

Bylaws of the Libertarian Party of North Carolina

ARTICLE I. NAME

The name of this organization shall be the Libertarian Party of North Carolina, hereinafter referred to as the Party.

ARTICLE II. PURPOSE

The purpose of the Party is to conduct the following activities consistent with the Statement of Principles:

- A. Disseminating libertarian political ideas by entering into political information activities.
- B. Nominating candidates for statewide political offices and supporting candidates for political office within the State.
- C. Promoting, recognizing, and coordinating local organizations throughout the State.
- D. Supporting national Libertarian candidates.

ARTICLE III. MEMBERSHIP

Section 1. Establishing Membership

A resident of North Carolina may become a member of the Libertarian Party of North Carolina by fulfilling at least one of the following criteria:

- A. Registering to vote as a Libertarian with the County Board of Elections in her or his county of residence, or;
- B. Maintaining current membership dues with the Libertarian National Committee, or;
- C. Maintaining current membership dues with the Libertarian Party of North Carolina, or;
- D. Presenting a written or electronic affirmation to the Party that they do not advocate the initiation of force to achieve social or political goals.

Section 2. Suspension of Membership

A. Membership terminates automatically for any of the following reasons:

1. Failure to remain current in dues payment, if the member is not registered as a Libertarian;
2. Failure to remain registered as a Libertarian, if the member is not registered as a dues paying member;
3. No longer being a resident of North Carolina.

B. The Executive Committee shall have the power to suspend a member of the Executive Committee for cause by a two-thirds (2/3) vote of the committee. Suspension is subject to written appeal within thirty (30) days of notification by certified mail. Failure to appeal shall terminate the membership.

Section 3. Membership Appeal

Upon appeal by any member, the Judicial Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership of the member or continue the member in good standing. Should the Judicial Committee fail to rule, the member shall continue as a member of the Party.

ARTICLE IV. OFFICERS

Section 1. Officers

The officers of the Party shall be a Chair, a Vice-Chair, a Recording Secretary, and a Treasurer. Election will take place at the State Convention of the Party by the attending delegates. Officers shall take office immediately upon the close of such Convention. No State offices shall be combined.

Section 2. Chair

The Chair shall be Chief Executive Officer of the Party and shall preside at all Party Conventions and at all meetings of the Executive Committee at which the Chair is present.

Section 3. Vice-Chair

The Vice-Chair shall act as assistant to the Chair and preside in his or her absence.

Section 4. Recording Secretary

The Recording Secretary shall be the recording officer of the Party.

Section 5. Treasurer

The Treasurer shall receive, disburse, and account for the funds of the Party under the supervision and direction of the Chair.

ARTICLE V. EXECUTIVE COMMITTEE

Section 1. Purpose

The Executive Committee shall be responsible for the control and management of all of the affairs, properties, and funds of the Party consistent with these Bylaws and any resolutions which may have been adopted in convention.

Section 2. Composition

The Executive Committee of the Party shall be composed of the following members: the elected officers of the Party, seven members with designated duties as follows: a Newsletter Editor, an Outreach Director, a Ballot Access Director, a Press Secretary, a Membership Secretary, a Political Director, a Webmaster, and four non-designated members at-large elected at the Convention of the Party by attending delegates.

Section 3. At-Large Members

The responsibilities of members at-large with designated duties are as follows:

- A. The Newsletter Editor shall be responsible for the creation and distribution of the State newsletter.
- B. The Outreach Director shall be responsible for recruiting new Party members for the Party including coordinating with the national and local Parties.
- C. The Ballot Access Director shall be responsible for overseeing Ballot Access strategies, including coordination with national Party petitioning activities, state Party petitioning activities, and legal action.
- D. The Press Secretary shall be responsible for media relations, press releases of the Party, and responding to media inquires.
- E. The Membership Secretary shall be responsible for maintaining accurate lists of Party membership.
- F. The Political Director shall be responsible for recruiting and supporting Party candidates, including organizing candidate training seminars, coordinating candidate support with the Libertarian National Committee, and developing Issue papers and other materials useful to all Party candidates
- G. The Webmaster shall be responsible for the creation, maintenance, and promotion of the Party's presence on the worldwide web

Section 4. Election

- A. Executive Committee members shall be elected biannually in odd numbered years, using a system of proportional representation as described in the Convention Rules.
- B. If no qualified candidates are nominated for any position on the

Executive Committee at the Convention, then that position may go unfilled, and the position shall be considered vacant.

C. Attending Delegates to the Convention may vote for "None of the Above" for any position on the Executive Committee. If "None of the above" is elected, that position shall remain unfilled until the next State Convention, at which time the attending delegates may hold a special election to fill that position for the remainder of the term. The Executive Committee may assign the duties of that position to any Party member, but the person filling that position will not have a vote on the Executive Committee.

Section 5. Term

The term of the Executive Committee, including At-Large members, shall run for two years expiring at the end of the State Convention two years from the State Convention at which they were elected, if elected in an odd numbered year. If the member was elected in an even numbered year or appointed in the interim, then the term expires at the end of the next State Convention.

Section 6. Vacancies

The Executive Committee may appoint new members, if vacancies or suspensions occur, such members to complete the term of the position vacated, until the next State Convention, where a special election shall be held to fill such position(s), if necessary. If the appointed new member fails to be elected, the Executive Committee cannot reappoint that person to the same position during that term of office.

Section 7. Qualifications

Each member of the Executive Committee must maintain membership with the Party as defined in Article III.

Section 8. Quorum

A majority of the filled positions on the Executive Committee shall constitute a quorum for the transaction of business at all meetings.

Section 9. Resignation

Any member of the Executive Committee who fails to attend three consecutive meetings of the Committee, either in person or by sending a proxy, or who similarly fails to attend five (5) meetings of the Committee in the period between Conventions, is automatically considered to have resigned from the Committee, and the position shall be declared vacant.

Section 10. Contributions

Contributions shall be used for their designated purpose or, if not designated, as decided by the Executive Committee or local body which receives the contribution.

Section 11. Compliance

The Executive Committee shall be empowered to take such action as it deems necessary to bring the Bylaws and Convention Rules into conformance with the General Statutes of North Carolina and the United States Code.

ARTICLE VI. JUDICIAL COMMITTEE

Section 1. Formation

The Judicial Committee shall be composed of five Party members elected at each State Convention, and any four (4) members shall constitute a quorum. No member of the Executive 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 close of the State Convention at which elected and shall serve until the final adjournment of the next State Convention. In the event of a vacancy on the Judicial Committee, the remaining members of the Judicial Committee shall appoint a replacement to serve until the next State Convention.

Section 2. Jurisdiction

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 by a vote of the Executive Committee,
- C. Suspension of At-Large Executive Committee members by a vote of the Executive Committee,
- D. Voiding of Executive Committee decisions,
- E. Challenges to Platform planks,
- F. Challenges to Resolutions, and
- G. Suspension of candidates.

Section 3. Rules

Within 90 days following the State Convention at which elected, the Judicial Committee shall establish Rules of Appellate Procedure to govern its consideration of matters within the scope of its jurisdiction. The existing Rules shall remain in effect until and unless the Judicial Committee submits new proposed rules to the Executive Committee for approval, which approval shall be deemed given unless denied by a two (2/3) vote of the Executive Committee within sixty (60) days of submission. A copy of the current Rules of Appellate Procedure shall be maintained by the Recording Secretary and shall be available to any member at cost.

Section 4. Appeals

The Judicial Committee shall set a date for hearing an appeal between twenty (20) and forty (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 issue a ruling within thirty (30) days of the hearing. Failure of the Judicial Committee to rule within thirty (30) days shall constitute a ruling in favor of the appellant.

ARTICLE VII. ADVISORY SENATE

The Advisory Senate shall be an honorary council consisting of those Executive Committee members or other officers who have completed their terms of office, or those who have been appointed Senators by the Party in Convention, and who remain members of the Party in good standing.

ARTICLE VIII. COMMITTEES

Section 1. Bylaws and Rules Committee

For each State Convention in an odd numbered year, the Executive Committee shall appoint a committee of at least five (5) Party members to recommend changes in the Bylaws or Convention Rules.

Section 2. Platform Committee

For each State Convention in an even numbered year, the Executive Committee shall appoint a committee of at least five (5) Party members to develop and present a Platform to the Convention.

Section 3. Working Committees

There shall be such working committees appointed by the Chair as the Executive Committee deems appropriate. Working Committees shall exist at the pleasure of the Executive Committee.

ARTICLE IX. MEETINGS

Section 1. Notification

The Executive Committee shall meet at such times and places as may be determined by actions of the Committee, by call of the Chair, or by written request of the one-third (1/3) or more of the Executive Committee. A written notice of the time and place of all meetings shall be mailed to each member of the Executive Committee not less than fourteen (14) days prior to the meeting.

Section 2. Transaction of Official Business

A. The Executive Committee may, without meeting together, transact business by mail. An Executive Committee member shall send out mail ballots on any question submitted by the Chair, or by at least one-fifth (1/5) of the members of the Committee. Fifteen (15) days shall be allowed for the return of votes thereon by mail to the Party Recording Secretary.

The Recording Secretary shall establish procedures for identifying voters in a mail ballot, and may accept votes through any mail system, including facsimile and electronic mail, for which such procedures have been established.

B. Members may abstain from voting, either affirmatively or by inaction, but such abstentions are not counted toward the required quorum defined in Article V, Section 9.

C. If, at the expiration of the applicable period the quorum of the Executive Committee has not returned their votes, the measure being voted on shall be deemed to have failed; in all other cases, majority of the votes required shall carry the measure except where a higher vote is required by the Bylaws. A measure that has failed to be approved, by mail, cannot then be resubmitted under this provision, but can only be reconsidered at a regular meeting of the Executive Committee. The Recording Secretary must preserve all such votes until the next meeting of the Executive Committee, at which meeting the Executive Committee shall order the disposition of the votes.

ARTICLE X. LOCAL ORGANIZATION

The Libertarian Party of North Carolina may recognize local affiliate organizations of any kind. County affiliates may, in turn, recognize precinct or other local affiliates. County affiliates may send delegates to the LPNC state convention, using the procedures below.

Section 1. Organizing

Any party member(s) may organize a precinct or county not yet recognized, for the Libertarin Party of North Carolina as follows:

A. To be recognized by the Libertarian Party of North Carolina, an affiliate must have a Chairperson, a Secretary, and a Treasurer. There must be at least one person who has held a meeting to form an affiliate and one person may hold one or more offices.

B. Public notice must be posted no less than ten (10) days before holding a precinct or county organizational meeting.

C. A precinct organizational meeting must be held no less than thirty (30) days before the county conventions and county conventions must be held no less than thirty (30) days before the LPNC state convention.

D. To hold an organizational meeting, to be elected for an office, or to serve as a delegate, a person must have been a member of the Libertarian Party of North Carolina for at least thirty (30) days.

E. Financing for the state and affiliate organizations is maintained separately.

F. In order to be certified by the LPNC, an affiliate must fill out and present to the state party a form certifying that all procedures of the Bylaws were followed.

G. An affiliate may adopt its own plan of organization so long as there are no violations of the Bylaws and Convention Rules of the LPNC.

Section 2. Selection of Delegates

The County Conventions will select delegates to the LPNC State Convention. Each county organization shall be entitled to a number of delegates equal to two-fifths (2/5) of the number of members who pay dues either to the Libertarian Party of North Carolina or the national Libertarian Party and who reside within that county as of the last day of the month four (4) months prior to the State Convention, rounded up to the next whole number, and an equal number of alternates. Each county, whether organized or not, shall be entitled to a minimum of two delegates and two alternates.

Section 3. Resolutions

Any resolutions adopted at County Conventions may be presented to the Platform or Bylaws Committees of the LPNC.

Section 4. Removal of officers

The Officers of county or other local organizations may be removed, for reasons of public behavior that brings discredit to the name of the Libertarian Party by a two-thirds (2/3) majority vote of the Executive Committee. Local officers who are removed in this manner may appeal the decision of the Executive Committee to the Judiciary Committee. An affiliate removed by a vote of the Executive Committee may challenge the removal by an appeal in writing to the Judicial Committee within thirty (30) days of receipt of notice of suspension. Failure to appeal within thirty (30) days shall confirm the removal and bar any later challenge or appeal.

ARTICLE XI. CONVENTION & PLATFORM

Section 1. Convening

The Party shall hold an annual State Convention to conduct such business as may properly come before it and in conformance with the Bylaws and Convention Rules. It shall be the responsibility of the Executive Committee to set the time, place, and schedule of events for the State Convention. The time and place of the State Convention must be provided to the membership by printing a notice in the regularly scheduled newsletter at least sixty (60) days prior to the Convention.

Section 2. County Delegates

Delegates to the State Convention shall be elected in each county, in an election open to all Party members of that county, using a method of proportional representation.

Section 3. Ex-officio delegates

In addition to the delegates selected by the County Organizations, the following persons shall be exofficio delegates, automatically entitled to delegate status:

- A. Members of the Executive Committee;
- B. All former Party nominees for the offices of Governor of the State of North Carolina and United States Senate in the State of North Carolina; and
- C. Each member of the General Assembly, member of the North Carolina

Council of State, Mayor, County Commissioner, and City Council member who is elected to office in the State of North Carolina, a Party member, and not affiliated with any other party.

Section 4. Speaking

Any attendee may seek recognition to speak at the State Convention.

Section 5. Platform.

The Party Platform, as adopted by vote at the Party Convention, shall consist of a number of planks, which state the Party position on specific state and national issues.

Section 6. National Convention Delegates National Convention Delegates and Alternates will be selected by the State Convention. If vacancies occur, the State Chair or the Delegation Chair, may fill such vacancies.

ARTICLE XIII. CANDIDATES

Section 1. Presidential and Vice Presidential Nominees Pursuant to the relevant statutes of the state of North Carolina, the LPNC Executive Committee shall submit to the State Board of Elections the names of the nominees for President and Vice President of the United States as chosen by the national convention of the Libertarian Party, and shall appoint and submit the names of Presidential Electors committed to those nominees.

Section 2. Local Candidates

A. In odd numbered years, candidates for public office shall be nominated or endorsed in their appropriate County Convention. A County Affiliate may set rules to allow for the nomination of candidates between their County Convention and the local filing period(s).

B. In even numbered years where state statutes indicate that the Party shall nominate candidates in convention, candidates may be nominated at either the State or the appropriate County Convention. In the case of candidates for districts that take in all or part of more than one county, the nominee must be approved by all of the organized counties in that district. Failing such approval, the candidates may be nominated by the State Convention.

Section 3. Qualifications

All candidates nominated for partisan office in any year must be members of the Party, as defined in Article III.

ARTICLE XIII. PARLIMENTARY AUTHORITY

Robert's Rules of Order Newly Revised shall be the parliamentary authority for all matters of procedure not specifically covered by these Bylaws.

ARTICLE XIV. AMENDMENTS

Section 1. Bylaws

These Bylaws may be amended by a two-thirds (2/3) vote of all delegates registered at a State Convention, or by referendum or initiative as outlined in Article XV.

Section 2. Statement of Principles

The enduring importance of the Statement of Principles of the Libertarian Party of North Carolina requires that it shall not be amended by a vote of less than seven-eighths (7/8) of the delegates registered at the annual State Convention.

ARTICLE XV. BILL OF RIGHTS

Section 1. Recall

A. A member of the Executive Committee may be removed by a two-thirds (2/3) vote of the Executive Committee or by a majority vote in a recall election. The Executive Committee will hold a recall election if it receives a petition for recall from two (2) percent of the Party membership. By a two-thirds (2/3) vote, the Executive Committee may, itself, decide to hold a recall election.

B. Voting in recall elections will be done by mail. Ballots will be printed in the next regularly scheduled Party newsletter. Upon written request, the Executive Committee will make additional ballots available to members who do not subscribe to the newsletter. Members will have thirty (30) days from the time of the newsletter ballot mailing to return their ballots to the Executive Committee. All Party members may vote in a recall election.

C. An Executive Committee member removed by a vote of the Executive Committee may challenge the removal by an appeal in writing to the Judicial Committee within seven (7) days of receipt of notice of suspension. Failure to appeal within seven (7) days shall confirm the removal and bar any later challenge or appeal.

Section 2. Referendum

The Bylaws may be amended by a referendum: a special election called by a two-thirds (2/3) vote of the Executive Committee. Voting in a referendum will be done by mail. Ballots will be printed in the next regularly scheduled Party newsletter. Upon written request, the Executive Committee will make additional ballots available to members who do not subscribe to the newsletter. Members will have thirty (30) days from the time of the newsletter ballot mailing to return their ballots to the Executive Committee. All Party members may vote in a referendum. Approval requires a two-thirds (2/3) majority of those voting.

Section 3. Initiative

The Bylaws may be amended by initiative: a special election called by a petition presented to the Chair or to the Executive Committee and signed by at least two (2) percent of the Party membership. Voting in an initiative will be done by mail. Ballots will be printed in the next regularly scheduled Party newsletter. Upon written request, the Executive Committee will make additional ballots available to members who do not subscribe to the newsletter. Members will have thirty (30) days from the time of the newsletter ballot mailing to return their ballots to the Executive Committee. All Party members may vote in an initiative. Approval requires a two-thirds (2/3) majority of those voting.

Section 4. Review of Executive Committee decisions Upon appeal by five (5) percent of the Party members, the Judicial Committee shall consider the question of whether or not a decision of the Executive Committee contravenes specified sections of the Bylaws. If the decision is vetoed by the Judicial Committee, it shall be declared null and void.