Constitution and Bylaws Committee, or written notice including the formal language of

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

the amendment and signed by two (2) Members is provided to the Board at least four (4) weeks prior to the State Party Convention. Such notice shall be posted to the Party's website within two (2) business days of receipt.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Constitution) Proposal #4-3: Clarify Deadline for Member Amendment Submissions to the Platform

Proposed by the 2016 Constitution and Bylaws Committee

Proposal was not heard on the floor at the 2016 Libertarian Party of Colorado Convention

Adopted without changes by the 2017 Constitution and Bylaws Committee, unanimously

Proposal was not heard on the floor at the 2017 Libertarian Party of Colorado Convention

Adopted without changes by the 2018 Constitution and Bylaws Committee, unanimously (1 member absent)

Problem: The current deadline for member submissions for Platform amendments is unclear and not based upon a time-certain deadline, but is dependent upon a moving target of Board meeting dates.

Solution: Provide a time-certain deadline for member submissions for Platform amendments.

Benefits: Gives Party members certainty about the deadline for proposed Platform amendments.

PROPOSED REVISION:

Article XI – PLATFORM

Section 1: The Party may adopt or amend, by a two-thirds (2/3) vote of the Delegates to the Convention, a Platform stating its position on all political issues affecting the state or any constituent entity thereof, provided the amendment is included in the annual report or a minority report of the Platform Committee, or written notice including the formal language of the amendment and signed by two (2) Members is provided ~~at least two (2) Board meetings prior to the Convention~~ to the Board at least four (4) weeks prior to the State Party Convention. Such notice shall be posted to the Party’s website within two (2) business days of receipt. Any platform plank or the entire Platform may be repealed by a simple majority of the Delegates to the Convention.

MOTION: Move to amend Article XI, Section 1, by removing the words “at least two Board meetings prior to the Convention” and replacing with “to the Board at least four (4) weeks prior to the State Party Convention,” so that Article XI, Section 1 reads as follows:

Article XI – PLATFORM

Section 1: The Party may adopt or amend, by a two-thirds (2/3) vote of the Delegates to the

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Convention, a Platform stating its position on all political issues affecting the state or any constituent entity thereof, provided the amendment is included in the annual report or a minority report of the Platform Committee, or written notice including the formal language of the amendment and signed by two (2) Members is provided to the Board at least four (4) weeks prior to the State Party Convention. Such notice shall be posted to the Party's website within two (2) business days of receipt. Any platform plank or the entire Platform may be repealed by a simple majority of the Delegates to the Convention.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Constitution) Proposal #4-4: Establish Procedure for Resolutions

Adopted by the 2017 Constitution and Bylaws Committee, unanimously

Proposal was not heard on the floor at the 2017 Libertarian Party of Colorado Convention

Adopted without changes by the 2018 Constitution and Bylaws Committee, unanimously (1 member absent)

Problem: The current Constitution does not lay out the process for making resolutions at the State Convention.

Solution: Establish a provision outlining the process of introducing a resolution on the floor at the State Convention.

Benefits: Allows for members to submit resolutions.

Proviso: *If passed, this change will become a part of the Constitution of the Libertarian Party of Colorado following the 2018 State Party Convention.*

MOTION: Add a new Section 5 to Article VII to read as follows:

Article VII – CONVENTIONS

Section 5: Resolutions may be adopted at any State Party Convention by a two-thirds (2/3) vote of the Delegates to the Convention provided that a copy of the Resolution is provided to the Board at least four (4) weeks prior to the State Party Convention, which notice shall be posted to the Party’s website within two (2) business days of receipt.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

PART V: Miscellaneous

(Joint) Proposal #5-1: Add Severability Clause to Constitution and Bylaws

Adopted by the 2018 Constitution and Bylaws Committee, unanimously (3 members absent)

Problem: The current Constitution and Bylaws do not include severability clauses to keep other parts of the organization intact and operational if a legal case throws out a part of them.

Solution: Add one to each document.

Benefits: Legal coverage.

NOTE: This is proposed as a single-subject across both documents. If the body does not feel the need for one, then the other is not needed as well. Dividing the question should not be necessary.

PROPOSED REVISION:

MOTION: Add the following new Articles to the Constitution and Bylaws, respectively:

Constitution:

Article XIII – SEVERABILITY

Section 1: If any Article, Section, or Clause of this Constitution is to any extent determined to be invalid, illegal, or incapable of being enforced, such Article, Section, or Clause shall be excluded only to the extent of such invalidity, illegality, or unenforceability; all other Articles, Sections, and Clauses hereof shall remain in full force and effect, and to this end the provisions of this Constitution are declared to be severable.

Bylaws:

Article IX – SEVERABILITY

Section 1: If any Article, Section, or Clause of these Bylaws is to any extent determined to be invalid, illegal, or incapable of being enforced, such Article, Section, or Clause shall be excluded only to the extent of such invalidity, illegality, or unenforceability; all other Articles, Sections, and Clauses hereof shall remain in full force and effect, and to this end the provisions of these Bylaws are declared to be severable.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Bylaws) Proposal #5-2: Abolish Affiliate Development Groups

Adopted by the 2018 Constitution and Bylaws Committee, unanimously (3 members absent)

Problem: The affiliate development groups, while a good idea, have not been effective in practice. Feedback from other state parties indicate that this is unique to Colorado.

Solution: Abolish the concept and simply go directly to Affiliate chartering like the rest of the nation.

Benefits: Simplifies Party operations.

PROPOSED REVISION:

Article II - DUTIES OF THE BOARD

Section 13: Each Officer shall be an ex-officio member of each Party Affiliate Board of Directors for the purposes of (A) upholding the spirit and letter of the Statement of Principles of the national Libertarian Party; (B) enforcing the Party Constitution and Bylaws, and the Rules and Resolutions adopted by the Convention or the State Board, and (C) providing relief in times of distress. Officers shall not be counted in determining the number required for a quorum at an Affiliate Annual or Board Meeting but may be counted in determining that a quorum is present. Each Officer shall actively participate in a meeting of at least one (1) Party Affiliate ~~or Development Group~~ each calendar year.

~~Article VIII — COUNTY DEVELOPMENT GROUPS~~

~~Section 1: For each county without an Affiliate, the Board or a committee it appoints for this purpose may charter one or more Development Groups for the purpose of increasing Party membership, communication, and influence within the county as an interim to establishing a formally organized Affiliate. Subject to the provisions below and any rules and instructions issued by the Board, a Development Group shall have the power to select its own name and leadership; adopt rules and agenda; and set times and places of meeting.~~

~~Section 2: A Development Group may be assigned to a subset of precincts within a county. Development Groups shall not overlap geographically. Development Groups may negotiate among themselves with respect to merging or splitting or gaining or releasing one or more precincts and shall notify the Board within three~~

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

~~business days of any such changes made.~~

~~Section 3: A Development Group may have as members any residents within its geographical boundary as well as any residents not living within any other currently chartered Development Group boundary. Development Group leadership shall be limited to Party Members and shall submit a report of activities to the Regions Director at least once per quarter or upon request.~~

~~Section 4: Development Groups may, jointly or separately, engage in outreach and voter registration; membership education, support, and training; recruiting activists and potential candidates; raising funds on behalf of the Party; and supporting or opposing local issues, subject to Board approval. A Development Group shall not nominate or endorse candidates for office. A Development Group shall not interact with the media except by the approval and instruction of the State Chair. A Development Group shall follow applicable law with respect to collecting and recording donations by political parties and shall submit all money collected and records of the donors to the Party Treasurer within three business days of receipt. A Development Group shall not spend money except as authorized by the Party Treasurer or the Board.~~

~~Section 5: The Board may revoke the charter of any Development Group at any time and without cause. Upon the formation of an Affiliate within a county, all Development Groups therein shall become constituents of and wholly subject to that Affiliate.~~

MOTION: Move to repeal Article VIII in its entirety and amend Article II, Section 13 by deleting the words “or Development Group” in the last sentence, so that the Article II, Section 13 would then read as follows:

Article II - DUTIES OF THE BOARD

Section 13: Each Officer shall be an ex-officio member of each Party Affiliate Board of Directors for the purposes of (A) upholding the spirit and letter of the Statement of Principles of the national Libertarian Party; (B) enforcing the Party Constitution and Bylaws, and the Rules and Resolutions adopted by the Convention or the State Board, and (C) providing relief in times of distress. Officers shall not be counted in determining the number required for a quorum at an Affiliate Annual or Board Meeting but may be counted in determining that a quorum is present. Each Officer shall actively participate in a meeting of at least one (1) Party Affiliate each calendar year.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

(Bylaws) Proposal #5-3 Fix Committee Articles

Adopted by the 2018 Constitution and Bylaws Committee, unanimously (2 members absent)

Problem: Article VII of the Bylaws addresses election of delegates and alternates to the national convention, but Section 6 of that article deals with national party committees and does not belong in that Article.

Solution: Move Article VII, Section 6 to a new Article, renumbering subsequent Articles, and rename Article VI to be explicit about state committees. Add language to the moved section regarding solicitation of applications from Party members for those national committees. Add new language requiring those national committee members to report the Board of Directors progress of the committees and requiring said members to adhere to full transparency of those committees' proceedings.

Benefits: Puts parts in proper context.

PROPOSED REVISION:

Article VI – STATE COMMITTEES

~~**Section 6: Representatives and alternates to national Party committees and subcommittees shall be elected by one of the following methods: If the number of representatives to national Libertarian Party Committees is known at the time of the Party Convention and the committees are to convene after the Convention, the Convention shall elect representatives and alternates in the same manner as and immediately after the election of at-large national convention delegates; otherwise the Board of Directors shall elect the committee representatives and alternates by majority vote.**~~

Article VII – NATIONAL COMMITTEES

Section 1: Representatives and alternates to national Party committees and subcommittees shall be elected by one of the following methods: If the number of representatives to national Libertarian Party Committees is known at the time of the Party Convention and the committees are to convene after the Convention, the Convention shall elect representatives and alternates in the same manner as and immediately after the election of at-large national convention delegates; otherwise the Board of Directors shall elect the committee representatives and alternates by majority vote after soliciting applications from Party members.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.

Section 2. Each representative and alternate to these committees shall report to the Board as to the progress of these Committees and shall not agree to any secrecy or non-transparency provisions.

MOTION: Move to amend the Bylaws in the following manner:

- Rename Article VI to “State Committees”
- Move Article VI, Section 6 into a new Article VII named “National Committees”, renumbering it as Section 1.
- Add new language to the end of the new Article VII, Section 1, “after soliciting applications from Party members”.
- Add a new Section 2 to the new Article VII, “Each representative and alternate to these committees shall report to the Board as to the progress of these Committees and shall not agree to any secrecy or non-transparency provisions.”
- Renumber the subsequent Articles VII and VIII.

so that the affected Articles would then read as follows:

Article VI – STATE COMMITTEES

Article VII – NATIONAL COMMITTEES

Section 1: Representatives and alternates to national Party committees and subcommittees shall be elected by one of the following methods: If the number of representatives to national Libertarian Party Committees is known at the time of the Party Convention and the committees are to convene after the Convention, the Convention shall elect representatives and alternates in the same manner as and immediately after the election of at-large national convention delegates; otherwise the Board of Directors shall elect the committee representatives and alternates by majority vote after soliciting applications from Party members.

Section 2. Each representative and alternate to these committees shall report to the Board as to the progress of these Committees and shall not agree to any secrecy or non-transparency provisions.

Legend for Proposals: Unchanged existing text, ~~text to be deleted~~, text to be inserted.
Deletions precede insertions.

Threshold Vote for Passage: Bylaws require majority vote. Constitution requires $\frac{2}{3}$ vote.