

The first attempt at the Libertarian Party of Massachusetts State Committee meeting by telephone conference convened slowly starting at about 8:27 p.m. on March 2nd, 2007, but real business was delayed until the quorum of six members could be reached due to technical difficulties with the phone conferencing. Eventually present were Chair Carol McMahon, Membership Secretary David Roscoe, Recording Secretary Mary-Anne Wolf, Webmaster Bill Hees, and state committee members Arthur Torrey and Steve Drobni.

The originally planned discussion of the budget was removed from the agenda because the budget was not ready to discuss. Thus, the meeting consisted entirely of votes about text to be included in the state party bylaws.

The first motion on the agenda, the preamble, had already been voted upon in the previous meeting and thus did not need to be handled again.

Motion 2 consisted of the following text:

Motion 2 External Relations

The Following Bylaw is adopted

Article External Relations

The Libertarian Party of Massachusetts may accept or exchange affiliation with libertarian-minded groups outside Massachusetts. The Libertarian Party of Massachusetts may send representatives or delegates to libertarian-minded organizations or associations of libertarian-minded organizations outside Massachusetts. The Libertarian Party of Massachusetts may form, participate in forming, or participate in national or international associations of libertarian-minded organizations.

Steve spoke in favor of the Bylaw, to the effect that it was good for the party.

Arthur said that it would allow the state party to be affiliated with some other national organization if the national libertarian party had enough financial trouble for us to desire it.

Carol outlined the history of merging LAMA with LPMA.

Mary-Anne explained the risk of affiliating too broadly, which might dilute our identity too much. The consensus was that while the Bylaw would allow us to do this, that would not mean we would do it.

Carol and Arthur discussed a passage in the current bylaws, having to do with the use of the word "Libertarian", but the eventual consensus was that there was no conflict between that and this.

Steve moved the question. Arthur seconded that. There were 5 votes in favor and none opposed.

Motion 3 consisted of the following text:

Motion 3 Officers

To replace the current Article IV on Officers, the following By-Law is adopted:

## Article State Committee Officers

### A. Officers Defined

The Officers of the State Committee are the Chair, Political Facilitator, Operations Facilitator, Treasurer, Recording Secretary, Membership Secretary, Editor, and Webmaster. The Officers of the State Committee are elected by majority vote of the voting members of the State Committee. The State Committee may remove an Officer from office by a simple majority vote.

Only Voting Members of the State Committee may serve as Chair, Political Facilitator, Operations Facilitator, or Treasurer. All other Offices may be held by any member of the State Party. Officers who are not Voting Members of the State Committee may speak in State Committee debates involving their areas of responsibility on the same basis as Voting members.

No person may concurrently serve as more than one of Political Facilitator, Operations Facilitator, or Treasurer. The Chair may not serve as Treasurer.

### B. Duties of Officers

#### 1. The Chair:

- a) presides at all State Committee meetings at which he is present, unless he recuses himself.
- b) proposes the agenda for all State Committee meetings.
- c) is the honorary spokesman for the State Party.
- d) assists and inspires LPMA Members and Chapters to work to achieve our political goals.
- e) is primary signatory on State Party bank accounts.

The term of office of the State Chair ends on December 29 of the year prior to a year in which a Presidential Primary or election is held.

#### 2) The Political Facilitator:

- a) oversees and supports candidate recruitment, candidate support, public education, membership outreach, and other political activities.
- b) belongs ex officio to working groups on local organization, elections, political action, membership, outreach, and fundraising.
- c) reports monthly to the State Committee.
- d) presides at State Committee meetings if the Chair is absent.
- e) performs the duties of Chair if the post is vacant.

#### 3) The Operations Facilitator:

- a) conducts fundraising.
- b) oversees and supports the non-political activities of the State Committee.
- c) reports monthly to the State Committee.
- d) belongs ex officio to the Working Groups on fundraising, budget and finance, conventions, audit, compensation, and nominations.

4) The Treasurer:

- a) maintains the Party's financial records.
- b) manages the party's financial accounts and donation systems.
- c) files Federal, State and other financial reports as required by Federal or State law or regulation.
- d) is a co-signatory on State Party bank accounts.
- e) provides a financial report monthly to the State Committee.
- f) serves as comptroller, ensuring that funds are received, spent, and reported in compliance with Law and Party By-Laws and State Committee actions.

5) The Recording Secretary:

- a) takes minutes of all State Committee meetings.
- b) circulates State Committee minutes to the Membership via the State Party Newsletter, web pages, and other means generally accessible to members.
- c) maintains the electronic archival record of state committee minutes in a form and location generally accessible to members.

6) The Membership Secretary:

- a) maintains the membership and mailing list records of the party. Records include but are not limited to records of current and past members, people who contacted LPMA, donors, and volunteers, including names, addresses, other contact information, and volunteer's tasks.
- b) notifies members that their memberships have or will expire.
- c) supplies membership and other information, for the good of the party, consistent with State Committee policy.
- d) reports monthly to the State Committee on new memberships, membership renewals, expirations, and current membership numbers.

7) Editor. The Editor chairs the committee that edits and publishes the monthly LPMA Newsletter, including print or electronic editions. The Editor may recruit assistants. The State Committee may direct that certain content be carried or not be carried in the Newsletter.

8 ) The Webmaster:

- a) chairs the electronic outreach working group.
- b) maintains the party web site and other electronic sites.
- c) ensures that party electronic sites are appropriately owned or registered by the state party, and that multiple officers have an archival record of electronic site passwords and other needful ownership data.
- d) reports monthly to the State Committee.

### C. Officer Committees

Each officer may form a committee of party members and other volunteers to help perform his duties, but the officer remains entirely responsible for seeing that those duties are performed.

### D. Spending

1) No officer may spend or commit the spending of Party funds unless those funds have first been appropriated by the State Committee. The State Committee may appropriate contingency funds for an officer or officers, to be spent as the officer or officers specify, subject to State Committee rules on documentation of expenditures. The State Committee may authorize the payment of regularly recurring bills without separate appropriations.

2) The State Committee will at all times have a Standing Rule specifying which officers must sign checks or make withdrawals from party accounts. For transactions involving more than one thousand dollars, the Standing Rule must specify that two or more officers must co-sign each transaction. The Treasurer may not serve as the sole signatory on checks or withdrawals, unless no other current officer is a signatory.

Mary-Anne expressed concern that we might not have people to fill the vacancies we specify. Discussion of potential candidates established a consensus that we do, but that the decision on who they are need not be reached in order to pass the bylaw. A consensus was established that the new officers would be elected at the next "in person" State Committee meeting, although no formal vote on that decision was taken.

Steve moved the question. Arthur seconded that. There were 5 votes in favor and none opposed.

Motion 4 consisted of the following text:

Motion 4 Working Groups

The following By-Law on Working Groups is hereby adopted:

Article. Working Groups

Section A. Purpose and Structure

1. Working Groups. Working Groups exist to do work for the Libertarian Party of Massachusetts.

2. Permanent Working Groups. The State Committee will identify State Committee members to belong to each working group. Other libertarians who volunteer and contribute in a positive way are welcome to join working groups. Recognizing the small size of the LPMA, working groups may well contain only a single member.

3. Officers. Each Working Group has a Facilitator. The Facilitator seeks to ensure that her or his Working Group performs its duties. Facilitators chair meetings of their Working Groups; they report monthly to the State Committee. Facilitators have no executive decision-making authority independent from their working group. Except as otherwise specified, each Working Group chooses its own facilitator. Working group activities are reported as appropriate to the State Committee LPMA Members.

4. Working Groups are expected to perform many activities without staging formal meetings under parliamentary procedure.

5. The State Committee may by majority vote remove a person as a member or Facilitator of a Working Group.

## Section B. Permanent Working Groups

1. There shall be permanent working groups for Local Organization, Elections, Political Action, Newsletter, Web Support, Outreach, Membership, Fundraising, Convention, and Audit and Compensation.

2. Local Organization. The Local Organization Working Group helps local and topical libertarian organizations. It encourages libertarians to act as local organizers, helps them to organize local and topical groups, and supplies them with information on potential group members. It supports, assists, and publicizes local and topical groups and advises them on possible activities. It develops resources to benefit local and topical groups.

3. Elections. The Elections Working Group helps libertarians win elections. It recruits and trains candidates and volunteers, supports ballot access drives, assists candidates with publications, fundraising, and Get Out The Vote efforts, and collects and distributes useful information to candidates. It works to maintain the honesty of the election process.

4. Political Action. The Political Action Working Group supports substantive political activities, other than electioneering for elective office. It assists with Referenda and Public Policy Questions, and aids OPH booths, rallies, demonstrations, protests, letter writing campaigns, litigation, and peaceful petitions for redress of grievances.

5. Newsletter. The Newsletter Working Group helps the Editor edit and publish the Newsletter.

6. Web Support. The Web Support Working Group operates or supports Liberty for Massachusetts Web and Wiki Pages, if any. It seeks to operate State Committee email lists, including a periodical announcements list, a moderated Activists list, and an unmoderated General list. Moderation of the Activist list shall not be used to forward the internal political agenda of the moderator. Whenever a message other than obvious commercial spam is rejected for the Activist List, the rejected message and the reason for the rejection shall be sent to the message's author and to the State Committee.

7. Outreach. The Outreach Working Group strives to inform the public about the libertarian direction. It develops and supports publicity and advertising drives, prepares press releases, responds to press inquiries, assists members with letter-writing drives, and produces and distributes outreach material. The Outreach Working Group includes ex officio the Editor and the Webmaster.

8. Membership. The Membership Working Group recruits and retains LPMA Members. It contacts new members to welcome them. It contacts inquirers and invites them to join. It encourages social events, public lectures, and other activities for prospective and current Members. It contacts persons who have ceased to be Members to determine why they left and to invite them to renew. The Membership Secretary is an ex officio Member of the Membership Committee Working Group.

9. Fund Raising. The Fund Raising Working Group raises money for the State Committee and its Working Groups, PACs, and 527 and other organizations. It cultivates individual donors, and conducts periodic large scale fund raising campaigns. It is scrupulous in promising donors how their money will be spent, and prompt and accurate in reporting to them and to the membership on how their money was actually spent. The Fund Raising Working Group has as ex officio members the Political Facilitator, Operations Facilitator, and Treasurer.

10. Convention. The Convention Working Group organizes and conducts the LPMA's Annual State Convention.

11. Audit and Compensation.

a. The Audit and Compensation Working Group annually and in addition on request of the State Committee reviews the State Committee's financial records, and the financial records of the Working Groups, to ensure that they are complete, accurate, and properly reported to the Membership. It determines if moneys have been received and spent in accord with LPMA By-Laws, State Committee actions, legal requirements, and fundamental ethical standards. It reports to the Membership and State Committee on irregularities, deficiencies, and deviations, and their causes, and recommends corrective measures.

b. The Audit and Compensation Working Group is elected by and from the State Committee. No Officer of the State Committee may be a member of Audit and Compensation Working Group.

### Section C. Ad Hoc Working Groups

The State Committee may form ad hoc working groups to perform tasks of limited, fixed duration.

Arthur expressed a desire to add to each working group a sentence making appropriate officers ex-officio members of the working group. For example, the newsletter editor would be a member of the newsletter working group. Concerns were expressed about overloading officers, especially such as the Chair, with too much work. Steve said this should be understood as giving the officer the authority to participate without the obligation to do so regularly.

Arthur also outlined a discussion which had happened within the bylaw committee, concerning the wording of the text concerning audit and compensation. If all officers are excluded, we might not have enough people. The idea was to exclude only the Treasurer and signatories on the bank account.

Neither the text of the extra sentence nor the revised audit text was available. Thus, Steve moved to table the question until it was available. Arthur seconded this.

Carol attempted to move that we return the text to the bylaw committee. Steve, as Parliamentarian, said that Carol, as Chair, could not make a motion, but, Steve withdrew his prior motion, and asked Arthur to withdraw the second, which Arthur did, then Steve made the same motion as Carol had, which Mary-Anne seconded.

There were 5 votes in favor of returning the text to the bylaw committee and none opposed.

Motion 5 consisted of the following text:

Motion 5 Chapters and Mutual Support

To Replace the current article VII on affiliation, the following By-law is adopted:

## VII. Chapters and Mutual Support

A) The State Committee charters Chapters with the expectation that each Chapter will be vigorously active at doing real politics. The State Committee supports and makes positive agreements with other pro-liberty groups that are not Chapters.

### B) Chapters

1) The State Committee may by majority vote create local, regional, or special-interest groups, under the cognomen 'Libertarian Party of Massachusetts, (name of place or interest) Chapter'. Chapters raise and control their own funds. Chapters are responsible for complying with, and are expected to comply with, State and Federal laws, in particular campaign finance and financial reporting laws and regulations.

2) Each Chapter Charter will specify the geographic area or natural affinity associated with that Chapter. Areas and affinities may overlap each other. Chapters are expected, subject to the limits of their resources, to recruit and support Libertarian candidates, including candidates whose campaigns fall at least in part within their geographic area or natural affinity.

3) Chapters agree that use of the name 'Libertarian Party of Massachusetts' is by permission of the State Committee, and that this permission may be revoked. Permission may be revoked for inactivity, for actions inconsistent with the State Party's purposes, or for actions damaging to the good name of the Party, by a 2/3 vote of the State Committee. Chapters agree that if permission is revoked they will promptly cease to use the words "Libertarian Party" in referring to themselves, and will forthwith change their name, to a name that does not include the phrase 'Libertarian Party'.

### C) Mutual Support Arrangements

1) The State Committee shall, subject to other demands on its resources, seek to make positive cooperative arrangements with other libertarian and pro-freedom groups in Massachusetts.

2) The State Party will, subject to other demands on its resources, support other local and special-interest libertarian and pro-freedom groups and activities in Massachusetts.

There were mixed feelings about the lack of a written record of giving permission. On the one hand, not having a record means that one need not turn it over to authorities. On the other hand, not having a record may make it harder to keep track.

However, the more serious concern about the change of bylaw as compared to what it replaces was the lack of clear procedure and authority for dealing with bad behavior by a chapter. The suggestion was that elements of the original bylaw, or something functionally equivalent, might remedy this.

Steve moved to send the text back to the bylaw committee. Arthur seconded that. There were 5 votes in favor and none opposed.

Motion 6 consisted of the following text:

Motion 6 Delegates to National Conventions

To Replace the current article IX on National Convention delegates, the following By-law is adopted:

Article: Delegates to National Conventions

#### A. Election at State Convention

Delegates to the Libertarian Party National Convention shall be chosen at the State Convention held immediately prior to the 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.

#### B. Notification

At least thirty days before a State Convention for election of National Convention delegates is held, the State Committee will notify all State Party Members whose dues are current of the date, location, and time of the State and National Conventions. If the timing of the announcement of the national convention makes this schedule impossible, the State Committee will proceed as rapidly as possible to make this notification.

#### C) Eligibility

1) To be eligible to be elected as a Massachusetts delegate to the National Convention, a person must be:

a) a legal resident of Massachusetts, and

b) a member in good standing of the Massachusetts Party.

2) A person who had been a member in good standing of the LPMA, within the past three years from the date of the State Convention, but whose membership has expired, may restore their active membership by paying dues prior to being elected.

#### D. Election of Delegates and Alternates at State Convention:

Delegates are nominated from the floor of the convention. Any person eligible to vote at the State Convention may make up to two nominations. Any person eligible to serve may rise and state that they volunteer to serve as a delegate; volunteering counts as a nomination. Nominations do not require seconds.

Before any votes are taken, each nominee may speak to, and be questioned by the delegates. The time allotted to each delegates for statements and questions shall be set by the chair, to be the same for all delegates and strictly enforced, but not to be less than one minute. After each nominee has spoken, nominations are declared closed. The time between which nominations are closed and ballots are accepted shall be at least two hours.

Election of National Convention delegates is made by approval voting. Each person in attendance at the State Convention and eligible to vote may cast votes for as many persons as Massachusetts is entitled to send delegates. The nominees who receive the most votes, up to the number of delegates that Massachusetts is entitled to send to the National Convention, are elected. Remaining nominees, up to a number equal to the number of delegates that Massachusetts is entitled to send to the National Convention, are elected as alternates.

The persons elected as Delegates or Alternates to the National Convention comprise the State Delegation.

#### E. Election of Delegates and Alternates Following the State Convention

Between the close of the most recent State Convention and the National Convention, the State Committee may by majority vote elect additional delegates or alternates to the National Convention as needed to complete the delegation. Within one week before the National Convention, the State Delegation may meet at the convention site and by two-thirds vote elect additional delegates or alternates to the National Convention as needed to complete the delegation. In the event that the number of delegates and alternates at the National Convention exceeds the number of delegates to which Massachusetts is entitled, delegates and alternates elected at the state convention shall be seated before delegates and alternates elected by the state committee, with delegates elected by the State Delegation being seated only after all other delegates are seated. To be elected as a Massachusetts Delegate by the State Committee or by the State Delegation, a person must have been eligible to be elected by the State Convention as a delegate.

#### F. Pledging of Delegates

A delegate may promise their vote for or against a candidate, but such promises are not enforceable except by the delegate's conscience.

#### G. Seating Order of Delegates

1) In the event that more persons are present at the National Convention, wishing to be seated as delegates, than there are available seats, delegates shall be seated in the following order.

- a. Current State Committee Members who exercised their right to be named as delegates ex-officio at the State Convention.
- b. All other persons elected as delegates at the State Convention.

- c. All persons elected as alternates at the State Convention.
- d. Other State Committee Members.
- e. Any person elected as a delegate by the State Committee after the State Convention, but before the National Convention.
- f. Any person elected as an alternate by the State Committee after the State Convention, but before the National Convention.
- g. Any person elected as a delegate by the State Delegation at the National convention.
- h. Any person elected as an alternate by the State Delegation at the National convention.

2) With each of the above classes of person, the order of seating shall be:

- a) State Committee members-in order of total votes received for their own election
- b) Persons elected by the convention-in order of total votes received
- c) Persons elected by the State Committee or the State Delegation-in chronological order of election.

3) Any conflict in seating remaining, after the above priorities have been applied, shall be resolved by the Chair of the State Delegation or his designee using a draw of playing cards or other agreeable method of random selection.

Arthur expressed a desire that it would have been nice to require having None of the Above (NOTA) on the ballot, but that doing so in a situation where there were, for example, two feuding groups of people, could result in having NOTA get more votes than any candidate where this was not what the people who voted that way would have wanted. Thus we could not come up with a way to incorporate NOTA into the bylaw, and left the text as it was.

Steve called the question. Mary-Anne seconded that. There were 5 votes in favor and none opposed.