

LIBERTARIAN PARTY OF OREGON
JUDICIAL COMMITTEE RULINGS – AUGUST 12, 2010 HEARING

PETITION #1

Submitted by: Wes Wagner, Jeffery J. Weston and Mark Vetanen

Question: Was the Judicial Committee petition regarding the nomination process of the Libertarian Party of Oregon submitted by Wes Wagner, Mark Vetanen and Jeffrey J. Weston on June 21st, 2010 sufficient for initiating a hearing of the Judicial Committee?

Unanimous Ruling: Technically it was not as the preamble to the petition indicated that the petition was being submitted to the “Libertarian Party of Oregon” not the Judicial Committee.

However, taking into account the surrounding circumstances and noting that the petition was delivered to the Judicial Committee, the Judicial Committee could have overlooked the technical defect, accepted the petition as written and acted thereupon most likely without complaint by any Interested Parties.

PETITION #2

Submitted by: Wes Wagner, Jeffery J. Weston and Mark Vetanen

Question 1: Do LPO governing documents explicitly authorize nominations for public office of any person who is not a registered Libertarian elector in the state of Oregon?

Unanimous Ruling: No, the governing documents do not “explicitly” authorize such.

Question 2: Do LPO governing documents explicitly require the LPO Chairperson to sign certificates of nomination for persons who are not registered Libertarian electors?

Unanimous Ruling: The Judicial Committee does not rule upon this question as there was a general consensus among the Judicial Committee and the Interested Parties attending the hearing (including one of the Petition signers), that any ruling on this question was likely to cause more confusion and raise more issues than leaving the question unanswered.

PETITION #3

Submitted by: Richard P. Burke, Adam Mayer and Richard Whitehead

Question 1: Do LPO governing documents prohibit country-level party officers from properly signing form SEL 110 (Certificate of Nomination) as a “party officer” on behalf

of the LPO with respect to the candidates nominated at a nomination convention held by Affiliated County Parties for districts entirely within the county's boundaries?

Ruling: By a three (Dane, Delphine and Knight) to one (Tabor) vote, the Committee rules the answer to this question is No.

Committee Member Knight wishes the record to reflect that her No vote on this question is based upon her desire to maintain the autonomy of the counties. Quote: "If they want their own fiefdoms they can have them."

Question 2: Do LPO governing documents prohibit Libertarian electors participating as delegates in candidate nomination conventions from using write-in ballots to secure the Libertarian Party nomination for candidates who are not registered Libertarian electors?

Ruling: The Committee does not rule on this question as it could not reach a majority consensus. Dane and Delphine voted No and Knight and Tabor voted Yes.

Question 3: Article III, Section 2 of the LPO Bylaws includes the clause, "Dues for membership in the LPO will be equivalent to the Oregon Political Tax Credit as set for an individual." Is this to be interpreted to mean that dues are equivalent to the upper limit of this tax credit, zero, or any level in between?

Unanimous Ruling: The Committee rules that the answer to this question is the upper limit. This conclusion is the only logical and practical answer. Otherwise, dues could vary from member to member and the only way to ensure that a member was paying the appropriate amount would be to examine each member's tax return.

Submitted by the Judicial Committee this 12th day of August 2010:

Frank Dane (Acting Chair)
Marc Delphine
Andrea Knight
Joe Tabor