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Appendix A

**Draft Minutes of the July 17-18, 2011 Meeting
of the LNC's Executive Committee**



LNC EXECUTIVE COMMITTEE

CONFERENCE CALL MINUTES

JULY 17-18, 2011

DRAFT DISTRIBUTION DATE: JULY 19, 2011

CURRENT STATUS: **DRAFT**

ATTENDANCE

Executive Committee members present were: Mark Hinkle (Chair), Alicia Mattson (Secretary), Bill Redpath (Treasurer), Kevin Knedler, Jim Lark, and Mary Ruwart.

Other LNC members present were: Doug Craig, Stewart Flood, Dan Karlan, Vicki Kirkland, Rebecca Sink-Burris, Dan Wiener, and Andy Wolf.

Executive Director Wes Benedict was present, as was legal counsel Gary Sinawski.

Representing the Libertarian Party of South Dakota were Tony Ryan and Samuel Saunders.

Representing the two groups both claiming to be the leadership of the Libertarian Party of Oregon were Wes Wagner, H. Joe Tabor, Richard Skyba, Tim Reeves, and Richard Burke.

CALL TO ORDER

The meeting was called to order at 11:35 am Eastern on July 17, 2011.

AGENDA

The purpose of the meeting was to address two subjects:

- 1) Ballot access funds request for South Dakota
- 2) Status of the Oregon affiliate, including a discussion with representatives from each of two groups claiming to be the leadership of the Oregon affiliate and also an Executive Session with the LNC's legal counsel

SOUTH DAKOTA BALLOT ACCESS

Mr. Redpath moved to encumber \$22,000 for a party petition drive in South Dakota to be completed in 2011.

A party petition for South Dakota would be due March 1, 2012. It would require 7,928 valid signatures, and it would effect ballot access for 2012 and 2014. In November 2014, a Libertarian candidate for governor would need to receive 2.5% of the vote to retain ballot access for the next cycle. Dr. Saunders of South Dakota indicated that if no other governor candidate is found, he will run for governor at that time.

Voting on the motion:

Aye: Hinkle, Knedler, Lark, Mattson, Redpath, Ruwart

Nay: (none)

The motion was adopted by a vote of 6-0.

STATUS OF THE OREGON AFFILIATE

Each of the two groups claiming to be the officers of the Libertarian Party of Oregon was given five minutes to make a statement to the Executive Committee. Following that, LNC members had the opportunity to ask the groups questions they still had after having read the extensive amount of written material submitted to the LNC over the past several months.

Dr. Ruwart moved that the Executive Committee defer action on this matter until the August LNC meeting in Columbus, Ohio. As a result of some points of information, it was indicated that additional information not yet presented might speak to the timeliness issue. The motion failed for lack of a second.

Dr. Lark moved that the Executive Committee enter executive session with our legal counsel to discuss legal matters and that we thank our guests for their time.

Voting on the motion:

Aye: Hinkle, Knedler, Lark, Mattson, Redpath, Ruwart

Nay: (none)

The motion was adopted by a vote of 6-0.

A roll call compared with the conference system count of 13 participants indicated that no guests from South Dakota and Oregon remained on the call, and Mr. Wolf and Mr. Craig had disconnected.

The Executive Committee entered executive session at 1:20pm Eastern.

During executive session, two Executive Committee members found it necessary to disconnect from the call to attend to other obligations – Dr. Ruwart departing approximately 15 minutes into the executive session, and Mr. Knedler departing in the final moments of executive session.

The Executive Committee arose from executive session at 2:20pm Eastern.

The four Executive Committee members still present expressed a reluctance to take action with three members absent.

Without objection at 2:23pm Eastern the Executive Committee adjourned to 9pm Eastern on July 18 to continue discussion of the Libertarian Party affiliate in Oregon.

STATUS OF THE OREGON AFFILIATE - CONTINUED

The Executive Committee came back to order at 9:10pm Eastern on July 18, 2011.

Executive Committee members present were: Mark Hinkle (Chair), Mark Rutherford (Vice-Chair), Alicia Mattson (Secretary), Bill Redpath (Treasurer), Kevin Knedler, Jim Lark, and Mary Ruwart.

Other LNC members present were: Randy Eshelman, Stewart Flood, Dan Karlan, Vicki Kirkland, Rebecca Sink-Burris, and Dan Wiener.

Executive Director Wes Benedict and legal counsel Gary Sinawski were present.

Without objection the Executive Committee entered executive session at 9:13pm Eastern to recap material for the benefit of those not present for all of yesterday's executive session.

The Executive Committee arose from executive session at 9:27pm Eastern.

Mr. Rutherford moved to adopt the following resolution:

“Based upon the available evidence, the Executive Committee of the Libertarian National Committee finds that the Bylaws of the Libertarian Party of Oregon (as amended March 14-15, 2009) are the Bylaws of the Libertarian Party of Oregon, and that these bylaws have been in effect since March 15, 2009.”

After brief discussion, Mr. Redpath moved the previous question, which was adopted without objection.

Voting on the main motion:

Aye: Hinkle, Knedler, Lark, Mattson, Redpath, Rutherford

Nay: Ruwart

The main motion was adopted by a vote of 6-1.

Mr. Rutherford moved to adopt the following resolution:

“Based upon the available evidence, the Executive Committee of the Libertarian National Committee recognizes as the officers of the Libertarian Party of Oregon those people elected by the State Committee during its meeting on May 21, 2011. They are:

Chair: Tim Reeves

Vice chair: Eric B. Saub

Secretary: Carla J. Pealer

Treasurer: Gregory Burnett”

After discussion, Mr. Redpath moved the previous question, which was adopted without objection.

Voting on the main motion:

Aye: Hinkle, Knedler, Lark, Mattson, Redpath, Rutherford

Nay: Ruwart

The main motion was adopted by a vote of 6-1.

Mr. Rutherford moved to adopt the following resolution:

“The Executive Committee of the Libertarian National Committee urges the members of the Libertarian Party of Oregon to work together to resolve their disagreements.”

Mr. Redpath moved the previous question, which was adopted without objection.

Voting on the main motion:

Aye: Hinkle, Knedler, Lark, Mattson, Redpath, Rutherford, Ruwart

Nay: (none)

The main motion was adopted by a vote of 7-0.

ADJOURNMENT

The meeting adjourned without objection at 9:39pm Eastern.

Appendix B

**Notification to Appellant by the Libertarian Party Secretary
of the Outcomes of the LNC Executive Committee's
July 17-18 Meeting**



Alicia Mattson <agmattson@gmail.com>

outcome of LNC Executive Committee meeting

Alicia Mattson <agmattson@gmail.com>

Mon, Jul 18, 2011 at 8:46 PM

To: timothy.reeves@tenthamentendmentcenter.com, wes.wagner@gmail.com

Cc: Mark Hinkle <mark@garlic.com>

Mr. Reeves and Mr. Wagner,

First let me extend to each of you thanks for joining the LNC Executive Committee's meeting yesterday regarding the status of the Oregon affiliate of the Libertarian Party. The meeting was adjourned yesterday before concluding our discussion of that topic, and we took up the subject again in a meeting earlier this evening.

I am writing to convey to you the text of three motions that we adopted:

-----Motion 1-----

Based upon the available evidence, the Executive Committee of the Libertarian National Committee finds that the Bylaws of the Libertarian Party of Oregon (as amended March 14-15, 2009) are the Bylaws of the Libertarian Party of Oregon, and that these bylaws have been in effect since March 15, 2009.

(This motion was adopted by a vote of 6-1.)

-----Motion 2-----

Based upon the available evidence, the Executive Committee of the Libertarian National Committee recognizes as the officers of the Libertarian Party of Oregon those people elected by the State Committee during its meeting on May 21, 2011. They are:

Chair: Tim Reeves

Vice chair: Eric B. Saub

Secretary: Carla J. Pealer

Treasurer: Gregory Burnett

(This motion was adopted by a vote of 6-1.)

-----Motion 3-----

The Executive Committee of the Libertarian National Committee urges the members of the Libertarian Party of Oregon to work together to resolve their disagreements.

(This motion was adopted by a vote of 7-0.)

Alicia Mattson
Secretary, Libertarian Party

Appendix C

**Appellant's Response to Notification of the Outcomes
of the LNC's Executive Committee Meeting**



Alicia Mattson <agmattson@gmail.com>

outcome of LNC Executive Committee meeting

Wes Wagner <wes.wagner@gmail.com>

Mon, Jul 18, 2011 at 9:33 PM

To: Alicia Mattson <agmattson@gmail.com>

Cc: timothy.reeves@tenthamentendmentcenter.com, Mark Hinkle <mark@garlic.com>, lpo-state-committee@googlegroups.com

Alicia,

Thank you for providing us the response we were expecting. I recently left a conference call with the proper legal board of directors of the Libertarian Party of Oregon. They requested I send you our official response since we had anticipate this outcome on your part. (see attached jpg)

Please know I am not being flippant, this really was the decision of our board. Please forward this official response to the rest of the executive committee of the Libertarian National Party, Inc. as a courtesy. The decision to make this response was made without objection. Minutes will be available on our website in the coming weeks as is standard.

Further we do not recognize your organization as having any legal authority to decide these matters since we are not a subsidiary of your organization and are a domestic non-profit political pac incorporated under the laws of Oregon. If you wish to affiliate with a different legal entity in Oregon, that is of course your option.

Sincerely,

Wes Wagner

Chairperson, Libertarian Party of Oregon

[Quoted text hidden]

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Wes Wagner



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Appendix D

**Minutes of the March 31, 2011 Meeting
of the LPO State Committee**

Libertarian Party of Oregon
State Committee Meeting Minutes

March, 31 2011 7:00 PM

Elmer's Restaurant in Salem OR --- 3950 Market Street SE

Call to Order at 7:00 PM

Attendance

Wes Wagner Chair, Mark Vetanen Treasurer, Dave Shelley Clackamas County, Fred Jabin Marion County, Richard Skyba Treasurer, Jim Karlock Multnomah County, Orrin Groves Marion County observer, Angela Grover Marion County, Herb Booth Multnomah County observer, Dave Terry Yamhill County, Joe Tabor Multnomah County observer, David Long Washington County, Ron Bream Multnomah County.

Before reading of minutes, Richard Skyba cited our repeated inability to reach quorum issue and introduced a motion to replace LP Oregon bylaws and constitution as a fix. New documents are updated versions of what was presented in November 2010 special convention.

Vetnanen covered materials and what is in it. Dave Terry wanted to table til we all had an opportunity to review overnight. Vetanen brought up that Yamhill was disaffiliated unfortunately. Wagner covered prior judicial ruling per events in 2009 & early 2010. Angela Grover appealed ruling of chair that Yamhill was disaffiliated.

Committee voted to honor Yamhill County presence for state committee meeting due to importance of motion introduced.

Terry motion called to vote. 4 voted to table. 5 voted to continue to debate on Skyba motion.

Vetnanen offered arguments in favor of replacing bylaws.

Angela Grover offered a motion to replace existing motion with her motion. After some modification to motion, motion was denied 4-5.

Point of order and parliamentary order raised by Grovers. "Can we do this and what is majority requirement".

Jabin, ors statute says we can do this since according to Oregon statute, our entire bylaw and constitution is invalid. Karlock, seconds that point. Wagner cited state law which says it is majority requirement for approval. Debate continued.

7 minute recess. Meeting commenced without Yamhill and Washington County representation.

Multiple motions and amendments to new bylaws and constitution (note, new documents to go out electronically with "track changes" feature turned on to highlight these changes to the original

document). New bylaws and constitution to be ratified by registered Oregon libertarians at next convention. Mailing to go out before then per new document guidance.

Fred moved to close debate. New bylaws and constitution is approved. 5 in favor, none dissenting with 2 abstaining.

Motion to create Board of Directors. Angela Grover, Richard Skyba, Joe Tabor, Ron Bream, Mark Vetanen, Wes Wagner, Jim Karlock, Joe Shelley, Herb Booth are on Board. Approved by acclamation.

Date of next meeting is April 19th, at Village Inn restaurant at 6 pm (near Lloyd Center in Portland).

Meeting is adjourned. 9:03 pm.

Note – due to time constraints (Elmer’s restaurant closed at 9:00 PM), meeting was adjourned without discussion of agenda items below with the exception of number IX.

I. Reading and Approval of Minutes

A) State Committee Meeting January 3rd, 2011

II. Reports of Officers and Standing Committees

A) Officers

1. State Chairperson
2. State Vice Chairperson
3. Treasurer
4. Secretary

B) Standing Committees

1. Judicial Committee

III. Reports of Special Committees

A) Audit Committee

IV. Reports of Affiliated County Parties

V. Open Forum: Observers are allowed to speak regarding any item on the agenda.

VI. Special Orders

VII. Unfinished Business and General Orders

A) Reconciliation of 2010 LPO annual convention minutes and published LPO bylaws.

A) From September 20, 2010 meeting: Loan repayment issue, specifically for Jim Karlock and Michal Gonsior

B) From September 20, 2010 meeting: Party building.

VIII. New Business

- A) Approval of convention room expenses for the adjourned convention.
- B) Proposal for standing order to use RONR "Procedure in Small Boards" page 470 when conducting meetings
- C) Current ACP/Representatives
- D) Up to date membership list
- E) Two proposed quorum fixes. One based on state-com motion with regards to membership and the other an extra ordinary emergency procedure approved by the membership
- F) Special convention for Judicial Committee

IX. Set Next State Committee Meeting

X. Open Forum: Anyone is allowed to speak regarding any item..

Appendix E

**Constitution of the LPO
Last Amended December 29, 2007**

Libertarian Party of Oregon Constitution

Article I – Name

The name of this organization shall be the Libertarian Party of Oregon, hereinafter referred to as the LPO.

Article II – Purpose

The LPO is a political party which has as its primary purpose those political actions which oppose the initiation of force by government against any individual or group of individuals.

Article III – Membership

An individual subscribing to the LPO Statement of Principles and to the purpose of the LPO may become a member of the LPO subject to the provisions of this Constitution and Bylaws. All delegates may vote in convention on any and all LPO business. [2007-12-29]

Article IV – Organization

SEC. 1. Affiliated Organizations. Affiliated organizations shall be recognized by the State Committee in accordance with this Constitution and Bylaws. [1995-06-11]

SEC. 2. Officers. The officers of the LPO shall be a state Chairperson, state Vice-Chairperson, Secretary, and Treasurer. If no treasurer is elected, the LPO may hire a treasurer. [2007-12-29]

SEC. 3. State Committee. The State committee shall consist of all officers of the LPO and any directors or representatives which may be defined in the Bylaws. The State Committee shall be responsible for the control and management of all the affairs, properties, and funds of the LPO, consistent with this Constitution and Bylaws and with any rules or resolutions which may be adopted in convention.

SEC. 4. Judicial Committee. The Judicial committee shall consist of five LPO members who are neither officers nor directors of the LPO nor officers of any affiliated organizations. The Judicial committee shall be the final body of appeal in all matters requiring interpretation of the Constitution, Bylaws, rules, or resolutions of the LPO, subject to the provision that a decision of the Judicial committee may be overruled by a three quarters vote at the next convention.

Libertarian Party of Oregon Constitution

Article V – Conventions

The LPO shall hold an annual convention to conduct such business as may properly come before it at a time and place set according to the Bylaws and in conformance with this Constitution and Bylaws, and convention Rules as approved at each annual convention.

Article VI – Bylaws

The Bylaws are hereby affixed to and subordinate to this Constitution.

Article VII – Distribution of this Constitution and Bylaws

An official copy of this Constitution, Bylaws, and Convention Rules will be prepared, dated and signed by the presiding officers within 60 days after the annual convention and shall be photocopied for distribution to LPO members upon request, at cost.

Article VIII – Amendments

This Constitution may be amended by a two-thirds vote of all votes cast by registered delegates at an LPO convention, following compliance with the provisions of the Bylaws concerning such amendments.

Appendix F

**Bylaws of the LPO
Last Amended March 14-15, 2009**

Libertarian Party of Oregon Bylaws

Amended March 14-15, 2009 Newport, Oregon

Article I – Purpose and Methods

A. The purpose of the LPO is to conduct the following activities consistent with the LPO statement of principles and with this Constitution and Bylaws:

1. Promote a libertarian political philosophy.
2. Develop and refine a platform and set of resolutions.
3. Foster creation and development of affiliate organizations in order to increase the presence and political stature of the Libertarian Party. [19950611]
4. Nominate, endorse and support candidates for political office within the state of Oregon.
5. Support national candidates for political office endorsed by the national Libertarian Party.
6. Work toward the reform of Oregon and United States statutes to embody the principles of Libertarianism.
7. Support, sponsor, and engage in political actions to oppose initiation of force against individuals and groups of individuals.

B. The methods of the LPO in seeking to achieve the purpose as set forth above shall be to:

1. Engage in educational and informational activities within the state of Oregon.
2. Arrange annual and special conventions of the LPO as the need arises and consistent with this Constitution and Bylaws.
3. Assist members working to legally establish or develop affiliate organizations and grant charters to new affiliate organizations when in the interest of the LPO and in accordance with the LPO Constitution and Bylaws. [19950611]
4. Set up the mechanisms for conducting statewide campaigns and presidential campaigns and assisting local campaigns within the state.
5. Keep the general public informed through such media as are available of our positions on current issues, laws and public policies.
6. Raise the funds necessary for conducting the affairs of the LPO.
7. Increase active membership in the LPO.
8. Assist active members in the development of skills and knowledge necessary to promote the purposes of the LPO.
9. Regularly publish a newsletter to keep active members well informed and facilitate good communications.
10. To provide LPO members with reasonable advance written notice regarding conventions, meeting and other activities as specified in this document. Except as contradicted by state law or in matters before LPO governing bodies involving LPO membership termination, the removal of LPO members from party offices prior to the conclusion of their terms of office, the revocation of ACP or AIG charters, or the disclaiming of a nominated candidate for public office, the 'written notice' will be interpreted to include electronic documents if individual members request electronic notices. [20030607]

Article II – Statement of Principles

The LPO hereby adopts as its Statement of Principles the Statement of Principles of the National Libertarian Party current on 1 January 1975. Any changes made after that time in the Statement of Principles of the National Libertarian Party shall be adopted into the LPO Statement of Principles, subject to the following provisions:

SEC. 1. Notification of Membership. A copy of the proposed changes in the LPO Statement of

Libertarian Party of Oregon Bylaws

Amended March 14-15, 2009 Newport, Oregon

Principles, along with the provisions of this article, must be submitted to the chairperson of each affiliated organization and to each LPO member within thirty days after the State Chairperson is notified of the changes in the National Libertarian Party.

SEC. 2. Adoption / Rejection. Thirty days after notification as per Section 1 of this article, the proposed changes in the LPO Statement of Principles shall be adopted, unless before that time, the state Chairperson receives written notice of objection to that adoption from five or more LPO members or from two or more affiliated organizations.

SEC. 3. Mail Ballot. Upon receiving written notice of objection to the proposed changes in the LPO Statement of Principles as per Section 2 of this article, the State Chairperson shall conduct a mail ballot on the issue, subject to the provisions of the Constitution and Bylaws.

Article III – Membership

SEC. 1. Purpose. The purpose for membership in the party is to grant the bearer the right to vote in all LPO business, special and nominating conventions, mail ballots and other assemblies of the body.

SEC. 2. Requirements for Membership. Full voting membership in the LPO shall be open to any individual who submits a completed application to the LPO and pays such dues as may be in effect at the time of application. Dues for membership in the LPO will be equivalent to the Oregon Political Tax Credit as set for an individual. Only LPO members who pay dues and keep them current may hold LPO office and/or participate as voting delegates at LP National conventions and LPO Special or annual business conventions. [20090314]

SEC. 3. Terms of Membership. A schedule of membership terms and dues shall be set by two thirds vote the State Committee. Each membership is valid for the length of time as specified on the application it was submitted on.

SEC. 4. Renewal of Membership. Membership remains in effect for one (1) year following the date of application or the date of payment of dues, whichever comes later, unless terminated under the provisions of this article. [20051001]

SEC. 5. Termination of Membership. The State Committee may, by a two-thirds vote of members present, bring charges against any member. These charges shall result in the termination of that person's membership, subject to the following provisions:

A. Charges must be specific and must either concern failure to maintain requirements for membership, as provided for in this Constitution and Bylaws, or they must concern actions which violate the rights of individuals as LPO members by misrepresenting the position of the LPO as expressed in this Constitution and Bylaws, the current platform endorsements, and similar expressions of policy of the LPO. Other actions taken by an LPO member, though they may violate the Statement of Principles and may violate the rights of other individuals, shall not be grounds for termination of membership if the actions do not violate the rights of individuals as LPO members.

B. Written notification of the charges must be submitted to the member charged and the

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Amended March 14-15, 2009 Newport, Oregon

Judicial Committee Chairperson.

C. No membership of a person charged under this section shall be terminated without a hearing before the Judicial Committee concerning the charges, with the exception that any member so charged may submit a waiver of the right to such a hearing. Such a waiver shall constitute termination of the person's membership.

SEC. 6. Termination Hearings. Every LPO member charged by the State Committee under Section 5 of this article has the right to a hearing before the Judicial Committee regarding those charges, such hearing to be held following written notification from the State Committee of the charges. Following the hearing, the Judicial committee shall rule either to terminate the membership of the member charged or to continue that membership in good standing. Should the Judicial committee fail to rule following such a hearing, the member shall continue in good standing in the LPO.

Article IV – Affiliate Organizations

SEC. 1. Affiliation of Organizations to the LPO.

1. The LPO State committee may grant charters to groups of LPO members legally seeking to establish affiliate organizations. There shall be two types of affiliate organizations recognized by the LPO: Affiliated County Parties (ACPs) and Affiliated Interest Groups (AIGs). [19950611]

2. Purposes. ACPs exist to provide a venue of political activity for LPO members living in a particular county and to facilitate party growth and electoral success. AIGs may be organized for any purpose that is consistent with the LPO Declaration of Principles.

3. Autonomy. Affiliate organizations are autonomous in the scope and conduct of their activities beyond that which is outlined in this document and the LPO Constitution. [19950611] ACPs may nominate candidates for public office in districts which are wholly within their boundaries. [20090314]

4. Formation. Those wishing to obtain an affiliate organization charter must submit a copy of the minutes of an organizational meeting which includes a list of eligible officials elected in an organizational meeting, and a copy of the governing documents adopted at that meeting. Approval of all affiliated organization charters will be by simple majority of the State Committee. [20090314]

5. Organizational Structure. Each affiliate organization shall establish the position of Chair. Further structure may be also be established, as needed by the affiliate organization. Specific job descriptions of all offices shall be included in the governing document(s) of each affiliate organization. [20090314]

6 Eligibility for Office. Each affiliate organization office holder shall be a member of their affiliate organization, the LPO, and a registered Libertarian elector in the State of Oregon. No affiliate organization officer shall be an officer of the LPO or a member of the LPO Judicial Committee. [20090314]

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7. Reports to the State Committee. Each affiliate organization shall provide the State committee with the names of its officers, the address of its Chairperson, and a copy of its governing documents within 30 days of any change or of a request from the State Committee.[19950611]

SEC. 2. County Parties

1. Charters. Only one ACP charter shall be granted for each county. [20090314]

2 Changes in Charter Status Due to Member Attrition. If the membership of an ACP should fall below two LPO members, the LPO State committee will notify the appropriate ACP Chair of the deficiency. The Chapter then becomes inactive until two LPO members activate it by notifying the State Committee. [19970112]

3. Membership. Each LPO Member whose primary residence is in the county associated with an ACP shall be eligible to join that ACP. ACPs may charge membership dues. [20090314]

SEC. 3. Affiliated Interest Groups (AIGs).

1. Charters. The organizers of each AIG may choose any unique name for their organization. [19970112]

2. State Committee Representation. AIGs will not have voting representation on the LPO State Committee. [20090314]

3. Membership. Each AIG shall have complete autonomy in the determination of its membership requirements. [19950611]

SEC. 4. Endorsements by Affiliated Organizations. An affiliated organization shall not endorse a candidate for political office in opposition to the one endorsed by any county party, the LPO, or the National Libertarian Party. No other limitations shall be placed on endorsements by an affiliated organization. [20090314]

SEC. 5. Revocation of Affiliated Organizations. The State Committee may, by a two-thirds vote of the members present, bring charges against any affiliated chapter organization. These charges shall result in the revocation of the organization's affiliation, subject to the following provisions: [19950611]

A. Charges must be specific, and must concern actions alleged to be in violation of the Constitution or these Bylaws. [19950611]

B. Written notification of the charges must be submitted to the Chairperson of the affected organization and to the Judicial Committee Chairperson. [19950611]

C. No affiliation of an organization charged under this section shall be revoked by the LPO without a hearing before the Judicial Committee concerning the charges, with the exception

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that any chapter so charged may submit a written waiver of its right to such a hearing. Such a waiver shall constitute revocation of that organization's affiliation. [19950611]

SEC. 6 Revocation Hearing. Upon notification of the charge against an affiliated chapter as per Section 3 of this article, the Judicial Committee shall hold a hearing concerning the charges. Following the hearing, the Judicial Committee shall rule either to revoke the affiliation of the organization or to continue the affiliation. Should the Judicial Committee fail to rule following such a hearing, the organization's affiliation shall continue in force. [19950611]

SEC. 7 Reports to the State Committee. Each affiliate organization shall provide the State Committee with the names of its officers, the address of its Chairperson, and a copy of its constitution or other governing document within 30 days of any change or of a request from the State Committee. [19950611]

SEC. 8 Notification of Inactive Organizations. In any case where notification of an organization or of the Chairperson of an organization is required by these Bylaws, but where the name or address of the Chairperson is not known to the party required to make the notification, a written notice to the last known chairperson at his/her last known address shall be considered a notice to the chapter and the Chairperson. [19950611]

Article V – Officers and Directors

SEC. 1. Purpose. Officers and Directors operate the organization pursuant to Article I of these Bylaws, and are responsible to the body of the LPO and the State Committee. [20090314]

SEC. 2. Officers and Manner of Elections. The officers of the Libertarian Party of Oregon shall consist of the Chairperson, the Vice Chairperson, the Secretary, and the Treasurer. Terms of office of all elected officers and directors shall begin immediately upon the close of the annual convention. Nominations of all officers and directors elected at the annual convention shall be from the floor, no nominating committees being permitted. [20090314]

A. Limitations. All officers and directors shall be members in good standing of the LPO. Although state offices or directorships may be combined, no member of the State Committee may cast more than one vote.[19970112]

B. Vacancy and Succession. In the event of a vacancy in the office of state chairperson, the state vice chairperson shall serve as State Chairperson until the close of the next annual convention. In the event of a vacancy in any other office or in the position of any committee person at large, the State committee may select any LPO member to fill any such vacancy until the next annual convention.

SEC. 3. Duties.

A. The State Chairman shall preside at all special conventions, the annual convention, and all State Committee meetings. The State Chairman shall be the Chief Executive Officer and spokesperson of the LPO. [20010609]

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B. The State Vice Chairman shall act as assistant to the State Chairman, and shall perform the duties of the State Chairman in the Chairman's absence. The vice Chairman is responsible for assisting county parties. [20090314]

C. The Secretary shall be the recording and corresponding officer of the LPO.[19920426]

D. The Treasurer shall set up and maintain a system of double entry bookkeeping and receive, disburse, and account for the funds of the LPO under the supervision and direction of the State Chairperson, and the State Committee as authorized by the approved budget. The Treasurer shall present a written report at each meeting of the State Committee. At the annual convention the Treasurer shall present a report consisting of a balance sheet and income and expenditure statement for the previous fiscal year. The Treasurer shall, at the direction of the State Committee, present the financial records of the LPO for audit by such auditors as the State Committee shall specify. Expenditure of funds shall be made only in accordance with regulations established by the State Committee. [20071229]

Article VI – State Committee

SEC. 1. Authority and Responsibility.

A. Authority. The State Committee shall have the sole authority for affiliating organizations, calling special conventions, resolutions of issues pertaining to vacancy and/or succession of officers or directors, selection of annual convention sites, execution of primary elections, and dates for all arrangements pertaining thereto including the preparation and distribution of programs and agendas. [20090314]

B. Responsibility. The State Committee shall have the responsibility, subject to direction by the LPO convention, for the development and implementation of party policy, the operations of the LPO, and the expenditure of LPO funds. The State Committee may not expend any LPO funds in support of any candidate who has not been endorsed in accordance with Article XIII of these Bylaws. The State Committee shall perform such other functions as it may be directed to perform by the Constitution and Bylaws or by LPO convention.

SEC. 2. ACP State Committee Representation. Each Affiliated County Party will be entitled to two (2) State Committee seats. Each ACP will select State Committee representatives and/or alternates in accordance with their governing documents. [20071229]

SEC. 3. Sessions and Procedure

1. The State Committee shall hold at least one regular meeting every three months, with one meeting to be held at the close of the annual convention. The time and place of other meetings shall be determined by action of the State Committee. [20090314]

2. Notice of the time and place of all meetings shall be sent to each member of the State committee no fewer than fourteen days prior to said meeting. [19920426]

3. Each member of the State Committee present at a State Committee meeting shall have

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only one vote, except that the State Chairperson shall vote only to resolve a tie. No voting by proxy shall be permitted.

4. Special meetings of the state committee may be held in accordance with Robert's Rules of Order. [20090314]

5. All meetings of the State committee shall be open to observation by members of the LPO.

6. A quorum shall be 20% of the members of the State Committee. [20030607]

7. A State Committee representative can not vote to approve, veto, or amend a contract to which the representative has interest. [20050305]

8. Any reasonable technological means may be used to allow for State Committee Representatives to attend meetings to which they cannot be physically present. [20090314]

Article VII – Finances

SEC. 1. Party Debt. The LPO shall not incur financial obligations in excess of \$500, unless the obligation is included in an approved budget or approved by a 2/3 roll call vote of the entire State Committee. [20070311]

SEC. 2. Audit. The State Committee shall, at least 30 days prior to the annual Convention, appoint an audit committee of three LPO members, including the Treasurer, to examine the financial records of the LPO and to make a report to the convention.[19980503]

SEC. 3. Designated Donations. Any individual may donate funds for a specific purpose. The LPO guarantees such gifts will be used as directed, providing it is consistent with our mission and principles. All such designated donations and their dispositions will be included in the regular Treasurer's report. If the State Committee decides the purpose for which the donation is made is inappropriate, the person making the gift will be given the opportunity to re-designate the gift or have it refunded in its entirety. Non-designated donations, and revenues from other sources, will be put in the party's general treasury for use at the discretion of the State Committee. [1997112]

SEC. 4. Budget. The fiscal year of the LPO shall be the calendar year. The budget may be revised at subsequent meetings by the State Committee. [20071229]

Article VIII – Judicial Committee

SEC. 1. Membership. Members of the Judicial Committee shall be elected at the annual Convention and serve until the close of the next annual convention. The Judicial committee shall elect a Chairperson at the close of the annual convention, who shall receive all petitions, and schedule hearings so as to obtain a quorum of the committee. [20090314]

SEC. 2. Hearings. Members of the Judicial Committee shall hold hearings as required elsewhere in this Constitution and Bylaws; also, upon petition by three or more LPO members not members of the Judicial Committee. The Judicial Committee shall hold a hearing regarding the petition, provided

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only that the subject matter of the petition is within the committee's jurisdiction under this Constitution and Bylaws. Hearings shall be scheduled subject to the following provisions:

A. Scheduling. When a hearing is requested, the chairperson shall be allowed two days to set the date of the hearing. Hearings must be held within thirty days from the time the charges or petitions are received by the Judicial Committee Chairperson, unless otherwise specified.

B. Notice. The Judicial Committee must provide at least ten days' confirmed notice to each of the interested parties to a hearing unless an earlier date is agreed to by the Judicial Committee and the participants. Interested parties are members of the Judicial Committee; signers of any petition requesting a hearing; anyone named in a petition; all State Committee members; and between three to five LPO members determined by the Judicial Committee to be opponents of any ruling being requested by other petitioners or by State Committee action which triggers an automatic Judicial Committee hearing. [19970112]

C. Procedures. Procedures for Judicial Committee hearings shall be governed by the rules for trials as specified in Robert's Rules of Order. All Judicial Committee hearings shall be open to observation by members of the LPO.[20090314]

SEC 4. Representation. Each party to a hearing shall have the right to represent this interest in the manner of his own choosing. Any other observer may speak on the subject matter of the hearing at the discretion of the Judicial Committee Chairperson, though any LPO member, present or not present, may submit written material concerning the subject matter. [19970112]

SEC 5. Rulings. The Judicial Committee must provide a ruling within two days of the conclusion of a hearing, unless otherwise specified.

SEC 6. Vacancy. In the event of a vacancy on the Judicial Committee, the remaining members of the Judicial Committee shall by majority vote elect an LPO member to fill that vacancy. In the event that the membership of the Judicial Committee falls below two members, a special convention will be called by the LPO State Committee no later than 90 days after such vacancies are deemed valid. [20090314]

Article IX – Recall

SEC. 1. Provision for Recall. LPO officers, Directors, affiliate organization representatives, and Judicial Committee members may be recalled from their positions, subject to the provisions of this article:

1. Recall Hearings. Every LPO officer, director, and affiliate organization representative charged under Section 1 of this article has the right to a hearing before the Judicial Committee regarding those charges. Such a hearing is to be held following written notification of the charges. Following the hearing, the Judicial Committee shall rule either to recall the member, thereby vacating the position in question, or to continue the member in full authority of that position. Should the Judicial Committee fail to rule following such a hearing, the member shall continue in full authority of the position in question.[20090314]

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2. Recall Petitions. LPO members may bring complaint against LPO officers, directors, and Judicial Committee members by recall petition. Such petition must specify charges, may recall one or more persons, and must be signed by a number of LPO members equal to at least fifteen percent (15%) of the number of LPO members which exist at the time of the petition's submission; recall petitions shall be submitted to the State Committee at regularly scheduled sessions. A recall petition is considered to have been formally submitted at the instant it is presented or made available to the committee in session, regardless of agendas or parliamentary rules of order. Such complaints shall result in the removal of the recalled member or members from the positions concerned, upon successful completion of the recall petition process. [200903014]

3. In the event an attempt is made to recall an elected official a second or subsequent time in a single term of his or her office, the petitioners of the new recall shall be liable to the LPO for the cost of the previous recall in terms of materials, postage, and other hard goods, service or other expenses incurred against the LPO, as determined and agreed to by the LPO Treasurer, the Chief Petitioner, and a neutral Judicial Committee Member (if possible). If no agreement as to the size of the expenses can be determined by these three impartial people, the Chairperson shall rule as to the amount of the expenditure. If the petitioners do not agree to pay such charges, that attempted recall petition shall be null and void and will not bind the State Committee into conducting a recall ballot. Payment for the previous recall must be received in full before the current recall process may start. [200903014]

Article X – Mail Ballots

SEC. 1. Rules for Mail Ballots. All mail ballots provided for in this Constitution and Bylaws shall be conducted according to the following rules:

A. Each mail ballot must be concluded thirty days after minimum requirements for such a ballot have been met. The balloting procedure must give each voter at least fifteen days to respond.

B. Each LPO member shall be entitled to one vote on each ballot.

C. The matter at issue in each ballot shall be decided by a majority vote of the votes received during the time allowed for that ballot, unless otherwise specified.

Article XI – Conventions

SEC. 1. Notice. Written or electronic notice shall be provided to each LPO member of at least forty five days of the date of for such conventions shall be provided to each LPO member.

SEC. 2. Rules. Convention rules shall be adopted and/or amended at any duly constituted state convention by a simple majority vote of the delegates attending.

SEC. 3. Delegates.

A. Annual and Special Convention Delegates. All delegates must be an LPO member in current standing 30 days before any business or special convention. Each delegate present

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and properly credentialed is entitled to one vote at that convention. [20071229]

B. Nominating Convention Delegates . Any registered Libertarian elector of the State of Oregon may attend LPO nominating conventions as a voting delegate with one vote.

SEC. 4. Annual Conventions. The annual convention shall be held on the second full weekend of March each year

SEC. 5. Nominating Conventions. The State Committee shall set the time, place, and schedule of events for all nominating conventions.

SEC. 6. Special Conventions. Special conventions for a specific purpose may be called by the state committee or the delegates of an annual convention, and no items of business not on the noticed order of business may be considered. The State Committee shall set the time, place, and schedule of events for all special conventions.

SEC. 7. National Convention Delegates. All members and alternates of an LPO delegation to a national convention shall be members of both the LPO and the national Libertarian Party whose dues to both are paid-up at the time of their selection and at the time of the national convention. [20090314]

Article XII – Nomination

SEC. 1. Qualifications for Nominations. The LPO will entertain for nomination for candidate to public office any registered Libertarian elector of the state of Oregon. The LPO may nominate candidates in any election. [20090314]

SEC. 2. Nominations in Convention. Nominations of candidates for political office shall be made in annual and special nominating conventions of the LPO by a simple majority of Libertarian electors of the State or Oregon present. Nominations for candidacy shall be from the floor, no nominating committee being permitted. [20090314]

SEC. 3. None of the Above. In all votes for nomination of candidates for public office, "None of the Above" shall be counted as a valid vote cast. [19970608]

SEC. 4. Emergency Nominations. The State Committee may nominate a candidate for a partisan race to fill a vacancy in the event of a candidate's withdrawal or death. Such method of nomination may only be made if there is no time available for a legal State or local nominating convention. [19990606]

Article XIII – Endorsements

SEC. 1. Qualifications for Endorsement. The LPO may endorse only candidates for political office who have signed the following statement: "I hereby certify that I subscribe to the LPO Statement of Principles, and that I do not believe in or advocate the initiation of force as a means of achieving social or political goals." The LPO may endorse candidates for statewide office, for national office, and for local office. [20051105]

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SEC. 2. Endorsement in Convention. Endorsement of candidates for political office by the LPO may be made by convention of the LPO shall be by a two-thirds vote of the delegates present and voting.

Article XV – Platform

SEC. 1. The LPO may adopt in convention a platform, such platform to be consistent with the LPO Statement of Principles. Such platform shall consist of a number of planks which state the LPO position on specific local, state, and national issues. Any amendments to the platform may be adopted (plank by plank except related planks may be considered together) by a two-thirds vote of the delegates present. [20051105]

SEC. 2. Platform will be voted on in even numbered years unless the State Committee authorizes a special convention to be held sooner for that purpose.

Article XVI – Amendment Procedures

SEC. 1. Advance Notification. Proposed amendments to this Constitution and Bylaws shall be entered on the agenda of the next annual convention to be held in an odd numbered year unless the State Committee authorizes a special convention to be held sooner for that purpose. The Secretary shall make the texts of such approved amendments available to each LPO member via written or electronic means, as each member prefers, no fewer than forty five days prior to the opening of said convention. [20030607]

SEC. 2. Amendment in Convention. Any delegate to an annual convention held in an odd numbered year, or to any special convention held to consider amendments, may propose any amendment to this Constitution and Bylaws if such amendment is presented in writing to the Secretary before that convention finishes considering amendments and if at least ten percent of the delegates present request its consideration. [19990606]

SEC. 3. Two Thirds Majority Required. These Bylaws may be amended by a two-thirds majority vote of all votes cast by registered delegates present at an LPO convention,

Article XVII – Parliamentary Authority

SEC. 1. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the LPO in all cases to which they are applicable and in which they are not inconsistent with the LPO Constitution and these bylaws and any special rules of order the LPO may adopt. [20090314]

Appendix G

**Minutes of the March 12, 2011
LPO Convention**

Minutes
of the
March 12th Meeting
of the
Libertarian Party of Oregon
2011 Annual Business Convention

The regular annual business convention of the Libertarian Party of Oregon was held at 9:00am on March 12th, 2011 at the Phoenix Inn located at 14905 SW Bangy Road in Lake Oswego, the Chairperson, Jeff Weston, being in the chair and the Secretary, Richard Skyba being present.

The Secretary presented a Credentials Report showing 137 members, 68 [sic] required to meet quorum, and 31 present.

Wes Wagner moved to set the time to which to adjourn to May 28th at 11:00am. Orrin Grover moved to amend by striking 28th and inserting May 21st.

Dave Long raised a parliamentary inquiry as to when the term of office of the officers would end if the motion were to be adopted. The chairperson answered that if the motion were to pass the term of office of the officers would end "at the end of the convention in May."

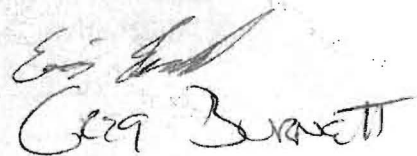
The motion to amend was adopted by voice vote. The motion to set the time to which to adjourn to May 21st was adopted by a counted vote of 15 in the affirmative and 14 in the negative.

Wes Wagner moved to set the place to which to adjourn to the same place as the current meeting, or at a place in the Portland area with notice to be sent if the place is changed. The motion to set the place of the adjourned meeting of the convention was adopted by voice vote.

M Carling moved to adjourn. The motion to adjourn was adopted by voice vote.

Approved:


Eric Dadd


Greg Burnett


Steve Dadds

Appendix H

**Minutes of the May 21, 2011
LPO Convention**

Minutes of the
2011 Annual LPO Business Convention Meeting
May 21, 2011

The adjourned meeting of the annual business convention was held May 21, 2011, at 11:02, at the Phoenix Inn in Lake Oswego, OR, as ordered by a vote of the members assembled in the business convention on March 12, 2011.

The Chair and Secretary were not present. Todd Wynn was elected Chair pro-tem with no objections. Carla Pealer was elected Secretary pro-tem with no objections. Carla Pealer read the credentials report. 10 delegates signed in and were approved based on the best available LPO membership list and relevant dues payment information. This number was not enough to make quorum, which was 50. A 5-minute recess was called to attempt to achieve quorum.

Todd Wynn called the meeting back to order at 11:10.

Rich Burke raised a point of order to determine if the current officers terms end upon close of this convention as noted in the by-laws. The Chair pro-tem referred to Article V, Section 2 of the current LPO bylaws that provide "Terms of office of all elected officers and directors shall begin immediately upon the close of the annual convention." The delegates unanimously voted "yes."

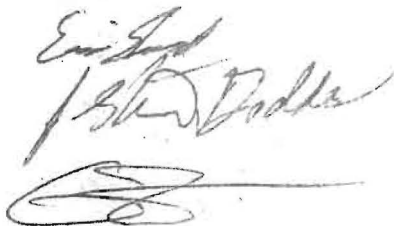
Rich Burke asked chair to appoint a committee of 3 to approve the minutes of the LPO Business Convention held on May 21, 2011. Upon unanimous consent, Eric Saub, Greg Burnett, and Steve Dodds were appointed.

The Chair pro-tem announced a State Committee meeting would be held immediately following adjournment of the business convention as required by Article VI, Section 3 in the current bylaws.

It was moved and seconded to adjourn this convention sine die with no objections.

Minutes Approved:

Signature:



Printed Name:

Eric Saub
STEVE DODDS
Gregory A. Burnett

Appendix I

**Minutes of the May 21, 2011 Meeting
of the LPO State Committee**

Minutes of the
2011 Post-Convention Meeting of the
Libertarian Party of Oregon
State Committee
May 21, 2011

The post-convention meeting of the LPO state committee was held on May 21, 2011, at 11:20 AM at Phoenix Inn in Lake Oswego as mandated by Article VI, Section 3 of the bylaws. The offices of Chair, Vice-Chair, Secretary, and Treasurer are vacant.

The county representatives of the State Committee present were: David Long (Washington County), Don McDaniel (Clatsop County), Helen McDaniel (Clatsop County), Richard Whitehead (Washington County), Steve Dodds (Yamhill County). *THE MCDANIELS ATTENDED VIA PHONE (CSP) [Signature] ES*

Not present from the State Committee were: Ron Bream (Multnomah County), David Terry (Yamhill County), Angela Grover (Marion County), Orrin Grover (Marion County), Lars Hedbor (Clackamas County), Jim Karlock (Multnomah County). A vacancy exists due to the death of Marty Soehrman (Clackamas County).

Since 5 of 11 State Committee members were present, quorum of 20% was reached.

Todd Wynn was elected Chair pro-tem with no objections.
Carla Pealer was elected Secretary pro-tem with no objections.

Greg Burnett was elected Treasurer by unanimous vote. Carla Pealer was elected Secretary by unanimous vote. Eric Saub was elected Vice-Chair by unanimous vote. Tim Reeves was elected Chair by unanimous vote.

The next State Committee meeting was set for June 27, 2011, at 7:00 PM at 5 Centerpointe Dr., Suite 400.

A committee of 3 was formed to approve the minutes of this meeting. The members are Eric Saub, Greg Burnett, and Steve Dodds.

The State Committee meeting was adjourned at 11:32.

Minutes Approved:

Signature:

Eric Saub
Steve Dodds
[Signature]

Printed Name:

Eric Saub
STEVE DODDS
GREGORY A BURNETT

Appendix J

**Minutes of the June 27, 2011 Meeting
of the LPO State Committee**

Meeting Minutes
June 27, 2011

- I. Call to order at 7:01 PM
- II. Attendees – Helen McDaniel (by phone), Don McDaniel (by phone), Tim Reeves, Richard Whitehead, Greg Burnett, Carla Pealer, David Terry, Eric Saub, Steve Dodds
Not in attendance – David Long, Ron Bream, Angela Grover, Orrin Grover, Lars Hedor, Jim Karlock.
Guest – Richard Burke
- III. Appointing Members to approve June 27, 2011, meeting minutes
 - a. Greg Burnett
 - b. Eric Saub
- IV. Old Business - None
- V. New Business
 - a. Resolution 1 – Eric Saub moved the resolution to the floor. Greg Burnett seconded. David Terry called to question. The Resolution was read and amended to change acknowledge to clearly decide at the end of the first paragraph. Amendment passed. Call to question was passed.
 - b. Resolution 2 – Eric Saub moved the resolution to the floor. Greg seconded. Called to question by David Terry. Motion carried.
- VI. Set time and place of next meeting – July 25, 7:00 PM 5 Centerpointe, 1st floor conference room.
- VII. Meeting adjourned at 7:15 PM

Eric Saub *Eric Saub*

[Signature] Greg Burnett

**RESOLUTIONS PASSED AT THE
LPO STATE COMMITTEE MEETING
7:00PM - June 27, 2011**

- A. Resolution 1.** “Be it resolved that, based on the most substantive adherence to the LPO governing documents as most recently amended at the 2009 LPO Annual Business Convention, the LPO State Committee asks the Libertarian National Committee, or it’s representatives, to aclearly decide the following:
1. Whether or not the “Wes Wagner” bylaws purportedly adopted by the LPO State Committee on March 31, 2011 were adopted in accordance with the LPO Constitution and Bylaws as existing previously to that date.
 2. Whether or not the LPO State Committee on March 31, had the authority to cancel the adjourned meeting of May 21, 2011 mandated by members participating in the March 12, 2011 session of the LPO Annual Business Convention and if so, whether or not proper notice was provided to delegates regarding the cancellation.
 3. Whether the LPO State Committee as purportedly led by Wes Wagner or that as led by Tim Reeves constitutes the legitimate State Committee of the LNC’s Oregon affiliate.

Be it further resolved that, if empowered to do so on behalf of the LPO by the LNC's resolution of the above three issues, the LPO State Committee passing this resolution will dedicate itself to resolving the factional split which exists within the LPO by working to build a more sustainable and internally stable organization less prone to conflict.”

- B. Resolution 2.** “Be it resolved that the LPO State Committee, upon resolving questions of contested legitimacy, focus efforts on moving the LPO in the following direction for the benefit of all LPO members and the future of our state and nation.
1. Enhancing the Internal Stability of the LPO
 2. Re-Engaging in Public Affairs, Ballot Measures, and Candidate Campaigns
 3. Rebuilding the Financial Stability of the LPO
 4. Rebuilding the LPO’s Membership List Through Outreach and Member Service
 5. Increasing the Number of Registered Libertarian voters in Oregon
 6. Rebuilding the LPO’s Working Relationships with the Media and Other Entities”

Appendix K

Bylaws Provisions and Practical Party Management Tasks that Require Knowledge of Affiliate Party Officers and Affiliate Bylaws

Bylaws Provisions and Practical Party Management Tasks that Require Knowledge of Affiliate Party Officers and Affiliate Bylaws

There are numerous matters of mandatory Libertarian Party Bylaws compliance for which it is imperative that the LNC be able to identify who are the rightful officers of each of our affiliates. Consider the following matters:

1) One of the purposes of the Party in Article 3 is to charter affiliate parties, and also to support affiliate party candidates for public office. If two groups are each claiming to be the officers of the affiliate, and perhaps they have each nominated different candidate slates, which of the two groups of candidates should the LNC support as the properly nominated affiliate party candidates for public office?

2) Libertarian Party Bylaws Article 6.3 states:

“There shall be no more than one state-level affiliate party in any one state. Each state-level affiliate party shall, in accordance with its own Bylaws and these Bylaws, determine who shall be its delegates to all Regular Conventions. A state-level affiliate party may charter sub-affiliate parties within the state, which will entitle such sub-affiliates to use the name “Libertarian Party.”

If two groups are each claiming to be the officers of the affiliate, and each of the groups has chartered a different set of sub-affiliate parties within the state, which group of sub-level affiliates is entitled to use the name “Libertarian Party”?

3) Libertarian Party Bylaws Article 6.2 designate the LNC as the body that grants affiliate status to those organizations “which adopt the Statement of Principles and file a copy of their Constitution and/or Bylaws with the Party Secretary“. Common sense argues that this power necessarily includes the authority to later identify who are the officers representing the affiliate to which the LNC has granted affiliate status.

4) Libertarian Party Bylaws Article 6.1 restricts that the name “Libertarian Party” may only be used by the Party or by an organization to which the Party has granted affiliate status. It is necessary to be able to identify the officers of an affiliate to know who is authorized to use the name “Libertarian Party”.

5) Libertarian Party Bylaws Article 6.4 states *“No affiliate party shall endorse any candidate who is a member of another party for public office in any partisan election. No affiliate party shall take any action inconsistent with the Statement of Principles or these Bylaws.”* A violation of these prohibitions could potentially constitute cause for which the LNC could later decide to disaffiliate an existing affiliate. The LNC must be able to determine whether the actions in question were taken by those in positions of authority within the affiliate, or by others not representing the affiliate.

6) Libertarian Party Bylaws Article 8.1 states that the LNC has *"control and management of all the affairs, properties and funds of the Party consistent with these Bylaws"*. One of the assets of the Party managed by the LNC is a trademark on the name "Libertarian Party". To protect that trademark, the LNC must know who are the officers of our affiliates, thus who is entitled to use the name.

7) For the conduct of LNC business, the LNC must know who the legitimate LNC members are. Libertarian Party Bylaws Article 8.4 establishes that an LNC member shall not be the candidate of any party except the Party or an affiliate. The LNC must know who the officers of the affiliate are to know who to trust to tell us who are the candidates of the affiliate so we can know if the LNC members are in compliance with this bylaw.

8) For the conduct of LNC business, the LNC must know who the legitimate LNC members are. Libertarian Party Bylaws Article 8.8 establishes scenarios wherein state chairs can remove a regional representative from the LNC. If the removal of a regional representative to the LNC was conducted by the legitimate state chairs, the LNC should no longer permit the removed representative to participate in LNC business. If the "removal" was conducted by people who are not the legitimate state chairs, the LNC should allow the representative to continue to participate in LNC business.

9) Libertarian Party Bylaws Article 11.3 through Article 11.6 set eligibility requirements for national convention delegates, dependent on action of the affiliate party and its officers.

How can the Libertarian Party Secretary comply with Libertarian Party Bylaws Article 11.5.b and send delegation totals to the chair of each affiliate without knowing who the chair of each affiliate is?

How can the Credentials Committee know from whom to accept affiliate delegate listings in accordance with 11.5.c and 11.5.d without knowing which officers are in charge of the affiliate and thus are entitled to submit delegate listings?

How can alternate substitution at national conventions be properly permitted in compliance with Article 11.7 if the Secretary cannot determine what their current rules are regarding substitution?

10) Libertarian Party Bylaws Article 12.3 mandates that the Platform Committee be composed partially of representatives from the top-ten affiliates. The identity of the officers of the affiliate must be determined to know whose word to accept regarding the identity of that affiliate's committee representative.

11) Libertarian Party Bylaws Article 12.4 mandates that the Credentials Committee be composed partially of representatives from the top-five affiliates. The identity of the officers of the affiliate must be determined to know whose word to accept regarding the identity of that affiliate's committee representative.

12) Libertarian Party Bylaws Article 14.2 regarding eligibility requirements for presidential candidates necessitates knowing whether an individual agreed to be placed on a nomination petition of a state affiliate, or whether it was the petition of some other group.

In practice, all of these above factors make it imperative that the LNC be able to identify the officers of the entity to which it has granted affiliate status to facilitate compliance with our bylaws in the most fundamental inner workings of the party.

Besides matters of mandatory bylaws compliance, the LNC in its role of managing the affairs of the party employs staff and directs them to provide various services and benefits to the Libertarian Party state affiliates. These are offered to serve the purposes of the party. Among these services are:

- 1) LNC Policy Manual Section 2.08.1 restricts potential LNC financial support for candidates contingent upon their having been “certified as libertarian candidates by the governing board of the Party in their state”.
- 2) LNC Policy Manual Section 2.08.2 restricts potential use of Party assets to provide information or services for candidates contingent upon whether “the service or candidate has been approved by the state chair”.
- 3) LNC Policy Manual Section 3.03.2 mandates that on a monthly basis our headquarters staff will provide specific privileged member/donor data to each state chair or his designee.
- 4) The LNC frequently supports ballot access drives in cooperation with our affiliates. Without knowing who the legitimate officers of an affiliate are, how can the LNC determine with whom they should work?
- 5) Staff members employed by the LNC place links from our website at www.lp.org to those groups which we recognize as our affiliates. Our staff depends on the word of officers of the affiliate to tell us which website belongs to their affiliate.
- 6) Staff members employed by the LNC rely on the word of the chairs of our state affiliates to determine which local candidates should be listed for each state on the www.lp.org website.

Though this is not an all-inclusive list, it is sufficient to demonstrate the necessity and obligation of the LNC to reasonably identify who are the officers of the organizations chartered as our affiliates.

Appendix L

**The LPO State Committee Explains Their
March 31, 2011 Actions on Their Website**

Friday, July 22, 2011

Text Size

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Search...

Home Interact Information Principles State Committee

LPO Reorganizes

Like Send Be the first of your friends to like this.

Libertarian Party of Oregon State Committee Restructures Party



At the most recent State Central Committee meeting on March 31st, 2011, Salem, Ore., the committee voted to adopt a new set of governing documents and refer them to the registered libertarian voters of Oregon for eventual ratification.

For a number of years dues paying members, who were the only individuals allowed to participate in internal party functions, have been attempting to reform the existing party rules. However, due to the different factional battles, ultimately were unable to do so and arrived at a point where the membership could no longer meet quorum to meet and resolve these issues.

The State Central Committee explained its reasoning as a preamble to adopting a new constitution and bylaws.

The last time the membership successfully met and was able to conduct business was in March of 2010, where the party adopted a plan for reformation. Ultimately that plan was unable to be executed by the membership at the most recent November 2010 special convention, nor the recent regular convention in March of 2011.

The new party structure lowers the barriers to participate by providing the opportunity to participate by mail for all registered libertarian electors in Oregon in both the nominating process for candidates, selecting representatives to the State Committee and approving or rejecting changes to the party's constitution and bylaws.

Oregon voters will have an opportunity to ratify this new governing structure during the 2012 primary election cycle. Should they ultimately reject it, the previous governing structure will be restored, which includes: a Judicial Committee that has only one member, cannot meet, and cannot reach quorum; a membership that is unable to meet at convention due to an inability to achieve quorum; suspect bylaws that have still not been reconciled against minutes which have not been approved due to questionable accuracy; county party affiliates that cannot be represented due to technical deficiencies that cannot be remedied; a dues structure that has raised legal doubts; the ability for non-libertarians to participate which also raises questions of legality; and other numerous issues.

The first meeting of the new state committee is scheduled for April 19th and will consider alternative plans for May 21st when the members' convention was scheduled to meet again.

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Password

Remember Me

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- Register for this site
Forgot Login?

RECOMMENDED

Log in You need to be logged into Facebook to see your friends' recommendations
State Committee One person recommends this.
Latest Features One person recommends this.
Facebook social plugin

MEETUP EVENTS

Libertarian Meeting and Social
Wed 17 Aug 6:00pm
Venue: JOHN BARLEYCORN'S (McMenamin's)

FACEBOOK FRIENDS

Please log in through Facebook to show your friends that use this site

INVITE FRIENDS

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Appendix M

**LPO Denies that Mr. Wagner is Authorized to File an Appeal
on Their Behalf**



Alicia Mattson <agmattson@gmail.com>

Is Wes Wagner an authorized agent of the LPO?

Tim Reeves <timothy.reeves@tenthamendmentcenter.com>

Wed, Jul 27, 2011 at 5:33 PM

Reply-To: timothy.reeves@tenthamendmentcenter.com

To: Alicia Mattson <agmattson@gmail.com>

Cc: timothy.reeves@tenthamendmentcenter.com

No, and No.

Alicia Mattson wrote:

> Tim,

>

> While LNC members have been assembling a response to the Libertarian Party

> Judicial Committee, it has been suggested that I ask you to provide a

> response to the following two questions:

>

> 1. Has Wes Wagner at any time requested (from you as Chairperson of the

> Libertarian Party of Oregon, or from the State Committee of the

> Libertarian

> Party of Oregon) permission to file an appeal with the Libertarian Party

> Judicial Committee on behalf of the Libertarian Party of Oregon?

>

> 2. Have you as Chairperson of the Libertarian Party of Oregon, or has the

> State committee of the Libertarian Party of Oregon, granted Wes Wagner

> permission to file an appeal with the Libertarian Party Judicial Committee

> on behalf of the Libertarian Party of Oregon?

>

> Thank you for your assistance in clarifying these matters.

>

> -Alicia

>

In Liberty,

Tim Reeves (State Chair)

Libertarian Party of Oregon,

(State Coordinator)

www.Oregon.tenthamendmentcenter.com