

## **The Libertarian Party of Kentucky Constitution**

### **PREAMBLE**

WE, the Libertarians of Kentucky, in convention, in order to affiliate ourselves with the National Party and to promote the libertarian philosophy in the state of Kentucky, associate together to form a political party whose primary purpose is to place Libertarian candidates on the ballot and assist them in achieving electoral success, and for that purpose adopt this Constitution.

### **ARTICLE I. NAMES AND DEFINITIONS**

- Section 1. The National Libertarian Party, also known as the Libertarian National Committee, Inc., shall be referred to as the "National Party".
- Section 2. The name of the Party recognized as the official state affiliate by the National Party shall be "The Libertarian Party of Kentucky," referred to as the "State Party".
- Section 3. A "Chartering Party" is a Party which, under this Constitution, currently has chartered, or is in the act of chartering, an Affiliate Party.
- Section 4. An "Affiliate Party" is a division of the State Party, affiliated by a Chartering Party, in accordance with this Constitution.
- Section 5. A Party chartered by the State Party as the official Affiliate Party for a United States Congressional District shall be a "District Party".
- A. The official name for a District Party shall be "The Libertarian Party of Kentucky – " followed by the ordinal number of the Congressional District, followed by " District".
- B. Because of the nature of Jefferson County, that District Party may instead be known as "The Libertarian Party of Jefferson County, Kentucky", or "The Libertarian Party of Louisville, Kentucky."
- Section 6. A Party chartered by a District Party as an official Affiliate Party shall be:
- A. A "County Party", known as "The Libertarian Party of " followed by the name of the county, followed by " County, Kentucky"; or
- B. In Jefferson County, a "Metro Party", known as the official name of the District Party, followed by " – Metro District ", followed by the number of the district.
- Section 7. A "Party" is defined as any Constitutionally-sanctioned party within the State Party, including the State Party.
- Section 8. No political party, other than the National Party, State Party, and Affiliate Parties may identify itself as any form of the name "Libertarian Party" within the state of Kentucky, nor shall any person claim a leadership title who does not hold such a title under this Constitution.

## **ARTICLE II. PERIOD OF DURATION**

Section 1. The duration of the State Party shall be perpetual, unless disaffiliated by the National Party.

## **ARTICLE III. MEMBERSHIP**

Section 1. Voting Members, in Annual Convention, are the supreme authority of the Party.

Section 2. Membership is uniform throughout the State Party and all Affiliate Parties. No Affiliate Party may create, alter, or delete membership requirements.

Section 3. Levels of membership

- A. A “Voting Member” is a person who actively meets all of the qualifications to be a Signatory Member, Registered Member, and Dues-Paying Member, and lives within the boundaries of that Party.
- B. A “Signatory Member” is a person who has signed the Statement of Principles, which reads: "I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving social, economic, or political goals.”
- C. A “Registered Member” is a resident of Kentucky who is registered with the state of Kentucky as a voter affiliated with the Libertarian Party.
  - 1. A waiver may be granted to Kentucky residents unable to legally register to vote, because they:
    - a. have completed a sentence of conviction of a non-violent felony which does not violate the Statement of Principles, as approved by the Elections Committee, with requirements to receive the waiver defined in Bylaws.
    - b. are at least 16 years of age, but not yet able to legally register to vote due to their age. Such members shall be “Youth Members” and, when other criteria are met, able to exercise Voting Member rights only at the County Party level.
  - 2. In addition, a waiver shall be granted by the Membership Review Committee, or by a two-thirds (2/3) vote of the Voting Delegates at State Party Annual Convention, if the Kentucky resident submits a timely registration change to Libertarian, with the registering agent at least one week prior to any deadline, and, through no fault of that resident, the authority fails to properly process the registration; the burden of proof shall be on the resident to prove timely submittal.
- D. A “Dues-Paying Member” is a person who meets the minimum donation of Annual Dues, or has a waiver, as provided in Operating Rules.
  - 1. Additional levels of Dues-Paying Members, based on donation levels which exceed minimum Annual Dues, may be codified in Operating Rules.

Section 4. Revocation of membership

- A. Dues-Paying Membership is revoked after a member, in writing, declares publicly, or declares privately to the Chair of the State Party, their desire to disaffiliate; or
- B. Revocation of Signatory Membership upon violation of the oath to be a Signatory Member, only after:
  - 1. A vote of the Membership Review Committee recommends such action, under procedures outlined in Operating Rules; and
  - 2. The State Party Executive Committee votes to revoke Signatory Membership by a three-fifths (3/5) vote of the entire Executive Committee.

**ARTICLE IV. PARTY ORGANIZATION**

Section 1. Purpose

- A. All Parties exist to implement and give voice to the principles embodied in the platform of the State Party by:
  - 1. Nominating candidates for federal, statewide and local elections in Kentucky and supporting candidates for political office.
  - 2. Promoting membership in the State Party.
  - 3. Promoting and coordinating affiliate organizations throughout the state.
  - 4. Entering into political information activities.

Section 2. State Party

- A. The State Party shall charter District Parties within the Congressional Districts legally defined by the Commonwealth of Kentucky.

Section 3. Affiliate Parties

- A. There shall not be more than one Affiliate Party for the same political subdivision.
- B. An Affiliate Party shall not exist without a Chartering Party.
- C. District Parties shall:
  - 1. Charter County Parties within counties where a majority of the population of that county lives within the Congressional District.
    - a. Because of the nature of Jefferson County, that District Party may affiliate Metro Parties. A Metro Party shall be aligned to the boundaries of a Louisville Metro Council district and functionally equivalent to a County Party.
  - 2. Assist with coordinating cross-boundary activities with its Affiliate Parties.
- D. A County or Metro Party shall:
  - 1. Fill out that Party with Precinct Captains.

2. Build and train a grassroots organization of Libertarian Party activists for duly-nominated candidates of the Libertarian Party of Kentucky to contact.

#### Section 4. Party Governance

- A. Between conventions, a Party shall be governed by an Executive Committee, functioning as the Board of Directors, empowered to collect and expend funds, operate day-to-day tasks, and act on behalf of Voting Members as specified in, and limited by, this Constitution, Bylaws, and Operating Rules.
1. The voting members of an Executive Committee shall be the officers (Chair, Vice-Chair and/or Secretary, and Treasurer, who must be seated), At-Large Representatives not to exceed four (4) in number, and when applicable:
    - a. For the State Party, the Chairs of any affiliated District Parties.
    - b. For a District Party, the Chairs of any County Parties or Metro Parties affiliated by that District Party.
    - c. For a County or Metro Party, the Precinct Captain Chair, elected from among the Precinct Captains of the County or Metro Party.
  2. Specific duties of named positions of a committee shall be outlined in Operating Rules.
  3. An Executive Committee may create and populate Directors and sub-committees or other positions of that committee as outlined in Operating Rules.
  4. In no event shall a person serve as a voting member on more than one Executive Committee, except as defined in this Constitution.
- B. To be a voting member on any committee of a Party, a person must be a Voting Member of that Party.
1. Any committee member who is not a Voting Member shall be given thirty (30) days, upon notification, to become a Voting Member of that Party or they are automatically recalled from office.
  2. A committee may appoint non-voting members, who report to and serve at the leisure of the committee, as consultants to facilitate or operate any part of their duties.
- C. Meetings of Executive Committees, or any subcommittees, by electronic means may be permitted, and outlined in Operating Rules.
- D. If any Affiliate Party is unable to internally resolve a question of its rightful powers, duties, leadership, any and all questions under this Constitution or compliance with this Constitution, or legal obligations, the matter shall be submitted to the Chartering Party for resolution. Any dispute heard by a body other than the State Party Executive Committee may be appealed to the

Chartering Party and/or the State Party Executive Committee, which decision shall be final. This section shall not govern disputes related to any primary election process for candidates for public office.

Section 5. Affiliation and Dissolution of Parties

- A. An Affiliate Party may be chartered with a majority vote of the Chartering Party.
- B. Dissolution shall only occur by either: (i) the vote of a majority of the Executive Committee of the Affiliate Party being dissolved; or (ii) for cause, by the Chartering Party's Executive Committee, by a vote of three-fifths (3/5) of the entire Membership of the Chartering Party's Executive Committee, excepting the Chair of the Party at issue who may not participate.
- C. If an Affiliate Party is to be dissolved, the Chartering Party Executive Committee or State Party Executive Committee may, within fourteen (14) days, alternatively choose to call a Convention for that Affiliate Party, in accordance with this Constitution, to remedy the issue(s) which triggered dissolution. Otherwise, that Affiliate Party is dissolved.
- D. If the State Party is dissolved, its final act shall be to transfer all Party Resources, and a list of outstanding obligations, to the National Party.
- E. When a Party has been dissolved, all titles and rights granted, as a function of that Party, are revoked.

Section 6. State Party Standing Subcommittees

- A. Elections Committee
  - 1. There shall be only one Elections Committee, the State Party Elections Committee. This committee exists only when the Party is not a qualified "Political Party" entitled to a state funded primary election process under Kentucky law.
  - 2. The Elections Committee shall be comprised of five (5) members, elected for two-year staggered terms, at the State Party Annual Convention. Any member may serve on other committees, including Executive Committees.
  - 3. The committee may employ outside consultants to facilitate their duties, but those consultants are not voting members of the committee.
  - 4. The Elections Committee shall be responsible for developing inclusive and fair rules and regulations, denoted as "Bylaws", for the conduct of primary elections and/or Nominating Conventions for candidates seeking political office as Libertarians.
  - 5. Bylaws, except for Emergency Bylaws, shall be enacted not later than January 1st of a given year to govern elections for that year. Once passed, rules shall be transmitted to the State Party Executive Committee, which shall have the ability, within thirty (30) days of the transmission of the

rules, to disapprove any particular Bylaw or part of a Bylaw that constitutes one subject matter, by a three-fifths (3/5) vote. Any Bylaw is subject to amendment or recall by the Voting Delegates at the State Party Annual Convention by a three-fifths (3/5) vote, and, if recalled, may not in substance be reenacted until the next State Party Annual Convention. Emergency Bylaws may be adopted by the Elections Committee by a four-fifths (4/5) vote of the entire Committee, and shall take effect upon the rules passage and transmission to the State Party Executive Committee. The State Party Executive Committee shall have the ability within fourteen (14) days to disapprove any Emergency Bylaw, by majority vote. Bylaws shall be in force and effect until and unless disapproved.

6. The Elections Committee shall be responsible for overseeing the electoral process and ensuring its integrity.
7. The Elections Committee may appoint surrogates to operate any part of the primary process, who will report to, and serve at the leisure of, the Elections Committee.
8. Meetings shall be held at the call of the Chair of this Committee, with at least seven (7) days advance notice, unless waived by a two-thirds (2/3) vote in the event of an emergency and this committee is authorized to conduct meetings electronically, by e-mail, telephone or video conference. All actions taken by this committee shall be open to all Voting Members, and meetings shall be advertised, except in an emergency, to encourage electoral transparency; provided, however, that the Committee may close its meetings to the public, for an Executive Session to discuss, but not act upon: (i) any adjudicatory matter; (ii) pending or proposed litigation; or (iii) to receive privileged legal advice. ix. Notwithstanding other provision, any disputes or questions arising under this Constitution related to the Libertarian Party of Kentucky primary election process for candidates for office including, without limitation, eligibility or office or voter regulations and eligibility, regardless of whether such nominations are made by a County, District, or the State Party or any part thereof, shall be heard and resolved by the Elections Committee. Any adjudicatory matter determined by the Elections Committee may be appealed to the Executive Committee, who may overturn the determination of the State Party Elections Committee by a vote of a majority vote of the entire membership of that Committee, with such decision to be issued within fourteen (14) days of the decision by the Elections Committee; otherwise, the Elections Committee's determination shall be final. Questions arising

relating to the primary elections process for public office and its members shall not be reviewable in any Court, or subject to collateral attack by any third party.

B. Membership Review Committee

1. The Membership Review Committee shall be composed of five (5) members, elected for two-year staggered terms, at the State Party Annual Convention. Any member may serve on other committees, including executive committees.

2. Its procedures and other details of its composition and operation shall be set forth in Operating Rules.

C. Campaign Caucus Committees

1. The State Party Executive Committee, or the body in convention at a State Party Annual Convention, through Operating Rules, is empowered, by a three-fifths (3/5) vote, to create one or more Caucus Campaign Committees as may be permitted under state law and regulations.

2. Such committees, if established, shall be permanent committees, shall continue in perpetuity until dissolved by the State Party Executive Committee or the convention body at State Party Annual Convention, by three-fifths (3/5) vote.

3. Its procedures and other details of its composition and operation shall be set forth in Operating Rules.

## **ARTICLE V. CONVENTIONS**

### Section 1. Annual Convention

A. A Party must annually call a convention of all Voting Members of that Party, known as the Annual Convention. Nothing in this section precludes a Party from calling its convention to be held in November or December of the previous year and that convention counting as an Annual Convention.

1. If the State Party fails to properly call its Annual Convention by February 1, the State Party Annual Convention shall be the Default Convention.

Any State Party Annual convention will be held by June 1 of a given year.

a. When necessary, a Default Convention will be held at the Main Branch of the public library in Franklin County, Kentucky on the second Saturday of March, and will begin at 10 A.M. Eastern Time. All who qualify as registered Libertarians with the Secretary of State who are residents of Kentucky and are in attendance shall be considered Voting Delegates. The burden of proving eligibility to be a Voting Delegate is on the individual seeking to be a Voting Delegate. The National Party may send a representative to act as the

Acting Convention Chair, who may also be responsible for validating eligibility for delegate status, until such time that the convention body elects a Convention Chair from among the Voting Delegates in attendance. Any requirements outside of the Constitution may be waived by majority vote of the Voting Delegates at such a Default Convention. All Officer and At-Large positions in the State Party shall be declared vacant, and the convention body shall elect a new Executive Committee.

2. Notice of Annual Convention must be provided to all Voting Members of that Party, and must include the date, time, location, and purpose of the Convention being called and notice must be provided at least forty-five (45) days prior to the Convention.
3. The Voting Delegates, in State Party Annual Convention, shall have the ability to waive, by three-fourths (3/4), any and all formalities, notice requirements, and legalities related to any question arising under this Constitution or Operating Rules, except for:
  - a. requirements of Voting Delegates to be a Voting Member as defined in this Constitution, which may not be waived; and
  - b. questions arising under rules enacted by the Elections Committee for nominations for candidates to public office, which questions are reserved to the Elections Committee, and is encouraged to do so provided such requirements are determined by the Party, in Convention, to be substantially complied with.

## Section 2. Special Convention

- A. A Special Convention must be called with a specific purpose or agenda, and that purpose made public as part of the notice of the Special Convention. Other than items under this Constitution which may occur at any convention, no other activities may occur at a Special Convention other than those properly noticed to the Voting Members and no suspension of the rules may be made to the contrary.
- B. A Special Convention of a Party may be called by an Executive Committee, or by the Executive Committee of the Chartering Party, and with at least thirty (30) days' notice to the Voting Members of that Party. Except as otherwise expressly set forth in this Constitution, a Special Convention called by an Executive Committee may not be called more than twice per year.
- C. A Special Convention may be called by petition of one-third (1/3) of the Voting Members of a Party. Such a call shall be in writing at least forty (40) days prior to the convention date, signed by those members, with notice given to the Chair and Secretary of that Party. The Chair of that Party shall provide notice to the

Voting Members of that Party within five (5) days of receipt of the petition. No Voting Member shall be permitted to sign more than one such Special Convention for any one Party more than once per year; provided that this limitation shall not apply if the convention is not successfully called.

- D. A Special Convention may be canceled by petition of one-half (1/2) of the Voting Members of that Party. Such a cancellation shall be in writing at least fourteen (14) days prior to the convention date, signed by those members, with notice given to the Chair and Secretary of that Party. The Chair of that Party shall provide notice of the cancellation to the Voting Members of that Party within five (5) days of receipt of the petition.

### Section 3. Organizational Convention

- A. An Organizational Convention may be called when no Affiliate Party exists where one could exist under this Constitution, and members seek to form an Affiliate Party.
- B. Voting Members who live within that jurisdiction shall be permitted to organize for the purposes of electing Officers, and petitioning the Chartering Party or State Party to become a recognized Affiliate Party.
- C. The Executive Committee of a Chartering Party or of the State Party may call an Organizational Convention to create an Affiliate Party.

### Section 4. Nominating Convention

- A. A Nominating Convention may only be called by the Elections Committee, and shall be conducted in accordance with Bylaws, for the sole purpose of nominating candidates for partisan external political office.
  - 1. If a Nominating Convention is held on the same day as an Annual Convention, the agenda of the Nominating Convention shall take precedence over the agenda of that Annual Convention; this may not be overridden by a suspension of the rules or any other motion.
  - 2. Multiple Nominating Conventions may be called at the same date, time, and/or location.
  - 3. Participation shall be open to Registered Members who were registered as of December 31 of the year preceding the convention or who were never registered with any party in Kentucky but became registered while registration books were open with the Secretary of State at least thirty (30) days prior to the Nominating Convention.
- B. After a Nominating Convention, one or more Executive Committee Nominating Conventions may be called by the Elections Committee, and there is no limit to the number of such conventions that may be called, with such convention and the persons entitled to vote to be comprised of the Executive Committee in question, for the purpose of nominating candidates, for offices for which the

convention did not choose a nominee, for offices where the candidate nominated at convention has submitted a formal resignation from the political race, or for offices where the selected candidate has been deemed ineligible, following the rules outlined by this Constitution. These conventions need not comply with the other requirements regarding notice and similar issues in this Constitution, but a majority of the Executive Committee at issue shall constitute a quorum, and a majority vote of those attending shall be sufficient to nominate any candidate.

Section 5. National Convention

- A. Only those who are a Voting Member, and are counted as part of the delegate allocation formula of the National Party on the date the National Party calculates the number of Primary Delegates to the convention of the National Party, shall be permitted to be elected to be delegates to the National Convention. Procedures for nomination and election of delegates to convention of the National Party, and filling vacancies, shall be outlined in Operating Rules.

Section 6. General rules for Annual, Special, and Organizational Conventions

- A. A “Putative Delegate” is a person who is a Voting Member living within the jurisdictional boundaries of that Party as of thirty (30) days prior to a convention; and for an Annual Convention have also:
  - 1. Been a Registered Member since December 31st of the year preceding the convention; or
  - 2. Become a resident of Kentucky and a Registered Member after December 31st of the year preceding the Annual Convention, but at least thirty (30) days prior to the Annual Convention.
- B. Only “Voting Delegates” may vote in convention, the number of which shall be the denominator when calculating quorum. A Voting Delegate is a Putative Delegate who has both registered for and checked into the Convention, and has not either checked out or have been removed by the Voting Delegates. After the opening of the convention, the list of Voting Delegates may only be amended by the Voting Delegates.
- C. Provided that no such rule shall work to inhibit the nomination of candidates or their placement on the ballot, Operating Rules may be enacted that govern additional details for the calling, timing, and rules for conventions, other than conventions for nominating candidates for external political office, by Voting Delegates at State Party Annual Convention.

**ARTICLE VI. PLATFORM**

Section 1. A Party may adopt a Platform, provided that Platform does not conflict with the platform of the State Party or the Statement of Principles.

Section 2. At any convention at which platform amendment is part of the noticed agenda, planks may be deleted by majority vote, and created or amended by a vote of two-thirds (2/3), of the Voting Delegates present and voting.

## **ARTICLE VII. GOVERNING DOCUMENTS**

Section 1. This Constitution applies to all Parties, and supersedes all previous versions of the State Party Constitution and all governing documents of Affiliate Parties. A Constitution may only exist for the State Party.

Section 2. Bylaws

A. Bylaws shall exist, as “bylaws” as defined under Roberts Rules of Order in a split-document governance model, limited to the purpose of conforming to and codifying the conduct of candidate nomination for external political office under this Constitution and state law, and shall be binding to all Parties. Bylaws may not conflict with this Constitution; any such Bylaw is immediately repealed.

1.No Affiliate Party may adopt Bylaws.

B. Bylaws shall codify, unless contrary to law:

1.Any candidate whose name was listed on the ballot and received fewer votes than None of the Above (“NOTA”) may not be nominated for that office during the same election cycle.

2.All in-person balloting shall be by secret ballot, and, to the extent reasonably practical, absentee balloting as well.

C. Notwithstanding any other provision, it remains the province of the Elections Committee to waive any formalities or technicalities of this Constitution or the Bylaws that do not, in its judgment, have a material effect on the outcome of any given election.

D. Notwithstanding any other provision, any sections of this Constitution, that do not adhere to state law, and otherwise prevent the nomination of candidates and their placement on the ballot, may be waived by the Elections Committee, upon the advice of counsel of such conflict, by a four-fifths (4/5) vote and immediate notification to the State Party Executive Committee at least twenty-four (24) hours’ notice before taking such vote, and immediate notification after such vote, which is subject to review by the State Party Executive Committee within thirty (30) days of such action, which may be rescinded by majority vote of the State Party Executive Committee.

Section 3. Operating Rules

A. Operating Rules are rules and regulations governing the operations of all Parties.

- B. Operating Rules may cover topics provided for in this Constitution and not prohibited by this Constitution.
- C. The violation of any Operating Rule shall not constitute grounds for the disqualification of any candidate for office or the invalidation of any nomination of any candidate for office. No Operating Rule may conflict with this Constitution, or Bylaws. Any Operating Rule in conflict with the Constitution or Bylaws is, to the extent of such conflict, automatically repealed. The invalidation of part of an Operating Rule shall not invalidate the remainder of such rules.
- D. The State Party Executive Committee shall be empowered to waive, in any particular case, the requirement of any Operating Rule by a two-thirds (2/3) vote of the entire State Party Executive Committee, unless the rule violation in question involves a violation by the State Party Executive Committee itself, in which case the waiver shall be a three-fourths (3/4) vote of the entire State Party Executive Committee.

#### Section 4. Standing Rules

- A. A Party may adopt Standing Rules, provided such rules comply with federal and state law, this Constitution, Roberts Rules of Order, Bylaws, and Operating Rules of the State Party. Any Standing Rule which does not comply is repealed. Standing Rules only apply to the Party that enacts them, and are not binding on the rights generally of Voting Members or on Affiliate Parties.
- B. Any Standing Rules adopted by a Party shall be reviewed by the Executive Committee at the first meeting after a Convention of the Party it serves.

#### Section 5. Amendments

- A. No Amendments to this Constitution, except Emergency Amendments, may be made until it has been submitted to the State Party Executive Committee, at least forty-five (45) days prior to the State Party Annual Convention at which it will be considered. This requirement of advance notice may be waived by three-fourths (3/4) of the Voting Delegates present and voting, and a motion to suspend the rules on this subject matter shall be subject to limited debate of two minutes per side. Any amendments to this Constitution shall be approved by a vote of three-fourths (3/4) of the Voting Delegates at the State Party Annual Convention.
- B. This Constitution may also be amended by the State Party Executive Committee on an Emergency Basis, and not for convenience. Emergencies include, for instance, the potential loss of ballot access. Emergency Amendments shall be passed by a vote of at least four-fifths (4/5) of the members of the State Party Executive Committee, except that, within the period of sixty (60) days prior to, or sixty (60) days after the State Party Annual Convention, the vote must be

five-sixths (5/6) of the entire membership of the Executive Committee. The State Party Executive Committee shall not be entitled to enact any amendment that was rejected by the Voting Members of the State Party at the immediately preceding State Party Annual Convention.

- C. Any amendments made to this Constitution by the State Party Executive Committee between conventions shall take effect immediately, but shall be immediately repealed at the close of the next State Party Annual Convention unless ratified by a two-thirds (2/3) vote of the voting membership in attendance. Unless the measure is ratified, or the convention body, by a two-thirds (2/3) vote finds that the need for the amendment existed in good faith, each and every member of the State Party Executive Committee who voted for the Amendment shall be immediately recalled from office upon the failure of the Amendment to be ratified or the vote regarding good faith fails, whichever comes later. In the event of Recall, those persons shall be ineligible to hold any further office within the Party for a period of two (2) years following those votes. The Convention body shall then fill these vacancies.
- D. Operating Rules may be adopted or amended, by a vote of three-fifths (3/5) at the State Party Annual Convention, and shall be debatable and amendable as provided in Robert's Rules of Order. Any Operating Rule or part of an Operating Rule, may be rescinded or deleted by majority vote at the State Party Annual Convention. Operating Rules may be adopted, amended, or deleted at a State Party Special Convention by vote of three-fourths (3/4). Operating Rules amendment proposals will be submitted to the Voting Membership not later than fourteen (14) days prior to the convention; the failure to transmit a proposal transmitted to it within the time herein, shall not bar its consideration by the body in convention. This requirement of advance notice may be waived by three-fifths (3/5) of the Voting Delegates present and voting.
- E. Operating Rules may also be amended by the State Party Executive Committee on an Emergency Basis, and not for convenience. Emergencies include, for instance, the potential loss of ballot access. Emergency Amendments shall be passed by a vote of at least three-fourths (3/4) of the members of the State Party Executive Committee, except that, within the period of sixty (60) days prior to, or six (6) days after the State Party Annual Convention, the vote must be four-fifths (4/5) of the entire membership. Any amendments made to Operating Rules by the State Party Executive Committee between conventions shall take effect immediately, but shall be immediately repealed at the close of the next convention unless ratified by a majority vote of the voting membership in attendance. Unless the measure is ratified, or the convention body, by a majority vote finds that the need for the amendment existed in good faith, each and every

member of the State Party Executive Committee who voted for the amendment shall be immediately recalled from office upon the failure of the amendment to be ratified or the vote regarding good faith fails, whichever comes later. In the event of Recall, those persons shall be ineligible to hold any further office within the Party for a period of two (2) years following those votes. The Convention body shall then fill these vacancies.

- F. Standing Rules may be adopted, amended, or deleted by a Party Executive Committee.

#### **ARTICLE VIII. PREFERENTIAL VOTING AND NONE OF THE ABOVE**

- Section 1. In any case where a question has been called to a vote and/or during the election or nomination of candidates, and there are more than two (2) options, preferential voting, also known as instant-runoff voting, shall be used to determine the winning choice.
- Section 2. In any case where a question involves election or nomination, None of the Above (NOTA) shall be an option.
- Section 3. Whenever preferential voting is used, the Secretary of the Party, or Elections Committee, as applicable, shall be responsible for tallying, announcing, and archiving the results of each round of voting. Except where otherwise explicitly outlined in this Constitution, those entitled to vote may, in good faith, challenge the results.
- Section 4. Except where explicitly permitted in this Constitution or as may be permitted in Bylaws, proxy or absentee voting is forbidden.

#### **ARTICLE IX. ALL OTHER CIRCUMSTANCES**

- Section 1. All situations not covered shall be governed by the latest edition of “Robert’s Rules of Order, Newly Revised”

*As Amended in State Party Annual Convention on March 7th, 2020*