

Minutes Libertarian Annual State Convention

Call to order - David Blau 10.10

Amendment to Agenda to insert officers report - Phillies - seconded Torrey - passed.

Amendments to constitution and By-laws - Phillies - Motion to limit debate time for debate on items to 5 minutes - motion carries.

Proceed with addressing amendments - Phillies - appoint a floor manager

Secretary of the meeting is named as Joe Kennedy

Motion #2 is taken to the floor

Torrey - should be to be changed to - to be uniformly called.

Vote on 2 - motion carries unanimously.

Motion Number 6 is taken to the floor

Phillies explains the motion, further explanation on the floor.

Vote on 6 - motion carries unanimously.

Motion number 7 is taken to the floor

Phillies explains motion as a paragraph that is obsolete.

Question on existence of a loophole - Phillies answers there is no loophole created

Vote on 7 - motion carries unanimously.

Motion number 8 is taken to the floor

Phillies explains the motion.

Blau breaks vote into 2 votes .

Vote on part one will require a count with a 7/8 majority
motion passes unanimously

Vote on part 2

Explanation by Wolf

Question by Torrey on preregistration

The note is that the phrasing does not bring up a question. The phrasing is in question that registered as attending could be registered to attend.

Vote on second part of vote 8 - motion carries unanimously.

Motion 4 is taken to the floor

Phillies explains motion.

Torrey expands on explanation and additionally supports the vote.

Wolf questions wording on national party to be a sustaining member - Phillies explains

What we mean by sustaining member is what the definition of the national meant by a sustaining member as of a number of weeks ago, i.e. there is no difference in the term of sustaining member.

Motion carries unanimously

Motion 3 is taken to the floor.

Phillies explains motion.

Motion carries unanimously

Motion 5 is taken to the floor

Phillies explains motion.

Question on the floor from Martin- Phillies explains

Comment by Torrey.

Motion carries unanimously

Motion 1 is taken to the floor.

Phillies explains the motion.

Wolf further explains with comments against the motion.

Phillies provides more information.

Further questions on motions as it relates to running.

Torrey provides further comments.

Minute - it is the intention that we interpret the name change so that we can continue

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to use the name the Libertarian Party.

Minute - we have to be careful on how we present our name
motions carries with one vote against.

No motions to amend the by-laws.

Clock taken to 11 AM

Nominations to State Committee.

Phillies Nominates Kennedy

Wolf Nominates Phillies

Blau Nominated by State Committee

Underwood nominated by Wolf - Martin.

Phillies requests other participants

Ruiz explains not being able to be on the committee as due to the distance

Hoffman is nominated by Phillies - Torrey

Motion to close - second by Wolf

Motion to vote by acclamation.

Martin is Nominated by Torrey - Kennedy

Motion to close nominations

Nominations are closed.

Torrey moves to accept candidates by acclamation.

Motion carries.

Item 5 - Nominations of delegates to the national convention.

Location: Memorial Day Weekend - St Louis is national convention.

State Committee members choose if they wish to invoke their ex officio delegate status.

Kennedy - Yes

Phillies - Yes

Blau - Yes

Underwood - No

Hopfman - No

Martin - Yes

Torrey nominated by Wolf - Hopfman

Wolf nominated by Torrey - Phillies

Renee Ruiz nominated by Phillies - Hopfman

Susan Ruiz nominated by R. Ruiz - Hoffman

Dr. Santos nominated by Phillies - Wolf

Move to close nominations - Phillies - Martin

Motion to elect by acclamation the current list by Phillies - Torrey

Election of Nomination completed.

Officer Reports:

Members increasing

Increased Funding

News letter distributed

Continue to receive interest from volunteers

Made progress in getting candidates and getting candidates elected

Treasurer Report

Membership report - membership is down 10

Operations Report - Arthur Torrey

Political Facilitator - Bob Underwood

Web Master Comments - Mary Anne Wolf

Expressed appreciate to members of outgoing state committee.

Officer Reports Finished

Return to constitution and bylaws is move past.

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Adjourn for lunch

Platform conversation

Move to adopt platform as presented by Phillies - second

Torrey - comments about the national focus on the first 3 issues.

Wolf question on the choice of half as to the amount of licenses are to be reduced - Phillies comments on explanation.

Hopfman - comments on the starting point of 1/2 is a good starting point

Underwood agrees on general principal.

Comments seconded by Blau - comments on the applicability of the length by Blau.

Vote to adopt the platform in its entirety - platform adopted by unanimous vote.

Move on to Fund Raiser and Auction.

Phillies endorses giving money to significant candidates of the party.

Kennedy thanks the committee for the already received support.

Hopfman raises concern about petition drives - can we use the committee to assist gathering signatures.

Blau notes on existing interest in methods we have in mobilizing petition drives.

Hopfman elaborates on methods for providing energy to petition drives.

Blau illustrates past success at the Boston Freedom rally.

Any other business.

Phillies thanks the American Civil Liberties Union of Massachusetts and the pro bone support of Foley-Hoag for placing Bob Barr on the Ballot last year. A vote of thanks to the Mass ACLU for their work on this regard.

Motion carries unanimously

Entertain a motion to adjourn - Torrey - 2nd

Adjourned

Appendix 1

DRAFT PLATFORM ADDITIONS

Draft Platform

PEACE

Libertarians support non-intervention in the affairs of foreign nations. Our foreign wars should end; our armed forces should be brought home from around the world. The Cold War is over; the vast military machine that the Cold War justified is no longer needed.

FREEDOM

Libertarians stand for protecting your Federal and State Constitutional Rights, all of them without any exception or omission. There is no National Security exemption to the Bill of Rights. Politicians who ignore our Constitutional Liberties are the chief threat to our country.

OPPORTUNITY

America should be a land of opportunity for every citizen. Massive expansions of the Federal Budget and Debt are strangling those opportunities. We need massive cuts in government spending or our grandchildren will be crushed by their grandparents' wastrel extravagance.

END REGRESSIVE TAXATION

The sales tax should over several years be repealed. Let's hear the giant sucking sound of the good people of New York, Connecticut, Rhode Island, Vermont, New Hampshire, and Maine coming to Massachusetts to our

high-quality, no-tax shops, creating jobs and income for the Commonwealth.

FEES SHOULD NOT BE HIDDEN GENERAL TAXES

Cut in half all license fees.

END TURNPIKE TOLLS

The cost of maintaining the turnpike is a small fraction of the tolls levied on it. Turnpike tolls primarily pay for the cost of collecting the tolls. End tolls, move money back to people."

Appendix 2

Proposed Amendments to the Party Constitution

Motion #1) The name of this organization is hereby changed from "Libertarian Party of Massachusetts" to "Libertarian Association of Massachusetts", and is referred to throughout the Constitution as 'the organization' or 'this organization' as appropriate.

Motion #2) The name of this document is hereby uniformly changed to "Constitution". The members of the State Committee are uniformly called "Members". "Bylaws" and "Bylaw" are to be uniformly so spelled. "State Committee", "State Convention", "National Party" and "National Convention" are uniformly capitalized.

Motion #3) The second paragraph of the Party Constitution is deleted.

THE CURRENT TEXT

Preamble, Name and Purpose

We, the Libertarians of Massachusetts, do hereby unite to form the Libertarian Party of Massachusetts, in order to give voice to and implement the fundamental principle of libertarianism: that no person, group of people, or government has the right to initiate force against any other person, group of people, or government. We shall do this by supporting candidates for public office, publicizing the principles and goals of libertarianism, and taking any actions that the state convention or the state committee deem will further our aims. The Party, its By-Laws and State Committee exist solely as a path for reaching the objectives of this preamble.

We assert our rights of freedom of speech, press and association as guaranteed in the First and Fourteenth Amendments of the United States Constitution and the precedent set by the Supreme Court's decision in *Eu v. San Francisco County Democratic Central Committee, et al.*, 489 U.S. 214, 109 S.Ct. 1013, 103 L.Ed.2d 271 (1989), and the same rights, however worded, guaranteed in the Massachusetts Declaration of Rights, to govern this Party and participate in the electoral process as we deem fit.

Motion #4) To replace the Constitution Article II Section 2, so that

Article II: State Convention

1. A regular state convention shall be held in every year.

2. The delegates to the convention shall be those Members who have registered for same, according to provisions set by the state committee for timeliness, attendance limits, and cost defrayment, and who have also been Members for 90 days prior to the start of the convention.

becomes

Article II: State Convention

1. A Regular State Convention shall be held in every year.
2. Persons, who are members of this organization whose dues are current, and who joined the organization at least 30 days prior to the date of the State Convention, are eligible to vote and participate in the business meeting at the State Convention. Persons who were dues-paying members of the organization, or Sustaining Members of the National Libertarian Party, within the past three years, including a period at least 90 days before the day of the State Convention, but whose organization dues are not current, may join or rejoin this organization at the State Convention by paying their yearly dues. They may then vote and participate in the business meeting at the State Convention.
3. The State Convention may endorse candidates for office or it may explicitly endorse running no candidate for an office. If it does so, the organization will support those candidates to within the limits of State and Federal law and other demands on its resources, and will not support any competing candidates for the same office. In the absence of a State Convention endorsement, either for a candidate or for no candidate, the State Committee may support a candidate for that office, again within the limits of law and competition for resources.

Motion #5) In Article III of the By-laws, delete Sections 1 and 3 and Amend Section 2, so that

Article III: Nominations of Candidates

1. The state convention shall have the authority to nominate a candidate for any office or a slate of candidates for any set of offices to be filled by the voters, or some portion thereof, of the state. If the Libertarian Party has party status and is required to participate in the Primary Election in order to be included in the General Election, or if the State Committee has so chosen to participate, then the secretary of the convention shall prepare the certificates of nomination of all such candidates as required by Chapter 53 of the General Laws of Massachusetts, obtain the signature, oath and residence of the presiding officer, and affix his or her own signature, oath and residence to the same, obtain the written acceptance of the nominee in each case, and submit each such certificate to the secretary of state within the time required by Chapter 53, Section 5.
2. Except as stated in the preceding section, the responsibility for meeting the legal requirements for ballot access, as determined by state law according to the Party's status, shall rest with each candidate. This shall be the case without regard to whether the Party holds a primary election. Such responsibilities include, but are not necessarily limited to, the number of signatures and the qualifications of petition signatories, and the manner and timeliness of their collection and submission to the correct town and state election officials.
3. A person's name shall not appear on any Libertarian primary ballot, nor shall any person receive the nomination of the Libertarian Party of Massachusetts, for any partisan election, unless that person is a recognized member of the Libertarian Party of Massachusetts.
4. In the event of the withdrawal, death, or ineligibility of any candidate to be elected by the voters, or some portion thereof, of the Commonwealth of Massachusetts, the vacancy may be filled in accordance with current state laws, or by the State Committee.

Becomes

Article III: Candidates

1. The responsibility for meeting legal requirements for ballot access rests with each candidate.

2. In the event State or Federal Law authorizes this organization to place candidates on the ballot, whether to replace candidates, fill vacant ballot lines, or for whatever other reason, in the absence of contrary legal specification or directive of the State Convention, the State Committee is authorized to act on behalf of the organization for this purpose.

Motion #6) To Amend Article IV by amending or striking sections so indicated, so that
Article IV: State Committee

1. The delegates to each regular state convention shall select up to 9 state committee members, to serve as the state committee until the conclusion of the next regular state convention. To be eligible for election to the state committee, a person must be a member of the state party whose dues are current.

2. The Representatives on the state committee shall within 30 days of the state convention, meet and organize by the choice of a Chair, a Secretary, a Treasurer and such other officers as they may decide to elect.

3. A vacancy in any office, or in any Representative position on the committee originally filled by the state convention, shall be filled by the state committee.

4. The State Committee may appoint additional Representatives.

5. Representatives of the State Committee, including the State Committee serving at the time of the adoption of this Constitution, shall hold office until adjournment of the next state convention at which their successors are chosen.

6. The state committee may make rules for its proceedings, and for the calling of state conventions, for the selection of delegates and alternates to the national convention. The rules made for the selection of delegates and alternates to the national convention shall be submitted to the secretary of state as provided by Chapter 53, Section 70B of the General Laws of Massachusetts, whenever said Section applies to this Party.

7. The state committee shall notify the secretary of state of its decisions whether or not to hold primaries to the extent required or allowed by Chapter 53, Section 2. To the extent the state committee has the option of whether to hold a primary under Chapter 53, Section 2, it shall notify the Secretary of State of its chosen option, and shall do so in a timely manner under that Section. In the event the state committee has failed, by two weeks before the date described in that Section, to make an affirmative choice to hold a primary, the Chair shall notify the Secretary of State that the state committee has chosen not to hold a primary.

8. The state committee shall nominate presidential electors as required by Chapter 53, Section 8.

9. The state committee shall have the authority to adopt or amend the bylaws by a two-thirds vote.

10. To be elected or serve as a member or officer of the state committee, a person must be a dues paying member of the Libertarian Party of Massachusetts as defined by the state party constitution and bylaws. A person who ceases to be a member of the party ceases at the same moment to be a state committee member or officer.

11. Every member of the state committee must make available their name, their state party office if any, and a working way to contact them, in the party newsletter and on the party web site. This may be a physical mailing address, e-mail address, telephone number, or some combination of these.

Becomes

Article IV: State Committee

1. Each regular State Convention shall elect as provided in the Bylaws up to nine State Committee Members.
2. Within 30 days of their election, the newly-elected State Committee shall meet and elect a Chair, a Treasurer, and such other officers as are specified in the Bylaws.
3. The State Committee shall elect officers to fill any vacancies. The State Committee may by majority vote appoint to itself additional Members.
4. All members of the State Committee shall hold office until adjournment of the State Convention at which the next State Committee is chosen.
5. The State Committee may make rules for its proceedings, for the calling of State Conventions, and for the selection of Delegates and Alternates to the National Convention. Delegates to the Libertarian Party National Convention shall be chosen at the State Convention held immediately prior to that National Convention. If elections for State Committee and Convention Delegate happen at the same State Convention, the State Committee is elected first. Persons who will be members of the State Committee at the time of the National Convention are entitled ex officio to be named as Delegates or Alternates, but must so request prior to the election of Delegates and Alternates. The State Convention or State Committee may promulgate Bylaws consistent with this Constitution to ensure a full delegation at the National Convention.
6. To be eligible to be elected as a Massachusetts Delegate to the National Convention, a person must, at the time of the National Convention, be:
 - a) a legal resident of Massachusetts, and
 - b) a member in good standing of the organization.
7. The State Committee shall have the authority to adopt or amend the Bylaws by a two-thirds vote, two weeks notice and an opportunity to respond having been given.
8. To be elected or serve as a Member or Officer of the State Committee, a person must be a Member of the organization whose dues are current.
9. Every Member of the State Committee must make available their name, their office in the organization if any, and a working way to contact them, in the organization's newsletter and on the organization's web site. This may be a physical mailing address, e-mail address, telephone number, or some combination of these.
10. The State Committee may by two-third vote of its entire membership expel a person from the State Committee, for cause, after affording the accused reasonable access to due process. Expiration of membership in the organization is cause, but payment of membership dues to renew membership, prior to the vote, constitutes an absolute defense.

Motion #7) Strike the following from the State Constitution

Article V: Delegates to National Convention

1. In any year in which candidates for presidential electors are to be elected, the selection of delegates and alternate delegates to the national convention shall be by that system adopted by the state committee. The system adopted by the state committee shall be set forth in written rules and procedures covering all aspects of the delegate selection process and, if the state committee has made a timely decision to hold a presidential primary, a copy of such rules and procedures shall be filed with the secretary of state on or before October first of the year preceding the year in which presidential electors are to be elected.

And renumber later Articles.

Motion #8) Article VI, the final section, strike the final sentence, and amend as indicated. The current text:

Article VI: Bylaws, Rules and Amendments

1. Bylaws to implement and clarify the authority and duties of persons and bodies authorized by this charter may be adopted or amended by a majority vote at a state convention, or by a two-thirds vote of the state committee. When each State Committee meets for the first time to organize, any bylaws previously in force shall remain in force unless a two-thirds vote of the State Committee shall specify otherwise, provided that any amendments to the bylaws shall be consistent with this charter and with actions at State Conventions.

2. Each body authorized by this charter may adopt rules for its proceedings.

3. This charter may be amended by a two-thirds vote of the delegates present, whether or not voting, at a state convention, provided that there is a quorum, if and only if the following conditions are met:

a. The amendment has been approved beforehand by the state committee, or has been endorsed beforehand by the signatures of at least that number of representatives which is two more than a majority, which amendment and endorsement shall be submitted in writing to the secretary of the state committee, and

b. A copy of the proposed amendment has been sent to each delegate to the state convention by mail, postmarked at least two weeks prior to the date of the state convention in which the amendment is to be considered. **Article Two, Section 4, and this section, shall be amended only by a seven-eighths vote of the delegates present, whether or not voting, at a state convention.**

becomes

Article VI: Bylaws, Rules and Amendments

1. Bylaws to implement and clarify the authority and duties of persons and bodies authorized by this Constitution may be adopted or amended by a majority vote at a State Convention, or by a two-thirds vote of the State Committee. When each State Committee meets for the first time to organize, any bylaws previously in force shall remain in force unless a two-thirds vote of the State Committee shall specify otherwise, provided that any amendments to the Bylaws shall be consistent with this **Constitution** and with actions at State Conventions.

2. Each body authorized by this **Constitution** may adopt rules for its proceedings.

3. This **Constitution** may be amended by a two-thirds vote of **all persons eligible to vote and registered as attending the State Convention at which the vote is being taken**, whether or not voting, provided that there is a quorum, if and only if the following conditions are met:

a. The amendment has been approved beforehand by a majority of the members of the State Committee, **or has been endorsed beforehand by the signatures of at least ten percent of the Members whose dues are current,**

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which amendment and endorsement shall be submitted in writing to the Chair of the State Committee, and

b. A copy of the proposed amendment has been sent by mail to each Member of the Organization whose dues are current, postmarked at least two weeks prior to the date of the State Convention in which the amendment is to be considered.