



# BY-LAWS OF THE LIBERTARIAN PARTY OF KANSAS

*As approved at convention April 13, 2019*

## **Paragraph I: Name**

### **Section 1. Alternate Names**

The name of this organization shall be the Libertarian Party of Kansas, which may use the alternate names of LPKS, Kansas Libertarian Party, or KLP. In these By-Laws, the word Party shall refer to the Libertarian Party of Kansas without further elaboration.

### **Section 2. Description**

The Party is an unincorporated body politic of voters believing in the Libertarian Principles set forth in the LPKS Statement of Principles.

### **Section 3. Calendar Year**

The Party shall conduct its business based upon a calendar year beginning on the 1st day of January.

## **Paragraph II: Membership**

### **Section 1. Criteria and Benefits**

#### **Subsection 1A.**

A person becomes a member of the Party when that person registers to vote in the state of Kansas and has chosen their party affiliation as Libertarian.

#### **Subsection 1B.**

The rights and privileges of Party membership:

1. Attend all party conventions, meetings and gatherings.
2. Vote at State Conventions.
3. Hold Party office.
4. Be eligible to be appointed to Party committee.
5. Be a delegate to the National Convention if that member meets the national party's requirements.
6. Seek Party nomination for public office as a Libertarian.

### **Section 2. Principles Adhered To**

All persons who hold official positions in the Party or who may by election hold political office as Libertarians are expected to uphold the principles found in the Libertarian Party of Kansas Statement of Principles

## **Section 3. Discipline**

### **Subsection 3A. Disciplinary Actions**

Disciplinary actions against any Party member shall be in accordance with Robert's Rules of Order, except as otherwise provided herein by the Party Constitution or By-Laws. Disciplinary action against any member may consist of a public or private reprimand, or temporary or permanent suspension of any or all of the Rights and Privileges of Party Membership as defined in Paragraph II, Section 1 of the Party Bylaws.

### **Subsection 3B. Reasons**

A member shall be subject to disciplinary action for the following reason[s]: a. Committing the Party to financial obligations without the consent of the Executive Committee: b. making statements to the public in the name of the Libertarian Party which are in deemed in violation of the Statement of Principles: or c. any other action or statement ruled egregiously harmful to the interests of the Party. Disciplinary action shall be approved by two-thirds of the whole State Executive Committee.

### **Subsection 3C. Appeal**

Any disciplinary action may be appealed at any Annual or Called Meeting upon notice of intent of appeal delivered in writing to the State Chair or Secretary 28 days prior to the meeting.

On Appeal, a majority vote of the members present and voting at any Annual or Called Meeting will sustain any disciplinary action. There may be only one appeal request and vote for each disciplinary action.

## **Paragraph III: State Executive Committee and Officers**

### **Section 1. The State Executive Committee**

#### **Subsection 1A. Composition Of**

The Executive Committee shall consist of the Chair, the Vice-Chair, the Secretary, the Treasurer, and one (1) Coordinator for each of the State's Congressional Districts. In addition to the other duties ascribed to these officers, they shall serve on the State Executive Committee.

#### **Subsection 1B. Term of Office**

Each member of the Executive Committee shall serve a three (3) year term. During each Annual Convention, a portion of the Executive Committee shall be up for election. In the first (1st) year, the State Chair, 1<sup>st</sup> District Coordinator, and 3<sup>rd</sup> District Coordinator will be elected. The second (2nd) year, the Treasurer,

2<sup>nd</sup> District Coordinator and 4<sup>th</sup> District Coordinator will be elected. The third (3<sup>rd</sup>) year, the Vice-Chair, and Secretary will be elected. Upon the introduction of these new terms, the terms of some elected offices will be reduced while others are extended, but thereafter all elected officers will serve three (3)-year terms.

### **Subsection 1C. Authority**

The State Executive Committee shall be vested with authority to govern the Party between the meetings of the membership in Convention or Called Meetings. All Party matters, including but not limited to, organization, delegation, finances, political position, interpretation of principles, removal of officers, direction of appointed officers, execution of policy, and any underlying authority to accomplish these goals is vested in the State Executive Committee.

### **Subsection 1D. Appointed Officers**

All appointed officers shall have a right to address the State Executive Committee on any subject which has been delegated to them by the State Chair and shall have a right to attend the meetings of the State Executive Committee.

### **Subsection 1E Quorum.**

The quorum of the State Executive Committee shall be one-half of the elected members, and one of those must be the State Chair or State Vice-Chair.

## **Subsection 1F. Voting**

The State Executive Committee shall have authority to make any decision by a majority vote of the members present and voting, except those items requiring a super-majority. The State Chair shall not vote except when it changes the outcome of the vote.

## **Subsection 1G.Meeting**

The State Executive Committee shall meet at the call of the State Chair or the request of a majority of the members of the State Executive Committee transmitted by telephone, letter, e-mail, or text message, or any other electronic media agreed on by the Executive Committee to the State Secretary.

## **Subsection 1H.Proposing Amendments to Party Documents**

The State Executive Committee may propose amendments to the Constitution, By-Laws, Statement of Principles, or Platform, as specified in Paragraph V below.

## **Section 2. The State Chair**

### **Subsection 2A. Chief Executive Officer**

The State Chair shall preside over all meetings, conventions, and committees at his or her pleasure.

The State Chair will see that the Treasurer establishes and

maintains an efficient system of accounts.

The State Chair shall appoint all committees, both ad hoc and standing, and their chairs with the advice and consent of the State Executive Committee.

The State Chair shall appoint a party member to fill any vacancy in an elected party office with the advice and consent of the State Executive Committee.

All state-wide non-elected party officers serve at the pleasure of the State Chair and upon the election of a new State Chair, they shall resign their office subject to reappointment by the newly-elected State Chair.

The State Chair shall fill any vacancies to the National Convention with the consent of the State Executive Committee.

When the position of State Secretary and/or the State Treasurer is vacant the State Chair shall have the authority and duty to make any required or necessary communications with the office of the Kansas Secretary of State and the Kansas Governmental Ethics Commission on behalf of the Party.

### **Subsection 2B. Vacancies in Elected Political Offices**

Should a vacancy occur in an elected office at any level of government held by a person elected as a Libertarian, the State Chair, with the advice and consent of the State Executive

Committee, may appoint the replacement to the office.

### **Subsection 2C. Chief Media Officer**

The State Chair is the official spokesman for the Party to the Media. The State Chair may delegate these duties in writing to another. His or her comments to the Media must be consistent with the Statement of Principles in the Appendix and with these By-Laws.

### **Subsection 2D. Representation before State Legislative Committees or the National Party**

The State Chair is the only person authorized to present the Party's position to State Legislative Bodies. The State Chair may delegate these duties in writing to another. He or she shall be responsible for the statements made to those bodies. Further, the State Chair is responsible to maintain good relations with the National Libertarian Party.

### **Subsection 2E. Duty of Oversight**

The State Chair is responsible for the execution of the policies of the State Executive Committee. He or she shall see that all elected officers are performing their constitutional duties as set forth in these By-Laws.

## **Section 3. The State Vice-Chair**

Upon the absence, resignation or removal of the State Chair, the



State Vice-Chair shall preside over the State Executive Committee. In the event of a permanent disability due to mental health, death, resignation or removal, the State Vice-Chair shall accede to the Office and Powers of the State Chair for the remainder of the term of the previous State Chair.

#### **Section 4. The State Secretary**

The State Secretary shall record complete and accurate minutes of all meetings. He or she shall publish any amendments to the Constitution or By-Laws. He or she shall keep a list of all contributors to the Party as given to him or her by the State Treasurer.

The State Secretary shall be in charge of keeping a complete account of the State Conventions including proposals, motions, final votes, and the names of persons elected to office. The minutes of each convention shall be presented to the State Executive Committee as soon as possible after the Convention for their approval.

The State Secretary shall be in charge of keeping a complete account of the Executive Committee meetings including proposals, motions and final votes. The minutes of each Executive Committee meeting shall be presented to the State Executive Committee as soon as possible for their approval.

The State Secretary shall be the primary State Officer who may

communicate with the Kansas Secretary of State. He or she shall certify to the Kansas Secretary of State those candidates who have been nominated to political offices within the State of Kansas for the coming elections.

The State Secretary shall give the Kansas Secretary of State a complete list of the officers of the Party as required by law, setting forth their names, addresses, titles, and terms of office. The State Secretary shall inform the Kansas Secretary of State of any changes.

## **Section 5. The State Treasurer**

The State Treasurer shall receive, expend, and account for the funds of the Party to the State Executive Committee at its request. The State Treasurer shall use agreed-upon accounting methods in the performance of his or her duties and be subject to review at the discretion of the State Executive Committee.

The State Treasurer shall submit reports to the Kansas State Governmental Ethics Commission as required by law.

All disbursements exceeding twenty dollars (\$20) shall be made solely by check, credit card or PayPal. No expenditures may be made without the approval of the State Executive Committee but it can authorize regular expenditures on a continuing basis.

The Treasurer, with the consent of the State Executive Committee, shall designate the depository or depositories for all the funds of

the Party.

## **Section 6. Congressional District Coordinators**

### **Subsection 6A Election Of**

The Congressional District Coordinators shall be elected at the State Convention by members who are registered to vote in that Congressional District.

### **Subsection 6B Duties Of**

#### **Subsection 6B(i). Candidate Recruitment**

The District Coordinator shall work to ensure that quality candidates are recruited in his or her district and the educational, organizational, outreach and publicity programs of the Party are carried out in that district.

#### **Subsection 6B(ii). Appoint Deputies**

The District Coordinator may appoint Deputy District Coordinators with the advice and consent of the State Executive Committee. Deputy District Coordinators shall serve at the pleasure of the District Coordinator. The Deputy District Coordinator's term of office shall terminate when a new District Coordinator is elected or appointed.

### **Subsection 6C. Proxy**

The District Coordinator may give his proxy to a Deputy District Coordinator to represent him or her at any State Executive Committee meeting by sending said proxy by telephone, letter, e-mail, or text message to the State Chair or State Secretary.

## **Section 7. Additional Appointments**

The State Chair may, with the advice and consent of the State Executive Committee, appoint additional officers as may contribute to the administration of the Party. These officers may consist of, but are not limited to, Publicity Director, Fund-raising Director, Volunteer Coordinator, and Electronic Media Coordinator.

## **Section 8. Limitation on Elected Officers**

No elected officer may hold more than one elected Party office. Should the need arise that an elected Party officer must perform the duties of another elected office for a period of time, they shall have only one (1) vote on the State Executive Committee. A replacement for the temporary office must be found as soon as possible but no later than the next Annual Convention.

## **Section 9. Removal from Office**

Any officer may be removed from office.

Non-elected state-wide officers serve at the pleasure of the State Chair but can also be removed by a majority vote of the State

Executive Committee.

Non-elected district officers serve at the pleasure of their District Coordinator but can also be removed by a majority vote of the State Executive Committee.

Elected officers can be removed by a majority vote of the State Executive Committee. Any member of the State Executive Committee may call for a vote to remove another member.

## **Paragraph IV: Meetings and Quorum**

### **Section 1. State Convention**

#### **Subsection 1A. Types Of**

There will be two (2) kinds of State Conventions: annual conventions and called conventions.

#### **Subsection 1A(i). Annual Conventions**

For so long as the Party is a minor party, it shall hold an annual convention no later than May 21<sup>st</sup>.

#### **Subsection 1A(ii)(a).Candidate Nomination Procedure**

The candidates seeking the party's nomination for each office shall be allowed to address the convention concerning their candidacy. The Convention shall approve the nomination of each person

running for office on the Libertarian ticket. In all nominations, there shall always be the opportunity to vote for “none of the above” and if “none of the above” shall be nominated for any statewide office, the floor shall open automatically to nominate alternative candidates which might be more acceptable to the Convention. The Convention must nominate a candidate for at least one statewide office whenever there is one or more statewide office up for election, as our status as a party is based on the vote for a statewide office.

### **Subsection 1A(ii)(b). None of the Above**

All votes for candidates shall be by written ballot, and “None of the Above” shall always be an option. In the event that there is no majority, the candidate receiving the fewest votes shall be eliminated and another vote shall be taken with “None of the Above” included in all written ballots. This process shall be repeated until a majority shall elect. If “none of the above” receives a majority of votes then no one from the group of candidates for that office will be nominated. If a new candidate or candidates can be found for that office, a new election can be held in accordance with the above methodology.

### **Subsection 1A(iii). Platform**

The platform is a non-binding statement of the Party’s position on important statewide and local issues. Any changes to the platform shall be adopted before nomination of candidates.

## **Subsection 1A(iv). Delegates to the National Convention**

Delegates to the National Convention shall be selected at the State Convention. All votes for delegates shall be by written ballot, and “not this person” shall always be an option. If “not this person” receives one-half or more of votes, the person who is rejected shall not serve as a delegate to the National Convention.

If there are insufficient numbers wanting to attend the National Convention at the time of the State Convention, the State Chair can nominate and the State Executive Committee can fill the delegation at a later time.

The State Chair or his or her designee shall chair the State Delegation to the National Convention. The Chair of the Delegation shall have authority to fill any vacant seats at the National Convention.

## **Subsection 1B. Called Conventions**

### **Subsection 1B(i). Reason For**

The Party may call a special Convention of the Party when a matter of such urgency arises that it cannot wait until the next scheduled annual Convention.

### **Subsection 1B(ii). Manner of Calling**

The State Chair shall ask the State Executive Committee to call said

Convention by his or her own decision or when two percent (2%) of registered Libertarians in the state of Kansas shall request said Convention. The State Executive Committee shall vote on the request and if a majority shall agree, then the State Secretary shall issue a call by giving notice to the membership by social media, telephone, letter, e-mail, text message, and/or publication in the major papers of Johnson, Wyandotte, Douglas, Shawnee, Riley, Saline, Reno, Ellis, and Sedgwick Counties at least two weeks in advance of the Convention. A Convention may not be called to amend the Constitution. The State Executive Committee shall state the purpose of the Called Convention and no other subject or subjects may be discussed at the Convention.

## **Section 2. Meetings of the State Executive Committee**

### **Subsection 2A. Frequency**

The State Executive Committee shall at meet least quarterly (4 x per/yr). It shall meet at the call of the State Chair provided notice is given to all elected officers at least one week (7 days) before the meeting. One-half of the whole State Executive Committee may also call a meeting by giving notice to the State Chair and State Secretary, so long as notice is given at least one week (7 days) before the meeting and the place and time are stated in the notice.

### **Subsection 2B. Agenda**

The State Chair shall publish by social media, e-mail, written



notice and/or text message an agenda for the meeting at least two (2) days before the meeting. Notice shall be sent to all Elected Officers and others as determined by the State Chair.

### **Subsection 2C. Means**

The State Executive Committee may meet in person, by telephone conference call, by e-mail, by text message, or by any technology in which all the members may see or hear what is stated by all other members of the Committee. The State Secretary shall take a roll of those present before each meeting begins.

### **Subsection 2D. Motion Made Outside of Scheduled Meeting**

A motion may be initiated outside of an in-person or telephone meeting, by an e-mail or text message, or any other electronic media agreed on by the Executive Committee from any member of the State Executive Committee to the State Secretary with a copy to the State Chair. The Secretary shall send out the proposal to the members of the State Executive Committee and others as appropriate.

All of the members of the State Executive Committee may comment on the proposal. Any proposed changes to the proposal shall be sent to the State Secretary who shall publish those proposed changes by e-mail or text message, or any other electronic media agreed on by the Executive Committee. After a reasonable time has been given for comments on any proposal or

changes, the State Secretary shall put the question.

The State Chair may set time limits on the duration of any e-mail or text message meeting. All elected members of the State Executive Committee shall then vote and the State Secretary shall announce the yeas and nays.

### **Section 3. Quorum**

#### **Subsection 3A. Quorum for Conventions and Executive Committee Meetings**

##### **Subsection 3A(i). Annual Convention**

The quorum for an annual convention shall be one-half (1/2) of those duly registered at the Convention.

##### **Subsection 3A(ii). Called Convention**

The quorum for a Called Convention shall be twenty-five (25) voting members.

#### **Subsection 3B. Executive Committee Meetings**

The State Chair or Vice-Chair may not convene a meeting of the State Executive Committee without the presence of one-half (1/2) of the elected members of State Executive Committee to be determined by the roll call at the beginning of the meeting.

### **Section 4. Parliamentary Authority**

The Robert's Rules of Order, 11th Edition shall be the parliamentary authority for all matters of procedure at the conventions and in so far as is appropriate at the meetings of the State Executive Committee and the Committee meetings where those rules do not conflict with the Constitution or these By-Laws of the Party.

## **Paragraph V. Amendments to Party Documents**

### **Subsection 1A. Procedure for the State Executive Committee to Propose Amendments**

The State Executive Committee may propose amendments to the Constitution, By-Laws, Statement of Principles, or Platform by two-thirds (2/3) majority vote of the whole State Executive Committee and those proposed amendments shall be sent to the next annual Convention for approval or disapproval.

All such proposed changes to the Constitution, By-Laws, Statement of Principles, or Platform must be posted on the LPKS website for a comment period not to be less than twenty-eight (28) days before a final vote of the Executive Committee.

The final version of the proposed changes must be posted on the LPKS website for no less than twenty-eight (28) days before the State Convention.

### **Subsection 1B. Procedure for approval of Proposed Changes**

At the convention, there shall be an opportunity for individuals to speak in favor of or in opposition to the proposed changes. The State Chair shall have the ability to limit the length of these discussions with both those in favor and those in opposition having equal time.

Votes at the State Convention shall be a simple up or down vote with no amendments at the convention.

### **Subsection 1C. Required Convention Votes for approval of Proposed Changes**

The Statement of Principles may only be amended by a seven-eighths (7/8) vote of all members registered at the Convention, as required by Article VIII of the Constitution.

The Constitution may only be amended by a two-thirds (2/3) vote of the members present and voting, as required by Article XI of the Constitution.

The By-Laws may be amended by a two-thirds (2/3) vote of the members present and voting.

The Platform may be amended by a two-thirds (2/3) vote of the members present and voting.

## **Section 2. Promulgation**

An accurate copy of the current By-Laws of the Libertarian Party of Kansas shall be published on the State Web Site. The By-Laws that

appear on the website may be relied upon as official and no By-Law shall be considered modified, added, or repealed until it appears on the State Party Web Site. If the State Party Website is unavailable, the record of the State Secretary shall be final.

## **Paragraph VI. Organizational Conformance with State Law**

As this Party is a body politic recognized by the State of Kansas, it shall always remain in conformance with the requirements of State Law including the provisions of the Election Code. Should the constitution and by-laws of the Libertarian Party of Kansas not be in conformity with some requirement of State Law upon proof thereof, the State Law shall supersede and resolve the conflicting sections of these By-Laws and the Constitution.

## **Paragraph VII. Committees**

### **Section 1. Formation Of**

The State Chair may, with the advice and consent of the State Executive Committee, appoint standing or temporary committees of the party. These committees may include, but are not limited to, Constitution and By-Laws; Finance; Judiciary; Educational and Publicity; and Candidate Recruitment.

### **Section 2. Terms of Office**

Appointed committee members serve at the pleasure of the State Chair.

## **Paragraph VIII. Unaffiliated and Affiliated Organizations**

### **Section 1. Relationships With Other Organizations**

The Libertarian Party of Kansas may choose to form relationships with various local organizations to advance shared principles and mutually beneficial public awareness. Such relationships fall into two categories: Unaffiliated and Affiliated.

### **Section 2. Unaffiliated and Affiliated Organizations**

#### **Subsection 2A. . Unaffiliated Organizations**

“Unaffiliated Organizations” are organizations that share some or all of the Libertarian Party of Kansas’ principles but are not part of the Libertarian Party of Kansas. The LPKS may choose to work with such groups but only as partners advancing shared principles and in mutually beneficial public awareness. Unaffiliated Organizations are in no manner part of or under the direction of the LPKS, nor may they claim to speak for the LPKS on any issue. If at any time the principles or actions of an Unaffiliated Organization are not generally consistent with the principles of the LPKS, the Executive Committee may immediately end the relationship with that organization. Each District Coordinator generally takes the lead in identifying Unaffiliated Organizations

and identifying opportunities to work with those organizations. “Unaffiliated Organizations” might include, but are not limited to: County Groups, City Groups, College Groups, and Single Issue Groups.

### **Subsection 2B. Affiliated Organization**

“Affiliated Organization” are groups who have been approved by the State Executive Committee to become a formal part of the Libertarian Party of Kansas. Such organizations must sign and follow an “Affiliated Organization Agreement” provided by the Libertarian Party of Kansas. That Agreement shall include, but will not be limited to, detailed requirements regarding Organization, Finances, Accounting Practices, and Permitted Activities of Political Parties in Kansas. Affiliated Organizations may speak for the LPKS only as specified in the agreement. If at any time an Affiliated Organization fails to follow the Agreement, the Executive Committee may revoke their affiliated status immediately. Each District Coordinator will provide oversight of Affiliated Organizations within his or her district in relation to compliance to the Agreement made with the Libertarian Party of Kansas. “Affiliated Organizations” might include, but are not limited to: County Groups, City Groups, College Groups, and Single Issue Groups.

## **Paragraph IX. Candidate Endorsements**

### **Section 1. National Libertarian Party Nominees**

Any candidate who has been nominated by the National Libertarian Party shall have the endorsement of the Libertarian Party of Kansas.

### **Section 2. Party Endorsements to Candidates not Nominated by the Libertarian Party of Kansas**

With the exception of Libertarian Party candidates that have been nominated in Convention or by Primary Election, no candidate running for public office may be endorsed by the Libertarian Party of Kansas except as follows: Such candidate is registered as either a Libertarian or non-affiliated voter with the lawful election officer of his/her home county; and such candidate appears at the nominating convention and receives the affirmative endorsement of two-thirds (2/3) of the members present and voting; providing there is no Libertarian candidate running for the office.

### **Section 3. Support of Non-Libertarian Candidates by Libertarian Party of Kansas Officials**

#### **Subsection 3A. LPKS Officials May Not Campaign for Non-Libertarian Candidates in**



## **Opposition to Libertarian Candidates**

No Libertarian Party of Kansas official, either elected or appointed, shall endorse, work for, volunteer for, be employed by, or otherwise publically support the election campaign of a candidate of any other party or an independent candidate if there is a Libertarian candidate running for the same office.

### **Subsection 3B. LPKS Officers May Work for Government Departments in Which the Head is Running for Election**

Subsection 3A shall not be construed to mean that LPKS officials are prohibited from being employed in a governmental department in which the head is running for election against a Libertarian candidate.

## **Section 4. Private Endorsement**

All members of the Party are free at all times to speak in their own behalf in endorsement of any political candidate, but must not state the official endorsement of the Party has been given if it has

not.



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# Libertarian Party of Kansas

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