



Governing Rules

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The Libertarian Party Of Kentucky Constitution

PREAMBLE

WE, the Libertarians of Kentucky, in convention, in order to affiliate ourselves with the National Libertarian Party, and to promote the libertarian philosophy in the state of Kentucky, associate together to form a political party and for that purpose adopt the following Constitution: The Libertarian Party of Kentucky Constitution

ARTICLE I: NAMES AND DEFINITIONS

Section 1. The National Libertarian Party, known as the Libertarian National Committee, Inc. shall be hereafter referred to as the "National Party."

Section 2. The name of the Party chartered as the official state affiliate by the National Libertarian Party shall be "The Libertarian Party of Kentucky," hereinafter referred to as the "State Party".

Section 3. A Party chartered as the official affiliate by the State Party within a US Congressional District shall be a "District Party".

- A. A Party organized in the state of Kentucky, within a U.S. Congressional District which encompasses two or more counties shall be "The Libertarian Party of Kentucky – " followed by the ordinal number of the Congressional District as determined by the state of Kentucky, followed by the word "District." District parties that comprise only one county may, at their



Charter County Government, The Libertarian Party of [] followed by the name of the City and immediately followed by the word "Kentucky."

- B. If entitled to the intended name, the official name of a District Party may only be changed by majority vote by the delegates from the affected District Party, at the annual District Convention, by majority vote occurring no more often than once every 18 months.

Section 4. A Party chartered as the official affiliate by a District Party within a Kentucky county shall be a "County Party".

- A. The official name of any County Party within a county without a Consolidated Local Government, Urban County Government, Unified Local Government, or Charter County Government, as defined in Kentucky Revised Statutes, shall be known as "The Libertarian Party of" followed immediately by the name of the county as recognized by the state of Kentucky, followed by "County, Kentucky".
- B. The official name of any County Party within a county that is operated as a Consolidated Local Government, Urban County Government, Unified Local Government, or Charter County Government, as defined in Kentucky Revised Statutes, shall be:
 - i. "The Libertarian Party of" followed immediately by the name of the county, followed by "County, Kentucky"; or
 - ii. "The Libertarian Party of " followed by the name of the operating name of the city operating as a Consolidated Local Government, Urban County Government, Unified Local Government, or Charter County Government, and then followed by the word "Kentucky".
- C. The official name of a County Party may only be changed by majority vote by the delegates from the affected County Party, at the annual State Convention, by majority vote no more often than once every 18 months.

Section 5. For the purposes of this Constitution, a "Party" is defined as any Constitutionally-sanctioned organizational unit within the State Party, including the State Party.

Section 6.

A Party may employ alternate titles for Constitutionally-defined roles within a Party, so long as those roles have similar meaning and are appropriate.





Libertarian Party.

ARTICLE III: PURPOSE

Section 1. The State Party shall exist to serve as the officially chartered state party of the National Party in the state of Kentucky.

Section 2. The purpose for which the State Party is organized is to implement and give voice to the principles embodied in the platform of the State Party by:

- A. Nominating candidates for federal, statewide and local elections in Kentucky and supporting candidates for political office;
- B. Promoting membership in the State Party;
- C. Promoting and coordinating affiliate organizations through the state; and
- D. Entering into political information activities.

Section 3. All affiliated Parties exist to assist the State Party in its stated purpose and goals.

ARTICLE IV: POWERS

Section 1. A Party shall carry out its purposes by any means seen fit by the Executive Committee of that Party, provided that;

- A. The Party complies with Kentucky and Federal law, and;
- B. The Party acts in good faith within the boundaries of its governing documents and the governing documents of the Party from which it was chartered.

ARTICLE V: MEMBERSHIP

Section 1. Voting Members of the State Party shall be those persons who:

- A. Have signed the Statement of Principles, which reads: "I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving social, economic or political goals "
- B. Are legal residents of the state of Kentucky as of January 1 of the year their votes are cast;



- i. Registered with the Kentucky Secretary of State to vote as a Libertarian as of January 1 of the year their votes are cast; or
 - ii. Be permitted to vote in the primary elections for candidates for office as authorized by the State Party Elections Committee; or
 - iii. A member of the party registers as a Libertarian on or before January 1 of the year their votes are cast, but the legal registering agent fails in their legal obligation to properly register the member.
- E. Are current on State Dues, or have fulfilled an approved service exemption.
- F. Notwithstanding any other provision, the requirements contained in Paragraph D, above, shall not take effect until December 31, 2017.

Section 2. Non-voting members shall be those persons who fulfill some, but not all, of the requirements of Section 1.

Section 3. The amount of financial and service-based support required for State Party membership may be modified by a majority vote of the Executive Committee of the State Party. A change in requirements does not change the current status of existing members for the duration of their current membership.

Section 4. The membership of any member may be revoked by vote of the Executive Committee of the State Party. To successfully revoke membership, not more than one third of the voting members of the State Executive Committee may object or abstain.

ARTICLE VI: PARTY ORGANIZATION

Section 1. Party Structure

- A. Except as otherwise provided herein or in the By-laws of the State Party, the affairs of a Party shall be conducted by the Executive Committee of that Party.
- B. A Party may not exist without an Executive Committee.
 - i. The District Executive Committee shall be elected at a meeting, made known to the Voting Members in the political division encompassed by the Party at least 30 days in advance, by a majority vote of the Voting Members in the Party who attend the meeting.





period greater than 45 days, that Party, other than the State Party, is dissolved.

C. Affiliate Parties

i. Chartering Affiliate Parties

- a. A State Party may only charter District Parties within the Congressional Districts legally defined by the Commonwealth of Kentucky.
- b. A District Party may only charter a County Party within a County in which a majority of the population lives within the Congressional District as legally defined by the state of Kentucky; provided, however, that if no such Congressional District qualifies under this provision, the State Party may authorize one of involved District Parties to charter a County Party.
- c. A Chartering Party has the sole ability to affiliate or disaffiliate an Affiliate Party.
- d. A Chartering Party may not charter more than one affiliate Party for the same political subdivision.
- e. In the initial chartering of an affiliate party, a Chartering Party, through its Executive Committee, may appoint the Executive Committee composed of a Chair, Vice Chair, Secretary, Treasurer, and at-large Member of the affiliate party, provided the area in question has at least five (5) Voting Members in its area. In the event these appointments are made, they: (i) shall not be effective for a period that is greater than nine months, or until the next convention of the affiliate party, whichever is less; (ii) the affiliate party at issue shall hold a convention within a period of nine months from the appointment and chartering under the rules for holding a convention and at that convention elect its officers and Executive Committee for the remainder of their terms of office; (iii) if the affiliate is a District Party, it shall not be authorized to charter a county party until it has held the initial convention and elected its officers at that convention; (iv) the Chair of the affiliate shall be permitted to participate, but not to vote, on the Executive Committee of the Chartering Party, until the affiliate party has held the initial convention and elected its officers at the initial convention. In no event shall the authority in this section be utilized by a Chartering Party more than once every two calendar years for any particular county or District¹. Nothing in this section shall prevent the historical practice of chartering of an affiliate through an organizing convention.

ii. Dissolution of Affiliate Parties

- a. If a Party is dissolved, the assets of that Party shall be dispersed as follows: ^



2. If State Party is dissolved, its final act shall be to transfer all Party funds to the Libertarian National Committee, Inc.
- b. All titles and voting rights granted to the members of a Party that has been dissolved, as a function of that Party, shall be revoked.
- D. An Executive Committee consists of the following positions:
- i. The four officers of a Party are defined as:
- a. Executive Committee Chair, who shall be responsible for
1. Presiding at all Party Conventions and all meetings of the Executive Committee and generally organizing the Party, except as otherwise set forth herein;
 2. Being the chief executive officer of the Party, subject to oversight by the entire Executive Committee;
 3. The Chair and Vice-Chair shall be the sole Party officials authorized to sign any contracts on behalf of the Party, but only upon the approval of the contract by the Executive Committee.
 4. Being an ex-officio member of all standing and ad-hoc committees in the Party, except as set forth herein;
 5. Being the primary contact with the organization which charters the Party;
 6. Being the primary public spokesman for the Party; and
 7. Prepare an agenda, for approval by the Executive Committee, for all Executive Committee meetings.
- b. Executive Committee Vice-Chair, who shall be responsible for
1. Assisting the Executive Committee Chair;
 2. Performing the duties of the Executive Committee Chair, when the Chair is unable to perform those duties;
 3. The Chair and Vice-Chair shall be the sole Party officials authorized to sign any contracts on behalf of the Party, but only upon the approval of the contract by the Executive Committee.
 4. Acting as the Chair of the Membership Committee, and maintaining the membership roles of the Party; and
 5. Performing the duties of the Secretary, in the absence of the Secretary, or in the event the Secretary is unable to perform those duties.
- c. Executive Committee Secretary, who shall be responsible for





2. For the State party, providing or making provisions for legal services to the Party or any affiliate;
3. Acting as the Chair of any media-related Committee of the Party;
 4. Recording the minutes of all Executive Committee meetings and the minutes of Party conventions;
 5. Act as a member of the Membership Committee; and
 6. Performing the duties of the Vice-Chair, in the absence of the Vice-Chair or in the event the Vice-Chair is unable to perform those duties.
- d. Executive Committee Treasurer, who shall be responsible for
1. Receiving, expending and accounting for all funds or other property of the Party under the supervision and direction of the Executive Committee;
 2. Making commitments and disbursement of Party funds for expenses within the budget established by the Executive Committee and for out-of-budget expenses specifically approved by the Executive Committee;
 3. The Treasurer shall be the official authorized to sign checks and distribute funds on behalf of the Party in accordance with the budget and authorizations from the Executive Committee; an Assistant Treasurer may be authorized for the State Party, appointed by the Treasurer, who shall be one of the Treasurers of one of the District Parties. In no event shall the Chair or Vice-Chair be an authorized person to sign checks on behalf of the party. In no event shall any expenditure be authorized that has not been specifically approved by the Executive Committee.
 4. Being the Chair of the Finance Committee; and
 5. Preparing a quarterly financial report for the Executive Committee, which shall outline all expenditures and revenues. Once approved by the Executive Committee, these records shall be made available to any Voting Member, upon written or e-mailed request.
- ii. At least one member of the Party, elected at-large by the members of the Party, whose title shall be Executive Committee At-Large Representative.
- a. The duties of the Executive Committee At-Large Representative is to represent those in the Party who live in an area without an affiliate Party.
 - b. Changes in the number of Executive Committee At-Large Representatives may occur at any Convention, by majority vote of the delegates of the Party.





- iii. The Executive Committee Chair of each affiliate Party chartered by the Executive Committee in question.
- a. When an affiliate Party does not exist, the chartering Executive Committee may appoint, by majority vote, a non-voting member to the Executive Committee to assist in the organization of the affiliate Party. The appointed member shall be given the title "Coordinator". A Coordinator shall serve at the leisure of the appointing Executive Committee, and the term of that appointment shall automatically expire at the next annual convention of the Party served by that Executive Committee.
- iv. Precinct Captains
- a. Precinct Captains shall exist on an Executive Committee for:
 1. A District Party which is contained within one county.
 2. A County Party.
 - b. When seated on the committee, the Precinct Captain's title shall be "Precinct Captain -" followed by the precinct designation.
 - c. The majority vote of all sitting Precinct Captains on an Executive Committee shall count as a single vote on that Committee.
 - d. The Precinct Captain shall be a resident of the precinct.
 - e. When vacant, the Executive Committee may fill the position by majority vote, and that Precinct Captain shall be granted the rights and privileges of a regularly-elected Precinct Captain.
- E. An Executive Committee is established for the governance of the Party between conventions.
- i. It is responsible for the Party affairs as specified in this Constitution, and the governing document of the Party.
 - ii. The decisions of any officer, including the Chair, Vice-Chair, Secretary, and Treasurer, may be reviewed and overturned by the Executive Committee by three-fifths (3/5) vote taken within ninety (90) days of the actions complained of, or the notice of such action is made to the Executive Committee, whichever is later; the functions and authority of any officer, except the review or overturning of an action already completed, may be performed or conducted by the Executive Committee acting as a body, by majority vote.
 - iii. It shall meet not less than quarterly. The time and place of meetings shall be established by the Chair of the Committee, subject to the review of the Committee. Meetings may be conducted telephonically or by video conference so long as such meetings are either recorded and made available to the membership or Voting Members have the ability to dial



- year shall be established upon the suggestion of the Chair and approval of the Executive Committee not later than January 30 of the year. Special meetings shall be called at the call of the chair, or the majority of the Executive Committee, with at least seven days' advance notice, and shall be limited to the subjects contained in the call and agenda. The seven days' advance notice requirement can be waived, in an emergency, by a 2/3 vote of the Committee.
- iv. It shall adopt an operating budget, may amend that budget, approve expenditures not previously budgeted and review the Party's financial status quarterly. It shall approve all in-kind donations and set the value therefore. The State Party Executive Committee shall be solely responsible for determining and approving any in-kind donation to any affiliate that exceeds, in any calendar year, over \$250 in the aggregate.
 - v. It is responsible for issuing policy statements on behalf of the Party.
 - vi. It may review the campaign strategy and literature of endorsed or nominated candidates running for an office which crosses the boundary of affiliate Parties, or where there is no affiliate Party. The Executive Committee may suggest changes to these items but shall not exercise a veto over the adoption of a particular strategy or particular literature.
 - vii. It may appoint any person to non-voting positions on the committee, who shall serve at the pleasure of the Executive Committee.
 - viii. All decisions of the Executive Committee shall be made by a majority vote of those present unless otherwise specified by this Constitution.
 - ix. The Chair of an affiliated Party may appoint a proxy for the chartering committee. The Chair of the chartering Party must receive verifiable proof that the Chair of the affiliate Party has appointed a proxy. If the Chair of an Affiliate Party does not attend a meeting of the Executive Committee of the Chartering Party, and has not appointed a proxy for that meeting, the highest ranking elected or appointed member of the Executive Committee of the Affiliate Party present may act as proxy. For the approved period, a proxy shall have the same rights and privileges as the regular member of the committee of the Chartering Party.
 - x. A quorum, which shall consist of at least 50.1% of the membership of the Executive Committee, must be present for an Executive Committee to conduct official business.
 - xi. The assignment of specific duties to the At-Large Representatives shall be made by the Executive Committee.
 - xii. Minutes shall be taken at all Executive Committee meetings with a summary of major actions made transparent and available to Voting Members.



- a. Unless otherwise required by the governing documents of the Party, a favorable vote by not less than fifty-one percent (51%) of all non-vacant positions on the Executive Committee shall be required for any resolution to pass;
- b. Votes shall be cast by in a form that permits verification of authenticity (e-mail is permitted), and shall be presented to the Secretary, who shall keep them on file with the minutes, and who shall read an account of them at the next Executive Committee meeting;
- F. The ranking of members of an Executive Committee is as follows: Chair, Vice-Chair, Secretary, and Treasurer, followed by At-Large Representatives ranked by seniority.

Section 2. Qualifications to Serve

- A. All members of an Executive Committee must be a Voting Member of the Party.
- B. No person may be considered for any position on any Executive Committee, who does not meet the eligibility requirements in this section.
- C. No person may serve on more than two Executive Committees within the Party, except as the representative from an affiliate Party on the Executive Committee of the chartering Party, as defined in this document. Starting at the close of the State Party Annual Convention held in 2018, no person may serve on more than one Executive Committee within the Party, except as the representative from an affiliate Party on the Executive Committee of the chartering Party, as defined in this document.

Section 3. Leave of Absence

- A. A leave of absence can be obtained by members of an Executive Committee when that member will be known to be unavailable for an extended period of time.
- i. A leave of absence shall be submitted to the highest-ranking remaining member of an Executive Committee.
- B. During a Leave of Absence by the Chair, the Chair shall give notice to the entire committee, and the Vice-Chair shall serve in their place during the leave of absence.
- C. If more than 50% of the Officers and At-Large Representatives of an Executive Committee of any Party are on a Leave of Absence for a period longer than 30 days, the highest ranking and



Section 4. Resignation and Recall

- A. Any member of an Executive Committee may submit resignation to the highest-ranking remaining officers of an Executive Committee.
- i. Resignation must be in written form, either through mail or by electronic form.
 - ii. A resignation must include an “effective date”.
 - iii. Any member of an Executive Committee who becomes deceased shall be considered immediately recalled.
- B. A member of an Executive Committee can be recalled from office under the following circumstances:
- i. Any Party officer, At-Large Representative, or Precinct Captain may be recalled from office by written petition (including by electronic mail) of fifteen (15) percent of all Voting Members of that Party, and by mailed, electronic, or other certified vote of no less than three-fifths (3/5ths) of all Voting Members of that Party. Voting members eligible shall be limited to those within the particular sub-division of the Party where the Officer or At-Large Representative subject to a recall serves. Notwithstanding any other provision, in the event that a recall petition fails, a subsequent recall petition may not be lodged within one year following the failure of the recall petition absent: (i) conviction of a felony that brings discredit upon the party following the failed petition; or (ii) theft or misappropriation of party funds that occurs following the failed petition; or (iii) other serious misconduct, which occurs or is made known after the failed vote.
 - ii. Any member of an Executive Committee who does not participate in the activities of the Executive Committee for a period of sixty (60) days or greater, without having first given proper notice of a leave of absence, shall be automatically recalled from office.
 - iii. Any member of an Executive Committee may be recalled from office by a vote of no less than two-thirds (2/3) of the entire non-vacant Executive Committee of that Party excluding the member in question who must vote affirmatively in favor of recall, and only for cause or neglect of duties. In the event of a recall under this section, the member in question shall be informed of the basis of the recall at least seven days in advance, and shall be permitted to be heard in his or her defense, and to offer any excuse or defense to the entire non-vacant Executive Committee.





by the governing documents of that Party, will be given thirty (30) days, upon documented notification by any Party member, come into compliance with these requirements. Failure to meet these qualifications within the thirty (30) day period shall result in automatic recall from office.

Section 5. Executive Committees must be active and accountable to the membership.

- A. A Party must conduct a business meeting, with adequate notice and open to the public, at least once every 90 days. Any Executive Committee Chair, or Vice-Chair if the Chair is on a declared leave of absence, who fails to call a business meeting within the specified time shall be immediately recalled from office.
- B. Notwithstanding any other provision, the majority of the members of an Executive Committee (not counting any vacancies or leaves of absence), may call a meeting of the Executive Committee by agreement in writing (including e-mail), prepare an agenda for that meeting, amend the agenda of any other meeting called by the Chair, and otherwise take action as a whole.

Section 6. Vacancies in office

- A. If for any reason the position of Chair of an Executive Committee shall become vacant, the Vice-Chair shall immediately assume the duties and title of the Chair, creating a vacancy in the office of Vice-Chair.
- B. In the event that the Chair and Vice-Chair shall be recalled or shall otherwise be vacant, the Secretary shall act in the place of the Chair and Vice-Chair.
- C. If for any reason, should the office of any Officer which is not the Chair, on an Executive Committee becomes vacant during a term, the remaining members of that Executive Committee may elect a Party member to fill the vacant position until the next annual convention of the party, at which an election will be held for the office to complete the term of office vacated.
- D. If the vacancy occurs in a seat held by the Chair of an Affiliate Party:
 - i. The Executive Committee of the Affiliate Party shall be responsible to fill the position of Chair, within forty-five (45) days. If they shall fail to do so, the Chartering Party's Executive Committee shall fill the position, or, at its option, dissolve the affiliate by majority vote. ^



iii. When the vacancy occurs as a result of dissolution, the Committee of the Chartering Party may appoint a new coordinator.

Section 7. Acting members of the Executive Committee

- A. During a leave of absence in the office of, the Treasurer, Secretary, Vice-Chair, or any At-Large Representative, the remaining members of an Executive Committee may appoint an acting member of the Executive Committee by majority vote.
- B. The acting member of an Executive Committee shall add "Acting" to the beginning of the official title of the office.
- C. An Acting Member of an Executive Committee shall have the full rights, privileges, and duties of an elected member of the Executive Committee, except an Acting Member will not have a vote on that committee.
- D. An Acting Member of an Executive Committee shall serve until the end of the leave of absence, or the next Convention at which the delegates of that Party are assembled, at which time their term shall be considered expired.

Section 8. Elections

- A. Officers of the State Party and established County Parties, as well as At-Large Representatives of established District Parties, shall be elected by majority vote of the voting members of that Party at Annual Conventions, called in conformance with the requirements of conventions, held in odd-numbered years.
- B. Officers of established District Parties, as well as At-Large Representatives of the State Party and established County Parties, shall be elected by majority vote of the Voting Members of that Party at Annual Conventions held in even-numbered years.
- C. Precinct Captains shall be elected by majority vote of the Voting Members in attendance from that voting precinct, at Annual Conventions each year.
- D. Vacancies in a Party may be filled at any convention by majority vote of the Voting Members who would normally be eligible to elect the vacant position.
- E. Members of the Executive Committee shall take office immediately upon the close of the Convention at which they were elected, and shall serve until their successors are elected and qualify for office, unless otherwise specified by this Constitution. ^



i. Membership Committee

- a. It shall be chaired by the Vice-Chair.
- b. The Chair shall not serve as an *ex-officio* member of this Committee or otherwise be appointed to this Committee, but shall be permitted to be present at any of its meetings.
- c. Its membership shall be set by the Executive Committee and is open to any Party member except the Chair, and comprise at least three members.
- d. It is responsible for maintenance of Party membership lists.
- e. It shall conduct periodic membership drives not less than annually.
- f. It shall meet and recommend to the Executive Committee that the membership of any individual be revoked if that member makes statements or takes actions which are contrary to the Statement of Principles. Such recommendation shall require a three-fifths (3/5) vote of the entire Membership Committee.

ii. Finance Committee

- a. The Finance Committee shall be chaired by the Treasurer of the Party.
- b. The Chair shall not serve as an *ex-officio* member of this Committee or otherwise be appointed to this Committee, but shall be permitted to be present at any of its meetings.
- c. The members shall be appointed by the Executive Committee of the Party.
- d. Membership is open to any voting member of the Party, except the Chair, and comprise at least three members.
- e. The Finance Committee shall develop the annual budget and submit it to the Executive Committee of the Party for approval.
- f. The Finance Committee is responsible for dues collection and accounting for Party funds.

iii. Platform and Issues Committee

- a. The Chair of the Platform and Issues Committee shall be appointed by the Executive Committee from among the members of the Executive Committee of the Party no later than 60 days after the annual convention.
- b. The members of the Platform and Issues Committee shall be appointed by the Executive Committee of the Party. Membership is open to any voting member of the Party.
- c. This committee shall draft policy statements for the Executive Committee of the Party and develop position papers for the Party.





approval.

iv. Rules Committee

- a. The Secretary is the Chair of the Committee.
- b. The Chair shall not serve as an *ex-officio* member of this Committee or otherwise be appointed to this Committee, but shall be permitted to be present at any of its meetings.
- c. The members of this Committee shall be appointed by the Executive Committee. Membership is open to any Party member, except for the Chair.
- d. This Committee shall draft Convention Rules for adoption by the Executive Committee of the Party. The Convention Rules may: (i) establish deadlines for registration for the convention; (ii) establish or alter Robert's Rules of Order; (iii) provide for the establishment of a Credentials Committee for the Convention; (iv) establish other general rules to govern the Convention. No convention rules may be adopted that: (i) deprive any Voting Member of a reasonable opportunity to register and participate in the Convention; (ii) deprive the convention body of the ability to ultimately decide matters that come before it, but such rules may govern, generally, procedure and practice; or (iii) otherwise violate specific provisions of this Constitution.
- e. This Committee shall draft proposed changes to the Constitution and By-laws. Such changes shall be submitted to the Executive Committee or Convention for approval as specified in the Constitution.

v. State Party Elections Committee or "Elections Committee"

- a. There shall be only one Elections Committee, the State Party Elections Committee. This committee exists only when the Party is not a qualified "Political Party" entitled to a state funded primary election process under Kentucky law.
- b. The State Elections Committee shall be comprised of five or seven members, at the discretion of the Chair of the State Party Elections Committee.
- c. The Chair of the State Party Elections Committee shall be the State Party Executive Committee Secretary. The chair of this committee may break any tie vote within the committee.
- d. The Vice-Chair of the State Party Elections Committee shall be the State Party Executive Committee Vice-Chair. The Vice-Chair shall be responsible for engaging all Libertarians in Kentucky.
- e. If at least three District Parties have secretaries in good standing, two of the members of the State Party Elections Committee shall be District Party Secretaries, selected by



- Secretary by giving notice of the appointment to the State Party Executive Committee, subject to the disapproval of the State Party Executive Committee, who may disapprove the appointment by the required three-fifths (3/5) vote within thirty days of the notice. These members may be removed and replaced by the State Party Executive Committee Secretary for cause, neglect of duties, if they cease to hold office as a Secretary of a District Party, if they no longer are Voting Members, or absenteeism.
- f. The State Party Executive Committee Secretary shall also be entitled to appoint one or three additional members (depending on the size of the Committee), by giving notice of the appointment to the State Party Executive Committee, who may disapprove the appointment by the required three-fifths (3/5) vote within thirty days of the notice. These members may be removed and replaced by the State Party Executive Committee Secretary for cause, neglect of duties, if they no longer are Voting Members, or absenteeism. In no event shall the Chair of the State Party Executive Committee be appointed to this Committee.
 - g. A Secretary for the Committee shall be elected from among the remaining committee members. The secretary shall document and publish all votes.
 - h. A Treasurer shall be elected from those voting members of the committee who do not already hold another position on the committee. They shall be responsible for preparing and presenting a budget to conduct the election, and for accounting for any cash bonds posted by candidates. Any such budget or expenses shall be presented to the State Party Executive Committee for approval or amendment.
 - i. The committee may employ outside consultants to facilitate their duties, but those consultants are not voting members of the committee.
 - j. The State Party Elections Committee shall be responsible for developing inclusive and fair rules and regulations for the conduct of primary elections for candidates seeking political office as Libertarians.
 - k. In no event shall a member of the State Party Elections Committee be permitted to stand for office or be a candidate for office in a primary election run by the State Party Elections Committee.
 - l. The proposed rules, except for Emergency Rules, shall be enacted not later than January 15 of a given year to govern elections for that year. Once passed, rules shall be transmitted to the State Party Executive Committee, which shall have the ability, within thirty days of the transmission of the rules, to disapprove any particular rule or part of a



- by a three-fifths (3/5) vote, and, if recalled, may not in substance be re-enacted for a period of one year. The Voting Members of the Party at the State Convention, by a three-fifths (3/5) vote may also propose and enact any rule. Emergency Rules may be adopted by the State Party Elections Committee by a four-fifths (4/5) vote, and shall take effect upon the rules passage and transmission to the State Party Executive Committee. The State Party Executive Committee shall have the ability within fourteen (14) days to disapprove any Emergency Rule, by majority vote. Rules shall be in force and effect until and unless disapproved.
- m. The rules for elections shall contain mechanisms for permitting poll watchers and shall conform to the requirements on how to elect candidates in this constitution and the requirements of state law.
 - n. The committee shall identify and bring forth any Party rules that conflict with state law, and propose amendments to those rules to rectify those conflicts.
 - o. Rules for governing a primary election for the Party and its affiliates shall be codified as and modified within the Libertarian Party of Kentucky Primary Election Manual, which shall be prepared by the Committee. This manual will serve as the master document for all primary elections operated by the Party and its affiliates.
 - p. The State Party Elections Committee shall be responsible for overseeing the electoral process and ensuring its integrity.
 - q. The State Party Elections Committee may appoint surrogates to operate any part of the primary process, who will report to, and serve at the leisure of, the State Party Elections Committee.
 - r. Meetings shall be held at the call of the Chair of this Committee (the State Party Secretary), with at least seven days advance notice, unless waived by a 2/3 vote in the event of an emergency. All actions taken by this committee shall be open to all Voting Members, and meetings shall be advertised, except in an emergency, to encourage electoral transparency; provided, however, that the Committee may close its meetings to the public, for an executive session to discuss, but not act upon: (i) any adjudicatory matter; (ii) pending or proposed litigation; or (iii) to receive privileged legal advice.
 - s. Rules may include, without limitations, (1) requirements to post a cash bond in the amount of the filing fee required by the Commonwealth of Kentucky and deadlines for the posting of such bonds, (2) the requirement to file a statement of intent to run in advance of any convention, and may impose deadlines for such filings; (3) limitations on



(c) and any other matter deemed pertinent, germane, or prudent, to the running of fair

and inclusive primary elections for candidates seeking political office as Libertarians the Libertarian Party of Kentucky primary process.

B. Ad-Hoc Committees

- i. An Executive Committee shall have the power to create or dissolve ad-hoc committees, at-will, by majority vote of that Executive Committee, and documented in either the State Party Constitution or in the By-laws of that Party.
- ii. The scope and influence of any ad-hoc committee shall be limited to the Party whose Executive Committee creates the committee.
- iii. No other Executive Committee may dissolve an ad-hoc committee other than the Executive Committee of the Party that created that committee.
- iv. If a Party is dissolved for any reason, the ad-hoc committees created by that Party will also be automatically dissolved.

C. Term of Committees

- i. Except as otherwise expressly provided, Members appointed to a Standing Committee shall serve until the next Annual Convention. At that time, the Committee shall give its report as part of regular business, and the Committee shall be vacated of all positions to then be filled as outlined by this Constitution.
- ii. All Ad-hoc Committees shall terminate no later than the end of the following Annual Convention. These committees may be re-created by the Executive Committee at any time after the close of the Annual Convention, at the leisure of that Executive Committee, as outlined by this Constitution.

Section 10. Binding Arbitration of Disputes

- A. If any Affiliate Party is unable to internally resolve a question of its rightful powers, duties, leadership, any and all questions under this Constitution or compliance with this Constitution, or legal obligations, the matter shall be submitted to binding arbitration, with the chartering party to be responsible for resolution acting as final arbiter. The decision of the Chartering Party shall be final. This Section shall not govern disputes related to any primary election process for candidates for public office, which is governed under Paragraph B.
- B. Notwithstanding other provision, any disputes or questions arising under this Constitution related to the Libertarian Party of Kentucky primary election process for candidates for office



shall be heard and resolved by the State Party Elections Committee as the binding and final arbitrator for all such disputes.

- C. If the State Party is unable to internally resolve the rightful powers, duties, leadership of the State Party, legal obligations, or any and all questions under this Constitution or compliance with this Constitution by the State Party, or any dispute that arises under this Constitution between the State Party and its members, the matter shall either: (i) be submitted to binding arbitration to an attorney licensed in the Commonwealth of Kentucky, if the Executive Committee of the State Party, by a three-fifths (3/5) vote has a standing agreement, entered into in advance of the dispute in question to so submit such matters, who shall act as final arbiter; or (ii) in the event such an agreement in (i) does not exist, or the attorney determines a conflict of interest exists, then such matters will be submitted to the governing body of the National Party (referred to commonly as the Libertarian National Committee) will be solely responsible for resolution, acting as final arbiter. This Section shall not govern disputes related to any primary election process for candidates for public office, which is governed under Paragraph B.
- D. Except as set forth herein, no matter governing any rightful powers, duties, leadership of the State Party, County Party, District Party, or questions arising relating to the primary elections process for public office, legal obligations, or any and all questions under this Constitution or compliance with this Constitution, or any dispute that arises under this Constitution between the State Party, District Party, County Party, and its members shall be reviewable in any Court, or subject to collateral attack by any third party.

ARTICLE VII: CONVENTIONS

Section 1. Annual Convention

- A. A Party must call at least one convention of all members of that Party annually, known as the "Annual Convention".
- i. Annual Conventions shall be held, starting in 2018, as follows:
- a. The business of the Annual Convention for the State Party shall be conducted not earlier than the first Saturday in March, and not later than the second Saturday in April, and may optionally include the Sunday immediately following. The Default Date for the Annual Convention for the State Party shall be the second Saturday in March.



- Saturday in March, and may optionally include the Sunday immediately following. The Default Date for the Annual Convention for the District Party shall be the fourth Saturday in February.
- c. Further, the State Party Elections Committee may call a District Convention for the sole purpose of holding elections for candidates for political office within a District which has no chartered District Party. Such a convention shall be held not earlier than the first Saturday in February, and not later than the second Saturday in March, and may optionally include the Sunday immediately following. The Default Date for the Annual Convention for the District Party shall be the fourth Saturday in February. Alternatively, the State Party Elections Committee may organize such voting at the State Convention, or by absentee or electronic ballot, or by other means, in accordance with its rules.
- d. The business of the Annual Convention for any chartered County Party shall be conducted not earlier than the first Saturday in January, and not later than the third Saturday in February, and may optionally include the Sunday immediately following. The Default Date for the Annual Convention for the County Party shall be the second Saturday in February.
- e. Further, the State Party Elections Committee may call a County Convention for the sole purpose of holding elections for candidates for political office within a County which has no chartered County Party. Such a convention shall be held not earlier than the first Saturday in January, and not later than the third Saturday in February, and may optionally include the Sunday immediately following. The Default Date for the Annual Convention for the County Party shall be the second Saturday in February. Alternatively, the State Party Elections Committee may organize such voting at the District or State Convention, or by absentee or electronic ballot, or by other means, in accordance with its rules.
- f. In the event of inclement weather, in which any competent governmental authority has declared a “snow emergency,” or other weather emergency or Act of God occurrence, any convention set forth herein shall be rescheduled one week, to the following Saturday and optionally the following Sunday at the same location. The notice requirements shall be waived in such instance.
- ii. The proposed agenda of an Annual Convention shall include voting for any and all candidates running for political office provided it is an election year within the Commonwealth of Kentucky, within the jurisdiction of the Party and not otherwise in the jurisdiction of an Affiliate Party, during the hours of 4PM – 5PM local time, or as otherwise



Libertarian National Committee, Inc., and its bylaws. This portion of the agenda may not be amended except by 5/6ths of the convention body, and only in the event of an emergency rendering voting unable to occur. Any such vote shall be immediately reported to the Elections Committee, which is empowered to take such action as it deems necessary, including scheduling and calling a new election. A suspension of the rules may not be used to circumvent this paragraph's requirement, and this requirement may not be amended for succeeding Annual Conventions unless by a vote of 5/6ths of the convention body at the State Party Annual Convention.

- iii. A business meeting of an Executive Committee shall occur immediately following the close of the Annual Convention for that Party. This meeting shall be listed on the published Annual Convention agenda.

B. Convention Plan

- i. A Convention Plan is used to document and announce the Annual Convention of a Party. The Convention Plan shall outline the date(s), time(s), location, agenda, convention attendance fees, and the expected income and expenditures related to the convention.
- ii. Unless 3/5ths of an Executive Committee of a Party vote otherwise, the Annual Convention of that Party shall be held within the legal boundaries of that Party.
 - a. The notice required for announcing a convention to be held out of the political boundaries shall be as follows: in addition to the required minimum time to provide notice outlined in this constitution, add one additional day for every ten miles, or fraction thereof, between the site of the convention and the point closest to the boundary line of that Party.
- iii. The Chair of an Executive Committee shall present a Convention Plan for the regular annual convention for the Party to the Executive Committee of that Party (a) no sooner than October 1 and no later than November 1 for a County Party; (b) no sooner than October 15 and no later than November 15 for a District Party; and (c) no sooner than November 1st and no later than the first Saturday in December for the State Party; all in the year preceding the Annual Convention of that Party. Nothing in this section, however, shall prevent the Chair from delegating planning functions to any committee or other person, provided that responsibility for the preparation of the final Convention Plan remains with the Chair. Further, nothing in this section shall prevent the Executive Committee as a whole from preparing and enacting a Convention plan under its collective powers set forth elsewhere in this Constitution.



- Plan within 6 days, which does not include any item or detail previously vetoed.
- v. If the Chair of an Executive Committee fails to bring forward a Convention Plan, that is not vetoed in whole or in part, by: (a) the first Saturday in November of the year preceding the convention for a County Party; (b) the third Saturday in November of the year preceding the convention for a District Party; and (c) the first Saturday in December of the year preceding the convention; then: the Executive Committee of that Party shall hold an emergency Executive Committee meeting at 7PM local time on the following Saturday. The agenda of that meeting shall be limited to the creation of a Convention Plan for the Annual Convention of that Party. Each detail shall be decided by Instant Runoff Voting, and such decision must comply with the other requirements listed in this Constitution.
 - vi. All convention plans by any affiliate party shall be transmitted, upon approval and within three days of that approval, to the Chartering Party Executive Committee, and the State Party Executive Committee Secretary.
 - vii. In no event shall a Chartering Party be entitled to enact a convention plan that holds a convention on the same date or time as one of its affiliate parties' conventions, or on a date prior to its affiliate parties' conventions, provided the Chartering Party had notice of the affiliate party's convention plan prior to the setting of the Chartering Party's convention; in no event shall an affiliate party be entitled to enact a convention plan that holds a convention on the same date as its Chartering Party's convention, or on a date after its Chartering Party's convention, provided the Chartering Party's convention was set prior to the affiliate party's convention.
- C. Conventions must be held annually by the State Party and all Affiliate Parties.
- i. Any Affiliate Party failing to call a convention in accordance with this constitution shall be considered disbanded, or at the option of the State Executive Committee, that its offices are deemed vacant and subject to temporary appointment by the State Executive Committee for the purpose of organizing and calling a convention on the Default Date set forth above. The State Executive Committee, at its discretion, may provide notice of the Affiliate Party of its failure to hold a proper convention, and give the Affiliate Party not more than sixty (60) days to call and hold a proper convention, even if those dates are outside of the limits contained herein; in the event the issue is not corrected within the sixty (60) day period, the State Party Executive Committee shall disband the affiliate party.
 - ii. If the State Party fails to call its annual convention in accordance with this constitution [^] : State Party Annual Convention will be held at the Paul Sawyer Public Library in Frankfort,



- Residents of Kentucky, in attendance shall be considered delegates.
- b. The National Party may send a representative to act as the Acting Convention Chair, who may also be responsible for validating eligibility for delegate status, until such time that the convention body elects a Convention Chair from among the delegates.
 - c. A convention chair will be elected from among those delegates. The burden of proving eligibility to be a delegate is on the individual seeking to be a delegate.
 - d. All Executive Committee and At-Large positions in the State Party shall be declared vacant, and the convention body shall elect a new State Party Executive Committee and at least one At-Large Representative. No person who was a member of the State Party Executive Committee on January 1st of that year will be eligible to be elected to any position within the Party unless it is demonstrated that the member in question took action to bring to a vote an appropriate convention plan, and that vote was defeated by others.
 - e. This constitution will not be eligible for amendment without the approval of three-quarters of the delegates at such a convention.

Section 2. Special Convention

- A. Except as otherwise expressly set forth, a Special Convention may be called when necessary, by any Party, with majority approval by its Executive Committee, or with majority approval from the Executive Committee of the Chartering Party, and with no less than thirty (30) days' notice to the Voting Members of that Party.
- B. Alternatively, forty percent (40%) or 10 members of a Party, whichever is greater, may call a Special Convention in writing signed by those members, with notice given to the Chair (if there is one), any chartering party Chair, and the Voting Members of that Party, and with no less than thirty (30) days' notice to the Voting Members of that Party. No Voting Member shall be permitted to sign more than one such Special Convention for any Party more than once per year; provided that this limitation shall not apply if the convention is not successfully called. A Member called Special Convention shall not be subject to the limitations in Paragraph D.
- C. A Special Convention must be called with a specific purpose or agenda, and that purpose made public as part of the notice of the Special Convention. No other activities may occur at a Special Convention other than those previously announced in the notice to the Voting Members.



Section 3. Rules for calling all types of Conventions

- A. Each Party Executive Committee Chair is primarily responsible for calling any and all conventions, for that Party. But nothing in this section shall prevent an Executive Committee as a whole from calling a convention under its collective powers set forth elsewhere in this Constitution, or the Voting Members from calling a Special Convention under the provisions of this Constitution. Notice of a Convention being called shall be provided to the State Party Executive Committee, in writing, at least forty-five days before the convention.
- i. The Party Executive Committee Chair, or the Chair's designee, shall serve as Chair of that convention unless or until the convention elects another chair.
 - ii. Except for Conventions where they are a member of the Party in convention, the Party Executive Committee Chair or their surrogate shall have no vote.
- B. Calling a convention
- i. Except where otherwise defined in this Constitution, any convention must be called with at least forty-five (45) days' notice prior to the convention.
 - ii. The notice of convention must explain for which Party the convention is being called, and must include the date, time, location, and purpose of the convention being called.
 - iii. Notice of a convention shall distributed to those within the political boundaries of a Party calling a convention in the following manner:
 - a. If practical, a press release shall be sent by any Party holding any type of convention to all media outlets within the relevant area. The press release shall explain the date, time, location, and purpose of the convention being called.
 - b. If practical, a convention shall be advertised in any known liberty publications reaching Libertarians in Kentucky, as long as the cost for that advertisement is reasonable and affordable.
 - c. In an electronic mailing to members of the Party, and to residents of Kentucky registered to vote as a Libertarian within the political boundaries of the Party, for whom the Party has a valid email address. If technically feasible, posting of such convention on the Party's website (or the State Party's website) and any social media page.
 - d. Affiliate Parties shall send notice to the Chartering Party, and the State Party shall send notice to the National Party, for publication in any form they see fit.





i. The failure or infeasibility of notice, due to technical difficulties not within the control of the Party, shall not invalidate the notice, provided reasonable efforts are made to provide adequate notice.

iv. A Party Executive Committee Chair may additionally employ any reasonable mechanism to inform the public.

Section 4. Participation and Quorum

A. If State Party Voting Membership is less than 250 Voting Members as of January 1 for the year in question:

i. All Voting Members of the State Party who live within the political jurisdiction of a Party holding a convention shall be eligible to participate in that convention as a delegate, provided the Party, through its Rules Committee, may establish rules setting deadlines for registration and other reasonable restrictions that do not unduly burden the opportunity to register and participate by Voting Members; provided further, that the State Party Executive Committee by bylaws, may impose a requirement that any such Voting Member be a Voting Member (including that dues be paid and other requirements met) not earlier than fourteen days prior to the convention; any such bylaw to be valid must be imposed not later than January 15 of the year of the convention.

B. If State Party Membership greater than or equal to 250 Voting Members as of January 1 for the year in question:

i. All Voting Members of the State Party who live within the political jurisdiction of a Party holding a convention shall be eligible to participate in any District or County convention, provided the Party, through its Rules Committee, may establish rules setting deadlines for registration and other reasonable restrictions that do not unduly burden the opportunity to register and participate by Voting Members; provided that the State Party Executive Committee by bylaws, may impose a requirement that any such Voting Member be a Voting Member (including that dues be paid and other requirements met) not earlier than fourteen days prior to the convention; any such bylaw to be valid must be imposed not later than January 15 of the year of the convention.

ii. Each District Convention shall be responsible for choosing delegates to the State Convention; delegates shall meet the eligibility requirements set forth in the preceding



- a. Number of Delegates = $\frac{TV}{VM} + RL$, where: TV = number of votes cast in the District in last general election for Governor or President in which a Libertarian candidate appeared on the ballot², divided by the total number of votes cast statewide for that Libertarian candidate, and multiplied by 40; where VM = number of Voting Members in that District as of January 1 of that year, divided by the total number of Voting Members statewide, and multiplied by 40; and where RL = number of registered Libertarian voters in that district, as of January 1 of that year, divided by number of registered Libertarian voters statewide, and multiplied by 40. Any fractions that are below 0.50 shall be rounded down to the nearest whole number, and any fractions that are at or above 0.50 shall be rounded up to the nearest whole number.
- b. In addition, each District may select an equal number of alternate delegates as delegates, who shall be seated at the opening of the state convention in the event that any primary delegate is absent.
- c. In the event that there is no District Executive Committee and State Party Membership is greater than 250 Voting Members, the State Executive Committee shall be responsible for calling an appropriate special District Convention for the selection of delegates to the State Convention and for the nomination of candidates, under the requirements of this Constitution. This shall not count against any limitations for Special Conventions in this Constitution.
- C. Quorum for any convention shall be 45% of the number of delegates who have checked in to the convention.

Section 5. Conduct of Convention

- A. *Robert's Rules of Order*, shall govern the conduct of all conventions, except as set forth in this section;
- B. The first order of business shall be the credentialing of all Voting Members to the Convention, which shall be determined in accordance with the rules established for the convention (which may include, by way of example, use of the Membership Committee or a Credentials Committee), and the Elections Committee, insofar as voting for nominations for candidates to public office are concerned;
- C. The second order of business shall be the election of a Convention Chair and Secretary; the Secretary shall keep minutes reflecting actions taken at the convention. The Chair shall be the



convention, unless not present, or removed by a three-fifths (3/5) vote of the convention body,

The Chair shall be entitled to employ or utilize a parliamentarian to assist on matters of procedure.

- D. The Party, in Convention, shall have the ability to waive, by three-fifths (3/5) vote, any and all formalities, notice requirements, and legalities related to any question arising under this Constitution, except for questions arising under rules enacted by the Elections Committee for nominations for candidates to public office, which questions are reserved to the Elections Committee, and is encouraged to do so provided such requirements are determined by the Party, in Convention, to be substantially complied with.
- E. Any nomination of candidates shall be as set forth in Article VIII, below, and shall be complied with.

Section 6. National Party Convention Primary Delegates and Alternate Delegates

A. Delegation Chair

- i. The Delegation Chair shall be the State Party Executive Committee Chair. If the State Party Executive Committee Chair cannot attend the National Party Convention or does not desire to be Delegation Chair, the State Party Executive Committee Vice-Chair shall serve as Delegation Chair; if the State Party Committee Chair and Vice-Chair cannot attend the National Party Convention or do not desire to be Delegation Chair, the State Party Executive Committee Secretary shall serve as Delegation Chair; if the State Party Committee Chair, Vice-Chair, and Secretary cannot attend the National Party Convention or do not desire to be Delegation Chair, the State Party Executive Committee Treasurer shall serve as Delegation Chair.
- ii. The Delegation Chair is a Primary Delegate, and shall receive the first Primary Delegate position for the State Party.
- iii. If the Delegation Chair does not check-in at the National Party Convention prior to the opening of business (i.e. votes being taken), resigns from the role of Delegation Chair, or leaves the National Party Convention for more than two hours during business, prior to the end of business, the State Party Executive Committee Vice-Chair, and then Secretary, and then the Treasurer, respectively, shall serve as Delegation Chair; if the State Party Executive Committee Vice-Chair, Secretary, and Treasurer are not present, the remaining seated Primary Delegates present shall elect a Delegation Chair from among the Primary



and then follow this procedure to elect a new Delegation Chair.

- iv. The Delegation Chair may fill vacant Alternate Delegate positions not earlier than one hour prior to the opening of the National Party Convention. Priority shall be assigned as follows: Voting Members of the State Party, followed by members of the National Party members who reside in Kentucky, followed by members of the National Party who have donated to the State Party in the past year, then members of the National Party who live within the same region and are participants in a regional agreement with Kentucky and provide a similar preference for Kentucky delegates, and finally to members of the National Party who live outside of Kentucky.
 - v. The Delegation Chair shall be responsible for filling vacant Primary Delegate positions after the opening of the National Party Convention, with the agreement of either the State Party Executive Committee Vice-Chair, if present or the State Party Executive Committee Secretary, if present. In the event such agreement cannot be had, then it shall be submitted to a majority vote of the Primary Delegates. Priority shall be assigned in order of the list of Alternate Delegates elected at convention, except as otherwise outlined by this constitution.
 - vi. When applicable, the Delegation Chair shall be responsible for ensuring all paperwork necessary for filing Libertarian Party candidates for President and Vice-President is completed while on-site at the National Party Convention, and shall promptly deliver that paperwork to the State Party Executive Committee Secretary.
- B. Primary Delegates, other than the Delegation Chair, and Alternate Delegates to the National Party Convention shall be nominated from the floor and elected at the State Party Annual Convention preceding the National Party Convention. As a result of these elections, a list of Primary Delegates and a list of Alternate Delegates shall be created in order of election. Any vacancies in the list of Primary Delegates or Alternate Delegates which exist after the State Party Annual Convention up to seventy-two hours prior to the opening of the National Party Convention may be filled by appointment by a majority vote of the State Party Executive Committee. Primary and Alternate Delegates may be required to check in with either the credentials committee for the convention, or the Delegation Chair at least two hours prior to the opening of business at the National Party Convention, or have their seats vacated; if this requirement is imposed, it shall be communicated at least seven days in advance of the convention to each delegate.
- C. The Primary Delegates:
- i. The maximum number of Primary Delegates is determined by the National Party.



- iii. Primary Delegates shall exercise their vote at the National Party Convention on the basis of individual conscience, i.e., they shall not be bound to vote for any particular issues or candidates by the State Convention, Executive Committee or Party officers.
- iv. If any Primary Delegate does not check-in as a delegate prior to the opening of the first business session (i.e. where a vote is taken) of the National Party Convention, or is absent from the National Party Convention outside of a recess for a period greater than three hours, then the position held by that Primary Delegate shall be considered vacant. The removed Primary Delegate shall be made into an Alternate Delegate and placed as the first Alternate Delegate on the list of Alternate Delegates after all vacant Primary Delegate seats have been filled.
- v. Any Primary Delegate who resigns their position during the National Party Convention shall be moved to the end of the list of Alternate Delegates.
- D. The Alternate Delegates to the National Party Convention:
- i. The maximum number of Alternate Delegates shall be twice the maximum number of Primary Delegates, or 50 Alternate Delegates; whichever is fewer.
- ii. Alternate Delegates shall attend the National Party convention and remain in regular contact with the Delegation Chair.
- iii. Alternate Delegates shall, according to order of election unless otherwise specified by this document, fill any vacancy in the position of Primary Delegate who is not able to attend the National Party convention.
- iv. Any Alternate Delegate called upon to become a Primary Delegate during the National Party Convention, who is unavailable within thirty minutes of the time at which they are called upon for such purpose, shall be moved to the end of the list of Alternate Delegates.
- v. Any Alternate Delegate who resigns their position before or during the National Party Convention shall be removed from the list of Alternate Delegates.

ARTICLE VIII: NOMINATION AND ENDORSEMENT OF POLITICAL CANDIDATES

Section 1. Nominations of candidates for Federal, State and local government offices.

- A. A Party nominee for a Federal, State or local government office must be a Voting Member of the State Party, and be legally qualified to run for and hold the office being sought. Such qualifications include the filing by the candidate of the statement of candidacy form where



candidate seeks office, with the applicable authority (i.e. Kentucky Secretary of State for

statewide office, or for any office that represents more than one county, or the County Clerk for any office whose district or area represented constitutes only one county). Such qualifications shall also include filing the statements of candidacy required by K.R.S. 118.325(3) and K.R.S. 118.365(3), with the same authority, within the timeframe required in K.R.S. 118.365(3). In the event that nominating conventions occur prior to the deadlines set forth above, the Elections Committee has the option to require the candidate to comply with the requirements prior to the nominating convention, or a reasonable time after it; similarly, in the event that state law changes, the Elections Committee shall be entitled to conform its rules to the requirements of state law.

- B. The State Elections Committee may impose such other rules and requirements for candidates, their eligibility, voter eligibility and anti-fraud measures, and to the voting process, as it deems appropriate or necessary.
- C. Anyone entitled to vote for a candidate for a particular office shall be permitted to challenge the bona fides of the candidate being legally qualified to run for and hold the office being sought, in accordance with the procedures established by the Elections Committee.
- D. State, District, and County Parties are authorized to make nominations as follows:
 - i. A County Party may nominate candidates for County offices and for the offices of any Cities within the geographical limits of the county, provided that only those Voting Members living within the geographical limits of the city shall be permitted to vote in city nominating races.
 - a. Valid votes cast by absentee ballot, if permitted by, and in conformance by the rules set forth by the State Elections Committee, shall be certified to the County Chair and Secretary, by the State Elections Committee, prior to or during the convention but prior to final vote tallying at the Convention, and shall be added to the results and counted as if cast at the convention.
 - b. In the event a city's boundaries occur in more than one county, the county in which the majority of the city's population lies shall hold elections for those city offices and in that event, any qualified libertarian voter living within that city may participate in that election, regardless of which county they live in.
 - ii. A District Party may nominate candidates for:
 - a. the office of the Representative to the U.S. House of Representatives, for that District;
 - b. the offices of the State, including State Representative and State Senator, represent ^ areas within the geographical limits of the District;



- permitted to vote in the nominating races for that particular County, and
- d. the offices of Cities within the District that are without a County Party, provided that only those Voting Members living within the geographical limits of the city shall be permitted to vote in city nominating races.
 - e. In the event that State Party Voting Membership is greater than or equal to 250 members as of January 1 in the year in which voting is to occur:
 1. Voting but not nomination, shall occur at the District Convention for any State-wide federal or state offices, or Presidential preference voting; and shall likewise occur for offices that do not fall entirely within the geographic limits of a District having a Party, provided that only those Voting Members living within the geographical limits that the office represents shall be permitted to vote in the nominating races for that particular County. The results of these races shall be certified in writing (e-mail is acceptable) by the Convention Chair, to the State Elections Committee.
 - f. Valid votes cast by absentee ballot, if permitted by, and in conformance by the rules set forth by the State Elections Committee, shall be certified to the District Chair and Secretary, by the State Elections Committee, prior to or during the convention but prior to final vote tallying at the Convention, and shall be added to the results and counted as if cast at the convention.
 - g. In the event that there is no chartered District Party, the State Party Elections Committee may call a District Convention for the purpose of conducting nominations under this section, and this shall not count against any limitations for Special Conventions.
- iii. The State Party may nominate candidates for:
- a. state-wide Federal and State offices;
 - b. State offices that do not fall entirely within the geographic limits of a District having a Party, provided that only those Voting Members living within the geographical limits that the office represents shall be permitted to vote in the nominating races for that particular office;
 - c. in a District without a Party, the nomination for offices that a District Party would be authorized to make;
 - d. any State or local offices that do not fall within the nominating jurisdiction of any other Party as set forth in this Section;
 - e. may make nomination to any other office, which has not been nominated by a County District Party at its convention, provided a majority of the delegates in attendance desire



Elections Committee to make such nomination in advance of, or at, the convention.

- g. Valid votes cast by absentee ballot, if permitted by, and in conformance by the rules set forth by the State Elections Committee, shall be certified to the State Executive Committee Chair and State Executive Committee Secretary, by the State Elections Committee, prior to or during the convention but prior to final vote tallying at the Convention, and shall be added to the results and counted as if cast at the convention.

Section 2. Eligibility to Vote – Nomination of Candidates

- A. Any persons who are registered to vote in Kentucky and: (i) are Voting Members of the State Party allowed to vote under rules set forth by the Elections Committee, which shall not be made more stringent after January 1 of the year in question; or (2) are registered to vote as a Libertarian as of January 1 of that calendar year, shall be permitted to vote for candidates that will represent them if elected.
- B. Any Voting Member of the State Party, or any other registered Libertarian, may challenge the right of any potential voter to cast a ballot, prior to that ballot being cast. If a challenge has been made in good faith, then:
 - i. Proof of residency must be provided by the person being challenged. This proof of residency must be a photo ID that includes the full legal name, address, and date of birth of the person being challenged.
 - ii. It is the responsibility of the Elections Committee to verify that a person who has been challenged is legally registered to vote in Kentucky and/or is a Voting Member of the State Party meeting the rules established by the Elections Committee.

Section 3. Candidate Election

A. Form of Ballots

- i. All balloting shall be done by the authorized voters present and voting, provided, however, that the State Elections Committee, shall also be entitled to institute an absentee or electronic ballot system through its rules whereby ballots are also counted at convention that are cast in accordance with the system and rules established by the State Elections Committee. All cast ballots shall be preserved by the Secretary for a period of 30 days after

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ii. All nomination ballots shall employ preferential choice voting.

iii. All ballots shall contain None Of The Above (NOTA) as an option.

B. Deciding the winner

i. The Secretary of the Party is responsible for counting the ballots, under the supervision of the Elections Committee and in accordance with its rules.

ii. The Secretary may opt to enlist other volunteers in accordance with the rules of the Elections Committee, and make use of technology as approved by the Elections Committee, to assist in the counting of ballots.

iii. Any candidate whose name was listed on the ballot and received fewer votes than NOTA may not seek nomination for that office again during the same election cycle, and no Executive Committee may place that candidate into that vacancy during that election cycle. If NOTA wins against all other candidates seeking nomination for an office, then the Party has nominated no one for the position, and candidates losing to NOTA may not be re-nominated at that convention.

iv. The results of all elections shall be transmitted to the State Elections Committee within twenty-four hours of the close of the convention, for certification as provided herein. The Convention Chair and Secretary shall ensure that the following information is transmitted for each candidate nominated at convention: (1) the name of the person nominated (as it will appear on the ballot); (2) his or her residence; (3) the office to which he or she is nominated; and (4) the name of the party (Libertarian Party).

C. After the Annual Convention, one or more Executive Committee conventions (and an Executive Committee may hold as many such conventions as it deems appropriate, notwithstanding any other limitations in this Constitution) may be called by the State Elections Committee, with such convention and the persons entitled to vote to be comprised of the Executive Committee in question, for the purpose of nominating candidates, for offices for which the convention did not choose a nominee, for offices where the candidate nominated at convention has submitted a formal resignation from the political race, or for offices where the selected candidate has been deemed ineligible, following the rules outlined by this Constitution. These conventions need not comply with the requirements of Article VII, but a majority of the Executive Committee at issue shall constitute a quorum, and a majority vote of those attending shall be sufficient to nominate any candidate. Any such nominations shall be transmitted to the State Elections Committee within twenty-four hours of the nomination, for certification as provided herein. Executive Committee Convention Chair and Convention Secretary shall ensure that the



ballot), (2) his or her residence, (3) the office to which he or she is nominated, and (4) the name of the party (Libertarian Party).

Section 4. Certification and Challenges

- A. Any challenge to the nomination of a candidate must be made, in good faith, within two (2) business days (Monday to Friday excluding federal holidays) of the nomination of that candidate, and must be made in writing by a voter entitled to vote under Section 2 of this Article, who was otherwise entitled to vote for that office, to the State Elections Committee. The State Elections Committee may impose, by rule, a reasonable fee for lodging such challenge. Further, any two members of the Executive Committee of the State Party shall further be entitled to raise a challenge under this section, and any such challenge from a member of the State Party Executive Committee, may occur until the first Monday in August.
- i. The Elections Committee shall make a determination on any good faith challenge to the results for any candidate.
 - ii. A challenge made in good faith will include:
 - a. The name of the person who is making the challenge;
 - b. A copy of photo identification for the person making the challenge which included name, address, and date of birth; and
 - c. The grounds on which the results are being challenged.
 - iii. The Elections Committee shall review the challenge, and is empowered to resolve any challenge in any way they deem appropriate. A ruling on any challenge must be made within seven (7) days of the date the challenge was transmitted to the Elections Committee. Any such challenge may be sustained by a three-fifths (3/5) vote of the State Elections Committee, and, if so sustained, shall be treated as if no nomination occurred.
- B. The results of the nomination will be considered certified after the expiration of the period allotted for challenges to candidate nominations, if no challenge has been submitted for that candidate. The results of all challenged nominations will be certified after the Elections Committee issues a ruling on the challenge.
- C. If an Executive Committee convention fills a vacancy for political office, that Party must follow the rules outlined by this Constitution, but such nomination may not be otherwise challenged except as set forth above. Any such nominations shall be transmitted to the State Election Committee within twenty-four hours of the nomination, for certification as provided herein.



contain (1) the name of the person nominated (as it will appear on the ballot), (2) his or her residence; (3) the office to which he or she is nominated; (4) the name of the party (Libertarian Party); and (5) the simple figure or device for the party to be designated on voting machines for the party. The certificate of nomination shall be acknowledged, under oath, by an officer duly authorized to administer oaths, by the Secretary of the Convention and the Chair of the convention, along with the place of residence of the Secretary of the Convention and the Chair of the convention. The certificate of nomination shall be prepared, acknowledged under oath and otherwise completed as required in this section, and delivered, to the candidate who was nominated within seven days of the authorization by the Secretary of the Executive Committee of the State party to the Secretary of the Convention, and a copy sent to the Secretary of the Executive Committee of the State Party. It is the responsibility of the candidate to arrange filing and the payment of filing fees, with the responsible authority (i.e. the Secretary of State, or County Clerk, as applicable).

- E. Notwithstanding any other provision, it remains the province of the State Elections Committee to waive any formalities or technicalities of this Constitution or the rules of the State Elections Committee that do not, in its judgment, have a material effect on the outcome of any given election. Further, notwithstanding any other provision, any sections of this Constitution, that do not adhere to state law, and otherwise prevent the nomination of candidates and their placement on the ballot, may be waived by the State Elections Committee, upon the advice of counsel of such conflict, by a four-fifths (4/5) vote and immediate notification to the State Party Executive Committee at least twenty-four hours' notice before taking such vote, and immediate notification after such vote, which is subject to review by the State Party Executive Committee within thirty (30) days of such action, which may be rescinded by majority vote of the State Party Executive Committee.

Section 5. No Party shall endorse:

- A. The candidacy of any candidate for office running against a Libertarian candidate;
- B. The candidacy of any candidate for President or Vice-President other than the candidate selected at National Party convention; or
- C. Any non-Libertarian Party candidates for office in any partisan race.

ARTICLE IX: PLATFORM





B. No Party may adopt a platform that conflicts with the platform of the Party from which it is chartered.

Section 2. The Platform may not be inconsistent with the Statement of Principles adopted by the State Party or the National Party.

Section 3. Amending the Platform.

- A. The Platform may be amended at any Party Convention by deletion, substitution, or addition of any plank.
- B. A plank may be deleted by a simple majority vote of the Convention delegates.
- C. 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 present and voting.

ARTICLE X: GOVERNING DOCUMENTS

Section 1. This Article of this Constitution may not be amended outside of the State Party Annual Convention.

Section 2. Constitution

- A. This Constitution supersedes all previous Constitutions, By-laws or other governing documents of the State Party and any of its affiliates.
- B. Amendments to this Constitution may be made: (1) by no less than a vote of three-fifths (3/5) of the Voting Members of the State Party who are present and voting at any State Party Annual Convention or State Party Special Convention when declared in order to amend the governing documents of the State Party; or (2) by a vote of: (i) not less than three-quarters (3/4) of the members of the sitting State Party Executive Committee; and (ii) no amendment to this Constitution may be made by the State Party Executive Committee, except upon the vote of four-fifths (4/5) of its members, within the period of sixty days prior to, or sixty days after the State Party Annual Convention or any State Party Special Convention; (iii) the State Party Executive Committee shall not be entitled to enact any amendment that was rejected by th



~~C. Any amendments made to this constitution by the State Executive Committee between~~

conventions shall take effect immediately, but shall be immediately repealed at the close of the next convention unless ratified by a majority vote of the voting membership in attendance.

Section 3. Bylaws

- A. Any Executive Committee may create, amend or repeal By-laws for the Party by a majority vote of the Executive Committee.
- B. Any adopted Bylaws may not conflict with this Constitution. Any Bylaw in conflict is automatically repealed.
- C. Rules of the Elections Committee, duly enacted, and until reversed or repealed, shall supersede any bylaws, and shall be binding upon the State Party and all affiliates insofar as the primary election process and nomination of candidates to office are concerned.

Section 4. No document governing any Party shall be in conflict with this Constitution. Any conflicts shall be automatically repealed.

- A. If an affiliate Party chooses to adopt governing documents, it shall not conflict with a chartering Party's governing documents, be considered at a scheduled business meeting of that party, be made known to the Voting Members in the Party at least 30 days in advance, and be passed only by a majority vote of the Voting Members in the Party who attend the meeting.
- B. If a governing document of an affiliate Party, in part or in sum, is found to be in conflict with a chartering Party's governing documents, the conflicting portion of the document must be remedied so as to not be in conflict within 45 days, or that entire governing document for that affiliate Party shall be considered repealed.
- C. If an affiliate Party does not choose to adopt its own governing documents, that Party shall accept the governing documents of its chartering Party as its own.

ARTICLE XI: PREFERENTIAL VOTING

Section 1. In any case where a question has been called to a vote and there are more than two (2) options, preferential voting, also known as instant runoff voting, shall be used in written form to determine the winning choice.

