



Frequently Asked Questions Bylaws and Voting

Libertarian Party Presidential Nominating Convention Denver 2008

*THESE FAQs ARE BASED ON THE LIBERTARIAN PARTY BYLAWS
WHICH SERVE AS THE FINAL AUTHORITY ON MATTERS OF POLICY AND PRACTICE.*

- 1. We would like to employ “unit” or “block” voting to increase our state affiliate’s impact. That is, we’ll take an internal vote and then cast all our votes for the majority position.**

Sorry, unit voting is not allowed. It’s one-person-one-vote.

- 2. We have fewer delegates and alternates than our state’s allotment. May we use our spare votes?**

Sorry, one delegate (or one alternate substituting for a delegate), one vote.

- 3. One of our delegates would like to propose an amendment to a platform plank and do so in an extemporaneous manner, reading from notes scribbled on several cocktail napkins, and without having put the motion in writing on a form provided by the Secretary.**

Please put motions to the convention legibly and in writing using a Delegate Motion form and submit it to the Secretary. This is necessary to reconstruct convention proceedings accurately for the minutes and to prepare the text for display without having the Convention wait while the Secretary types. Convention Rule 3.2 authorizing the Chair to require “any motion offered from the Convention floor to be in writing, signed by the mover and submitted to the Secretary” has been enacted, and resolutely so.

- 4. How many delegates does my affiliate have?**

Your delegation chair has a binder with that and much more information in it. Track it down, or go to http://www.lp.org/archives/delegation_chairs_manual_2008.pdf.

- 5. What does it take to amend a platform plank or pass a resolution?**

2 / 3 majority

6. Where do I put my platform plank ballots that I got when I was credentialed?

Sign your ballots (required by the Bylaws) and put them in the big red ballot box that will probably be located at the registration table or the credentials desk.

7. Do I have to vote the five Platform Plank ballots I have received at credentialing?

Not at all. Vote only if you think there is a platform plank you'd like to have deleted. Cast all five ballots against the same plank, or spread them around. Planks getting votes equivalent to 20% of the delegates will be brought for a straight up/down vote as the first item in the Platform Committee report.

8. Joe is feeling sick and is up in his room. He's given me his proxy. I'm going to cast both my vote and one for him.

Sorry, Joe needs to be on the convention floor when the vote is taken, and Joe needs to vote when voting is underway, and not at any other time or place.

9. What happens if no LNC officer candidate gets a majority on the first ballot?

Strike the candidate receiving the fewest votes and vote again. Repeat as necessary until a candidate receives a majority.

10. What happens if no LNC At-Large candidate receives a majority?

Doesn't matter. Take the top five. Similar to Judicial Committee, except that there it's seven, not five.

11. What happens if there's a tie for 3rd, 4th, 5th and 6th place in the LNC At-Large race?

The top two finishers are in, and we vote again. This time voters select up to three candidates since there are only three slots left to fill. Similar process for the Judicial Committee, except that we are dealing with seven positions, not five.

12. What exactly does the Judicial Committee do?

The Judicial Committee handles rare events that may arise: Suspension of affiliates, officers, LNC at-large members, and even Presidential and Vice-Presidential candidates; challenges to platform plans and resolutions; voiding LNC decisions.

13. What is the "Statement of Principles"?

The "Statement of Principles" is the core document of the Party. It cannot be amended except with a 7/8 approval of registered delegates. See LP.Org.

14. What if a platform plank or a resolution contradicts our Statement of Principles?

If 10% of delegates believe this is the case, they can present a challenge to the Judicial Committee. Vetoes enacted by the Judicial Committee can be overturned by a 3/4 convention vote. (Rule 7, Section 8).

15. What is the quorum requirement for the convention?

A quorum consists of 40% of the total number of delegates registered in attendance.

16. The Bylaws of the Libertarian Party stipulate that state affiliates are autonomous. So it is up to us to decide how we cast our votes.

Article 8, Section 5 of the Bylaws states that the autonomy of the affiliate parties shall not be abridged, *except as provided by these Bylaws*. There are specific rules in the Bylaws and Convention Rules governing voting, e.g., pertaining to block voting.

17. But the Convention Rules are not part of the Bylaws. They are merely suggestions, they don't apply and they cannot be enforced.

Article 11, Section 9 of the Bylaws provides the link that shows the Convention Rules derive from the Bylaws.

CONVENTION RULES:
CONVENTIONS OF THE PARTY SHALL BE CONDUCTED IN ACCORDANCE WITH THE CURRENT BYLAWS AND CONVENTION RULES, UNLESS OTHERWISE AMENDED AT A REGULAR CONVENTION.

18. How did it ever get this way?

Article 6, Section 2 of the Bylaws says: THE NATIONAL COMMITTEE SHALL CHARTER AFFILIATE PARTIES. So, if you are here, you are here as a member of the delegation of an affiliate. Affiliates subscribed to the Bylaws in order to become affiliates.

19. Which votes are not voice votes?

Election of Party officers, At-Large national committee members and the Judicial Committee are not. Nominations of Presidential and Vice-Presidential candidates are not. Deletion of platform planks, assuming any planks meet the 20% threshold, is not a voice vote.

20. What if we disagree with the decision of the chair regarding a voice vote?

It may be appealed if 20 or more delegates object to the chair's ruling. In that case, the vote will be counted, if necessary. Before a very time consuming count-off vote is undertaken, the chair will call for a show of hands or ask supporters and opponents to rise. Delegates can then 'see' the voice vote.

Delegates should follow their convictions but remember that counted votes are likely to adversely affect the television audience in addition to leaving less time for debate. Various electronic voting technologies were proposed for the convention but all were dismissed as prohibitively expensive.

21. How was it determined how many of the 1051 delegate allotment were ours?

Article 11 of the Bylaws stipulates one delegate for each 0.14 % of total party membership and one delegate for each 0.35 percent of the total Libertarian Party presidential candidate's vote in 2004. Rounding makes the 1051 change from year to year.

22. How many minutes are allowed for a nominating speech for LNC Chair?

Five. All other officers and At-Large speeches get two.

23. How many minutes are allowed for seconding speeches for LNC Chair?

Two 3-minute seconding speeches. Two 1-minute seconding speeches for everybody else.

24. What if NOTA wins?

"None of the above" is a legitimate candidate. If NOTA receives a majority in a Presidential or Vice-Presidential race, the Party does not nominate a candidate for the affected office or offices. If NOTA wins a majority in a race for National Committee office, then the office is deemed vacant and none of the candidates running for the office can fill it during this term.

If NOTA receives a majority in the race for At-Large LNC membership, then the At-Large positions are deemed vacant and none of the candidates on the ballot can fill the positions this term. If NOTA receives, say, 48% but leads all candidates, then its effect is moot since it did not receive a majority. The top five human vote getters would serve.

25. What does it take to amend Convention Rules?

A 2 / 3 majority.

26. What's the standing order of business for conventions?

1. Call to order
2. Credentials Committee(*)
3. Adoption of agenda
4. Deletion of planks from previous platform
5. Treasurer's report
6. Bylaws and Rules committee reports
7. Platform Committee report
8. Final retention of platform planks
9. Nomination of Party candidates for President and Vice-President
10. Election of Party Officers and at-large members of the National Committee
11. Election of Judicial Committee
12. Resolutions
13. Other business

* Secretary reports the number of delegates the Credentials Committee has certified at the beginning of each section as well.

27. How many votes may I cast for At-Large LNC members?

Vote for any number of different candidates from zero to five.

28. Suppose we go to a second ballot for Vice-President and we want to nominate someone new. Can we do that?

No. Nominations for President, Vice-President and other offices are submitted to the chair in writing before nominations are announced and before nominating and seconding speeches.

29. What happens if no presidential candidate gets a majority on a ballot?

Convention Rule 9, Section 2 instructs us to eliminate candidates polling less than 5% AND the candidate with the fewest votes. Note the candidate with the fewest votes may also have less than 5%. If the results for four candidates are 49%, 47%, 3% and 1%, then eliminate two candidates, not three. I.E., 'AND' does not mean 'AND THEN'.

30. Can a presidential candidate who failed to receive the nomination be nominated for Vice-President?

A candidate nominated for president but who fails to win may run for vice president without obtaining a fresh set of 30 signatures. Convention Rule 9 addresses the matter. To clarify,

- Anyone may be nominated for president or vice president with a nomination from the floor and a second
- Someone wishing to secure 16 or 11 minutes (president or vice president, respectively) of convention time for nominating and seconding speeches must present 30 signatures as described in Convention Rule 9

31. Does the presidential nominee have any say in who his/her Vice-Presidential candidate is?

The presidential nominee has the privilege of addressing the convention for five minutes to express his preferences or objections to any Vice-Presidential candidates.

32. What about e-voting?

The LNC investigated it and found it too expensive for now -- \$15-20 per delegate. Maybe we will have it in 2010 when technology improves and prices decline.

33. What are the Presidential Petition Signature Tokens that I received at credentialing for?

Give yours to the campaign representative whom you would like to have receive 16 (president) or 11 (VP) minutes of convention time for nominating and seconding speeches. This is different from simply nominating someone from the floor – no convention time allocated.

35. How were the candidates chosen to participate in the Saturday evening presidential debate?

Just as in 2004 in which only Nolan, Russo and Badnarik participated, candidates are being surveyed to assess their campaigns. Those with the most activity will be invited.

The Presidential Debate is not covered in the Bylaws. The Presidential Debate is a creation of the Convention Committee. The debate occurs when the convention is not officially in session. Starting in 2004, the Convention Committee decided to invite only serious candidates to the Presidential Debate. A serious candidate is one who has put forth a substantive effort as evidenced by having raised \$5,000 and who is willing wear a suit and tie (or equivalent) on C-SPAN. With no minimum standard, the Party is open to someone walking in off the street, signing the pledge, gaining a nomination and expecting to be included in the debate.

The Libertarian Party's Statement of Principles

We, the members of the Libertarian Party, challenge the cult of the omnipotent state and defend the rights of the individual.

We hold that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose.

Governments throughout history have regularly operated on the opposite principle, that the State has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the right to regulate the lives of individuals and seize the fruits of their labor without their consent.

We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate the rights of any individual: namely, (1) the right to life -- accordingly we support the prohibition of the initiation of physical force against others; (2) the right to liberty of speech and action -- accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and (3) the right to property -- accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud, and misrepresentation.

Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders; and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.