

Bylaws of the Montana Libertarian Party
Adopted October 2016 by the Officers of the Montana Libertarian Party

ARTICLE 1: NAME

These articles shall govern the association known as the "Montana Libertarian Party" hereinafter referred to as the "Party".

ARTICLE 2: PURPOSES

The Party is organized to implement and give voice to the principles embodied in the Statement of Principles by functioning as a libertarian political entity separate and distinct from all other political parties or movements; moving public policy in a libertarian direction by building a political party that elects Libertarians to public office; chartering affiliate parties throughout the State of Montana and promoting their growth and activities; nominating candidates for statewide and national office elections which Montanans at large have a right to vote for, and supporting Party and affiliate party candidates for political office across our state; and, entering into public information activities.

ARTICLE 3: STATEMENT OF PRINCIPLES AND PLATFORM

1. The Statement of Principles affirms that philosophy upon which the Libertarian Party is founded, by which it shall be sustained, and through which liberty shall prevail. The enduring importance of the Statement of Principles requires that it may be amended only by a vote of 7/8 of all registered delegates at a Regular or Special Convention with the intent to stay within the Statement of Principles of the National Libertarian Party.
2. The Party Platform shall include, but not be limited to, the Statement of Principles and the implementation of those principles in the form of planks.
3. The current Platform shall serve as the basis of all future platforms. The existing Platform may be amended only at a Regular or Special Convention. Additional planks, or additions to planks, must be approved by 2/3 vote. A platform plank may be deleted by majority vote.

ARTICLE 4: MEMBERSHIP

1. Members of the Party shall be those persons who have certified in writing that they oppose the initiation of force to achieve political or social goals.
2. Members are to give their contact info to the Party for communication reasons. This info needs to be a phone number, address, email (optional).
3. Membership fees are not required but donations are encouraged.

ARTICLE 5: AFFILIATE PARTIES

1. No person, group or organization may Use the name "Libertarian Party" or any confusingly similar designation except the Party or an organization to which the Party grants affiliate party status or as otherwise provided in these bylaws.
2. The State Committee shall charter county-level affiliate parties from any qualifying organization requesting such status in each county (hereinafter, county). Organizations which wish to become county level affiliate parties shall apply for such status in a petition letter to the State Committee, which petition shall be signed by no fewer than 3 members of the Party residing in

the appropriate county. Affiliate party status shall be granted only to those organizations which adopt the Statement of Principles and file a copy of their Bylaws with the Party Secretary.

3. Affiliate party Bylaws cannot be in contradiction of the State Party Bylaws.
4. County affiliates are responsible for making sure new members register with the State party.
5. There shall be no more than one county level affiliate party in any one county. A county level affiliate party may charter sub-affiliate parties within the county, which will entitle such sub-affiliates to use the name "Libertarian Party".
6. No affiliate party shall endorse any candidate who is a member of another party for public office in any partisan election. No affiliate party shall take any action inconsistent with the Statement of Principles or these Bylaws.
7. The autonomy of the affiliate and sub-affiliate parties shall not be abridged by the State committee or any other committee of the Party, except as provided by these Bylaws.
8. The State Committee shall have the power to revoke the status of any affiliate party, for cause, by a vote of 3/4 of the entire State Committee. A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation. The affiliate party may challenge the revocation of its status by written appeal to the State Committee within 30 days of receipt of notice of such revocation. Failure to appeal within 30 days shall confirm the revocation and bar any later challenge or appeal. The State Committee shall not revoke the status of any affiliate party within six months prior to a Regular Convention. The State Committee shall pick by draw of the at large members a Judicial Committee consisting of five members immediately upon receiving an appeal and set a date for hearing the appeal within 20 to 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and submit evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the revocation of the affiliate party status or order reinstatement of the affiliate party. The Judicial Committee shall issue its ruling within 30 days of the hearing and in no case later than 90 days prior to a Regular Convention. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the State Committee's revocation of affiliate party status except when the last day of the 30 day period falls within 90 days prior to a Regular Convention, in which case the Judicial Committee's non-action shall result in reinstatement of affiliate party status.
9. County affiliates must have at least 3 officers, consisting of a Chair, Secretary, and a Treasurer.
10. Other than the requirement of affirmation by members of the Statement of Principles and that they oppose the initiation of force to achieve political or social goals, and that members register with the Party, Affiliate parties will determine their own criteria for members, fees and/or dues.

ARTICLE 6: OFFICERS

1. The officers of the Party shall be at time of filing a C-2 form with the State Commissioner of Political Practices:
Chair/Membership Director
Treasurer
2. Other officers may be added as needed for the growth of the Party and at the request of party members. All of these officers will as of a Regular or Special Convention of the Party be elected

and shall take office immediately upon the close of the Convention and shall serve thereafter until the final adjournment of the next Regular Convention.

3. The Chair shall preside at all Conventions and all meetings of the State Committee. The Chair is the chief executive officer of the Party with full authority to direct its business and affairs, including hiring and discharging of State Committee volunteers and paid personnel, subject to the express State Committee policies and directives issued in the exercise of the State Committee's plenary control and management of Party affairs, properties and funds.
4. The Treasurer shall receive, expend and account for the funds of the Party under the supervision and direction of the Chair and State Committee. The Treasurer shall make an annual financial report to the State Committee and shall perform all duties required of the office by applicable federal and state law. The Treasurer is responsible for oversight of all financial functions, including, but not limited to receipts, disbursements, internal and external reporting. The Treasurer shall report to the State Committee and the Convention both the financial situation of the Party and the changes in its net assets and its cash flow for the years then ended, in conformity with accounting principles generally accepted in the United States of America. Unaudited interim financial statements shall also be presented. Such reports shall be made available to every delegate.
5. The Secretary shall be the recording officer of the Party and shall perform such duties as are assigned by the Chair or the State Committee. The Secretary shall attend all meetings of the State Committee and all Party Conventions and shall act as Secretary thereof, keeping such minutes and records as necessary.
6. Each Office will be responsible for maintaining documentation within his or her area and will provide a written report to be passed on to the next Officer. He or she will not incur expenses beyond budget without approval of the Board of Directors. Any out of pocket expenses incurred by an Officer may be repaid with proper receipts and approval by the State Committee. These expenses if not to be repaid must be turned in with proper receipts to be shown in financial records of the Party as an in-kind donation.
7. The State Committee may, for cause, suspend any officer by a vote of 2/3 of the entire State Committee. The suspended officer may challenge the suspension by an appeal in writing to the State Committee within seven days of the receipt of the notice of suspension. The State Committee must pick by draw of the at large members a Judicial Committee consisting of five members immediately upon receiving an appeal. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the State Committee's suspension of the officer or order the officer's reinstatement within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the State Committee's suspension of the officer. At such time as the suspension is final, the office in question shall be deemed vacant.
8. The State Committee shall appoint new officers if vacancies occur, and such officers are to complete the term of the office vacated.
9. Officers of the State Committee under emergency conditions shall take such actions as they deem necessary to ensure the continued existence of the Party.

10. Officers shall serve a period of 4 year terms.
11. To be eligible to office on the State Party Committee, candidates for election must have been registered as a State Party member for a period of no less than 90 days prior to the election.

ARTICLE 7: STATE COMMITTEE

1. The State Committee shall have control and management of all the affairs, properties and funds of the Party consistent with these Bylaws. The State Committee shall establish and oversee an organizational structure to implement the purposes of the Party as stated in Article 2. The State Committee shall adopt rules of procedure for the conduct of its meetings and the carrying out of its duties and responsibilities. The State Committee may delegate its authority in any manner it deems necessary.
2. The State Committee shall be composed of the following members:
 - a. the officers of the Party
 - b. five members elected at large by the delegates at a Regular or Special Convention (these members may be appointed by the interim officers until the time of the first convention, be it a Regular or Special Convention)

And:

3. The State Committee shall take office immediately upon the close of the Regular or Special Convention at which they are selected, and serve until the final adjournment of the next Regular Convention.
4. A State Committee member shall not be the Candidate of any party except the Party or an affiliate.
5. The State Committee may, for cause, suspend any member-at-large by a vote of 2/3 of the entire State Committee. The suspended member-at-large may challenge the suspension by an appeal in writing to the State Committee within seven days of receipt of the notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or appeal. The State Committee shall pick by draw of the at large members a Judicial Committee consisting of five members immediately upon receiving an appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of the receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellate. The Judicial committee shall either affirm the State Committee's suspension of the member-at-large or order reinstatement of the member-at-large within 30 days of the hearing. Failure of the Judicial committee to rule within 30 days shall constitute an affirmation of the State Committee's suspension of the member-at-large. At such time the suspension is final.
6. A State Committee member who fails to attend two consecutive regular sessions of the State Committee shall be deemed to have vacated his or her seat. The appointing body shall be free to reappoint the member who vacated the seat.
7. The State Committee shall appoint new officers and members-at-large if vacancies occur, such officers and members-at-large are to complete the term of the office vacated.
8. The State Committee shall meet at such times and places as may be determined by: action of the Committee, call of the Chair, or written request of 1/3 or more of its members.

9. A majority of the membership of the State Committee shall constitute a quorum for the transaction of business at all meetings.
10. The State Committee may adopt public policy resolutions by a 3/4 vote with previous notice or by unanimous consent without previous notice.
11. The State Committee shall use roll call voting on all substantive motions. Additionally, the State Committee must have a roll call vote upon request of any single Committee member present on any motion. On all roll call votes, the vote of each individual Committee member shall be recorded in the minutes.
12. The Secretary or a designee shall promptly post notice for each session of the State Committee; any State Committee proposed agendas; and approved minutes of Convention and open State Committee session to a permanent archive section on the Party's website. Any person may record the State Committee's proceedings while in open session, or subscribe to a read-only email list on which Libertarian State Committee votes are recorded.
13. Non-officer committee members will serve for a period of 2 year terms and must have been a member of the State Party for a period of no less than 90 days.
14. In the case of a simultaneous vacancy in two or more offices, remaining members of the State Central Committee shall take such action as they deem necessary to ensure the continued existence of the party.
15. While under re-organization efforts set in motion as of Sept. 2016, the State Committee may postpone a convention for whichever is the later of a period of one year or until a minimum of no less than 20 county affiliates have been formed.

ARTICLE 8: JUDICIAL COMMITTEE

1. The Judicial Committee shall be composed of 5 Party members selected by draw of the members-at-large on a need to basis. Three members shall constitute a quorum. No member of the State Committee may be a member of the Judicial Committee. The members of the Judicial Committee shall select the Chair of the Judicial Committee. The Judicial Committee shall take office immediately upon the end of the Draw and serve until the issue they have been drawn for has been resolved. If a member cannot fulfill the duties of the Committee a new replacement will be selected by an additional draw.
2. A Convention Judicial Committee must be drawn prior to the beginning of a Convention out of the Delegates registered for the Convention.
3. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:
 - a. suspension of affiliate parties
 - b. suspension of officers
 - c. suspension of State Committee members-at-large
 - d. voiding of State Committee decisions
 - e. challenges to platform planks
 - f. challenges to Resolutions

ARTICLE 9: FINANCE AND ACCOUNTING

1. The fiscal term of the Party shall begin on January 1 of each year. From January 1 until the State Committee has approved a budget, the State Chair and Treasurer may authorize expenditures

for any item incorporated in the previous year's budget as long as the level of expenditure is consistent with that budget.

2. The State Committee shall cause an efficient double-entry system of accounts to be installed and maintained. Financial statements of the Party shall be prepared in accordance with Generally Accepted Accounting Principles. Audits shall be performed annually by an Audit Committee of three members. One member shall be a non-officer member of the State Committee and the other two shall not be members of the State Committee and picked by draw of members-at-large. The Audit Committee shall present its findings to each Regular Convention.
3. No expenditures exceeding \$100 may be made with cash.
4. The State Committee shall have the power to designate the depository of all funds of the Party and shall appoint such officers and employees as in its judgment may seem advisable to deposit and withdraw funds.
5. The Party shall not borrow in excess of \$2,000 total without prior approval by 2/3 vote of the State Committee.
6. Any expenditure of more than \$100 shall be approved by two State Officers in writing. Emails which can be printed and filed with records are valid.

ARTICLE 10: CONVENTIONS

1. Regular Conventions: The Party shall hold a Regular Convention every two years, at a time and place selected by the State Committee. Regular Conventions shall be held sometime during the period of July of an odd-numbered year through August of an even-numbered year. All business required to be conducted at Regular Conventions shall be conducted at Regular Conventions only.
2. All members of the State Party may attend Conventions.
 - a. Attending members of a Convention will register their presence at the opening of the convention.
3. Any Party member shall be provided, upon request and payment of copying and mailing costs, a list of the names and addresses of all members who actually attended the most recent two Conventions, with those who attended clearly identified, and all delegates/alternates selected to the upcoming convention if available.
4. Voting Eligibility: All State Party members who have been registered with the party for at least 60 days prior to a convention may vote at the convention.
5. All members must wear the identification badge issued upon registration in order to be admitted to the Convention hall.
6. Quorum: A quorum shall consist of 40% of the total number of delegates registered in attendance at the Convention.
7. The Secretary shall produce draft convention minutes within 60 days of the adjournment of the Convention and present them to the State Committee. Draft convention minutes shall be submitted to the State Committee for approval by a two-thirds vote.
8. Convention Rules: The Party's Convention Special Rules of Order may be amended only by a Regular Convention.

ARTICLE 11: OTHER COMMITTEES

Other committees such as (but not limited to) a Platform Committee, a Bylaws and Rules Committee, a Credentials Committee and Judicial Committee may be formed at any time deemed needed. The makeup and rules governing such committee as well as its members and voting procedure to be replaced at the end of their term will be set forth at the time of their formulation. The State Committee shall appoint the chair and members of each committee to serve until each committee selects its own chair. These committee members must have been registered with the State Party at least 60 days and will serve for a period of 2 years.

ARTICLE 12: MEETINGS:

Boards and committees may conduct business by teleconference or videoconference. the State Committee shall have power to adopt special rules of order and standing rules to facilitate the conduct of business by tele/videoconferences.

ARTICLE 13: ELECTRONIC MAIL BALLOTS

Boards and committees may transact business by electronic mail. The chair or secretary shall send out electronic mail ballots on any question submitted by the chair or co-sponsored by at least 2 members of the board or committee. The outcome of each motion shall be announced promptly and recorded in the minutes of the next meeting. The number of votes required for passage of any motion shall be the same as that required during a meeting. Motions dispensed through electronic mail ballots satisfy the requirement of giving previous notice.

ARTICLE 14: ALTERNATIVE VOTING PROCEDURES

1. The Convention Special Rules of Order may authorize specified forms of preferential voting.
2. The Convention Special Rules of Order may provide a mechanism under which, when no candidate initially receives a majority, the candidate receiving the fewest votes is removed from consideration.

ARTICLE 15: PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the Party in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order adopted by the Party.

ARTICLE 16: AMENDMENT

1. These Bylaws may be amended by a majority of those voting at any State Party Meeting, State Officers Meeting, Regular or Special Convention.
2. Article 3 Section 1, Shall not be amended except to reflect changes at the National Libertarian Party Level.

ARTICLE 17: PROMULGATION OF BYLAWS

The State Committee shall promulgate the Bylaws in accordance with applicable law. A copy of these Bylaws and Convention Rules shall be provided to each member of the State Committee, each member of the Judicial Committee and each Chair of an affiliate party.

CONVENTION SPECIAL RULES OF ORDER OF THE LIBERTARIAN PARTY

RULE 1: ORDER OF BUSINESS

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

1. Call to order
2. Credentials Committee report (if established)
3. Adoption of Agenda
4. Treasurer's report
5. Audit committee report (if established)
6. Bylaws and Rules Committee report (if established)
7. Platform Committee report (if established)
8. Nomination of Party Officers and at-large members of the State Committee
9. Resolutions
10. Other business

RULE 2: VOTING PROCEDURE AND MOTIONS

1. The term Delegation refers to Members Present.
2. On all matters, except the retention of platform planks, the election of Party Officers and at-large members of the State Committee, voting will be by either voice vote or rising vote. If any delegate objects to the Chair's ruling on the outcome of a voice vote, a rising vote shall be conducted. If 10 or more delegates object to the Chair's ruling on the outcome of a rising vote, a counted vote will be held.
3. The Chair may require any motion offered from the Convention floor to be in writing, signed by the mover and submitted to the Secretary.

RULE 3: POLLING PROCEDURE

1. The County Chair shall serve as chair of his or her delegation, unless that delegation selects another of its members to serve as its chair and so notifies the Secretary.
2. In cases where a roll call vote is required, polling shall be by county. The Secretary will ask for the vote from each county in alphabetical order, and the chair of each delegation shall report the vote for that county. The Convention seating will be by county delegation. If someone challenges the vote reported by any county's chair, the Secretary shall poll the delegates from that county individually.

RULE 4: DEBATING AND VOTING - BYLAWS AND RULES

The State Chair (Unless a Bylaws and Rules Committee is formed and Chair of Committee is elected) shall report each recommendation made to the Convention separately and shall have two minutes to explain the intent or purpose of the proposed amendment(s). The State 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 discussion, the State Chair shall bring the recommendation to a vote. If the recommendation fails, the State Chair shall open the recommendation to amendment for an additional 10 minutes.

RULE 5: DEBATING AND VOTING - PLATFORM

The procedure listed will stand until a time when a platform committee is established at which time these procedures must be re-written.

1. After the adoption of the convention agenda, the convention will vote whether to delete planks from the existing platform.
2. Any delegate may propose to delete a platform plank. The delegate may take up to two minutes to state and explain their proposal.
3. The State 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.
4. This procedure will be repeated for each recommendation to remove a plank.
5. When all recommended removals have been completed and voted on the State Chair will then take proposals for additional planks to the platform.
6. Procedures for platform plank additions will be handled in the same manner as removals until all recommendations have been voted on.

RULE 6: 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, to the Judicial Committee during the convention by the delegates requesting action for consideration. The challenge shall specify in what manner the Resolution is believed to be in conflict.
3. The Judicial 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 Judicial Committee, it will be declared null and void but can be reinstated by a 3/4 vote of the Convention.

RULE 7: ELECTION OF OFFICERS AND STATE COMMITTEE

1. Nominations for Party Officers shall be from the floor. The election shall be conducted in the following manner:
 - a. For each office, a majority vote will be necessary for election.
 - b. Each County delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all delegations have submitted their votes, the Secretary shall declare the voting closed.
 - c. The results of the vote will be announced.
 - d. In cases where no candidate receives a majority, runoff votes will be held, dropping the candidate with the fewest votes after each ballot.
2. Nominations for the at-large members of the State Committee shall be from the floor. The election shall be conducted in the following manner:

- a. Each delegate may cast a ballot with a vote for either none-of-the-above or one vote per candidate for any number of candidates. Every ballot with a vote for none-of -the-above or one or more candidates is counted as one ballot cast. A vote for none-of-the-above shall be ignored if the ballot also includes a vote for any other candidate.
 - b. Each county delegation shall tabulate its vote, and the delegation chair shall deliver a written total to the Secretary, along with the ballots cast.
 - c. When all delegations have submitted their votes, the chair shall declare the voting closed. The top five candidates receiving a majority vote of the ballots cast shall be elected. Tie votes affecting the outcome shall be decided by lot.
3. Nominations for each candidate may be made by any delegate present of the floor, provided he or she has the candidate's permission. Nominating speeches shall be limited in duration as follows:
 - a. Chair: Total of 10 minutes
 - b. All others: Total of 5 minutes.
 - c. The Chair may allot any or all of their time to all others.