

The Libertarian Party of Kentucky State Party 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 whose primary purpose is to place Libertarian candidates on the ballot and assist them in achieving electoral success, 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 option, be known as the District Party of ___ County, or, if the county is operated as a Consolidated Local Government, Urban County Government, Unified Local Government, or 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
 - i. "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".

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- 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.

ARTICLE II: PERIOD OF DURATION

Section 1. The duration of the State Party shall be Perpetual, unless disbanded by the National 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, and affiliate parties, are organized is to implement and give voice to the principles embodied in the platform of the State and National Parties by:

- A. Nominating and developing 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.

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 substantially 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;
- C. Are 17 years of age as of January 1 of the year their votes are cast and will be 18 on the date the general election is held that year;
- D. Meet one of the following requirements related to party registration:

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- c. A Chartering Party has the sole ability to affiliate or disaffiliate an Affiliate Party. Any such vote shall be by at least a 3/5 vote of the entire membership of the Chartering Party's executive committee.
 - 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 District.¹ Nothing in this section shall prevent the historical practice of chartering of an affiliate through an organizing convention.
- ii. Dissolution of Affiliate Parties
 - a. Dissolution shall only occur by either: (i) the vote of a majority of the Executive Committee of the party being dissolved; or (ii) for cause, by the chartering party's Executive Committee, by a vote of 3/5 of the entire membership of the chartering party's executive committee.
 - b. If a Party is dissolved, the assets of that Party shall be dispersed as follows:
 - 1. A District Party or County Party that has been dissolved shall transfer all Party funds to the State Party. No District Party or County Party shall transfer funds to any other party except the State Party, including its chartering party, within 90 days of dissolution with an eye towards circumventing this requirement.
 - 2. If State Party is dissolved, its final act shall be to transfer all Party funds to the Libertarian National Committee, Inc.
 - c. 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.

¹ For instance, the Libertarian Party of Kentucky, Second District would not be authorized to utilize this provision to affiliate the Warren County Party, appoint officers, and then disaffiliate the Warren County Party at the end of nine months and then re-appoint and re-charter the Warren County Party, avoiding the requirement to hold a convention and have that convention elect officers. It would, however, be permitted to use this section to charter and appoint officers to the Warren County Libertarian Party, and then use it again to charter and appoint officers to the Butler County Libertarian Party.

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- D. An Executive Committee consists of the following positions:
- i. The four officers of a Party are defined as the Chair, Vice Chair, Secretary, and Treasurer, whose duties shall be as set forth in Statewide Standing Rules adopted as provided in this Constitution.
 - ii. At least one member and not more than four members of the Party, the number to be determined at an annual convention of the Party, elected at-large by the members of the Party, whose title shall be Executive Committee At-Large Representative, whose duties shall be defined in Statewide Standing Rules adopted under this Constitution.
 - 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 forty-five (45) 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, and, as provided in Statewide Standing Rules, may be held telephonically or by video conference. Special meetings shall be called at the call of the chair, or the majority of the Executive

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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 may perform such other duties and have such other powers as are provided in Statewide Standing Rules.
 - vi. All decisions of the Executive Committee shall be made by a majority vote of those present unless otherwise specified by this Constitution.
 - vii. 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.
 - viii. 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.
 - ix. The assignment of specific duties to the At-Large Representatives shall be made by the Executive Committee.
 - x. Minutes shall be taken at all Executive Committee meetings with a summary of major actions made transparent and available to Voting Members.
 - xi. The Executive Committee may act between meetings, provided that all business requiring a vote be conducted as follows:
 - 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.

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C. Statewide standing rules may be enacted, as provided in this Constitution, to limit the number of Executive Committees any person may serve on.

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. Limitations on Leaves of Absence may be provided in Statewide Standing Rules..

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. Other duties of executive committee members, including attendance and participation requirements, may be set in Statewide Standing Rules.
 - 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.

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- iv. Any member of an Executive Committee may be recalled from office by a vote of 3/5 of the delegates at an annual convention for that party.
- v. Any sitting member of an Executive Committee, who fails to meet the qualifications and requirements to be elected and serve in any capacity at any level in the party, as prescribed 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. Statewide Standing Rules may be adopted setting forth requirements for the frequency under which meetings must be held, and setting penalties for failing to call and/or hold such meetings.
- 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. This appointment shall be valid until the next annual convention of the party, at which an election will be held to complete the term of the office vacated.
 - ii. When the vacancy occurs as a result of dissolution, the Committee of the Chartering Party may appoint a new coordinator.

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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, and nominations shall be made from the floor.
- 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, and nominations shall be made from the floor.
- C. Precinct Captains shall be elected by majority vote of the Voting Members in attendance from that voting precinct, at Annual Conventions each year, and nominations shall be made from the floor.
- 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.

Section 9. Other Committees

- A. Each party may adopt, at convention through standing rules enacted by its membership, standing committees.
- B. Standing Committees for the State Party, except as set forth herein, shall be set forth in Statewide Standing Rules, which may also provide additional duties and responsibilities for such committees.
 - i. Membership Committee
 - a. Its composition shall be set forth in Statewide Standing Rules.
 - b. Its membership shall be appointed by the Executive Committee or as otherwise set forth in Statewide Standing Rules, and comprise at least three members.

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- c. It shall have the duties set forth in Statewide Standing Rules, which shall include maintenance of the membership lists, send renewal letters to expiring or recently-expired Voting Members, and conduct periodic membership drives in cooperation with affiliate parties.
 - d. 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. Its composition shall be set forth in Statewide Standing Rules.
 - b. The members shall be appointed by the Executive Committee of the Party.
 - c. Membership shall comprise at least three members.
 - d. The Finance Committee shall develop the annual budget and submit it to the Executive Committee of the Party for approval and have additional duties as set forth in statewide standing rules.
 - e. 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.
 - d. This Committee shall prepare planks for the Party Platform, hold hearings on these planks and submit them to the delegates of the State Party Annual Convention for approval.
 - iv. Rules Committee
 - a. Its composition shall be set forth in Statewide Standing Rules.
 - b. The members of this Committee shall be appointed by the Executive Committee. Membership is open to any Party member, except for the Chair.
 - c. 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,

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- procedure and practice; or (iii) otherwise violate specific provisions of this Constitution.
- d. This Committee shall draft proposed changes to the Constitution and Statewide Standing Rules. Such changes shall be submitted to the Convention for approval as specified in the Constitution.
 - v. Caucus Campaign Committees
 - a. The State Party Executive Committee is empowered, by a 3/5 vote, to create one or more Caucus Campaign Committees, including a Libertarian House and Senate Caucus Campaign Committees, or one combined Caucus Campaign Committee for both the Senate and House, or such other Caucus Campaign Committee as may be permitted under state law and regulations. Such committees, if established, shall be permanent committees, shall continue in perpetuity until dissolved by the State Party Executive Committee by 3/5 vote.
 - b. The State Party Executive Committee, by majority vote, shall appoint officers of such committee(s) by majority vote as are authorized in simple standing rules or Statewide Standing Rules for such committees, may enact or amend simple standing rules to govern such committee(s) by 3/5 vote that do not conflict with Statewide Standing Rules relating to such committees, may delete any simple standing rules by majority vote.
 - c. Further, the membership may enact Statewide Standing Rules governing such committee(s) as provided in this Constitution.
 - vi. 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. Its composition shall otherwise be set forth in Statewide Standing Rules.
 - e. The committee may employ outside consultants to facilitate their duties, but those consultants are not voting members of the committee.
 - f. The State Party Elections Committee shall be responsible for developing inclusive and fair rules and regulations, denoted as Elections Bylaws, for the conduct of primary elections for candidates seeking political office as Libertarians.
 - g. The Elections Bylaws, except for Emergency Elections Bylaws, shall be enacted not later than January 7 of a given year to govern elections for that year. Once passed, Elections Bylaws shall be transmitted to the State Party Executive Committee, which shall have the ability, within thirty days of the transmission of the Elections Bylaws, to disapprove any particular rule or part of a rule that constitutes one subject matter, by a three-fifths (3/5) vote of the executive committee. Any enacted Elections Bylaw

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is subject to review and recall by the Voting Members of the Party at the State Convention by a two-thirds (2/3) 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-fourths (3/4) vote may also propose and enact any Election Bylaw provided notice of such proposals have been delivered to the Elections Committee at least forty-five days in advance of the convention; in that event, the Elections Committee shall transmit such proposals, with any recommendations thereon, to the membership at least fourteen (14) days in advance. Emergency Elections Bylaws may be adopted by the State Party Elections Committee by a four-fifths (4/5) vote, and shall take effect upon the bylaw's 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 Elections Bylaw, by majority vote. Rules shall be in force and effect until and unless disapproved.

- h. Any and all Elections Rules, adopted by the Elections Committee for the 2018 election cycle, unless disapproved by the delegates in convention, shall be automatically converted to Elections Bylaws effective at the close of the 2018 annual convention, along with any Elections Bylaw enacted by the delegates as provided herein at the 2018 election, which shall likewise take effect at the close of convention, notwithstanding the fact that the Constitution did not authorize such bylaws until this revision.
- i. The committee shall identify and bring forth any Party Elections Bylaws that conflict with state law, and propose amendments to those Elections Bylaws to rectify those conflicts.
- j. The State Party Elections Committee shall be responsible for overseeing the electoral process and ensuring its integrity.
- k. 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.
- l. 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.
- m. Elections Bylaws 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 the number of offices a candidate may seek the nomination for; (4) absentee balloting; (5) electronic voting; (6) voter credentialing; (7) creation of

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standard nominating forms; (8) 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.

C. 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.

D. 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 including, without limitation, eligibility or office or voter regulations and eligibility, regardless of whether such nominations are made by a County, District, or the State Party or any part thereof, shall be heard and resolved by the State Party Elections Committee as the binding and final arbitrator for all such disputes.

C. Except as set forth herein, the State Party Executive Committee shall serve as the final arbiter of all disputes related to the rightful powers, duties, leadership of the State Party, legal obligations or questions arising under this Constitution. However, as to matters that arose initially with the State Party Executive Committee, ten percent (10%) or more of the Voting Members may lodge an appeal to an arbitrator, pre-selected and contracted by the

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Executive Committee of the State Party, who is an attorney licensed in the Commonwealth of Kentucky, by giving notice to the State Party Executive Committee, signed by at least ten percent (10%) of the Voting Members, and by posting a bond to cover costs in the amount of \$500 within thirty (30) days of the action complained of. In the event the Voting Members' appeal is unsuccessful, they shall be responsible, and agree, to pay for the costs of such arbitration, and, until those costs are paid, their Voting Membership shall be suspended. Any such arbitration is the final and conclusive determination on the issues and questions raised, and may not be challenged elsewhere. 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".
- B. Statewide Standing Rules may be enacted that govern the calling of such conventions, the timing of such conventions, rules for such conventions, penalties for failing to call such conventions (provided that no such penalty shall work to inhibit the nomination of candidates or their placement on the ballot, such matters being left to the Elections Committee), default convention dates, and restrictions on calling conventions. Conventions must be held annually by the State Party and all Affiliate Parties.

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.

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- 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.
- D. Except as otherwise expressly set forth, a Special Convention called by an Executive Committee may not be called more than twice per year.

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. Requirements for notice shall be as provided in Statewide Standing Rules.
 - 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 regular convention must be called with advance notice prior to the convention as set forth in Statewide Standing Rules.

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 Statewide Standing Rules, 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 ninety days prior to the convention; any such Statewide Standing Rule 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

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Committee by a Statewide Standing Rule, 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 ninety days prior to the convention; any such Statewide Standing Rule 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 paragraph; the number of delegates that each District Convention shall be entitled to choose will be according to the following formula:
 - a. Number of Delegates = $PV + VM + RL$; where: PV = 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

² By way of explanation, the last General Election is counted. For instance, if, in 2019, no Libertarian Candidate runs for Governor, then, in 2020, the 2016 Presidential race shall be counted; however, if the party fields a Gubernatorial candidate in 2019, then, in 2020, the 2019 Governor's race shall count. The "District" for purposes of this section and equation for counties that fall in more than one District, shall be counted and calculated solely in the District in which the county participates in its elections and is organized.

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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 Executive Committee Chair unless not present, or removed by a three-fifths (3/5) vote of the convention body. The Secretary of the Executive Committee shall be the Secretary of 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 or Statewide Standing Rules, 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 Delegates. If no Primary Delegates are seated, then the Alternate Delegates who are members of the State Party may elect new Primary Delegates from amongst themselves, 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

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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.
- C. Only Voting Members of the party who are also counted as a Basic Supporting Member of the National Party at the date on which the National Party calculates the number of Primary Delegates to the National Party Convention shall be eligible to be a delegate.
- D. As a result of these elections, a list of Primary Delegates and a list of Alternate Delegates shall be created in order of election.
- E. Any vacancies in the list of Primary Delegates (after such vacancies are filled by alternate delegates in order of election) 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.
- F. The Primary Delegates:
- i. The maximum number of Primary Delegates is determined by the National Party.
 - ii. Primary Delegates shall attend the National Party convention and vote on questions and elections presented there.
 - 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

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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.
- G. 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. In the event that nominating conventions occur prior to the deadlines set forth under state law, 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 Election Bylaws to the requirements of state law.
- B. The State Elections Committee may impose such other Election Bylaws 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 Election Bylaws established by the Elections Committee.
- D. Nominations and Elections, and the mechanisms and committees that may nominate them, shall be set forth by the Elections Committee in its Elections Bylaws.

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Section 2. Eligibility to Vote – Nomination of Candidates

- A. Any persons who: (i) are Voting Members of the State Party allowed to vote under Election Bylaws 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 Election Bylaws 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 Election Bylaws whereby ballots are also counted at convention that are cast in accordance with the system and Elections Bylaws established by the State Elections Committee. All cast ballots shall be preserved by the Secretary for a period of 30 days after the close of the convention. All in person balloting shall be by secret ballot, and, to the extent reasonably practical, absentee balloting as well.
 - 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 Election Bylaws.
 - ii. The Secretary may opt to enlist other volunteers in accordance with the Election Bylaws 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

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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. The Executive Committee Convention Chair and Convention Secretary shall ensure that the following information is transmitted for each candidate nominated to the State Executive Committee Chair and Secretary: (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).

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 Election Bylaw, 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

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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 Elections Committee within twenty-four hours of the nomination, for certification as provided herein.
- D. Certificates of Nomination shall be prepared as provided by state law, and as provided in Elections Bylaws.
- 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 Election Bylaws 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

Section 1. Adoption of a Platform.

- A. A Party may adopt a 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.

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- 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. No Amendments to this Constitution, except Emergency Amendments, may be made until it has been submitted to the State Party Rules Committee, at least 45 days prior to the convention at which it will be considered, who shall promptly transmit electronically to all Voting Members to whom the party has an electronic e-mail address, all proposed changes submitted by any Voting Member at least 14 days prior to the State Party Annual Convention or State Party Special Convention when declared in order to amend the governing documents, along with any recommendations on those proposals by the Rules Committee; the failure by the Rules Committee transmit a proposal transmitted to it within the time herein, shall not bar its consideration by the body in convention. This requirement of advance notice may be waived by two-thirds (2/3) of the delegates present and voting, and a motion to suspend the rules on this subject matter shall be subject to limited debate of two minutes per side. Any amendments to this Constitution shall be approved by a vote of three-quarters (75%) of the Voting Members of the State Party who are present and voting at the convention.
- C. This Constitution may also be amended by the State Party Executive Committee on an Emergency Basis, and not for convenience. Emergencies include, for instance, the potential loss of ballot access. Emergency Amendments shall be passed by a vote of at least four-fifths of the members of the State Party Executive Committee, except that, within the period of sixty days prior to, or sixty days after the State Party Annual Convention, the vote must be five-sixths (5/6) of the entire membership of the Executive Committee. The State Party Executive Committee shall not be entitled to enact any amendment that was rejected by the Voting Members of the State Party at the preceding State Party Annual Convention or State Party Special Convention, within one year of that rejection.
- D. Any amendments made to this constitution by the State Party Executive Committee between conventions shall take effect immediately, but shall be immediately repealed at the close of the next convention unless ratified by a two-thirds (2/3) vote of the voting membership in attendance. Unless the measure is ratified, or the convention body, by a 2/3 vote finds that the need for the amendment existed in good faith, but the circumstances requiring the amendment is no longer present, each and every member of the State Party Executive Committee who voted for the Amendment shall be immediately recalled from office upon the failure of the Amendment to be ratified or the vote regarding good faith fails, whichever comes later. Those persons shall be ineligible to hold any further office within the party for a period of two years following those votes. The Convention body shall then fill these vacancies.

Section 3. Statewide Standing Rules

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- A. Statewide Standing Rules are rules and regulations governing the entire state party, including affiliate parties, and the party's operations. Only Statewide Standing Rules, as provided in this section, shall be binding upon affiliate parties. Nothing in this section prevents the State Party Executive Committee from adopting simple standing rules that govern only its internal procedures and operations but do not create rules or affect the rights of members or affiliates, which may be adopted by the majority vote of that committee. Nothing in this section prevents any affiliate party from adopting simple standing rules that govern that respective affiliate's internal procedures and operations.
- B. Statewide Standing Rules may cover topics provided for in this Constitution and not prohibited by this Constitution, including, without limitation, duties of officers, meeting requirements, convention requirements, penalties for non-compliance, in kind donations, allocations between the State Party and affiliations of dues, ethics, nepotism, conflicts of interest, qualifications for offices or restrictions on who may hold offices within the party (not to be confused with candidates for public office), party records, open records, and open meetings provisions, financial controls and party assets, endorsing candidates, recall procedures, National Committee regional representation, default standing convention rules, IT policies, or any other matter not in specific conflict with this Constitution or the Elections Bylaws.
- C. The violation of any Statewide Standing Rule shall not constitute grounds for the disqualification of any candidate for office or the invalidation of any nomination of any candidate for office. No Statewide Standing Rule may conflict with this Constitution, or Elections Bylaws, and any Statewide Standing Rule adopted in conflict with the Constitution or Elections Bylaws is, to the extent of such conflict, automatically repealed. The invalidation of part of a Statewide Standing Rule shall not invalidate the remainder of such rules.
- D. The State Party Executive Committee is empowered to adopt Statewide Standing Rules solely related to (i) advanced levels of membership and corresponding benefits set forth in Article VII, Section 4 of this Constitution, and (ii) related to requirements to be a Voting Member up to 90 days prior to convention, as set forth in Article V, Section 3 of this Constitution. Any such adoption shall be published to the entire State Party Executive Committee at least 14 days prior to its adoption, and, to the extent possible, by made known to the Voting Membership. All other Statewide Standing Rules are reserved to the Membership as provided herein.
- E. Except as set forth in D., above, Statewide Standing Rules may only be adopted, rescinded, at the State Party Annual Convention, or at a Special Convention called for the purpose of adopting Statewide Standing Rules, and in accordance with this section. Furthermore, for the 2018 Annual State Convention, Statewide Standing Rules may be adopted notwithstanding the fact that the Constitutional provision authorizing them does not take effect until the close of the convention, and, in that instance, any rules adopted shall take effect at the close of the convention.
- F. The State Party Rules Committee shall serve as a repository for receipt of all Statewide Standing Rules submittals. That committee shall collect all such proposals, which shall be submitted to that committee not later than 30 days prior to the convention, and submitted to the Voting Membership not later than 14 days prior to the convention by that committee, with any recommendations the committee wishes to make on them; the failure by the Rules Committee transmit a proposal transmitted to it within the time herein, shall not bar its consideration by

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the body in convention. This requirement of advance notice may be waived by three-fifths (3/5) of the delegates present and voting, and a motion to suspend the rules on this subject matter shall be subject to limited debate of two minutes per side.

- G. Statewide Standing Rules may be adopted or amended, by a vote of 3/5 at convention, and shall be debatable and amendable as provided in Robert's Rules of Order. Any Statewide Standing Rule or subsection thereof, may be rescinded or deleted by majority vote at convention.
- H. The State Party Executive Committee shall be empowered to waive, in any particular case, the requirement of any Statewide Standing Rule by a 2/3 vote of the entire State Party Executive Committee, but shall not be empowered to waive generally or amend the rules in question except on an emergency basis.
- I. Statewide Standing Rules may also be amended by the State Party Executive Committee on an Emergency Basis, and not for convenience. Emergencies include, for instance, the potential loss of ballot access. Emergency Amendments shall be passed by a vote of at least three-fourths of the members of the State Party Executive Committee, except that, within the period of sixty days prior to, or sixth days after the State Party Annual Convention, the vote must be four-fifths (5/6) of the entire membership. Any amendments made to Statewide Standing Rules by the State Party 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. Unless the measure is ratified, or the convention body, by a majority vote finds that the need for the amendment existed in good faith, but the circumstances requiring the amendment is no longer present, each and every member of the State Party Executive Committee who voted for the Amendment shall be immediately recalled from office upon the failure of the Amendment to be ratified or the vote regarding good faith fails, whichever comes later. Those persons shall be ineligible to hold any further office within the party for a period of two years following those votes. The Convention body shall then fill these vacancies.
- J. Elections Bylaws of the Elections Committee, duly enacted, and until reversed or repealed, shall supersede any Statewide Standing Rules, 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.
- K. Any bylaws, policies, or procedures previously adopted by the State Party Executive Committee shall be repealed upon the adoption of this Constitutional revision.

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 this Constitution, Elections Bylaws, or Statewide Standing Rules.

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.

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Section 2. Whenever preferential voting is used, the Secretary of the Party shall be responsible for tallying each round of voting, and recording the tally of votes for each round of voting.

ARTICLE XII: ALL OTHER CIRCUMSTANCES

Section 1. All situations not covered in this document shall be governed by the latest available edition of "Robert's Rules of Order, Newly Revised, 11th Edition."

Adopted at convention on February 27th, 2010.

Last revised at annual convention on March 24, 2018.