

# **Bylaws of the Libertarian Party of Georgia**

As adopted during the LPGa Annual Convention on 3/16/2019 in Athens, GA

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## **ARTICLE I - NAME**

The name of this organization shall be the Libertarian Party of Georgia, Inc., hereinafter abbreviated as "LPGa".

## **ARTICLE II - PRINCIPLES AND OBJECTIVES**

The Libertarian Party of Georgia, Inc. is a political organization that has as its primary objective the extension of individual human freedom. To that end the Party affirms the following principles:

1. That each individual possesses the inalienable right to life, liberty, and to justly acquired property.
2. That no person or institution, public or private, has the right to use physical force against another except in the defense of life, liberty, or justly acquired property.
3. That all individuals are entitled to choose their own life styles as long as they do not forcibly impose their values on others.
4. That the only moral basis of politics is the preservation and protection of human rights.
5. That the voluntary exchange of goods and services is fundamental to any socioeconomic system which provides for the harmonious integration of divergent value systems. In recognition of the fact that the initiation of force by government has been the chief instrument for the expropriation of individual rights and freedom, the Libertarian Party enters the political arena for the avowed purpose of eliminating the intervention of government in moral, social, and economic affairs.

## **ARTICLE III - MEMBERSHIP**

### **A. Requirements**

Membership in the Libertarian Party of Georgia, Inc. (LPGa) shall not be denied to any individual who shall:

1. certify in writing that they oppose the initiation of force to achieve political or social goals and
2. submit such signed application form as may be required by the Executive Committee and
3. pay such dues as may be required by the Executive Committee.

## B. Membership Classes and Dues

The Executive Committee may, by a two-thirds (2/3) majority vote of those present and voting, establish classes of membership and assess such dues as it deems necessary to carry on the business of the Party, provided that:

1. No class of membership shall be construed as conferring on a natural person any rights and privileges not enjoyed by all LPGa members who are natural persons.
2. No additional dues may be required of any member previously granted a lifetime membership.
3. All classes of membership with voting privileges shall be only granted to natural persons.
4. Joint, family, or business memberships may be established but shall not be allowed any voting privileges nor positions within the Party, including, but not limited to, Executive Committee positions, Delegates or Candidates.

## C. Expiration of Membership

Membership in the LPGa is automatically terminated on the first day of the first month following the month containing the anniversary of that member joining the LPGa, unless that member pays his dues in full.

## D. Suspension and Expulsion

The Executive Committee may, by a two-thirds (2/3) majority vote and upon 30 days written notice, suspend the membership of any member who publicly uses the LPGa name in support of any policy, position or objective which, in the opinion of the Executive Committee is contrary to the position of the LPGa.

1. Written notice shall set forth in detail the exact nature of the statement made as well as those who are making the accusation.
2. The accused shall have the right to confront his accusers before the Executive Committee at the meeting during which the vote on his suspension is taken and to present any evidence, witnesses or arguments relevant to his case.
3. Upon suspension the member has sixty (60) days to appeal to an arbitration panel selected under the provisions of ARTICLE IX. If the suspended member fails to appeal or if the arbitration panel upholds the suspension, the suspension becomes an expulsion.
4. During the period of suspension, the suspended member continues to enjoy the rights and privileges of the membership except that he may not publicly use the LPGa name in support of any policy, position or cause.

# ARTICLE IV - EXECUTIVE COMMITTEE

## A. Members and Duties

1. The Executive Committee of the LPGa shall be composed of the following:

- a. The elected officers of the LPGa;
- b. Members-at-large elected by the delegates at an Annual Convention;
- c. One committee member from each State District containing at least one LPGa member; and additional committee members from each State District for every eight (8) percent of the LPGa's members as of January 1st living in that district.

2. General Duties

- a. The Executive Committee shall serve as the Board of Directors and "State Committee" as provided under the election laws of the State of Georgia.
- b. Members of the Executive Committee shall attend all general meetings of the Executive Committee and of the LPGa.
- c. If any member of the Executive Committee is absent from 2 consecutive meetings without authorization, said member's position shall be declared vacant. A majority vote of the Executive Committee may suspend this rule in a specific instance.

3. Member-at-large

The delegates to the Annual Convention will elect Members-at-large to serve on the Executive Committee who shall perform duties as assigned by the Executive Committee. There will be four at-large members. The at-large members of the Executive Committee shall begin their tenure at the close of the first regular executive committee meeting following their election at the Annual Convention and will serve through the close of the first regular executive committee meeting following the next Annual Convention.

4. State District Representative

Each State District shall elect representative(s) at a district-wide caucus prior to the close of the Annual Convention. The representatives shall begin their tenures no earlier than the beginning of the Annual Convention or upon election during the Annual Convention. The representative shall work to form new affiliate county parties within the district. The representative will serve as a voice for LPGa members and affiliate county parties to the State Executive Committee. The representative or any district member will organize the district caucus prior to or during the Annual Convention. The representative will perform all other duties as assigned by the Executive Committee.

## 5. Appointed Officials

A member may be appointed as a non-voting official of the Executive Committee with specific responsibilities, provided that they are nominated by an Executive Committee member and are confirmed by a two-thirds vote of the entire Executive Committee. An appointed official may be removed by a majority vote of the entire Executive Committee upon thirty days prior notice.

## B. State District definition

The districts of the LPGa shall correspond to the Georgia Public Service Commission Districts as defined for the corresponding election immediately following the Annual Convention. In cases of discrepancy due to redistricting, the Executive Committee is authorized to resolve representative issues with a two-thirds (2/3) majority vote of the Committee. The Executive Committee is authorized with a two-thirds (2/3) majority vote of the Committee to place a county divided into two or more Public Service Commission districts into a single Public Service Commission district for the purpose of electing Executive Committee representatives.

## C. Organizational and Political Responsibilities

The Executive Committee shall have the sole responsibility for chartering State District Organizations and County Parties, appointing state officials, approving applications for membership in the LPGa, calling special conventions, resolution of issues pertaining to vacancy and/or succession of officers, suspension of LPGa members or a State District Organization or County Party, selection of convention sites and dates of all arrangements pertaining thereto including the preparation and distribution of programs and agendas. The Executive Committee shall select the electors to be listed on the ballot for presidential elections from a pool of candidates consisting of former chairpersons, political office candidates, officers, state district representatives of the party and other LPGa members.

## D. Operational Responsibilities:

The Executive Committee shall have the responsibility, subject to direction by the Annual Convention, for the development and implementation of Party policy and the operation of the State Party and the expenditure of LPGa funds.

## E. Sunshine Meetings:

All meetings of the Executive Committee shall be open to observation by members of the LPGa, limited only by the need for orderly meetings or the need of an Executive Session as allowed in the By-laws of the LPGa. At the chairman's discretion, attendance of meetings via teleconference may be allowed.

## F. Executive Session

It is acknowledged that there are times where issues of a very sensitive nature may arise. It may have to do with things such as personnel or legal issues. For these purposes an Executive Session must be defined. During an Executive Session everything said or done is confidential. No action decision or vote may occur during an Executive Session.

1. The Executive Committee shall have the power to enter Executive Session with a two-thirds (2/3) vote of the Committee members present at a regular or special called meeting. No prior notice is required to enter Executive Session during a regular meeting.
2. If the need for an Executive Session is required between regular meetings, a special meeting shall be called by a simple majority of all of the Executive Committee members according to the rules of decisions between Meetings as defined in the LPGa By-laws.
3. The Executive Session will exclude all persons that are not members of the Executive Committee unless otherwise stated in the motion for Executive Session or upon the completion of discussions within the Executive Session.
4. The reason(s) for the Executive Session must be stated as part of the motion voted on by the Executive Committee and must be limited to any or all of the following:
  - a. Legal matters involving potential liability of the LPGa.
  - b. Any matter involving the LPGa that has been referred to government authorities.
  - c. Matters involving disciplining a member or employee of the LPGa.
  - d. Any reason that is advised by legal counsel for the LPGa.
5. While in Executive Session the Committee may only discuss the cause of the reason(s) for calling the Executive Session, potential action as a result of that reason and the readiness to end the Executive Session.
6. No vote on an action may be made during the Executive Session other than to end that Executive Session. All votes by the Executive Committee must be made according to the open meeting provision.
7. To exit the Executive Session, a vote of the majority of the Executive Committee members present must be made. This is the only decision or vote allowed in the Executive Session.

## G. Voting

Each member of the Executive Committee shall have one vote, except that the Chairman shall vote only whenever his vote will affect the result. No voting by proxy shall be permitted.

## H. Decisions between meetings

Should a decision need to be made between meetings of the Executive Committee, the Chairman shall be empowered to poll the members of the Executive Committee by telephone or electronic communication. The Chairman must make at least two reasonable attempts to

contact each Committee member; no such vote shall be binding unless at least two-thirds (2/3) of the entire Committee votes and a simple majority vote is required for passage. The result of any such vote must be announced and entered into the minutes by the Secretary at the next meeting.

## I. Party Membership

Each officer or member of the Executive Committee of the LPGa shall have been a member of the LPGa at least 90 days prior to election to the Executive Committee and shall be a member of the LPGa at the time of election to the Executive Committee. Seventy-five percent (75%) of the voting delegates can suspend this rule, at convention, on an individual candidate basis.

## J. Removal of Officers or Executive Committee Members

As the Party of Principle, the LPGa expects each member of the Executive Committee to maintain the highest ethical standards. They may be suspended for cause when either of the following occurs:

1. Any officer or ten percent of the members of the LPGa have brought petition of suspension before the Executive Committee and two-thirds (2/3) majority vote of the entire Committee has voted for suspension.
2. With no petition for suspension if three-fourths (3/4) of the entire membership has voted for suspension.

## K. Qualifications to serve

To serve on the Executive Committee, one must first have been a delegate for at least one convention held no more recently than six months prior to such service on the Executive Committee. Special exemptions to the eligibility requirements to the Executive Committee could be made with three-fourths (3/4) majority vote of the Executive Committee.

## L. Appointments

The Executive Committee may appoint such other officials as it deems necessary and may grant them whatever powers and responsibilities it deems necessary provided that the powers granted to any appointed official shall not exceed the power granted any elected official under these By-laws.

## M. Election of the Executive Committee

1. All officers of the Executive Committee shall serve for a rotating two year term.

2. The Chairman and the Treasurer shall each be elected to a two year term beginning at Annual Conventions of odd-numbered years (2011, 2013, etc.).
3. The Vice Chairman and the Secretary shall each be elected to a two year term at Annual Conventions of even-numbered years (2010, 2012, etc.).
4. Elections of the officers shall always be done in order of Chairman, Vice Chairman, Secretary and Treasurer. Officer elections not due at the Annual Convention shall be omitted from the order, but will not change the order.
5. All officers shall serve until the call to order of the 1st Executive Committee meeting after the last day of business of the legislative session for the state of Georgia
6. Each member-at-large post on the Executive Committee will be for a one year term. Each post will be independently elected by the delegates of each Annual Convention.
7. Procedures for electing any position on the Executive Committee are the same as those for nomination of candidates for public office, except in the election of the Executive Committee positions, a simple majority of those present and voting will be sufficient to elect.
8. None of the Above (NOTA) shall automatically be a candidate for each officer and member-at-large post and shall be announced by the Chair as such. Should NOTA win on any ballot, the Chair shall immediately call for new nominations for the position that would have been filled.
9. Should NOTA receive a majority on the second ballot, that position shall remain vacant.

## N. Separation of duties

It is important to maintain separation of duties and oversight on the Executive Committee, therefore no voting member of the Executive Committee may be employed or in contract with the Libertarian Party of Georgia.

# ARTICLE V - OFFICERS

## A. Titles

The elected officers of the LPGa shall be one each of Chairman, Vice Chairman, Secretary and Treasurer.

## B. Duties

### 1. Chairman

The Chairman shall:

- a. Preside at all meetings of the Executive Committee and during the business sessions of the Annual Convention. He shall perform such duties as usually



pertain to the office of Chairman of an organization like the LPGa and shall perform such other duties as are assigned to the Chairman by the Executive Committee.

- b. Have the ultimate responsibility for implementation of all policies and programs authorized by the Executive Committee.
- c. Directly oversee the activities of the other officers of the Executive Committee.

## 2. Vice Chairman

The Vice Chairman shall:

- a. Act as the Chairman and shall perform the duties of the Chairman in the Chairman's absence.
- b. Be responsible for the operation of the LPGa office and shall hire, fire, and direct the efforts of any paid staff or volunteer help, subject to the direction of the Executive Committee.
- c. Be responsible for implementation of the budget as approved by the Executive Committee.
- d. Make recommendations concerning the hiring of paid staff and concerning their terms of employment, but new paid staff openings shall only be created by the full Executive Committee.
- e. Direct the efforts of the Executive Director, if an Executive Director has been appointed by the LPGa and shall delegate all other staff and director management responsibilities to the Executive Director.
- f. Be responsible for enforcing the Standard Operating Procedures (SOP) of the LPGa office operations and updating the SOP as directed by the Executive Committee.

## 3. Secretary

The Secretary shall be responsible for:

- a. Keeping an accurate and complete record of the proceedings of all meetings of the Executive Committee and shall keep these records up-to-date in the office files of the LPGa.
- b. Publication of the minutes of each meeting of the Executive Committee of the LPGa to the LPGa website within two weeks following the meeting.
- c. Presenting the minutes of the previous meeting for approval.
- d. Maintaining and publishing the current bylaws and party platform.
- e. Calling the roll of the registered delegates in all elections and roll call votes at the Annual Convention and shall keep an accurate tally of such votes.
- f. Appointing an Election Board in the case of contested elections. The appointments shall be with the consent of a majority of the members of the Executive Committee present and voting. The Election Board shall include one representative of each contestant in question plus one additional member, if needed, so that the Board shall consist of an odd number of persons.

- g. File with the Secretary of State of Georgia the LPGa By-laws and any other documents required by state election law.

#### 4. Treasurer

The Treasurer shall be responsible for:

- a. Receiving and giving receipts for all monies paid to the LPGa and for depositing same in such bank or banks as shall have been designated by the Executive Committee.
- b. Preparing the annual budget at the direction of the Chairman and for the approval of the Executive Committee.
- c. Presenting a written financial report & update on the annual budget at each meeting of the Executive Committee or at any other time when so requested by the Executive Committee.
- d. Presenting the financial records of the LPGa for audit by such auditor(s) as the Executive Committee shall specify.
- e. Expenditure of funds which shall be made only in accordance with regulations established by the Executive Committee.
- f. Ensuring that not later than 30 days prior to the anniversary of each member's joining of the LPGa such member shall be sent a notice of any dues required to renew membership.

### C. Vacancy and Succession

1. In the event of the temporary inability of the Chairman to perform the Chairman's duties, said duties shall devolve upon the Vice Chairman.
2. In the event of the vacancy in the office of Chairman, the Chair shall be assumed by the Vice Chairman.
3. In the event of a vacancy for any other member of the Executive Committee, the vacant position will be filled by a simple majority vote of the entire Executive Committee.
4. All Executive Committee members elected to the Committee to fill vacancies shall serve only until the following Annual Convention at which time a new election for that office shall be held to fill out the remaining term of office.

### D. No officer may represent another party

If an officer of the LPGa publicly announces to run as a candidate, officer or representative of any political party or political body other than the Libertarian Party, the LPGa office shall become vacant and may be filled in accordance with the procedures in ARTICLE IV, Section C.

## **E. Interaction with Campaigns**

It is the responsibility of the officers to conduct the affairs of the party without the appearance of bias. Therefore, no officer shall manage or be actively involved in the campaign of any nominated candidate of the LPGa. This rule may be waived by a two-thirds vote of the Executive Committee.

# **ARTICLE VI - COUNTY AND AFFILIATE PARTIES**

## **A. Initiation:**

The Executive Committee shall, upon petition of at least three members of the LPGa who reside within a given county or defined area, charter a County or Affiliate Party to operate within that county or defined area, provided that said County or Affiliate Party has adopted a set of By-laws and submitted same to the Executive Committee, such By-laws to contain:

1. membership requirements, which shall include, at a minimum, a provision for calling at least one business meeting per year;
2. procedures for amending the By-laws;
3. procedures for voting on County or Affiliate Party issues and electing officers;
4. procedures and causes for expulsion of County or Affiliate Party members;
5. a statement of County or Affiliate Party Principles and Objectives if they differ from those of the LPGa;
6. for each recognized County Party, rules and regulations governing conduct of their conventions.

Each recognized county shall file a copy of the by-laws, certified by the chairman, with the superintendent of the county within 30 days of being recognized.

## **B. Membership Requirements:**

County or Affiliate Parties may determine for themselves any membership requirements except that no County or Affiliate Party shall deny membership or the privileges thereof to anyone on the basis of race, color, sex, national origin, religion, creed, age or sexual preference.

## **C. Continued Charter Viability:**

The Charter of any County or Affiliate Party whose membership falls below three members of the LPGa is automatically void. The Executive Committee may, by a simple majority vote of those present and voting, require a County Party to submit proof of membership at the

Committee's next regularly scheduled meeting. Failure to submit such proof provides justifiable cause to void the County or Affiliate Party's Charter.

#### **D. Suspension and Revocation:**

A County or Affiliate Party's Charter may be suspended or revoked if, subsequent to the granting of the original Charter, that Party's By-laws are amended so as to conflict with the requirements of ARTICLE III.A. or ARTICLE III.B. Members and officers of County or Affiliate Parties with revoked or void Charters shall retain all other rights and privileges of membership in the LPGa unless they are suspended or expelled in separate proceedings. Suspension or revocation requires a two-thirds (2/3) majority vote of the entire Executive Committee.

## **ARTICLE VII - CONVENTIONS AND CANDIDATES FOR PUBLIC OFFICE**

#### **A. Annual Convention:**

An Annual Convention shall be held on or before the latest date allowed by state law.

#### **B. Delegates:**

Until such time as the LPGa's activities are such to qualify the LPGa as a "Political Party" as defined by the laws of the State of Georgia, any member seeking to be a delegate to the state convention must have been a LPGa member in good standing for at least 367 days prior to the convention date and must have a current membership. The convention delegates who fulfill the 367 day membership requirement may vote by a two-thirds margin to suspend this requirement for the duration of the convention then in session. Convention delegates will be apportioned by State Districts and each district's apportionment shall be certified by the Credentials Committee of the LPGa. No district shall be allocated fewer than five (5) delegates."

#### **C. District Caucuses:**

Each state district shall have an annual caucus for the purpose of selecting delegates to the Annual Convention and for electing (a) State District Representative(s). All members in the district shall be notified of the time and place of the caucus at least seven days prior to the caucus. The State Executive Committee may set additional rules pertaining to the caucus.

## D. Credentials Committee:

The Credentials Committee may be appointed separately by the Executive Committee; otherwise

it will be comprised of the Convention Committee, with the stipulation that the Party Secretary shall, in any case, be a member of the Credentials Committee.

## E. Convention Government:

The Chairman of the LPGa shall preside at all Conventions. After the Call to Order, the first order of business will be the report of the Credentials Committee and adoption of the voting delegates roster. The next order of business may be the By-laws Committee report on the Convention Rules and motion to adopt Convention Standing Rules if there are changes to adopt. Until such rules have been adopted, the last rules adopted at a previous Convention shall govern the Convention. The next order of business will be the adoption of the Convention agenda.

## F. Nomination of Candidates for Public Office:

1. All candidates for public office placed in nomination at the Annual Convention shall be a member of the LPGa. The Executive Committee shall have the power to suspend this requirement for well qualified candidates by three- fourths (3/4) majority vote of the voting delegates.
2. The LPGa's candidates for public office in the general election shall be chosen by a two-thirds (2/3) majority vote of the delegates at an Annual Convention at the time of the balloting. If after two votes no nominee has attained a majority vote, all nominees who shall have received less than ten percent of the total vote shall be struck from subsequent ballots. If after four ballots no nominee has attained a majority vote, the nominee with the least votes shall be struck from subsequent ballots. This procedure is to be repeated after each even numbered ballot in which no nominee has received a majority vote until one nominee attains a two-thirds (2/3) majority. This process will be repeated until all candidates have been chosen.
3. Any Candidate for public office, the officers, the Executive Committee, delegates to the national convention, officers of county and affiliate parties will be required to sign the following declaration before receiving the endorsement of the LPGa: I join the founders of this nation in declaring to the world the following: We hold these truths to be self-evident, that all Men are created equal, that they are endowed with certain unalienable rights, that among these are Life, Liberty and the Pursuit of Happiness - that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.
4. The LPGa's candidates for public office shall meet all state law requirements.

5. None of the Above (NOTA) shall automatically be a candidate for nomination for all public offices and shall be announced by the Chair as such. Should NOTA receive a two-thirds (2/3) majority on the first ballot, the Chair shall immediately call for new nominations for that office and a second ballot shall be held. Should NOTA receive a two-thirds (2/3) majority on the second ballot, then no candidate shall be nominated for that office.
6. Candidates accepting nomination for public office shall satisfy the requirements of O.C.G.A. 21-2-172(c)(5) and (d), as amended or until repealed.
7. After the Annual Convention, only during reapportionment/general election years, the Executive Committee shall have the power to nominate and select candidates for non-statewide, non-countywide public offices, the constituencies of which were not geographically defined as of the date of the Annual Convention. (a) To be selected, any such candidate must receive an affirmative vote of not less than two-thirds (2/3) of the entire Executive Committee. (b) Any such Executive Committee selection must be made not later than one month after final approval of the reapportionment plan submitted by the State of Georgia or any other inferior governmental unit.
8. After the Annual Convention, any vacancy occurring in a nomination by means of death, withdrawal, or disqualification of a candidate may be filled by a vote of two-thirds (2/3) of the entire Executive Committee.
9. If, after the Annual Convention, the Petitioning requirements for a public office is changed, a candidate may be nominated by a vote of two-thirds (2/3) of the entire Executive Committee, provided that no Libertarian candidate currently exists.
10. All rebates of candidate filing fees are to be deposited in the account of the LPGa for purposes determined by the Executive Committee.

## G. Endorsements:

Endorsements of candidates in nonpartisan and special elections by the LPGa shall be by two-thirds (2/3) of the votes cast at an Annual Convention or by a two-thirds (2/3) vote of the Executive Committee of the LPGa.

The two-thirds vote of the Executive Committee shall be calculated by the number of Executive Committee members present at the meeting.

## H. Information gathering prior to the Annual Convention:

All candidates for public office shall submit to such written or oral questioning as may be required by a two-thirds (2/3) vote of the Executive Committee prior to such candidate's notice of candidacy to the Annual Convention for nomination for public office. Such questions shall be strictly limited to determining such candidate's understanding of and agreement with, the principles of Libertarianism and to determine such candidate's ability to comply with the State of Georgia's qualifications of candidates for public office. No candidate is required to answer such questioning and under no circumstances shall such questioning be used as a means to

disqualify a candidate from presenting his notice of candidacy to the Annual Convention. However, the results of such questioning may be made known to those attending the Annual Convention.

## I. Platform:

1. The Platform shall include, but not be limited to, a Statement of Principles and the implementation of the principles contained in the Statement in the form of Planks.
2. The Statement of Principles of the Platform affirms that philosophy upon which the LPGa is founded. The enduring importance of the Statement of Principles requires that it shall not be amended by a vote of less than seven-eighths (7/8) of the delegates at an Annual Convention.
3. Beginning with the first Annual Convention and at each Annual Convention thereafter, the Platform, other than the Statement of Principles, may be amended by deletion, substitution or addition of any Plank. A Plank may be deleted by a simple majority vote of the delegates. The substitution of a new Plank for an old Plank or the addition of a new Plank, shall require approval by a vote of two-thirds (2/3) of the delegates at an Annual Convention.

## J. Election of Delegates to the National Convention:

National Convention delegates shall be chosen from the pool of State Convention Delegates and additional LPGa members approved by a majority vote of the Executive Committee, by cumulative voting with each State Convention delegate entitled to cast as many votes as there are delegates to elect. If some number, "n", is the number of delegates the LPGa is entitled to send to the National Convention exclusive of the Chairman, the "n" candidates receiving the highest number of votes will be elected, provided that no candidate may be elected who has not received one more than  $1/2n$  of all votes cast. Alternates shall be those candidates not elected and they shall be ranked according to votes received, with the alternate receiving the highest number of votes entitled to fill the first vacancy in the delegation and so on. In addition, all members of the LPGa who did not run for a seat on the delegation shall be considered unranked alternates. If some seats are not filled on the first ballot, subsequent ballots will be held in accordance with the procedures applying to other Party offices. The Chairman is automatically a delegate and shall serve as delegation chairman at the National Convention. However, the delegates to the National Convention may choose another member of the delegation to serve as delegation chairman by a simple majority vote. In the event that there should be insufficient delegates and ranked alternates to fill the LPGa delegation quota, the delegation chair shall select substitute delegates as needed and available from among the unranked alternates.

## K. Voting:

Voting on Convention Rules, Amendments to the By-laws, Platform Planks and Resolutions shall be by voice vote. A roll call will be held on the question if it is so requested by not less than five delegates or ten percent of the delegates present and voting, whichever is least. Voting on Party nominations, endorsements, Party officers, Executive Committee members and delegates to the National Convention shall be by written vote unless the office or position is not contested.

## L. Notice of Annual Convention:

No less than ten days nor more than 30 days prior to an Annual State Convention at which candidates shall be nominated for public office, the Secretary of the Executive Committee or in the event of the vacancy of that office the Vice Chairman, shall have the following Notice of Convention published in a newspaper of general circulation in the State of Georgia:  
Notice of Convention The Libertarian Party of Georgia shall, on [date of convention] hold its Annual Convention at [location] for the purposes of nominating candidates for public office and conducting general business of the party.

## **ARTICLE VIII - AMENDMENT PROCEDURES**

These by-laws may be amended by a two-thirds (2/3) majority vote of the delegates present and voting at the Annual Convention excepting ARTICLE II - Principles and Objectives, which shall require a seven-eighths (7/8) majority vote of the delegates present and voting at the Annual Convention. By-laws may be provisionally amended, but only for the purpose of complying with state or federal law or to remedy syntax errors, by a three-fourths (3/4) majority vote of the entire Executive Committee at any other time and shall take effect upon adoption. However, provisional amendments shall automatically be placed on the agenda of the next Annual Convention and are nullified if they fail to receive a two-thirds (2/3) majority vote of the delegates present and voting. Any by-law changes proposed by the Executive Committee, at a time other than at the Annual Convention, other than those for the purpose of meeting state or federal law, shall be approved at a special convention of the general membership. Each member in good standing shall be notified by email or first class mail, U.S. postmarked not less than twenty-one (21) calendar days prior to said convention.

## **ARTICLE IX - ARBITRATION**

Any Executive Committee member suspended from his office, any member whose membership has been suspended, any State District Organization or County Party whose charter has been suspended, any person denied membership or any State District Organization or County Party denied a charter may appeal the decision to an arbitration panel. The arbitration panel shall consist of three members in good standing of the LPGa, one of whom is selected by a majority



vote of the Executive Committee, one by the appellant and one by mutual agreement. The arbitration panel shall be appointed no later than thirty (30) days following the receipt by the Executive Committee of the appellant's notice of intent to appeal. Should the appellant and the Executive Committee fail to agree on a third member, the two members selected shall choose the third member of the panel. The arbitration panel shall adopt for itself any rules of procedure that it believes will ensure a fair and speedy disposition of the case provided that all procedural rules are accepted by the unanimous consent of the panel. The final disposition of the case shall be decided by a simple majority vote of the panel, with the decision of the panel to be binding on all parties. Any officer or Executive Committee member whose suspension is proposed has the same rights of notification, defense and appeal as previously outlined, except that a suspended officer or Executive Committee member shall not vote on matters coming before the Executive Committee during the suspension period. If the suspended officer or Executive Committee member fails to appeal, his suspension within sixty (60) days or if the arbitration panel votes to uphold the suspension, the seat in question becomes vacant and may be filled in accordance with procedures outlined elsewhere in the by-laws. The above rules on appeal also apply to the State District Representatives as appointed by the Executive Committee or elected by caucus of the district.

## **ARTICLE X - QUORUM**

### **A. Conventions:**

At all conventions of the LPGa, a quorum shall consist of forty (40) percent of those delegates present at the convention.

### **B. Executive Committee**

In Executive Committee meetings a quorum shall consist of forty (40) percent of the full existing Committee.

## **ARTICLE XI - PARLIAMENTARY AUTHORITY**

### **A. Governing Document of Authority:**

The LPGa may determine a parliamentary authority at a regular convention and shall be binding upon the Party and committees as their parliamentary authority.

### **B. Definition of Terms:**

When used in these by-laws, the following terms have the following meanings:

1. Majority Vote: When used without qualification means more than half of the votes cast by persons legally entitled to vote, ignoring blanks (abstentions), at a meeting where a quorum is present. Note that when qualified with "of the members" or "of the entire" it will require more than half of all of the members of the body entitled to vote regardless of presence or of the number of votes cast.
2. Two-Thirds Vote: When used without qualification means at least two-thirds (2/3) of the votes cast, ignoring blanks (abstentions), at a meeting where a quorum is present. Note that when qualified with "of the members" or "of the entire" requires at least two-thirds (2/3) of all of the members of the body entitled to vote regardless of presence or of the number of votes cast.
3. Three-Quarters Vote: When used without qualification means at least three-quarters (3/4) of the votes cast, ignoring blanks (abstentions), at a meeting where a quorum is present. Note that when qualified with "of the members" or "of the entire" requires at least three-quarters (3/4) of all of the members of the body entitled to vote regardless of presence or of the number of votes cast.

## **ARTICLE XII - SEVERABILITY**

In the event any one or more of the provisions of these bylaws shall for any reason be held to be invalid, illegal, or unenforceable; the remaining provisions shall be unimpaired.

## **ARTICLE XIII - HEADINGS**

The headings in these bylaws are for purposes of reference only and shall not in any way limit or affect the meaning or interpretation of any of the terms hereof.

# APPENDIX A – Parliamentary Authority (“Georgia Rules”)

## Rule I. Scope of the Rules and Parliamentary Authority

1. These rules apply to all committees of Libertarian Party of Georgia (LPGa), as well as to all floor sessions of its Conventions. Any reference to “Member” shall mean be deemed to mean “Delegate” in the case of a Convention.
2. Procedures not covered by these rules may be decided in accordance with Robert's Rules of Order Newly Revised. However, in case of conflict, LPGa rules take precedence.
3. The Chair is the final arbiter on questions of procedure and may, in the interests of debate and order, amend these rules at his or her discretion.
4. A session shall mean in the case of the convention the entire course of business of the duly called convention, and may include multiple meetings. In the case of a committee, it shall mean the entire term of existence of the committee which may include multiple meetings. A meeting shall mean the business conducted during an actual day.

## Rule II. Officers

1. The presiding officer at the start of business shall present an agenda for adoption by the body. The agenda shall not require a second prior to adoption. The agenda shall be subject to amendment by the body. The chair may rule an amendment as “well taken” or “not well taken.” If an amendment is ruled well-taken it shall immediately be incorporated in the agenda. If the amendment is ruled not well-taken it shall not be adopted, unless appealed and sustained by a majority vote of the body.
2. If for any reason the secretary is absent and has official duties to perform the Chair shall appoint another member as a replacement secretary. The replacement secretary will perform the duties of secretary until the return of the secretary, who will resume his or her position with the associated powers and duties.

## Rule III. Motions and Resolutions

1. Members may introduce motions and resolutions for the body on which they serve.
2. A motion is an enactment which takes action on a matter. A majority vote is required to pass a motion unless the by-laws require a greater quantity. A motion which amends a previously enacted motion from the current session shall require a 2/3 vote of the members present.
3. A resolution is a measure which merely affects the internal workings of the body or articulates a position on current matters.

## Rule IV. Quorum

Once a quorum has been established at a meeting, a quorum shall be assumed to be present unless challenged by three members.

## Rule V. Debate

1. No member may make any statement in debate without first being recognized by the Chair. Any member recognized for debate is entitled to the floor for the time specified below.
2. Members must confine their remarks in debate to the pending questions. Personal remarks must not enter into debate. All remarks must be addressed to the Chair. Any member violating these rules may, at the discretion of the Chair, lose the floor.
3. Debate on a motion or resolution will begin with structured debate, which is to consist of two alternating speeches for and against the motion. Debate in this time is restricted to the particular viewpoint. Speeches in structured debate are limited to 3 minutes each. The chair shall offer the floor to the member that brought the matter before the body before recognizing any other member for the speech for the motion.
4. General debate will then follow, considering the main motion. Speeches in general debate are limited to 2 minutes each and are not restricted to any particular viewpoint. They may be used for the introduction of amendments.
5. A primary amendment is a change or addition to the main motion under discussion. A secondary amendment is a change or addition to a primary amendment. Consideration of a primary amendment is limited to 10 minutes, while consideration of a secondary amendment is limited to 5 minutes.
6. Structured debate on an amendment consists of two speeches, one given by its author and one given by a member opposing the amendment. Speeches will be limited to 3 minutes for a primary amendment, and to 2 minutes for a secondary amendment. In both cases, general debate on amendments consists of 2 minute speeches. Secondary amendments are in order only during general debate on a primary amendment.
7. A member may yield his or her time to either questions or the Chair. No yielding of time to other members is permitted. If time is yielded to questions, the member may, at any time, stop answering questions and yield his or her time to the Chair. Follow-up questions are not permitted.
8. At the conclusion of debate on a motion or amendment, the author or sponsor of the main motion is entitled to sponsor summation speech of 2 minutes.
9. A speech interrupted for a Point of Order or Point of Privilege will be charged against the speaker only if the interruption was caused by the speaker's misconduct or violation of the rules.
10. The total time for consideration of a motion or resolution is 45 minutes. After this time has elapsed, the Chair will put the main motion, together with any other motions which may be pending, to a vote.

11. Debate may be closed, extended, or limited by a 2/3 majority vote. Debate may be extended for no more than 15 minutes at a time.

## Rule VI. Voting

1. All voting will be by voice vote. The Chair or any three members may seek confirmation of the vote by calling for a division (show of placards or a rising vote that will be counted). The Chair will recognize a call for division at his or her discretion. No ballot votes will be in order except as otherwise provided. A roll call vote may only be used on a teleconference except as otherwise provided.
2. No debate is in order during a vote, and no motions may be made except for Points of Order or Privilege related directly to the conduct of voting.

## Rule VII. Motions

1. Only those motions listed below will be recognized. Unless otherwise indicated, all motions:
  - a. may not be debated or amended,
  - b. cannot be made when another speaker has the floor,
  - c. require a second,
  - d. require a majority vote to be adopted.
2. A motion that has failed may not be reconsidered.
3. The order of precedence of the motions is as shown, in ascending order. When a motion is pending, only motions with a higher number, as shown below, are in order. The Chair must recognize members before they may state the point or motion to which they rise. Moreover, the Chair may amend the order of precedence in the interests of debate and order or rule Points and Motions "dilatatory" when they are seen to be interfering with debate.
  - a. **MAIN MOTION:** This is a motion or resolution, as specified in Rule III. It may be debated or amended. A majority of votes is required unless otherwise specified. The order in which the motions are called is determined by the agenda.
  - b. **ACCLAMATION:** A main motion may be passed without debate if there is no objection. Acclamation may be called for immediately on the main motion. No second is required. If there is unanimous consent, the motion or resolution is passed without general debate or a vote on the main motion.
  - c. **OBJECTION TO CONSIDERATION:** A main motion may be denied consideration by passage of this motion. The motion must be made immediately after the main motion or resolution is moved. No second is required. Grounds for the objections must be specified- for example, the motion is unconstitutional, clearly frivolous, or outside the jurisdiction of the committee in which proposed. If the Chair permits, the objector and the sponsor of the motion may briefly (for one-minute) state their positions. A 2/3 vote is required to sustain the objection.

- d. **AMEND:** The text of a motion or resolution may be altered by passage of this motion. An amendment may also be altered by a secondary amendment (amendments beyond the secondary level are not permitted). This motion may be introduced only when one has the floor during General Debate. If an amendment is acceptable to the sponsor of the main motion (or primary amendment), it is deemed an acceptable amendment and is incorporated into the motion without debate or vote. If deemed an unacceptable amendment, debate may be held. It requires a second and a simple majority vote in order to be carried. If this motion carries, the amendment is considered and voted upon before resuming consideration of the main motion or primary amendment. The amendment must be germane (i.e. clearly relevant) to the previous motion. An amendment may not change a motion or resolution so that an affirmative vote on the amendment would have the same effect as a negative vote on the main motion.
- e. **POSTPONE DEBATE:** If this motion is adopted, debate on the pending main motion is postponed. A time for the resumption of debate must be specified, and the motion must be seconded.
- f. **LAY UPON THE TABLE:** If this motion is adopted, debate on the pending motion is suspended. Debate may be resumed if a motion to TAKE FROM THE TABLE is adopted by majority vote at a time when no other motion or resolution is pending.
- g. **DIVISION OF THE QUESTION:** This motion may be made if a member wishes to vote upon separately, various provisions in a motion. A member making such a motion must specify how the motion will be divided and must specify his or her reasoning. If Division of the Question is passed, the individual portions specified are voted upon separately. Those sections which are adopted become the new motion, which is then voted upon as a whole.
- h. **APPEAL THE DECISION OF THE CHAIR:** A member may appeal a ruling or decision made by the Chair which is perceived as unwarranted. If the motion receives the required second, the person making the appeal and the Chair may briefly state his or her position, after which the appeal is put to a  $\frac{2}{3}$  vote.
- i. **SUSPEND THE RULES:** This motion, if passed by  $\frac{2}{3}$  vote, suspends the rules of procedure. Any member rising to this motion must specify the purpose of suspending the rules. The suspension expires automatically when its purpose is completed. If necessary, the Chair may suspend the rules for the purpose of allowing a presentation to the body.
- j. **EXTEND THE LIMITS OF DEBATE:** If adopted by a  $\frac{2}{3}$  vote, this motion changes the time limits of debate on a motion, resolution, or amendment. Debate may only be extended in 15-minute increments.
- k. **CLOSE DEBATE (MOVE THE PREVIOUS QUESTION):** If adopted by a  $\frac{2}{3}$  vote, this motion immediately closes debate on the pending motion, resolution, or amendment. If more than one motion is pending, it may be specified whether debate is to be closed on all motions or on only the one immediately pending. A motion to close debate may be informally requested by a verbal call of "Question" when no other member has the floor. It requires a second, and if there is a single

call of "Objection," the motion fails and must be formally moved by a member who has been recognized by the Chair.

- I. RECESS: If adopted, a motion to Recess suspends the meeting of the committee or convention. A time for resumption of the meeting must be specified.
- m. ADJOURN: This motion concludes the meeting (or session if moved "Adjourn sine die") of a committee or body. The Chair may move to adjourn if it appears that a quorum cannot be obtained.

## Rule VIII. Points

1. Only those points listed below will be recognized.
2. Points are not debatable, they do not require a second, and the Chair's decision is final (barring any motion to appeal).
3. The order of precedence of the points is shown, in ascending order. When a point is pending, only points with a higher number, as shown below, are in order.
4. Points do not automatically take precedence over motions. The Chair will recognize members rising to points, at his or her discretion.
  - a. POINT OF INFORMATION: A members rising to this Point may ask a factual question related to the substance of the matter under discussion. This Point may be raised only when no one else has the floor. The Chair may refer this question to a member if necessary.
  - b. PARLIAMENTARY INQUIRY: This is a question concerning the Rules of Procedure. A question may be posed at any time, but should only interrupt a member who has the floor if the question is directly relevant to a proposal being made at that time.
  - c. POINT OF ORDER: A member may rise to this Point if it is felt that a violation of the Rules of Procedure has occurred. If the Chair finds this Point is well-taken, the situation will be quickly resolved. A Point of Order may be raised at any time. If the Chair finds this Point not well-taken, the situation shall continue unless the decision of the Chair is appealed as provided in Rule VII.3.h.
  - d. POINT OF PRIVILEGE: A Point of Privilege may be made when the rights and privileges of a member of LPGa have been violated. If the Point is appropriate, the Chair will undertake corrective measures.

# **APPENDIX B – CONVENTION SPECIAL RULES OF ORDER**

## **Rule 1: Order of Business**

The standing order of business for a Regular Convention shall be as follows:

1. Call to order
2. Credentials Committee report
3. Adoption of agenda
4. Chairman's report
5. Treasurer's report
6. Bylaws and Rules Committee report
7. Platform Committee report
8. Nomination of Party candidates
9. Election of Party Officers and at-large members of the Executive Committee
10. Election of Delegates to the National Convention
11. Resolutions
12. Other business

## **Rule 2: Voting Eligibility**

1. The Secretary, acting on behalf of the Credentials Committee, shall report the number of delegates registered in attendance and eligible to vote directly after the opening of the first business session, and at the beginning of each succeeding session.
2. All delegates shall be eligible to vote on all matters. In order to vote on a given matter, a delegate must be present on the floor at the time the vote is taken. Each delegate present shall have one vote. Use of the unit rule or unit voting is prohibited.
3. Pursuant to Article VII, Section B, a voting delegate may move to expand the number of voting delegates to include all members present with current memberships, provided two-thirds of the delegates vote to do so.
4. All delegates must wear identification badges issues upon registration in order to be admitted to the floor.

## **Rule 3: Voting Procedure and Motions**

1. On all matters, except the retention of platform planks, the election of Party Officers and members of the Executive Committee and the nomination of candidates for public office, voting will be by voice vote. If five or more delegates object to the Chair's ruling on the outcome of a voice vote, a counted vote will be held.



2. The Chair shall require any substantial motion offered from the Convention floor to be in writing, signed by the mover and submitted to the Secretary.

## Rule 4: Polling Procedure

1. In cases where a roll call vote is required, the Secretary will ask for the vote from each delegate in alphabetical order.
2. In cases where paper ballots are used, each delegate must submit it to the Secretary; ballots shall be submitted within five minutes of the vote being called. The Secretary shall verify that the number of votes cast does not exceed the number delegates. During the period of time allotted for such votes, the business of the convention shall continue without interruption. When the time for voting has expired the Secretary shall present the vote totals to the Chairman who shall then announce the result.

## Rule 5: Committee Procedures

1. A majority vote of those Committee members present is necessary for a "do pass" recommendation, and in the case of the Platform Committee, a majority must approve each specific plank separately.
2. Four or more members of the Platform Committee may join together to issue a minority report regarding any plank reported to the floor of the Convention. Two or more members of the Bylaws and Rules Committee or of the Credentials Committee may join together to issue a minority report regarding their business.
3. A member must be present in Committee to vote.
4. More than 1/2 of the membership of each committee shall constitute a quorum.

## Rule 6: Debating and Voting – Bylaws and Rules

The Chair of the Bylaws and Rules Committee shall report each recommendation of the Committee to the Convention separately and shall have two minutes to explain the intent or purpose of the proposed amendment(s). The Convention Chair shall open each recommendation to discussion without amendment from the floor. Each recommendation shall be considered and adopted separately, with a maximum of eight minutes discussion on any recommendation. After the discussion, the Convention Chair shall bring the recommendation to a vote. If the recommendation fails, the Convention Chair shall open the recommendation to amendment for an additional 10 minutes.

## Rule 7: Debating and Voting -- Platform

1. The current Platform shall serve as the basis of all future platforms. At Regular Conventions, the existing Platform may be amended. Additional planks, or additions to planks, must be approved by 2/3 vote. However, an amendment to the Statement of Principles shall only be amended by a 7/8 vote of the delegates.

2. The Platform Committee shall meet before each Regular Convention and prepare a report containing its recommendations. At the convention, the Platform Committee's recommendations shall be reported to the floor and debated and voted upon separately. The Platform Committee shall set forth the order in which each recommendation shall be considered.
3. Recommendations for which there is no minority report shall be debated and voted upon in the following manner:
  - a. The Platform Committee Chair, or some other person designated by him or her, shall read the proposed recommendation and shall have up to two minutes to explain the recommendation.
  - b. The Convention Chair shall then open the recommendation to debate without amendment for a period of up to 15 minutes before bringing the matter to a vote. If the recommendation fails, the Convention Chair shall inquire if any amendments are proposed from the floor. If there are such proposals, the Convention Chair shall request a vote on whether to consider amendments, and with majority approval may consider amendments for a period of up to 10 minutes.
4. Recommendations for which there is a minority report shall be debated and voted upon in the following manner:
  - a. Spokespersons for both the majority and minority positions shall each have two minutes to present their views.
  - b. The Chair shall then open consideration of both positions for five minutes, during which time any delegates may express their views without offering amendments. After five minutes, there will be a vote on which of the two reports shall be considered for purposes of adopting a recommendation. The report receiving the greater number of votes shall then be discussed and voted upon in the manner described in Section 4b.
5. After all Committee recommendations have received initial consideration, any delegate may propose amendments to the Platform. The delegate may take up to two minutes to state and explain the proposal, with debating and voting to proceed as described in Section 4b.
6. Finally, if time permits, proposals which were considered by the Platform Committee but which received an unfavorable vote from a majority of the Committee, may be considered, with a spokesperson for the minority position giving the reasons in favor and the Platform Committee Chair or other representative of the majority position giving the reasons why it was voted down, before the proposal is taken to the floor for debate.

## Rule 8: Resolutions

1. Resolutions must be approved by a 2/3 vote.
2. Resolutions must not be in conflict with the Statement of Principles. Challenges of such adopted Resolutions believed by 10% of the delegates to be in conflict with the Statement of Principles shall be referred in writing, during the Convention, to the

Executive Committee by the delegates. The challenge shall specify in what manner the Resolution is believed to be in conflict. The Executive Committee shall consider the challenge, decide whether the Statement of Principles is conformed to, and report their findings and reasons to the Convention. If the Resolution is vetoed by the Executive Committee, it will be declared null and void but can be reinstated by a 7/8 vote of the Convention.

## Rule 9: Nomination of Candidates for Public Office

1. No person shall be nominated to be a Candidate for Public Office unless at least 3 registered delegates join in the nomination in writing submitted to the Chair. No delegate may join in nominating more than one candidate for each office. The nominee must accept the nomination from the floor by acclamation.
2. The Party's nominee for Public Office shall be chosen by 2/3 vote. If no candidate has attained a majority after two votes, the candidate with the less than 10% shall be struck from subsequent ballots. If no candidate has attained a majority after four votes, the candidate with the least votes shall be struck from subsequent ballots. This procedure shall be repeated after every ballot in which no candidate has received a 2/3 vote, until one candidate attains a 2/3 vote.
3. Nominating and seconding speeches shall be limited in duration as follows:
  - a. Governor: Total of 15 minutes;
  - b. Lt. Governor: Total of 10 minutes.
  - c. United States Senator: Total of 10 minutes.
  - d. United States Representative: Total of 7 minutes
  - e. Other State-Wide Offices: Total of 7 minutes.
  - f. All other Offices: Total of 5 minutes

## Rule 10: Election of Officers and At-Large Executive Committee Members

1. No person shall be nominated to be an officer or to be a member of the Executive Committee unless at least 3 registered delegates join in the nomination in writing submitted to the Chair. No delegate may join in nominating more than one candidate for each office. The nominee must accept the nomination from the floor by acclamation.
2. The officers and at-large members of the Executive Committee shall be chosen by majority vote. If no candidate has attained a majority after two votes, the candidate with the less than 10% shall be struck from subsequent ballots. If no candidate has attained a majority after four votes, the candidate with the least votes shall be struck from subsequent ballots. This procedure shall be repeated after every ballot in which no candidate has received a majority vote, until one candidate attains a majority vote.
3. Nominating and seconding speeches shall be limited in duration as follows:
  - a. Chairman: Total of 5 minutes;

- b. All other Offices: Total of 3 minutes

## Rule 11: Elections of Delegates to the National Convention

1. Delegates to the National Convention shall be chosen from the pool of Convention Delegates in attendance and additional LPGa members that had been previously approved by the Executive Committee.
2. The Chair shall announce the number of delegates the LPGa is entitled to send to the National Convention exclusive of the Chair. The Secretary shall then produce a list of individuals eligible to be named as delegates to the National Convention.
3. The delegates shall caucus as a body for 10 minutes to let other delegates know their desire to be a delegate.
4. Voting shall be held in accordance with the procedures outlines in Article VII, Section K of the By Laws of the Libertarian Party of Georgia.
5. After voting is closed the Chair shall announce the selected delegates.

## Rule 12: None of the Above

Votes cast for "None of the Above" in voting on the Party's nominees for candidates for public office the Officers, and at-large members of the Executive Committee, shall be considered valid. Should a majority of the votes be cast for "None of the Above" in the Candidate balloting, 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 that term of office.