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South Carolina Libertarian Party Bylaws 2010-2012

These bylaws were ordained and established by the South Carolina Libertarian Party State Convention in Columbia, SC, on February 6, 2010

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I. Definitions.

- A. "County Committee" means the County Executive Committee.
- B. "County Chairperson" means the Chairperson of the County Executive Committee.
- C. "State Committee" means the State Executive Committee.
- D. "State Chairperson" means the Chairperson of the State Executive Committee.
- E. "General Election" means the general election held in November in even numbered years.
- F. "The Party" or "S.C.L.P." means the South Carolina Libertarian Party.
- G. Unless otherwise specified, statutory references herein shall be to the South Carolina Code of Laws, as amended.

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II. Purpose of the South Carolina Libertarian Party.

The goal of the S.C.L.P. is to restore the supremacy of the Natural Rights of each individual. In striving for Liberty, the S.C.L.P. has as its main function the presentation of an argument for freedom and a defense of Natural Rights, using the political process as an educational forum and as a method for constraining the power of government. Specifically, the S.C.L.P. seeks to restore freedom by running candidates for public office who fully embrace libertarian principles; who eloquently and consistently put forth a principled argument for Freedom during their campaign; and who energetically attempt, when elected, to constrain government. The purpose of all these activities is to convince South Carolinians that respect for each individual's Natural Rights is a prerequisite for Liberty, and that Liberty is essential to human happiness, survival, progress, peace and creativity. The S.C.L.P. does not believe in or advocate the initiation of force or fraud as a means of achieving political or social goals.

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III. The South Carolina Libertarian Party Platform

The South Carolina Libertarian Party Platform shall serve as the campaign document of the Party during an Election Cycle. The platform shall consist of planks consistent with the purpose of the SCLP. The Platform will be ratified at the State Convention. All planks will only be in effect for 1 election cycle and all existing and additional planks will need to be ratified each convention. The Platform will be a separate document.

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IV. Party Membership

The qualifications for membership in the S.C.L.P. shall be those specified in the Code of Laws of South Carolina, Title 7, Chapter 9, Section 20, as amended. Further, each applicant for membership in the SCLP shall sign the following statement: "I certify that I oppose the initiation of force to achieve political or social goals." Only a member is entitled to: hold office in the S.C.L.P. or State Convention; be a delegate to the State Convention; run for public office on the Libertarian Party ticket if legitimately nominated; be a member of the State Executive Committee; or be a delegate to the Libertarian Party National Convention.

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V. Termination of Party Membership.

A member may resign from the Party by submitting a letter of resignation to their County Club Secretary or to the SCLP Secretary.

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VI. Party Nominees for Public Office.

A. If a party nominee dies withdraws or otherwise becomes disqualified after nomination but prior to the general or special election, the State Convention shall reconvene to appoint a new nominee. If sufficient time does not remain to hold a convention the State Executive Committee may nominate a new candidate, who shall be duly certified by the State Chairperson, and the State Secretary shall report the nominees to the appropriate state

officials.

B. Special Elections: The SCLP Executive Committee shall determine the certification of Candidates.

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VII. South Carolina Libertarian Party Clubs

A. County Clubs are independent of the S.C.L.P. and must have their own Bylaws.

B. New County Clubs shall operate under the SCLP assigned county Bylaws until the 1st county convention at which time these bylaws will be adopted, amended or replaced.

C. County Officers must be members of the SCLP.

D. If any member of a county committee violates South Carolina election laws or these Bylaws, or misappropriates Party property, such member shall be subject to removal from office and expulsion from Party membership. The member shall be informed in writing at least 10 days before a vote for state membership removal by certified mail. The member shall have an opportunity to present reasons in defense either in written or spoken form not to include e-mails or phone conversations to be placed on record prior to the vote.

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VIII. State Executive Committee

The state executive committee shall be composed of an executive committee person from each county elected by the county convention, and the state chairperson and vice-chairperson elected by the state convention. Those persons named as members of the National Executive Committee shall be ex-officio members of the state committee. Each committeeperson shall have one vote, except for the state chairperson, who shall vote on the committee only in case of a tie. A committeeperson may give his proxy to any other Party member (whether or not a resident of his county), but proxies must be voted in person and no individual may cast more than one vote on any matter coming before the executive committee. Proxies shall be delivered to the Secretary prior to the time the meeting is called to order, and may be delivered in person or sent electronically via e-mail or fax. Proxies shall be applicable for only one executive committee meeting.

It is the role of the state committee to promote and build the S.C.L.P. throughout the state. The term of the State Executive Committee shall commence with the initial meeting immediately following the biennial state convention and shall terminate when the state chairman calls the biennial state convention to order. All called meetings of the State Executive Committee which meet Quorum requirements will be official meetings including ones that occur after County Conventions, prior to State Convention. The state committee shall meet at the call of the state chairperson or any five committee members as needed to conduct party business. Meetings shall be conducted according to most recent authorized edition of the Robert's Rules of Order, Quorum will consist of 5 Executive committee members. If the office of state chairperson or state vice chairperson becomes vacant, the state committee may fill the vacancy by electing a chairperson or vice-chairperson to serve until the next state convention. Other vacancies on the state executive committee shall be filled by the respective county committees. The members of the state committee shall

continue in office for two years from the time of their election, and until their successors have been elected. All members of the state Committee must be S.C.L.P. members. The State Chairperson and State Vice-chairperson must have been members of the S.C.L.P. for a period of at least six months prior to their election.

The State Committee may, without meeting together, transact business by mail or other electronic means. The Secretary shall send out mail ballots on any question submitted by the Chair or by at least 1/5 of the members of the Committee. Seven days shall be allowed for the return of the votes cast to the Secretary, with balloting ending at midnight of the seventh day following notice from the Secretary that a motion has been submitted and properly sponsored. The Secretary shall establish procedures for identifying voters in a mail ballot, and may accept votes through any mail system, including facsimile and electronic mail, for which such procedures have been established and approved by the State Committee at a regular meeting. Votes from County Chairpersons or Vice-Chairs will be counted, in accordance with the procedure for proxy substitution, only if the Executive Committee Member from the County fails to respond to the ballot; in no event shall any County have more than one vote nor shall any person cast more than one vote. Members may change their vote during the balloting period, or withdraw a vote and enter an abstention. If, at the expiration of the applicable period, a quorum of the State Committee have not returned their votes, the measure being voted upon shall be deemed to have failed; in all other cases, a majority of the votes returned shall carry the measure, except where a higher vote is required by the Bylaws. Votes for the removal of a member or the removal or election of an officer may not be conducted by mail ballot. The Secretary shall preserve all such votes until the next meeting of the State Committee, at which meeting the Committee shall order the disposition of such votes.

The state committee shall nominate presidential electors who must be S.C.L.P. members. The state committee shall appoint members of the platform committee, convention committee, and any other committee deemed necessary to carry out the functions of the S.C.L.P. The state committee shall choose its own officers, with the exception of the state chairperson and state vice chairperson which are elected by the state convention. These officers need not necessarily be members of the state committee, but they must be party members.

The Executive Committee may add or delete other offices, including, but not limited to, Recording Secretary, Membership Chair, Media Coordinator, etc., on an as-needed basis. The officers and their accompanying duties shall at least include the following:

A. State Chairperson:

1. The state Chairperson shall call together state committee meetings as necessary to carry out party business at the state level.
2. The state chairperson shall preside at state Committee meetings.
3. The state Chairperson shall oversee party projects throughout the state, in coordination with county committees and party clubs, in order to promote the S.C.L.P.
4. The state chairperson shall be responsible for recruiting Libertarian candidates for public office with the help of the county chairperson and club presidents, as well as the state vice-chairperson.

5. The state chairperson shall maintain communication with the national Libertarian Party in order to coordinate national and state party business.

6. The State Chairperson may be removed from office by a resolution of a 2/3 majority of the full membership of the State Executive Committee for the following reasons:

Misappropriation of party property; Material misrepresentation of party platform; repeated failure to schedule, hold or attend meetings of the State Executive Committee. The State Chairperson shall be informed in writing at least 10 days before a vote for removal. The State Chairperson shall have an opportunity to present reasons in defense either in written or spoken form offered on the record not to include e-mails or phone conversations.

Immediately upon removal of the State Chairperson from office, the State Vice Chairperson shall become State Chairperson and the first order of business shall be to select a new State Vice Chairperson.

B. State Vice-chairperson:

1. The State vice-chairperson shall temporarily serve as state chairperson if the permanent state chairperson is unable to perform his duties.

2. The State vice-chairperson shall assist the state chairperson in his duties whenever possible.

3. The State Vice-Chairperson may be removed from office by a resolution of a 2/3 majority of the full membership of the State Executive Committee for the following reasons:

Misappropriation of party property; Material misrepresentation of party platform; repeated failure to schedule, hold or attend meetings of the State Executive Committee. The State Vice-Chairperson shall be informed in writing at least 10 days before a vote for removal. The State Vice-Chairperson shall have an opportunity to present reasons in defense either in written or spoken form offered on the record not to include e-mails or phone conversations. Immediately upon removal of the State Vice-Chairperson from office, the first order of business shall be to select a new State Vice-Chairperson.

C. State Secretary:

The office of the Secretary can be divided into two positions, Recording Secretary and Executive Secretary, at the discretion of the Executive Committee.

1. The state secretary shall record and keep the minutes of the state executive committee meetings and distribute them to the Executive Committee members within a reasonable amount of time after each Executive Committee meeting.

2. The state secretary shall report to the South Carolina Secretary of State the officers of county executive committees prior to the date of the state convention. He shall report to the South Carolina Secretary of State and the South Carolina Election commission the state officers within fifteen days after the state Convention. He shall report to the National Libertarian Party the state officers and the delegates to the national convention, whenever appropriate. He shall keep a copy of these reports for party use. These reports shall be public record.

3. The state secretary shall serve as the credential officer of the state convention.

4. The state secretary shall make available a list of the convention delegates to all

candidates for state party leadership or for statewide office, excluding those delegates who have stated in writing that they do not wish to have their names revealed, and provided the person so requesting signs a pledge not to use the list for commercial purposes.

D. State Treasurer:

1. The state treasurer shall keep accurate account of and shall safeguard party funds.
2. The state treasurer shall not spend any of the party's funds without the approval of the state executive committee. Routine expenses can be approved by type on a periodic basis.
3. All non-budgeted, extraordinary expenditures of S.C.L.P. funds must be approved by the executive committee.
4. The state treasurer will submit a proposed budget to the executive committee in June of each year.
5. The state treasurer shall be responsible for all state and federal financial filings.

E. Assistant State Treasurer:

1. The Assistant State Treasurer shall temporarily serve as State Treasurer if the permanent State Treasurer is unable to perform his duties.
2. The Assistant State Treasurer shall assist the State Treasurer in his duties whenever possible.

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IX. State Convention:**A. Notice, Time, and Delegates:**

The S.C.L.P. State Convention shall meet at a location decided by the executive committee at least 30 days prior to the beginning of the candidate filing period every general election year on a day and time at the discretion of the Executive Committee, in conformance with State Election Laws, and announced publicly at least ten days before the Convention date. The state convention shall be composed of delegates elected by the county conventions in accordance with the Code of Laws of South Carolina, Title 7. Counties shall be given at least 6 months' notice of the state convention date.

County Conventions shall occur in a timely manner so that their delegates can be seated at the state convention in accordance with South Carolina Law, Sections 7-9-60, 7-9-70 and 7-9-80, as amended.

B. Organization and Conduct of Business:

When the state convention assembles, it shall be called to order by the state chairperson. The state secretary shall first give a credential report, which must be approved by the convention. After each recess of the convention the secretary shall submit an update to the credential report, which must be approved by the convention. The convention, by two-thirds majority vote of the delegates included in the secretary's credential report, may approve the credentialing of individuals who are members of the S.C.L.P. Any such persons shall

thereupon possess all of the rights and powers, including voting rights, of all other delegates. A quorum shall consist of fifty percent of the credentialed and approved delegates plus one. The convention shall then elect a convention president to preside over the convention and a convention secretary to record the minutes of the convention. The convention president shall then proceed to conduct convention business, which shall include the items listed below. Thereafter, the convention shall be conducted according to the most recent authorized edition of the Robert's Rules of Order, unless otherwise specified. When business is concluded, the convention shall adjourn sine die, or may recess, in which case the state chairperson may recall the state convention into special session at any time he deems wise.

1. Election of a new state chairperson and vice-chairperson.
2. Approval of the state platform. The majority reports of the platform committee shall be presented first, followed by any minority reports. These proposals shall then be voted on, starting with the minority reports. Following this, proposals from the floor will be entertained.
3. Approval of the party by-laws. The majority report of the by-laws committee shall be presented first, followed by any minority reports. These proposals shall then be voted on, starting with the minority reports. Following this, proposals from the floor shall be entertained.
4. Election of delegates and alternates to the national convention, if appropriate. All nominees must be S.C.L.P. members. The national party shall determine the number of delegates and alternates allowed. The State Chair shall be the head of the delegation. In his absence, the delegates shall choose their own chair. The S.C.L.P elected delegation can by 2/3rd majority add or remove additional delegates to be seated at the national convention. The choice of which National L.P. Region to join shall be subject to review by the delegation.
5. If the delegates choose to nominate candidates by convention a date shall be set for the nominating session prior to recessing the convention for the day. Upon reconvening, the delegates will then nominate by convention S.C.L.P. candidates for state and national offices to run in the general election. A nominee must be a party member. A candidate receives the S.C.L.P. nomination by a majority vote of the state convention delegates. In case of a tie, the convention chairman shall cast an additional vote. "None of the above" shall always be considered as a candidate in all votes.

The first meeting of the new state executive committee shall be held immediately after the convention. Business shall include election of new state committee officers. The state officers will be reported to the South Carolina Secretary of State and to the South Carolina Election Commission within fifteen days after the convention by the new state secretary. These reports shall be public record.

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