

Libertarian Party of Michigan Bylaws

(as amended in convention April 1, 2023)

I. NAME

The name of this organization shall be the "Libertarian Party of Michigan," hereinafter referred to as the "Party" or "LPM".

II. PURPOSE

The purpose of this organization is to further the principles of individual liberty as expressed in the Statement of Principles of the National Libertarian Party by nominating and working to elect candidates for political office and by entering into political information activities and affiliating with the National Libertarian Party.

III. OFFICERS

1. The officers of the Party shall be a chair, a first vice chair, a second vice chair, a secretary, a treasurer, and the Congressional district representatives described below, hereinafter referred to as the "Executive Committee." These are the same individuals who shall serve as the directors of the "Libertarian Party of Michigan Executive Committee, Inc." None of these offices shall be combined. Except as provided otherwise in these bylaws, all of these officers shall be elected to a two-year term at an odd-numbered year regular convention of the Party by the attending delegates (as to the Congressional district representatives, those delegates from the respective districts) and shall take office immediately upon the close of such convention and shall serve until the final adjournment of the next odd-numbered year regular convention or until the seat is vacated in accordance with these bylaws.
2. At odd-numbered year each regular convention, following the selection of those officers of the Executive Committee elected at large, the delegates from each Congressional district shall caucus to select one person residing in that district to serve as the Congressional district representative for that district.
3. The Executive Committee shall comprise the state central committee of the Party within the meaning of state law, notwithstanding any contrary provision of state law calling for a larger state central committee, different officers, or a different procedure for selection of officers or members of the Executive Committee.
4. The chair shall preside at all meetings of the Executive Committee and at all conventions. The chair shall be the chief executive officer of the Party. In the absence of directives from the Executive Committee, the chair shall have the authority to speak for, and to generally manage the affairs of, the Party. Said authority includes the appointment of a Newsletter Director to ensure the timely publication of the "Michigan Libertarian." For purposes of Party representation at all National Libertarian Party

conventions, the chair shall be a Michigan delegate and shall serve as head of the Michigan delegation.

5. The first vice chair shall act as assistant to the chair and shall perform the duties of the chair in his or her absence. The first vice chair shall also act as “affiliates director” helping affiliates organize, forming new affiliates, helping student groups organize and forming new student groups. The first vice chair shall also be responsible for organizing seminars to make certain that affiliate officers have the information necessary to work effectively with the LPM.
6. The second vice chair shall act as assistant to the chair, and in the absence of the chair and first vice chair, shall perform the duties of the chair. The second vice chair shall also act as “political director”, recruiting candidates for public office and helping them organize their campaigns. The second vice chair shall also be responsible for organizing seminars to make certain that candidates have the information necessary to qualify and run effectively for public office.
7. The secretary shall be the recording officer of the Party, and be responsible for ensuring that member-accessible archives are preserved. Excepting the Party newsletter or press releases, the secretary shall be responsible for all regular communications within the Party and between the Party and outside individuals, groups, and organizations.
8. The treasurer shall receive, expend, and account for the funds of the Party under the supervision and direction of the Executive Committee.
9. The members of the Executive Committee shall meet in such times and places as they shall determine and shall govern all the affairs of the Party. A majority shall rule at meetings of the Executive Committee except for resolutions, which shall require a two-thirds vote of those present, or as otherwise required by these bylaws.

~~10. A member of the Executive Committee who misses three consecutive meetings of the Executive Committee or fails to perform his or her fiduciary duties may be removed from the Executive Committee and replaced by a two-thirds vote at a regular meeting of the Executive Committee or a majority vote at convention following a motion for a vote of no confidence. All Executive Committee members must be notified of the intent to remove at least 14 days prior to the meeting. A Congressional district representative may be replaced by a majority vote of a congressional district caucus at any state convention. If the chair is so removed, the first vice chair shall assume the chair and a new first vice chair elected. If a Congressional district representative resigns or is so removed, then the Executive Committee must replace him or her with a person residing in the same Congressional district, who shall serve until the next state convention, at which time the caucus for that Congressional district shall select a replacement for the balance of his or her term.~~

10. Any member of the Executive Committee may resign upon written notice to the chair and/or secretary, which shall take immediate effect. Absence from three consecutive regular meetings, by any Executive Committee member, shall be considered a constructive resignation, and shall take immediate effect upon close of the third meeting. A member of the Executive Committee may be relieved from their duties on

the Executive Committee, for cause, by a two-thirds vote at a regular meeting of the Executive Committee. All Executive Committee members must be notified of the intent of said relief at least 14 days prior to the meeting. A member of the Executive Committee may be so relieved from their duties on the Executive Committee by a majority vote at any state convention, without the need for prior notice. When such a motion is made only those whom the member represents (either district or state wide) shall vote first on said relief, and if relieved, a replacement shall be selected immediately by the same body.

11. If the chair is vacated, the first vice chair shall assume the duties of the chair until a new chair is elected at the next regular state convention. If both the chair and first vice chair are vacated, the Executive Committee must appoint someone to fill the role of the chair who shall serve until the next regular convention. If the first vice chair, second vice chair, secretary, or treasurer is vacated, the Executive Committee may appoint someone to fill that role who shall serve until the next regular convention. If a Congressional district representative position is vacated, the Executive Committee may only appoint someone who has been nominated by a caucus of members residing in the same Congressional district to fill that role who shall serve until the next regular convention. Any vacancies that occur in the interim between conventions, whether filled by the Executive Committee or not, shall be filled by majority vote of eligible delegates at the next state convention, without the need for prior notice.

12. All officers of the Party must be current members of the Party. An officer whose membership lapses must renew at the next meeting after written notice or be removed at that meeting.

13. There shall be a standing legislative committee to monitor, report on, and advocate for legislation on behalf of the Libertarian Party.

14. All officers of the Party shall be elected and serve without regard to biological sex, gender, race, ethnicity, creed, age, religion, sexual orientation, national origin, ancestry, marital status, physical appearance, or economic status.

15. Members of a standing or special committee (except for the Judicial Committee) may be appointed by the Executive Committee, by a committee chair, or by the LPM Chair. [All appointments must be approved by the Executive Committee. Appointments shall be made only at a meeting of the Executive Committee. Only voting members of the LPM shall be eligible for appointment as members of a standing committee. The Executive Committee may fix a maximum size to any committee (except for the Judicial Committee).

IV. LOCAL PARTY ORGANIZATIONS

1. Party members may form organizations entitled to be known as the “Libertarian Party” of their respective areas, subject to this Article.
2. The Executive Committee shall charter affiliate parties, each of which shall cover one or more counties of the state, hereinafter referred to as an “affiliate region”, from those

organizations requesting such status. A copy of the petitioning organization's proposed operating rules shall be submitted with the petition. No organization shall be so chartered which does not ratify the Statement of Principles of the Party or whose operating rules do not comply with these bylaws. The Executive Committee can arbitrate disputes between affiliates.

3. During years in which the Libertarian Party of Michigan is primary qualified, each affiliate party shall oversee the county and district conventions for those counties and districts within its affiliate region in accordance with state law (MCL 168.592, 168.594, 168.595, 168.599, 168.600, 168.601, and 168.602); except that:
 - A. If an affiliate region covers more than one county or district:
 - i. the affiliate may hold a combined convention for all counties and districts within the affiliate region at the same place(s) and/or via a synchronous electronic meeting;
 - ii. State convention delegates and alternates selected by the affiliate need not be apportioned to the individual counties or districts or their political subdivisions, but may be selected at large from all the counties and districts comprising the affiliate region, or at the affiliate's option, from LPM members residing anywhere in Michigan; and
 - iii. the affiliate may hold a combined convention for the election of a single affiliate executive committee, in lieu of separate executive committees for each county or district.
 - B. An affiliate may elect in its discretion to adopt affiliate bylaws that organize the affiliate and the county(ies) and district(s) comprising its affiliate region in a manner different from the provisions of MCL 168.599 and 168.600. If the affiliate does so, then the officers and committees of the affiliate and the county(ies) and district(s) comprising its affiliate region shall be organized and selected in accordance with the affiliate's bylaws.
 - C. For so long as the Party qualifies to elect precinct delegates at primary elections to county party conventions under state law, the affiliate shall be required to accept precinct delegates so selected as delegates to its county and district conventions, but if the Party ever no longer qualifies to elect precinct delegates at primary elections, then the affiliate may set its own rules for qualifying delegates to its county and district conventions.
 - D. For purposes of this Article IV, Section 3, and Article VI, Section 4, below, any counties and districts in the State not organized as part of an affiliate region will together be deemed designated as one or more affiliate regions and overseen by the Executive Committee.
4. The autonomy of the affiliate Parties shall not be abridged by the Executive Committee, or any other committee of the Party, except as provided herein.
5. The Executive Committee shall have the authority to suspend affiliate party status from any organization by a two-thirds vote. Such suspension is subject to written appeal within thirty days of notification. Failure to appeal shall be construed as an act of

secession by the affiliate party. The Executive Committee shall not suspend any affiliate party within a period of three months prior to a state Party convention.

6. The appeal of the affiliate party is to be directed to the Judicial Committee of the Party. Written arguments shall be sent to the Judicial Committee by representatives of the Executive Committee urging revocation and by representatives of the affiliate party opposing revocation. The Judicial Committee shall rule to either revoke the charter of the affiliate party or to reinstate the charter within thirty days of receiving the arguments and no later than thirty days prior to a State Party convention. Should the Judicial Committee fail to rule timely, the affiliate party shall be automatically reinstated with all rights and privileges pertaining thereto. The affiliate party may appeal the ruling of the Judiciary Committee to the Judicial Committee of the National Libertarian Party following the above procedure.

V. JUDICIAL COMMITTEE

1. The Judicial Committee's jurisdiction shall be limited to cases involving alleged violations of the bylaws or resolutions by the Executive Committee, its members, or its appointees.
2. The judicial power of the Party shall be vested in an ad hoc Judicial Committee composed of three total Party members. Each side shall appoint one member and the third member will be agreed upon by both parties when alleged violations of these bylaws or resolutions occur. ~~All of these committee members shall be elected to a two-year term at an odd-numbered year regular convention of the Party by the attending delegates and shall take office immediately upon the close of such convention and shall serve until the final adjournment of the odd-numbered year next regular convention.~~ No member of the Executive Committee or an interested party in the appeal may be a member of the Judicial Committee.
3. The ad hoc Judicial Committee shall submit a report to the Executive Committee on cases involving alleged violations of these bylaws or resolutions, and shall have the power to convene a Special Convention in the event the Executive Committee does not accept the recommendations of the Judicial Committee within 15 days.
4. The ad hoc Judicial Committee shall be dissolved upon either the acceptance of the recommendations by the Executive Committee or the adjournment of any Special Convention called for the purpose of resolving a violation as outlined in Article V Section 2, whichever is later.
5. All cases facing the Judicial Committee shall be submitted to the LEC Secretary who shall then commence the selection proceedings of the Judicial Committee within 14 days.
6. ~~The Judicial Committee shall decide cases involving alleged violations of these bylaws or resolutions.~~

VI. CONVENTIONS

1. During years in which a Libertarian Party primary occurs, the Party shall hold a regular fall state convention after the date of the primary and not less than 60 days before the general November election in accordance with state law (MCL 168.591). During even-numbered years in which a Libertarian Party primary election is not required by state law, the Party shall hold a ~~candidate nominating~~ regular convention for, but not limited to, the purpose of candidate nominations after the filing deadline for candidates to appear on Michigan's primary ballot and before the date of the primary. During odd-numbered years, the Party shall hold a regular state convention between April 1 and July 31, performing such business as required herein.
2. The Party shall also hold a regular state convention no later than six weeks prior to the scheduled first day of the Libertarian Party National Convention, hereinafter referred to as a "national delegate selection convention". The national delegate selection convention shall be for, but not limited to the purpose of selecting national convention delegates. The national delegate selection convention may also endorse any candidates for Secretary of State, Attorney General and Supreme Court to be formally nominated at the regular fall state convention in the same year. Votes for endorsement of candidates shall be made in the same manner as for nomination of candidates set forth in Article VII of these bylaws.
3. The Party shall hold a special convention within 45 days upon the call of the Executive Committee, by a majority vote of a Judicial Committee, or when petitions are submitted by ~~10%~~ 15% of the current membership who have been members for at least 30 days, specifying the location, date, time and purpose for the special convention. The petitioners shall organize and fund the special convention. The Executive Committee must notify affiliates of the location, date, time and purpose of the special convention, immediately upon receipt of petitions. The Executive Committee must provide notice of the special convention to the members. The Executive Committee must provide notice to members as specified in Article VI Section 4.D. Due to their expedited nature, special conventions are exempt from the affiliate delegate allocation described in Article VI Section 4 and notice requirements in Article VI Section 4.B or as required by law. Delegate apportionment for special conventions will match the apportionment of the immediately preceding state convention.
4. The Executive Committee shall allocate delegates to all state conventions to be selected by each affiliate region in proportion and according to the number of votes cast within the affiliate region for the Party's most recent candidate for secretary of state (MCL 168.593 and 168.598). Delegates to the national delegate selection convention shall be allocated using the same method. An affiliate region may also select a number of alternates no greater than the number of delegates allocated to it.
 - A. The number of delegates to be seated at state conventions shall be calculated as 25% of the state members whose dues have been paid to the Libertarian Party of

Michigan as of December 31st of the year prior to the state convention. There shall be a minimum of 175 seats available, though actual numbers may slightly vary due to numbers rounding up at the 0.5 interval.

- B. The Executive Committee shall issue a call to each state convention to all affiliates no later than 60 days prior to the scheduled date of the state convention, which call shall specify the date and location of the state convention and the number of delegates each affiliate is entitled to select and send to the state convention. Notwithstanding any provision of state law requiring the Executive Committee to set a single date for counties and districts to hold conventions for the selection of delegates, each affiliate may select the date for its respective convention(s), so long as that date is at least 7 days prior to the state convention.
 - C. Each affiliate must submit the names, addresses and email addresses of its selected delegates and alternates to the LPM Credentials Committee no later than 7 days prior to a convention. Failure to submit such a listing by the deadline will cause no delegation to be registered from that affiliate. By seven-eighths vote, the convention may approve additional delegates and alternates whose names and addresses are submitted to the Credentials Committee during the convention.
 - D. The Executive Committee shall notify every Libertarian Party of Michigan and Michigan resident National Libertarian Party member, whose dues were current within 3 years, of the convention date, time and location no less than 30 days prior to the convention. Notification shall be made by at least one of the acceptable modalities for which contact information has been made available by the member. Acceptable modalities shall include email, phone, and United States Postal Service.
5. A majority shall rule at the convention except for the platform and resolutions of the Party which shall require a two-thirds vote of those present, or as otherwise required by these bylaws.
 6. The Executive Committee shall have supervision and management of all conventions.
 7. The officers of each convention shall be the officers of the Party.
 8. A person must be a current member of the Libertarian Party of Michigan in order to serve as a delegate to a state convention. A person who has never been a member of the Libertarian Party of Michigan must become a member at least ~~30~~ 60 days prior to a State convention to be eligible, unless that person was a member of the National Libertarian Party at least ~~30~~ 60 days prior to a State Convention now residing in the state of Michigan, and becomes a dues paying member of the state party before being eligible ~~allowed~~ to vote at that convention.
 9. Members in good standing who were duly elected as delegates shall not be denied delegate status at the business sessions of a convention. Additional charges may be charged to cover other materials available at the convention.

VII. NOMINATION OF CANDIDATES

1. Nomination of candidates for public office shall be made in accordance with state law, via primary, district caucus or state convention as necessary. No candidate may be nominated for an office for which he/she is legally ineligible to serve.
2. Delegates to the National Convention shall be elected at a national delegate selection convention by nominations from the floor. Delegates may be appointed by the Executive Committee if the allotted quota is not met. Rules governing delegate procedures shall be determined by action of the Convention or, in the absence of directives from the Convention, by the Executive Committee. Those provisions of state law governing the selection of national convention delegates shall not apply to the Party's selection of national convention delegates, and no national convention delegate shall be bound by law to vote for a particular candidate.
3. The Party's nominee for each office shall be chosen by a majority vote of the delegates in attendance at the time of voting. If no candidate has a majority, the candidate with the least number of votes shall be struck from the next vote until one candidate receives a majority.
4. All votes for candidates for public or Party office shall always include "None of the Above."
5. Votes cast for "None of the Above" in voting on the Party's nominees for public office or the Party officers shall be considered valid. Should a majority of the votes be cast for "None of the Above" in voting for a public office, no candidate shall be nominated for that office. Should "None of the Above" be selected for any Party office, that position shall be declared vacant and none of the losing candidates for that position may be selected to fill the vacancy for the term of office. If a delegate votes for "None of the Above" in a race in which more than one candidate is elected, they may not vote for an additional candidate.

VIII. MEMBERSHIP

Membership shall be granted to any person who affirms the Statement of Principles and whose LPM dues are current.

IX. ELECTRONIC MEETINGS AND PROCEDURES

1. Asynchronous voting procedure, such as via email ballot, are strictly prohibited for official business of any recognized body of the Party, including the executive committee, unless there is an agreement to do asynchronous voting in a unanimous motion at a synchronous meeting. This does not prohibit other synchronous forms of communication and voting, such as conference call or videoconferencing, to be used for official business.
2. The Libertarian Party of Michigan may hold electronic meetings for official party business of any recognized body of the State Party, including the Libertarian Executive Committee as well as any committees created by the Libertarian Executive Committee,

unless specifically prohibited from doing so during their creation. Any official party business conducted via electronic means shall comply with Electronic Meetings section of the most current edition of Robert's Rules of Order, Newly Revised.

3. The Libertarian Party of Michigan may hold electronic meetings to conduct special conventions and any conventions in situations where natural disaster, regulatory actions, or any extreme circumstance prevent the use of a meeting venue.

X. FISCAL YEAR

The fiscal year of the Party shall end December 31.

XI. LEGAL AND PARLIAMENTARY AUTHORITY

1. The Libertarian Party of Michigan, in the exercise of its constitutional rights of free association and speech, as affirmed by the US Supreme Court ruling in *Eu, et al., vs. San Francisco Democratic Committee, State Central Committee of the Libertarian Party of California, et al.*, reserves the right to accept or decline the application of Michigan statutory provisions, which appear to govern its affairs. The incorporation of statutory provisions in these bylaws is voluntary and is subject to the foregoing reservation. Any violations of statutory provisions by these bylaws are deliberate and will take precedence over such statutory provisions.
2. Robert's Rules of Order Newly Revised shall be the parliamentary authority for all matters of procedure not specifically covered by the bylaws or convention rules of the Party.

XII. AMENDMENTS

These bylaws may be amended by a two-thirds vote of the delegates present at a convention occurring in an odd-numbered year only.

XIII. USE OF PARTY RESOURCES

The Party does not support, condone, or give candidates of other political parties access to mailing lists, contact information, or administrative access to online social media accounts of the Libertarian Party of Michigan for use with their campaign.

XIV. EFFECT

These bylaws shall take effect immediately upon adoption.