



Bylaws Proposal 4 - Submitted by Alexander DiBenedetto on 12/29/2016

Original:

IV. Convention

Section 1. The LPN shall hold a Convention in even-numbered years for the purpose of choosing Candidates for Public Office and whatever business shall be deemed necessary and proper, including but not limited to amending these bylaws, choosing delegates to the National Convention, and filling vacancies in the Executive Committee. Vacancies in the list of delegates to the National Convention can be filled by the Executive Committee before the National Convention, or by a vote of the delegates at the National Convention. This convention shall take place before the beginning date for a minor political party to file its list of candidates. If the beginning date for a minor political party to file its list of candidates with the Secretary of State is prior to February 1 of the election year, then the Convention may be held up to 60 days before the first date to file even if that moves the Convention to the previous year.

Section 2. The LPN shall hold a Convention in odd-numbered years between January and May for the purpose of electing Executive Committee members, amending these bylaws, and whatever business deemed necessary and proper.

Section 3. A special Convention shall be held within 120 days upon petition of one-third of the LPN members or three-fourths vote of the Executive Committee. Such a petition shall state the business of the special Convention, and no other business shall be considered at such a Convention.

Section 4. All LPN members are qualified to be delegates to the Convention (hereafter referred to as "the Convention"). No fee may be required of any LPN member to participate in the business sessions of any Convention; however, fees may be required for participation in other convention events. A quorum of a Convention shall be a majority of the dues-paying delegates to the Convention. The Convention Secretary shall provide the Executive Committee with draft convention minutes no later than 10 days after the conclusion of the State Convention, and the Executive Committee is empowered to approve Convention minutes. LPN members shall be eligible to serve as delegates to choose candidates for public office. Dues-paying LPN members shall additionally be eligible to serve as delegates to





conduct whatever additional business shall be deemed necessary and proper, including but not limited to amending these bylaws, choosing delegates to the National Convention, and filling vacancies in the Executive Committee.

Section 5. The Executive Committee shall publish the time, date, and location for Conventions no later than 60 days before the State Convention. This publication will be sufficient if it is prominently placed on the LPN's official website. The Secretary of the LPN shall mail notice to all dues-paying members at least 30 days before the Convention.

Section 6. A nomination for "None of the above" (NOTA) shall be considered valid. Should NOTA receive a majority of the vote in the balloting for any office or candidacy, the names of all nominees shall be kept on the ballot but the nominations for that office shall be reopened for additional nominees and another ballot taken. In any election held at the State Convention, should NOTA receive a majority on two successive ballots, then no candidate shall be nominated for that office.

Section 7. The business session of each State Convention shall be recorded by video device and a copy of the recording shall be provided to the Chair and the Secretary of the LPN along with the approved minutes from the state convention no later than 30 days after the State Convention. In the event the proceedings of a State Convention are challenged by a State Member, the recording of the convention and State Convention minutes shall be provided to the Secretary and the Chair immediately.

Section 8. Candidates for Partisan Public Office. The LPN may nominate Candidates for Public Office by ballot of the Convention during an even-numbered year.

A. Candidates for President and Vice President shall be nominated by the National Convention of the Libertarian Party.

B. Candidates for United States Senator, all statewide offices, and any office for which the district lies within more than one affiliate shall be nominated at the Convention of the Libertarian Party of Nevada.

C. Affiliates may nominate candidates for any office for which the district lies entirely within the affiliate's territory. The Secretary of an affiliate shall file a list of its nominated candidates with the Secretary of the LPN by the start of the Convention.

D. The LPN may nominate a candidate for any office that falls completely within one affiliate, unless the appropriate affiliate convention has either selected a





candidate or voted NOTA for that office for that election. **No more than one** candidate may be elected to be the nominee of the Libertarian Party for any partisan office.

E. The Secretary of the LPN or the Secretary's representative shall file a list of the nominated candidates with the Secretary of State of Nevada, in accordance with Nevada law.

Amended:

IV. Convention

Section 1. The LPN shall hold a **LPN State Convention** (hereafter referred to as "Convention") in even-numbered years for the purpose of choosing Candidates for Public Office **as well as** whatever **other** business deemed necessary and proper. **This includes**, but **is** not limited to, amending bylaws, choosing delegates to the **Libertarian Party** National Convention, and filling vacancies in the Executive Committee. This convention shall take place before the beginning date for a minor political party to file its list of candidates **with the Nevada Secretary of State's office**. If the beginning date for a minor political party to file its list of candidates with the Secretary of State is prior to February 1 of the **even-numbered** year, then the Convention may be held up to 60 days before the first date to file even if that moves the Convention to the previous year.

Section 2. The LPN shall hold a Convention in odd-numbered years **anytime from** January **to** May for the purpose of electing Executive Committee members, amending bylaws, and whatever **other** business deemed necessary and proper.

Section 3. A special Convention shall be held within **one-hundred and twenty (120)** days upon petition of one-third of the LPN members or **a** three-fourths vote of the Executive Committee. Such a petition shall state the business of the special Convention, and no other business shall be considered at such a Convention.

Section 4. All LPN members are qualified to be delegates to **a LPN** Convention. No **Convention** fee may be **levied** of any LPN member to participate in the business sessions of any Convention; however, fees may be required for participation in other convention events. A quorum of a Convention shall be a majority of the dues-paying **members serving as** delegates to the Convention. The Convention Secretary shall provide the Executive Committee with draft convention minutes no later than **ten (10)** days after the conclusion of the Convention, and the Executive Committee is empowered to approve Convention minutes. **Only** dues-paying LPN





members shall be eligible to serve as delegates to amend bylaws, choose delegates to the National Convention, and fill vacancies in the Executive Committee. **All other business, including the selection of candidates for public office, is conducted by any LPN members serving as delegates.**

Section 5. The Executive Committee shall publish the time, date, and location for Conventions **at least sixty (60) days** before the Convention. This publication will be sufficient if it is prominently placed on the LPN's official website. The Secretary of the LPN shall mail notice to all dues-paying members at least 30 days before the Convention.

Section 6. A nomination for "None of the **Above**" (NOTA) shall be considered valid **anytime nominations are taking place (including nominations for the Executive Committee)**. Should NOTA receive a majority vote for any office or candidacy, the names of all nominees shall be kept, but the nominations for that office shall be reopened for additional nominees and another **vote** taken. In any election held at the Convention, should NOTA receive a majority on two successive **votes**, then no candidate shall be nominated for that office.

Section 7. The business session of each Convention shall be recorded by video device and a copy of the recording shall be provided to the Chair and the Secretary of the LPN along with the approved minutes from the **Convention no later than thirty (30) days** after the Convention. In the event the proceedings of a Convention are challenged by a **LPN member**, the recording of the convention and **its minutes** shall be provided to the Secretary and the Chair immediately – **even if the minutes are in draft form.**

Section 8. The LPN may nominate Candidates for Public Office by majority vote of the Convention during an even-numbered year.

A. Candidates for President and Vice President shall be nominated by the National Convention of the Libertarian Party. **The Secretary of the LPN will certify this nomination for the Nevada Secretary of State's office within thirty (30) days of the conclusion of the National Convention, or in accordance with Nevada law, whichever is sooner.**

B. Candidates for United States Senator, all statewide offices, and any office for which the district lies within more than one affiliate shall be nominated at the Convention.

C. Affiliates may nominate candidates for any office **where** the district lies entirely within the affiliate's territory. The Secretary of an affiliate shall file a list of





its nominated candidates with the Secretary of the LPN by the start of the Convention.

D. The LPN may nominate a candidate for any office that falls completely within one affiliate, unless the appropriate affiliate convention has either selected a candidate or voted NOTA for that office for that election. **Only one** candidate may be selected to be the nominee of the Libertarian Party for any partisan office.

E. The Secretary of the LPN or the Secretary's representative shall file a list of the nominated candidates with the Secretary of State of Nevada, in accordance with Nevada law.

Author's Note in Favor:

In section 1, the information about "vacancies in the list of delegates to the National Convention..." has been moved to a new section, Section 9. This will be considered separately in Bylaws Proposal 5. Other clarifying grammatical changes.

In section 2, other clarifying grammatical changes.

In section 3, specifying the number in written form (conformation to standard, written English).

In section 4, omitted the "hereafter referred to..." and moved to Section 1. Restated the same information for the last three sentences to make it more clear the distinction of duties at the Convention between general and dues-paying members.

In section 5, specifying the number in written form (conformation to standard, written English) and omitting the word State (already specified in Section 1).

In section 6, clarified that NOTA is always acceptable. Changed the out-of-nowhere references to "ballot" to what is used throughout the rest of the bylaws and Robert's Rules of Order - vote.

In section 7, specifying the number in written form (conformation to standard, written English), omitting the word State (already specified in Section 1), and specifying that draft minutes are acceptable in the case of a dispute.

In section 8, establishing the duties incumbent upon the Secretary of the LPN to certify the results of the National Convention, since this was not explicitly stated or





understood previously. Helps prevent a last-minute loss of ballot access by forgetting! A few clarifying, grammatical edits.

Bylaws Committee Recommendation:

