

# Libertarian Party of Oregon

## 2022 Primary Election Rules

Approved 2021-11-10

Amended 2022-04-13

### Section I

These rules incorporate all relevant requirements of the LPO Constitution and Bylaws:

- Article 8 – Elections, Sec 1: Methods of calling election, A. Regular Primary Elections
- Article 8, Sec 2: Rules for Elections, A. General rules that apply to all elections, and B. Rules for Primary Elections
- Article 10 – Candidates, Sec. 1: Eligibility, and Sec. 2: Exceptions to Eligibility

### Section II

These rules incorporate the minimum Instant Runoff Vote (IRV) requirements set forth on pages 425 through 428 of the paperback version of Robert's Rules of Order, 11<sup>th</sup> Edition, except when those requirements conflict with LPO bylaws or with special rules (Section III below) adopted by the LPO Board of Directors.

### Section III

These rules include the following, in addition to those incorporated by sections I and II above:

#### A. Dates

1. Libertarian Party of Oregon primary election dates<sup>1</sup>
  - a) Individuals who are LPO members as of April 26, 2022 are eligible electors
  - b) **LPO Filing Deadline:** May 13 – Last day to file candidacy or withdrawal
  - c) **Mailing Date:** May 24 – First day to mail ballots
  - d) **LPO Election Day:** June 17 – Last day to receive returned ballots

#### B. General Rules

1. Primary elections will be conducted as securely and transparently as may be practicable, with the goal of exceeding the quality of the Oregon Elections Division's conduct of elections.
2. Nominations will be decided by the IRV system, as modified by LPO rules.
3. The primary ballot may include a section for amendments to the LPO bylaws referred from the party convention to the election for ratification. Election results will report the outcome of each question as the percentage voting to approve.
4. The primary ballot may include a section for Libertarian electors to vote on questions referred to the membership by the Board of Directors. Election results will report the outcome of each question as the percentage who voted with each option.
5. The primary ballot may include a section for Libertarian electors to endorse statewide ballot measures that may appear on the general election ballot. Election results will report the outcome of each question as the percentage who voted with the majority sentiment (yes or no) on that measure.
6. Ballots will be mailed expeditiously to all Oregon Libertarian registered voters beginning on

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<sup>1</sup> The state primary election is held on the third Tuesday in May (ORS 254.056). The voter registration deadline is 21 days earlier (ORS 247.025). The general election filing window opens 15 days after primary election day (ORS 249.722). We adopt the voter registration deadline for determining electors in order to try to prevent people from voting in our primary and a state partisan primary.

the Mailing Date.

7. Returned ballots must be received on or before LPO Election Day to be counted.
8. The outer return envelope must be signed by the voter and must not contain multiple ballots. Use of a secrecy envelope is optional.
9. The LPO website will identify, and will be promptly maintained to reflect changes in:
  - a) The list of registered candidates.
  - b) The list of bylaws amendment referrals.
  - c) The list of board referral questions.
  - d) The list of ballot measure endorsement questions.
10. Election results shall be posted to the LPO website.

#### C. Electronic Voting

1. LPO members may opt-in to electronic voting.
2. At the discretion of the LPO board of directors, these members may receive an electronic voting code (e-voting code) and voting instructions in lieu of a mailed ballot.
3. At the discretion of the LPO board of directors, delivery may be by mail or electronic mail.
4. The electronic voting process shall provide equivalent information to the elector as is provided to electors receiving mailed ballots.
5. The electronic voting process shall provide an elector with an e-voting code at least one of the following voting methods:
  - a) Filling and submitting their ballot electronically; or
  - b) Printing a paper ballot, which may be submitted as-if they had received a mailed ballot.

#### D. Ballot form, enclosures, and mailing

1. Electors who have opted out of receiving a ballot, and not reversed that decision by the LPO Filing Deadline, shall not receive ballots.
2. Each ballot will be mailed with an inner secrecy envelope, a larger pre-addressed return envelope, clear instructions for completing the IRV ballot, and printed forms for volunteering or donating to the LPO.
3. The ballot will include spaces for the voter to assign a random ten-digit number for later use by that voter to verify that his ballot was tallied and counted correctly.
4. The ballot instructions will include a prominent warning of what things could spoil the ballot and cause it not to be counted.
5. Each voter's ballot will be preprinted to include a section for each of Oregon's statewide partisan elections and a section for each of the current partisan elections for districts in which the voter resides. Each such section will list all candidates who qualified to be on the LPO primary ballot for that position, along with each candidate's party affiliation, and space for writing in additional candidates. Each ballot line in each such section will include a space for the voter to assign a number indicating the voter's order of preference.
6. The return envelope will be printed with the voter's name, address, a signature line, and a warning that a ballot returned without the voter's signature on the line provided on the return envelope will not be counted, and that only one ballot can be returned in the envelope.
7. The secrecy envelope will be printed prominently with the warning to put only a single ballot in that envelope.
8. Volunteer/donation forms to be returned with the ballot must include a clear and prominent warning that they must be returned in the outer envelope and not inside the secrecy envelope.
9. At the discretion of the Board of Directors, the ballot mailing may include a Libertarian Voters' Guide (see section I below).
10. Each bylaws amendment referral question shall be presented with the text of the amendment

referred from convention, along with "yes" and "no" boxes for the voter to indicate his or her choice.

11. Each board of directors referral question shall be presented with text and voting options determined by the Board of Directors, but must be finalized at least one calendar month prior to the LPO Filing Deadline.
12. Each ballot measure endorsement question shall include the Initiative, Referendum, or Referral number assigned by the Oregon Elections Division, the ballot title caption as defined in ORS 250.035(2)(a) and provided by the Oregon Elections Division, and an internet address where the complete ballot title and full text of the ballot measure may be found, along with "yes" and "no" boxes for the voter to indicate his or her choice.

E. Returned ballot receipt, processing, and storage

1. Ballots will be received at a secure mailbox.
2. At least weekly from the Mailing date through LPO Election Day, two or more volunteers approved by the Board of Directors will together open the mailbox and:
  - a) Separate ballot return envelopes from any other mail.
  - b) Separate "valid returns" from "invalid returns"; a valid return is signed by an eligible Libertarian elector. The procedure for validating returns is not for publication.
  - c) [Secretary's note: this clause was deleted for publication.]
  - d) Open all valid returns and separate ballots (without opening secrecy envelopes) from other enclosures, storing ballots in portable containers marked with the number of ballots contained and the date of processing.
  - e) Reclassify valid returns containing more than one ballot (secrecy envelope) as invalid returns, and set aside the ballots and ballot return envelope together.
  - f) Record the senders of valid returns as having voted in this election.
  - g) Separate donations and donation forms for processing by the LPO Treasurer.
  - h) Separate other enclosures for processing by appropriate LPO officials.
  - i) Transport locked ballot containers to a secure location for storage until ballots are counted.
  - j) Deliver empty valid return envelopes and enclosures to appropriate LPO officials for processing or storage.
  - k) Preserve all invalid returns for later processing.
3. The LPO Secretary will permanently record which voters submitted valid returns, and will securely store return envelopes from valid returns until after the general election is completed in November.
4. The LPO Treasurer will complete ORESTAR reporting of all donations within one week of their receipt.
5. If more than one thousand valid returns are received prior to LPO Election Day, the LPO Chairperson may direct tellers to begin opening secrecy envelopes and processing ballots prior to that date.

F. Telling – ballot processing

1. The Board will appoint at least 3 impartial tellers, who are not LPO primary election candidates, to open ballot secrecy envelopes, process ballots under these IRV rules, resolve questions of legality, legibility or ambiguity of ballot markings, and report election results. Tellers will take care at each processing stage to ensure accuracy and ballot security.
2. A majority of tellers (at least two) will determine the validity of any questionable markings on ballots. Tellers' rulings are final and cannot be appealed.
3. Tellers will remove secrecy envelopes from locked containers, verify and record the number

received from each container, and begin opening the envelopes.

4. Empty envelopes and those containing more than one ballot will be set aside and not counted as ballots cast.
5. A unique database number will be assigned to each singly-returned ballot. Once so numbered, those ballots will be processed as legitimate ballots (hereinafter referenced as "paper ballots").
6. At least two tellers will cooperate to record accurately the voter preferences marked on each paper ballot. One will enter information into the electronic ballot form, and the other will verify that information's accuracy and completeness before that record is saved as a completed ballot.
7. If tellers cannot promptly resolve a question of legality, legibility or ambiguity of the markings in a paper ballot's section for a particular question or nomination, they will mark that section of the paper ballot and set it aside for later resolution. Such questionable votes will be further processed and counted as votes cast in that question or nomination only if their number could affect its outcome.
8. In tallying votes in any question or nomination, blank or illegal votes will not be counted as votes cast. If a voter marks multiple answers to a single board referral or ballot measure endorsement question, that response will be treated as an illegal vote.
9. If a voter marks or writes only one name on a paper ballot for a particular nomination, that name will be treated as the voter's first preference for that nomination.
10. If a voter marks or writes more than one name on a paper ballot for a particular nomination, but tellers cannot determine the voter's intended order of preferences, they will treat it as an illegal vote in that nomination.
11. Once all paper ballots without unresolved questions have been recorded and saved as completed ballots, tellers will determine whether any set-aside paper ballots could affect the outcome of any question or nomination. Tellers will then make and record final determinations for the applicable portions of any such paper ballots which could affect an outcome, indicate their determinations on those paper ballots, and save those records as completed ballots. All completed ballots will then be processed by the IRV software approved by the LPO Board to generate tellers' reports and determine primary election outcomes.
12. Tellers will certify the accuracy of their reports and the outcomes of all questions and nominations.

#### G. Post-election storage

1. Paper ballots will be securely stored in locked containers.
2. Rejected secrecy envelopes and their contents will be stored in separate locked containers in the same location.
3. After the Oregon general election results have been certified, these stored materials will be recycled or destroyed.

#### H. Candidates

1. An eligible person may register as a candidate by any of the following methods:
  - a) By sending postal mail to the LPO.
  - b) By sending electronic mail to the LPO Chairperson or Secretary.
  - c) By publishing their interest on the LPO Facebook group.
2. A person who is not an LPO member must pay a \$50 "non-member candidate fee" to the LPO on or before the LPO Filing Deadline to be listed as a candidate on our ballot, or on or before the LPO Election Day to have write-in votes for them processed. Per LPO bylaws

Article 8, Section 2, subsection B, people who are not LPO members will only have votes for them counted if there are no votes cast for an LPO member willing and eligible to accept the nomination.

3. A candidate registration request is void unless it identifies the specific office sought.
4. A registered candidate may withdraw by any of the methods allowed for registration.
5. People who were known to be candidates prior to the adoption of these rules are not required to re-register.
6. Registrations and withdrawals received after the LPO Filing Deadline shall not be processed.

I. Libertarian Voters' Guide

1. The Libertarian Party of Oregon will publish a Libertarian Voters' Guide, similar in purpose and form to the Oregon Voters' Pamphlet.
2. The Libertarian Voters' Guide may include statements from candidates for nomination, arguments supporting or opposing bylaws amendments referred from the convention, arguments supporting or opposing questions referred by the board, and arguments supporting or opposing ballot measures.
3. The Board shall set the prices and other terms of such statements and arguments to encourage participation and help defray costs.
4. The Libertarian Voters' Guide will be published on the LPO website, and, at the discretion of the Board of Directors, a printed copy included in the ballot mailing.

J. Candidate Statements

1. Registered candidates may submit a candidate statement for publication in the Libertarian Voters' Guide.
2. A candidate statement must not exceed 325 words and must be text-only, except for an optional photograph of the candidate. Candidate statements might be reformatted to fit on one half-page when printed.
3. A candidate photograph must be less than 4 years old and be of the head and shoulders only.
4. Photographs will be printed in black and white, 1.5" wide and 1.75" high.
5. Candidate statements may be submitted by postal mail to the LPO or by electronic mail to the LPO Chairperson or Secretary.
6. Candidate statements will be published in the online version of the Libertarian Voters' Guide without any filing fee. The candidate may choose whether it is published immediately, or only after the LPO Filing Deadline.
7. To be included in the mailed copy of the Libertarian Voters' Guide, a filing fee must be paid. The fee amount depends on the office sought. If the Libertarian Voters' Guide is sent to less than every Libertarian elector, refunds shall be offered in an amount for the Board to determine.
  - a) Any state-wide office (including U.S. President, Vice-President, or Senator): \$350
  - b) U.S. House Representative: \$200
  - c) State Senator, State Representative, or Local Office: \$100
8. Candidate statements received or paid for after the LPO Filing Deadline shall be considered untimely and shall not be processed.
9. Timely candidate statements shall be included as an enclosure in the Libertarian Primary Voters' Guide of every elector in the district eligible to vote for that candidate.

K. Bylaws Amendment Referral Argument Statements

1. The LPO website shall maintain a list of the bylaws amendment referral questions that will

- appear on the Libertarian Primary ballot.
2. Any voting member of the LPO may submit a bylaws amendment referral argument statement for publication in the Libertarian Voters' Guide. Statements will only be accepted which are germane to the subject of the amendment.
  3. The Libertarian Voters' Guide shall identify the person that submitted and paid for the statement.
  4. A statement must be filed as an argument in favor of or an argument in opposition to a specific bylaws amendment referral.
  5. A statement must not exceed 325 words and must be text-only. Statements might be reformatted when printed.
  6. Statements may be submitted by postal mail to the LPO or by electronic mail to the LPO Chairperson or Secretary.
  7. The filing fee for a statement of up to 150 words shall be \$200; the fee for a statement of more than 150 words shall be \$350. If the Libertarian Primary Voters' Guide is sent to less than every Libertarian elector, refunds shall be offered in an amount for the Board to determine.
  8. Statements received or paid for after the LPO Filing Deadline shall be considered untimely and shall not be processed.
  9. Timely statements shall be included as an enclosure in every Libertarian Voters' Guide.
  10. For each bylaws amendment referral, the Board of Directors may vote to submit one statement describing the viewpoint of the Board.

#### L. Board Referral Argument Statements

1. The LPO website shall maintain a list of the board of directors referral questions that will appear on the Libertarian Primary ballot.
2. Any voting member of the LPO may submit a board referral argument statement for publication in the Libertarian Voters' Guide. Statements will only be accepted which are germane to the subject of the referral.
3. The Libertarian Voters' Guide shall identify the person that submitted and paid for the board referral argument statement.
4. A board referral argument statement must be filed regarding a specific board referral, and for yes/no referrals must be filed in favor or in opposition.
5. A board referral argument statement must not exceed 325 words and must be text-only. Board referral argument statements might be reformatted when printed.
6. Board referral argument statements may be submitted by postal mail to the LPO or by electronic mail to the LPO Chairperson or Secretary.
7. The filing fee for a board referral argument statement of up to 150 words shall be \$200; the fee for a statement of more than 150 words shall be \$350. If the Libertarian Primary Voters' Guide is sent to less than every Libertarian elector, refunds shall be offered in an amount for the Board to determine.
8. Board referral argument statements received or paid for after the LPO Filing Deadline shall be considered untimely and shall not be processed.
9. Timely board referral argument statements shall be included as an enclosure in every Libertarian Voters' Guide.

#### M. Ballot Measure Argument Statements

1. The LPO website shall maintain a list of the ballot measure endorsement questions that will appear on the Libertarian Primary ballot.
2. Any person or organization may submit a ballot measure argument statement for publication

in the Libertarian Voters' Guide. Statements will only be accepted which are germane to the subject of the measure.

3. The Libertarian Voters' Guide shall identify the person or organization that submitted and paid for the ballot measure argument statement.
4. A ballot measure argument statement must be filed as an argument in favor of or an argument in opposition to a specific ballot measure.
5. A ballot measure argument statement must not exceed 325 words and must be text-only. Ballot measure argument statements might be reformatted when printed.
6. Ballot measure argument statements may be submitted by postal mail to the LPO or by electronic mail to the LPO Chairperson or Secretary.
7. The filing fee for a ballot measure argument statement of up to 150 words shall be \$200; the fee for a statement of more than 150 words shall be \$350. If the Libertarian Primary Voters' Guide is sent to less than every Libertarian elector, refunds shall be offered in an amount for the Board to determine.
8. Ballot measure argument statements received or paid for after the LPO Filing Deadline shall be considered untimely and shall not be processed.
9. Timely ballot measure argument statements shall be included as an enclosure in every Libertarian Voters' Guide.