

On June 21st, 2009, at Tweed's Pub in Worcester MA, Chairman David Blau called the meeting of the State Committee of the Libertarian Party of Massachusetts to order at 1:25 p.m. Also present were Membership Secretary and Treasurer George Phillis, Operations Facilitator Arthur Torrey, and Webmaster Mary-Anne Wolf.

The minutes from the previous state committee meeting, without the appendix reflecting changes under consideration to the party constitution, were approved by a vote of 3 in favor and one abstention.

Discussion of Motion 1 was postponed until later in the meeting.

Motion 2 had been passed at the previous State Committee Meeting, and there was no opposition to it or requests for changes or requests for reconsideration at this meeting.

The text of Motion 2, as passed, was: 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 was passed by a vote of 4 in favor and none opposing.

Motion 3 involved changing the Title and Preamble of our organization's Constitution.

As a result of Motion 3, it was agreed that we submit for a vote at the next State Convention that the following text in our Constitution:

The Constitution of the Libertarian Party of Massachusetts
(As amended at the 2008 Regular State Convention)

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.

should be replaced by:

The Constitution of the Massachusetts Libertarians
(As amended at the XXXX Regular State Convention)

Preamble, Name and Purpose

We, the Libertarians of Massachusetts, do hereby unite to form Massachusetts Libertarians, in order to give voice to and implement the fundamental principles 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 the State Committee exist solely as a path for reaching the objectives of this preamble.

Motion 4 primarily concerned our State Conventions.
It involved modification of Article II of our Constitution.
Motion 4 was modified during the State Committee Meeting.
Motion 4 passed on a vote of 4 in favor and none opposing.

As a result of Motion 4, as modified, it was agreed that we submit for a vote at the next State Convention that the following text in our Constitution:

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.

should be replaced by

Article II: State Convention

1. A Regular State Convention shall be held in every year.
2. Persons, who are members of Massachusetts Libertarians whose dues are current, and who joined Massachusetts Libertarians 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 Massachusetts Libertarians, 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 Massachusetts Libertarians dues are not current, may join or rejoin Massachusetts Libertarians 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, Massachusetts Libertarians 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 primarily concerned putting candidates on the ballot. It involved modification of Article III of our Constitution. Motion 5 was modified during the State Committee Meeting. Motion 5, as modified, passed on a vote of 4 in favor and none opposing. In the discussion of Motion 5, and other motions, there was a consensus that where there are state laws governing the functioning of our organization, our Constitution and Bylaws should, as much as our expertise allows, not redundantly repeat matters already covered by state laws. Placing candidates onto the ballot is among issues which have aspects already covered by state laws, and this motivated some of the text which was agreed to.

As a result of Motion 5, it was agreed that we submit for a vote at the next State Convention that the following text in our Constitution:

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.

should be replaced by

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 primarily concerned the State Committee and the State Convention. It involved modification of Article IV of our Constitution. Motion 6 was modified during the State Committee Meeting. The text being changed was long enough that the State Committee voted on the smaller numbered parts of Article IV separately, and also on the entire end result after each smaller part had been considered. Some smaller parts were changed, and others were entirely removed. All of the changes and removals, as well as the total end result, passed on votes of 4 in favor and none opposing.

During the conversation about Motion 6, there was a consensus that there would need to be a future discussion regarding the treatment of Special State Conventions in our Constitution, and that those State Committee Members who were absent from this meeting should be informed that this issue will be discussed.

During the conversation about Motion 6, it was also agreed that all references to our organization by name ("Massachusetts Libertarians", or "Libertarian Party of Massachusetts") should, except in the part of the Constitution which names the organization, be referred to as "the organization". This would allow for a change in the name of the organization without requiring pervasive changes to our Constitution.

As a result of Motion 6, it was agreed that we submit for a vote at the next State Convention that the following text in our Constitution:

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. should be replaced by

Article IV: State Committee

1. Each regular State Convention shall elect as provided in the Bylaws up to nine State Committee Members, to serve as the State Committee until the conclusion of the next Regular State Convention.
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.

12. 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) was passed with 4 in favor and none opposed. As a result of motion 7, it was agreed that we submit to the next State Convention a motion to remove this text in our constitution and renumber appropriately.

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.

Motion 8) was passed with 4 in favor and none opposed. It was modified during the State Committee Meeting.

It was agreed that Article VI in our constitution

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.

be replaced by the following:

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, 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.

This proposal involves removing: 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.

Motion 1) involved changing the name of our organization. In the discussion, there was a consensus that there are multiple angles to this decision. There is the legal angle, both respect to the legal name of our organization and to the legal names of our Political Action Committees for support of Federal and non-Federal candidates. There are the aspects of marketing, public relations, and what we put on the website. It was decided to postpone the voting until more of the State Committee were present to participate in the discussion.

Following the written motions, there were officer reports:

Dave Blue reported that he has been compiling records of those who have expressed interest in volunteering, and that he intends to telephone these people, and find out their availability. We also discussed some things which volunteers could do.

Arthur Torrey has done mailings to recently expired members. Very few of them are renewing, and the State Committee has decided to ask these former members about their political interests, to see if we can match their priorities better and motivate them to renew.

Our 3 Meetup groups have been renewed - Boston, Route 495/Lowell, and Western Massachusetts/Springfield. There appears to be local interest in Libertarian activity in Essex County and the South Shore. There was discussion of a possibility of starting meetups there.

A group of people were standing around Coolidge Corner in Brookline, calling Obama a Fascist. A woman walked up to them and they were rude to her and she wrote a letter about that to the Brookline Tab newspaper which drew negative attention to the events. It was confirmed that these people are not affiliated with our organization or with the MassLPA. There was no decision by the State Committee to take further action on this.

Due to a mistake by Operations Facilitator Arthur Torrey, our organization did not repeat its usual booth at the Boston Pride Festival. Torrey thought that the event was later in the summer than was the case, and failed to get things moving soon enough. Our state organization retains its position in favor of the right of consenting adults to engage in, or not engage in, whatever sexual relationships they prefer, and that until such time as "government gets out of the marriage business", freedom of same-sex couples to marry is much better than restricting legal marriage to opposite-sex couples.

Our Chair plans to include a statement in support of Gay Marriage in the next newsletter.

Arthur Torrey reported that someone is doing national organizing for a Libertarian presence at the Van's Warped Tour. This organizer would provide admission bracelets for two people. Judging by our previous experience, staying for the whole event is exhausting enough that having more than

two people, able to work in shifts would be better, and we are looking for additional volunteers to do this. Arthur Torrey will look into what is involved in participating in the event. There was also a consensus that we need to improve the follow-up with the libertarians whose names were gathered at the Operation Politically Homeless (OPH) booth there.

It was discussed that it would be a good idea to have someone volunteer to be our Volunteer Coordinator, to work with other members of the State Committee to arrange for those who express interest in volunteering to become more active.

Mary-Anne Wolf reported posting news on the website front page, and uploading a considerable number of old newsletters to the newsletter archives. Arthur Torrey added that we now have 74 members on the website forum.

George Phillies reported that we have 94 members and 2 monthly donors. Phillies has been in touch with the Massachusetts Cannabis Reform Coalition (aka MassCann) about us having an Operation Politically Homeless booth at their event on September 27th. We need a volunteer to watch the site while our tent and other objects are being moved from vehicles, and someone willing to stay late after most activity has subsided, and volunteers to staff the booth between times.

George was approached by a graduating high school senior who wanted to redo our website. It was suggested to the student that he create a student-specific site first, and thus FreeMass.org was created. Dave Blau worked with Citizens for Change, whose goal is to remove the legislature from the initiative petition process with respect to amendments to the Massachusetts constitution.

It was also discussed that Carla Howell is a candidate to be Executive Director of the LP National Party.

Official adjournment was at 4:16 p.m. although the FreeMass.org and subsequent discussion happened after official adjournment and is included here for completeness.

The following motions were voted upon by online vote between May 17th and June 21st, 2009.

On Jun 13th, Arthur Torrey posted the following: Our dues for maintaining some of our meetup groups have come due again - and due to a communications failure between George and myself, were due to expire in less than a week. Because I did not think there was sufficient time to get a motion to tell George to cut a check and mail it to Meetup passed, I have personally paid the bill for the next 6 months renewal, and would like to request reimbursement in the amount of \$72.00

As I understand it, this covers three groups - The route 495 group, the Boston group, and the Western MA group.

This motion passed with 4 in favor and 1 opposed.