

Operating Rules:

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Article III

300.0.1: “Annual Dues” shall be the inflation adjusted value of \$5 in July 1971, indexed to July of the year prior to the current year using the Consumer Price Index (CPI) Calculator provided by the United States Federal Government Bureau of Labor Statistics, rounded up to the nearest \$5. Members shall be given at least thirty (30) days’ notice when the amount is to be increased.

a. If the amount calculated under this provision exceeds the amount permitted under Kentucky law to be contributed by a minor within a single calendar year, the amount required of a minor shall be the legal contribution limit.

b. A change in the amount calculated for Annual Dues does not change the current status of existing Dues-Paying Members for the duration of their current membership.

300.0.2: A “Dues Waiver” may be granted, in lieu of Annual Dues, by the State Party Executive Committee, either in advance by majority vote, or after-the-fact by a vote of two-thirds (2/3). Reporting requirements shall be codified in Operating Rules. Acceptable Dues Waivers are:

a. Pre-approved service-based support (or, “service exemption”), as a number of hours rounded up to the nearest quarter hour to cover the dollar amount for Annual Dues calculated at federal minimum wage.

b. In-kind donation, valued at no less than the value of annual dues.

c. In no event shall a member of a committee be given a Dues Waiver, or receive compensation or be reimbursed for expenses directly related to fulfilling the duties of their office.

300.0.3: Patrick Henry level membership shall be five times the amount of annual dues.

300.0.4: Thomas Jefferson level membership shall be ten times the amount of annual dues.

300.0.5: Haym Solomon level membership shall be fifteen times the amount of annual dues.

300.0.6: Lifetime membership shall be seventy-five times the amount of annual dues. Lifetime membership shall not be revoked once granted, except as provided in the party’s constitution.

300.1: Disbursement of Funds to Affiliate Parties by State Party

300.1.1: No disbursement shall be made to any Affiliate Party that is not in good standing at the time disbursements are made.

300.1.2: Donations, after deducting any transaction fees, shall be disbursed quarterly using the following formula:

a. If the donor lives in an area without an Affiliate Party, or lives outside the state, the donation will remain with the State Party.

- b. If the donor lives in an area with an affiliated District Party, the District Party shall be allocated one-third ($1/3$) of the donation, rounded to the nearest penny.
- c. If a donor who lives in an area with an affiliated County Party or Metro Party, the County Party or Metro Party shall be allocated one-half ($1/2$) of the donation, rounded to the nearest penny.

300.1.3: A donor may request a different formula, however, if that formula deprives any Party the amount they would otherwise receive from the minimum donation requirements of Annual Dues, then the donation shall not be considered Annual Dues for any Party.

Article V

If a Party is dissolved, the assets of that Party shall be dispersed as provided in Operating Rules.

500.0.1: If a party is dissolved, its assets shall be transferred back to the state party; no party may transfer its assets in the six months preceding its dissolution with an eye towards avoiding this requirement.

The four officers of a Party are defined as the Chair, Vice Chair, Secretary, and Treasurer, whose duties shall be as set forth in Operating Rules adopted as provided in this Constitution.

500.1.1 Officers of a Committee. All committees shall have the following positions:

A) Chair, who is responsible for preparing an agenda for and presiding at all meetings of the committee, generally organizing the committee, being the primary spokesman for the committee, being the primary contact with the committee which created or chartered the committee being, at the option of the committee, either a non-voting or voting member of all other sub-committees of that committee.

B) Optionally (except for the State Party where it is mandatory), a Vice-Chair, who is responsible for assisting the chair, performing the duties of the Chair when the Chair is unable to perform those duties, and performing the duties of the Secretary when the Secretary is unable to perform those duties.

C) Secretary, who is responsible for maintaining all records of the committee (except financial transactions), recording the minutes of all committee meetings, and performing the duties of the Vice Chair if the Vice-Chair does not exist or is unable to perform those duties.

500.1.2 Officers of an Executive Committee have additional duties.

A) Executive Committee Chair, who is responsible for being the chief executive officer of the Party, and signing contracts approved by the Executive Committee on behalf of the Party.

B) Executive Committee Secretary for the State Party, who is responsible for making provisions for legal services to all Parties.

C) Executive Committee Treasurer, who is responsible for receiving, expending, and accounting for all Party Resources, and preparing and submitting campaign finance reports as, and if, mandated by Kentucky law.

D) The ranking of members of an Executive Committee is as follows: Chair, Vice-Chair, Secretary, and Treasurer, followed by At-Large Representatives ranked by order of election, followed by the Chair of each Affiliate Party ordered alphanumerically by Affiliate name.

500.1.3 At-Large Representatives of an Executive Committee.

A) They shall represent Voting Members who live in an area without an Affiliate Party, or otherwise represent minority viewpoints within a Party.

B) The number of Executive Committee At-Large Representatives shall be set at a Convention by the delegates to that convention, and be between one and four members.

500.1.4 Precinct Captains of a County or Metro Party

A) Precinct Captains only exist in a County Party or a Metro Party.

B) The Precinct Captain shall be a resident of the precinct, whose title, when seated, shall be "Precinct Captain -" followed by the alphanumeric precinct designation.

C) Precinct Captains in a Party shall elect a Chair of the Precinct Captains of a Party from amongst themselves.

D) The majority vote of all sitting Precinct Captains on an Executive Committee shall be conveyed by the Chair of the Precinct Captains, and count as a single vote on that Executive Committee.

E) When vacant, the Executive Committee may fill the position, and that Precinct Captain shall be granted the rights and privileges of a regularly-elected Precinct Captain.

Duties excom

iv. Executive Committee shall perform such other functions and fill such other duties, as provided in the Operating Rules.

v. Operating rules may be enacted, as provided in this Constitution, to limit the number of Executive Committees any person may serve on or to provide other qualifications to hold particular offices

500.2.1: No person shall serve on more than one executive committee except as outlined in the constitution (i.e. the Chair of a affiliate committee may sit on the Chartering Party's executive committee).

Section 3. Leave of Absence

A. Provisions regarding leave of absences and who may act as an acting officer in the event of such leave may be provided in Operating Rules.

500.3.1: Any member of a committee may obtain a Leave Of Absence for up to forty-five (45) consecutive days, not to exceed ninety (90) days total in a single term of office; or that member is recalled from that committee. Any member on a Leave of Absence shall be treated, for purposes of quorum, as if that person is not on the committee, and not counted towards whether quorum is met or not.

500.3.2: A Leave Of Absence or resignation must be submitted to the highest-ranking remaining member of a committee in written form. If an "effective date" is not included, the effective date shall be assumed to be immediate.

500.3.3: Any individual member of a committee who misses two (2) consecutive noticed regular meetings without first obtaining a Leave of Absence may be recalled from that committee by majority vote of a quorum of the other committee members at the next noticed meeting following that second absence.

Section 4: Resignations, recalls, and vacancies

500.4.1: When there is a permanent vacancy due to resignation or recall from a position on a committee which may be filled by appointment as provided in this Section.

500.4.2: When there is a temporary or permanent vacancy on an Executive Committee:

a) If a vacancy occurs in the office of Vice-Chair or Secretary, the remaining members may appoint a Vice-Chair or Secretary to ensure there are three Officers of an Executive Committee. Any vacancy so filled shall be filled by the Voting Members at their next annual convention, or next special convention called for that purpose.

b) If the office of Treasurer becomes vacant, the Vice Chair (or Secretary if no Vice Chair) shall immediately become the Acting Treasurer. The remaining members of the executive committee shall then appoint a permanent Treasurer within thirty (30) days. Any vacancy so filled shall be filled by the Voting Members at their next annual convention, or next special convention called for that purpose.

c) If in the office of Chair becomes vacant, the Vice-Chair shall immediately become the Chair, and a vacancy shall occur in the office of Vice-Chair. Any vacancy so filled shall be filled by the Voting Members at their next annual convention, or next special convention called for that purpose.

d) Any default member of a committee of a Party can choose not to serve, or be recalled for absenteeism. Vacant positions shall be appointed by the Executive Committee of that Party.

Recalls:

500.4.3 A member of an Executive Committee can also 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 forty (40) 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. Notwithstanding any other provision, in the event that a recall petition fails, a subsequent recall petition may not be lodged within four months following the failure of the recall petition.
- ii. Any member of an Executive Committee who does not participate in the activities of the Executive Committee for a period of sixty-two (62) days or greater, without having first given proper notice of a leave of absence, shall be automatically recalled from office.

- iii. Any member of an Executive Committee may be recalled from office by a vote of no less than two-thirds (2/3) of the entire non-vacant voting members of the 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 and notice of the meeting at which it will be heard at least seven days in advance, and shall be permitted to be heard in his or her defense by the entire non-vacant Executive Committee.
- iv. 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.
- v. Any sitting member of an Executive Committee may also be recalled by a majority vote of the voting members at an annual convention; or by a 3/5 vote of a special convention.

Operating Rules

A. Operating 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.

500.5.1: An executive committee shall meet at least every thirty-two (32) days, and business must be conducted with quorum present at least every ninety-two (92) days. Any part of the meeting not held in Executive Session shall be open, at a minimum, to the Voting Members.

500.5.2: The schedule for regular meetings, including date, time, and place of meetings, shall be established at the first meeting of the committee. This schedule may be altered by the committee; such alterations shall not avoid notice requirements.

500.5.2.1: In addition to the Chair, a majority of the non-vacant members of a committee may call a special meeting of the committee and prepare an agenda for that meeting, and one-third (1/3) of the members of a committee may add an item to the agenda of any special meeting at least three days prior to that meeting.

500.5.2.2: Meetings (including meetings of any subcommittee) may be conducted in-person, telephonically, by video conference, or any combination thereof.

500.5.2.3: Meetings of executive committees should start no later than ten (10) minutes after the scheduled time; but the start time may be extended up to sixty (60) minutes if waiting for quorum to be obtained.

500.5.2.4: Meetings shall follow an agenda, notwithstanding any amendment to that agenda by the voting body.

500.5.2.5: Minutes shall be kept for every committee meeting, unless a recording of the meeting is made available to the Voting Members. Minutes shall reflect the time the meeting began and the time it ended, the mechanism or location it was held, the attendees on the committee present and absent, and a record of all motions made and votes taken. Minutes shall be presented and approved within thirty-two days of a meeting. Upon approval, minutes shall be provided to the State Party Secretary within seven (7) days, and posted to the State Party website within fourteen (14) days.

500.5.2.7: Meeting minutes shall not disparage particular members by name, except when the Membership Director submits request for removal of membership status from a Voting Member.

500.5.3: Executive Session shall be limited to:

- A) Deliberations on the future acquisition or sale of real property by the party, when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by the party.
- B) Discussions of proposed or pending litigation against or on behalf of the party, or to otherwise receive confidential legal advice.
- C) Discussions or hearings which might lead to the appointment, discipline, or dismissal of an particular individual employee or contractor. This shall not be interpreted to permit discussion of general personnel matters in secret.
- D) Discussion of electoral strategies in support of nominated candidates for external political office, or other matters related to confidential political strategy.
- E) Meetings which federal or state law specifically require to be conducted privately.
- F) Discussion of information technology infrastructure which would compromise the security of party operations.
- G) Notice shall be given in regular open meeting of the general nature of the business to be discussed in Executive Session and the reason for the closed session.
- H) Executive sessions may be held only after a motion is made and carried by a majority vote in open regular or special meeting.
- I) No action may be taken at an Executive Session.
- J) No matters may be discussed at an Executive Session other than those publicly announced prior to convening the closed session.

500.5.4: Any committee or subcommittee may act between regular or special meetings by voting electronically, with all votes taken and recorded as roll-call votes, and details read into the minutes at the next regular meeting.

A) The State Party Executive Committee shall provide and manage an official mailing list for electronic discussion and voting to every committee of the Party, made viewable to Voting Members, using official LPKY.org email addresses assigned by the State Party.

1) No more than two (2) motions by electronic mail shall be considered by a committee at the same time. A committee member may introduce a motion by opening a distinct thread on the appropriate mailing list. The subject line must begin with "MOTION:" in capital letters, followed by subject in normal case.

2) Discussion may begin once another member has seconded the motion. A motion is considered failed if it is not seconded within two (2) business days.

3) The question will automatically be called, unless tabled to the next special or regular meeting, by a vote of one third (1/3) or more of the committee, after one (1) full business day with no discussion, or five (5) business days after the motion was seconded, whichever comes first. Once the question has been called, members shall have two (2) business days to vote.

4) No action shall be considered passed without a vote of the majority of all seated members of that committee.

5) If a committee votes via mailing list to enter Executive Session, the committee may meet privately via teleconference.

B) In the case of an emergency, where the regular notice requirements would extend beyond a deadline specified in this Constitution, State Law, or State Regulations:

1) The committee chair shall set a time, phone number, and any necessary access codes for a telephone conference, and notify members of the committee with as much notice as possible. Notification must be made by texting, or with a voice telephone call or voicemail for those unable to access texting.

2) The topic of the motion to be considered will be included in the text, telephone call, or voice message.

3) The actions considered and the results thereof shall be published to the mailing list assigned to the committee within twelve (12) hours.

B. Standing Committees for the State Party, except as set forth herein, shall be set forth in Operating Rules, which may also provide additional duties and responsibilities for such committees.

Directors:

500.6.1: When an Executive Committee seeks to execute a task or related set of tasks they may appoint a Director, who shall serve at the leisure of the Executive Committee and directly reports to the Executive Committee chair. Directors may be members of an Executive Committee. Executive Committees need not appoint any particular Director.

500.6.2: General provisions for Directors

(a) Directors exist to execute duties, but a Director shall not have more authority than what is granted under the Constitution and what is authorized by the Executive Committee Chair.

(b) A Director may be appointed by the Executive Committee, and when appointed shall report to, and serve at the leisure of, the Executive Committee Chair. A Director may be removed by either the Chair or the Executive Committee.

(c) Only one Director may exist for each outlined Director position and set of duties.

(d) No Party may otherwise codify any Director to operate any election-related or other items codified in Bylaws.

(e) A Director may, at their discretion, appoint additional persons, who shall report directly to the Director, within the purview of their Director role. Any such appointments shall be promptly

reported to the Executive Committee, which may disapprove same, and appointees shall have the same powers, limitations, and requirements of the Director.

(f) A Director may hold an elected or appointed position in a Party, but shall not vote on any item related to their Director role, subject to any potential restrictions under conflict of interest rules.

(g) A Director shall provide status reports at each meeting of the Executive Committee.

(h) The term of any Director shall end at Annual Convention.

C) Defined Directors for the State Party:

1) Membership Director

a) They shall work with the Membership Director of the Chartering Party and of all Affiliate Parties, where applicable, to maintain the membership roles for the Party and all Affiliate Parties. Membership lists shall be disseminated to Affiliate Parties in accordance with Operating Rules.

b) They shall assist in developing a “Non-Disclosure Agreement” to protect membership data, and maintain the list of those who have signed that agreement.

2) Outreach Director

a) They shall conduct periodic membership drives.

b) They shall be responsible for creating monthly newsletters to members and other contacts who have opted-in to receiving such communication. An Affiliate Party shall be responsible for providing newsletter content to the Director in a timely manner.

3) Fundraising Director, who is responsible for creating and executing fundraising plans, with Executive Committee approval.

4) Communications Director

a) They shall be responsible for external communications with the public and media, with approval from the Executive Committee Chair.

b) They shall maintain content for any social media assets, and content for the Party on the State Party website.

5) Information Technology Director, who is responsible for executing all IT-related tasks as assigned.

a) They shall exist only for the State Party.

b) They shall work to document, obtain, implement, maintain, monitor, and/or modify any and all Party Resources under the purview of Information Technology of all Parties, with oversight from the State Party Executive Committee.

c) They shall respect privacy and autonomy, and not engage in the day-to-day operation of any Party Resource, unless specifically directed in Bylaws or Standing Rules, or by the Executive Committee of the Party that operates the asset or the State Party Executive Committee.

d) They may recommend “Acceptable Use Policy”, “End User License Agreement”, or other similar documents for consideration for adoption as a prerequisite to use IT assets.

6) Political Director, who is responsible for arranging external resources other than financial resources for candidates, and for arranging lobbying efforts for the party.

7) Events Director, who is responsible for arranging conventions and other non-fundraising events.

a) They shall be responsible for collecting and maintaining a list of political or other outreach events. The Executive Committee may task the director to organize Party presence at such events.

8) Field Development, who is responsible for finding and cultivating future leaders of the Party.

a) They shall be responsible for finding and assisting coordinators throughout that Party and its Affiliate Parties to build new Affiliate Parties.

D) Ad-Hoc Directors may be created by any party, provided the role the does not encompass any Director role or Standing Committee defined by this document or the Bylaws, or Ad-Hoc Committee.

Committees:

500.6.3: State Party Membership Review Committee

500.6.3.1: It shall be comprised of five or seven members, as determined by the body in the State Party annual convention, to be elected to a one-year term, by the Voting Members at the State Party annual convention. Vacancies shall be filled between conventions by the remaining members of the committee. Its members may serve on other committees, including executive committees. The Committee shall elect a chair and secretary at its first meeting, which may be held during or within seven days following the state convention at which the committee members are elected, or by email or telephone.

500.6.3.2: It shall meet only as required when a Voting Member files a complaint to the committee regarding violations by a Voting Member of the Statement of Principles. Any complaint shall be in writing and signed by the Voting Member making the complaint. Hearings

should generally be recorded, but the failure of recording equipment will not invalidate the hearing.

500.6.3.3: Any matter regarding revocation of voting membership status that requires adjudication shall be referred to the entire Membership Review Committee. At the option of the Chair, he may refer the Complaint to the remainder of the Committee, which can vote to dismiss the complaint because it: (a) is dilatory; (b) has already been decided by the committee; (c) is frivolous on its face; or (d) does not violate the Statement of Principles. Unless dismissed, the Chair of this Committee shall immediately provide a copy of the charge or grounds for challenge, to the Voting Member being challenged. The Voting Member shall be entitled to file a response and answer within ten days. Any member who is the subject of a complaint may request that hearings be open in their answer. The failure to file a timely response may be determined by the Committee to constitute a default, and, in that event, the complaint may be upheld by the Committee and sent to the Executive Committee for further action. Further, if a response is filed that admits the basis of the challenge, the Committee may likewise uphold the Complaint and send the matter to the Executive Committee for further action.

500.6.3.4: Absent a default or a upholding of the challenge as provided in 600.6.3.3, the Committee shall then hold one or more hearings, including by telephone, to receive evidence and testimony. Evidence need not be admissible in a court of law, and the ruling of the Committee Chair on questions of admissibility shall be binding, subject to being overturned by a majority vote of the committee. The Chair may permit filings by e-mail or electronically in order to expedite the resolution of the matter.

500.6.3.5: The Committee, or its members, may conduct its own investigation into any allegations in advance of a meeting or hearing.

500.6.3.6: All deliberations shall be in closed executive session, but all final votes of the committee shall be in open session.

500.6.3.7: Upon the conclusion of the hearing, the Committee shall vote whether to sustain the complaint and a violation of the Statement of Principles. If a complaint is sustained, the Committee shall also vote on a recommended remedy, which is not binding upon the Executive Committee, which may, but need not, include: (i) recommendation of censure of the Voting Member to the Executive Committee; or (ii) recommending to the Executive Committee the revocation of Membership. If the challenge is denied that ends the matter.

500.6.4: Platform and Issues Committee

500.6.4.1: 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.

500.6.4.2: 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.

500.6.4.3: This committee shall draft policy statements for the Executive Committee of the Party and develop position papers for the Party.

500.6.4.4: 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.

500.6.5: State Party Rules Committee

500.6.5.1: The State Party Rules Committee shall be comprised of five, seven, or nine members, who shall be appointed by the State Party Executive Committee.

500.6.5.2: The committee may recommend changes to the Constitution, Operating Rules, or default convention rules. Such recommendations shall be submitted to the State Party Executive Committee or State Party Convention for approval, as specified in the Constitution.

500.6.5.3: The committee shall identify and bring forth any Party rules that conflict with state law.

500.6.6: Caucus Campaign Committees

500.6.6.1: Campaign Caucus Committees shall be the House Libertarian Caucus Campaign Committee and Senate Libertarian Caucus Campaign Committee.

500.6.6.2: Each committee shall function as "caucus campaign committee," as set forth in Kentucky Revised Statutes and Kentucky Administrative Regulations, to solicit, raise, and spend funds to assist in the election of Libertarian candidates.

500.6.6.3: Committee membership

a) Members of each committee shall be elected to a two-year staggered term, as follows:

i) Two (2) members, to a two-year term in 2019, elected by the delegates at each State Party Annual Convention.

ii) Three (3) members, to a one-year term in 2019, elected by the delegates at each State Party Annual Convention, and then to a two-year term in 2020.

iii) The members of both committees may be the same persons and may be members of the State Party Executive Committee.

iv) Vacancy in an unexpired term of a seat on the committee shall be filled by the State Party Executive Committee.

500.6.6.4: These committees shall not, in any way, expend any funds in connection with the nomination of Libertarian candidates for public office or internal party office, or internal governance matters. Nothing in this section shall prevent members of these committees from acting as voting members of the party.

500.6.6.5: Such committees are required to comply with this Constitution, and applicable Kentucky Revised Statutes and Kentucky Administrative Regulations. Failure to comply shall result in the removal of all members of the committee.

500.6.7: State Party Elections Committee or “Elections Committee”

500.6.7.1: One member of the State Party Elections Committee shall be elected by the convention body each year, to a two-year staggered term, provided that one member will be elected to a one-year term in 2019.

500.6.7.2: The State Party Executive Committee shall appoint two members to the State Party Elections Committee to a one-year term.

500.6.7.3: The State Party Executive Committee shall also appoint the Chair of the State Party Elections Committee to a one-year term.

Article VI Conventions

B. Operating 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.

Notice for Conventions

Requirements for notice shall be as provided in Operating Rules.

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 Operating Rules.

600.1.1: Annual Convention

600.1.2: A Party must annually call a convention of all Voting Members of that Party, known as the Annual Convention.

600.1.2.1: Eligibility to participate as a voting delegate in an Annual Convention shall be limited to Voting Members, who:

1. Is a registered Libertarian on December 31st of the year preceding the convention; or
2. Becomes a resident of Kentucky and a Registered Member after December 31st of the year preceding the Annual Convention, but at least thirty (30) days prior to the Annual Convention.

600.1.2.2: A County Party or Metro Party shall conduct the business of their Annual Convention in January, and shall be ready to provide notice of the convention to the Executive Committee of the Chartering Party and State Party no later than the second weekend in November of the year prior.

600.1.2.3: A District Party shall conduct the business of their Annual Convention in February, and shall be ready to provide notice of the convention to the State Party Executive Committee no later than the first weekend in December of the year prior.

600.1.2.4: The business of the Annual Convention for the State Party shall occur in March, and the State Party shall be ready to notice the convention no later than the last weekend in December of the year prior.

600.1.2.5: Notwithstanding the date requirements in this Section 700.1, when any competent governmental authority has declared a weather emergency or state of emergency, any convention may be rescheduled by the applicable executive committee with notice to the State Party

Executive Committee, to the following weekend. All notice requirements shall be waived in such instance, but best-effort shall be made to contact all Voting Members in the affected area, given the timeframe and available resources, to encourage wide participation by Voting Members of that Party.

600.1.2.6. Notwithstanding the date requirements in this Section 700.1, if a reservation for a planned convention location is canceled by facility, the Party shall inform the State Party Executive Committee and re-notice the new location to all those entitled to notice of convention. If this cancellation occurs within ninety-six (96) hours prior to the opening of business, if permitted by the facility, a sign will be clearly posted at the original location informing members of the location change.

600.1.2.7. Any Affiliate Party failing to properly call its Annual Convention shall be dissolved, unless, on the vote of the State Party Executive Committee, they are given notice of the failure and given two weeks to call a convention under such terms as the State Party Executive Committee deems appropriate.

600.1.3. If the State Party fails to properly call its Annual Convention, the State Party Annual Convention shall be the Default Convention.

600.1.4. The Executive Committee of a Party shall be nominated, from the floor by, and elected by vote of, the voting delegates of that Party at Annual Convention.

600.1.5. Officers of the State Party and affiliated County and Metro Parties, and At-Large Representatives of affiliated District Parties, shall be elected in odd-numbered years.

600.1.6. Officers of affiliated District Parties, and At-Large Representatives of the State Party and affiliated County and Metro Parties, shall be elected in even-numbered years.

600.1.7. Precinct Captains, if they exist, are elected by vote of the Voting Members in attendance from that voting precinct, at Annual Convention of a County or Metro Party each year.

600.1.8. 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.

600.1.9. The right of Voting Members of a Party to nominate and elect any person, qualified to serve under the Constitution and these Operating Rules, from the convention floor shall not be not be infringed. Further, a Party may not act to explicitly or implicitly promote any particular candidate, except for external political candidates who have been nominated under this Constitution and Election Bylaws.

600.1.10. Amendment of the platform and governing documents of a Party, in accordance with this Constitution, shall be part of the proposed agenda of any annual convention for any party that has adopted such documents, but may be removed from the agenda if the Delegates to that convention vote to do so.

600.1.11. A business meeting of the Executive Committee shall occur within seven days following the close of the Annual Convention for that Party.

600.1.12. Default Convention

600.1.12.1. A Default Convention shall only apply for the State Party and shall only occur if called for by another section of this Constitution.

600.1.12.2. A Default Convention will be held at the Paul Sawyier Public Library in Frankfort, Kentucky.

600.1.12.3. Unless otherwise outlined by the section causing a Default Convention, a Default Convention will take place on the second Saturday of March, and will begin at 10 A.M. Eastern Time.

600.1.12.4. All who qualify as registered Libertarians with the Secretary of State who are residents of Kentucky and are in attendance shall be considered delegates. The burden of proving eligibility to be a delegate is on the individual seeking to be a delegate.

600.1.12.5. The National Party may send a representative to act as the Acting Convention Chair, who may also be responsible for validating eligibility for delegate status, until such time that the convention body elects a Convention Chair from among the delegates in attendance.

600.1.12.6. Any requirements outside of the Constitution may be waived by majority vote of the delegates at such a Default Convention.

600.1.12.7. All Officer and At-Large positions in the State Party shall be declared vacant, and the convention body shall elect a new Executive Committee.

Section 6. National Party Convention Primary Delegates and Alternate Delegates

- A. ***Matters related to the election and handling of Primary and Alternate Delegates, their selection, and related matters shall be as provided in the Operating Rules.***

600.2.1: The Delegate List shall be a prioritized list of Delegates to the National Convention, numbering no more than the maximum number of Primary Delegates from Kentucky, as determined by the National Party, times three (3).

600.2.2: The Delegate List shall be vacated immediately prior to the State Party Annual Convention which immediately precedes the National Party Convention.

600.2.3: The Delegation Chair shall receive the first position. The Delegation Chair shall be the State Party Executive Committee Chair, then in the order of ranking of State Officers, and in the absence of any State Officer, the Chair's designee.

600.2.4: The Delegate List shall be prioritized by order of election, starting with the second delegate, by nomination and election from the floor of the State Party Annual Convention immediately preceding the National Party Convention. Any ties shall be broken by seniority as a Voting Member in the State Party.

600.2.5: Nominations shall be limited to those who are a Voting Member, and counted as a Basic Supporting Member of the National Party at the date on which the National Party calculates the number of Primary Delegates shall be those atop the Delegate List, numbering the number of Primary Delegates allocated by the National Party.

600.2.6: Starting one hour prior to the opening of business, Delegates may be appended to the end of the Delegate List by vote of the Primary Delegates at the National Convention. Each addition shall be considered individually.

600.2.7: Delegation Chair

600.2.7.1: They shall be responsible for submitting the Delegate List to the National Party prior to the deadline set by the National Party.

600.2.7.2: They shall be empowered to enter into a Regional Agreement with other state parties on behalf of the State Party, with approval of two (2) other Officers of the State Party.

600.2.7.3: They shall be responsible for calling upon Primary Delegates to participate in convention business.

600.2.7.4: When applicable, the Delegation Chair is responsible for ensuring all paperwork necessary for filing Libertarian Party candidates for President and Vice-President is completed on-site at the National Party Convention, and shall promptly deliver that completed paperwork to the State Party Executive Committee Secretary.

600.2.8: Delegates shall attend the National Party Convention and exercise their vote on the basis of individual conscience. They shall not be bound to vote for or against any particular issues or candidates.

600.2.9: Any Delegate absent that does not check-in at least one hour prior to the opening of business, resigns from the role, or is absent for more than seventy (70) consecutive minutes during business may be removed from the Delegate List by the Delegation Chair. If no Delegation Chair exists, then Primary Delegates who have checked-in shall elect a new Delegation Chair from amongst themselves.

Article X

1000.1: In Kind donations

1000.1.1 All in-kind donations shall be approved in advance by the Executive Committee for whom the in-kind service is rendered, or in-kind goods is accepted.

1000.1.2 In-kind donations, in lieu of dues, shall only be approved by the State Executive Committee.

1000.1.3 In-kind donations shall be valued at the reasonable market value for the goods or service in question.

1000.2: Ethics, nepotism, conflicts of interest

No officer, or member of a subcommittee or committee, shall:

1000.2.1 Use his or her official position or office to obtain financial gain or other personal benefit, or to prevent a personal detriment, for himself or herself, any Family Member, or a business associate; nothing in this section shall prevent arm's length providing of services to the party if the Officer in question recuses himself or herself from any deliberation or vote on the matter on behalf of the party or approval of expenses or compensation approved by an Executive Committee.

1000.2.2 No party may have two immediate family members (husband/wife, brother/sister, father/daughter, and other relationships within the first degree) serve as Treasurer and any combination of officers or At-Large members of an Executive Committee of any Party.

1000.3: Party records / open records

1000.3.1: "Open record" means all meeting minutes for any committee or convention, quarterly or monthly financial summaries, officer reports presented at any meeting, photographs of any meeting or event, meeting or event audio recordings or meeting or event video (except matters in executive session). Open record shall also include any and all reports that are physically filed with any public agency, including the Kentucky Registry of Election Finance. Open record shall also include the list of Voting Members of the party, or any affiliate, with the name, mailing address, district, and county provided, but shall not include any electronic mail, facsimile, or telephone number, or other personal information other than name and address for such members.

1000.3.2 Any Voting Member of the State Party, or any affiliate, who has been a Voting Member for the preceding ninety (90) days ("Requestor"), may request to inspect any Open record of the party by placing the request in writing (e-mail is acceptable) to the Party Secretary, or the affiliate secretary, where applicable, provided the person so-requesting certifies that they are not seeking the records for a commercial purpose. In no event shall any record be released to anyone other than a valid Requestor.

1000.3.3 If the person to whom the application is directed does not have custody or control of the Open record requested, that person shall notify the Requestor that they do not have custody, and, if they know who does, shall so inform the Requestor.

1000.3.4 Upon inspection, the Requestor shall have the right to make abstracts of the Open records and memoranda thereof, and to obtain copies of all Open records not exempted. Wherever possible and whenever electronic records exist, such records shall be provided electronically over electronic mail at no cost to the Requestor. For physical copies, the secretary may charge \$.15 per page copied, plus reasonable postage fees, and may require advance payment of the prescribed fee, including postage where appropriate. In person inspection may occur at the time and location convenient to the secretary. Inspection shall occur within thirty (30) days of the request. In lieu of the foregoing, such materials may be made available on a public website.

1000.3.5 If the application places an unreasonable burden in producing Open records or if the custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the party, the official custodian may refuse to permit inspection of the Open records or mail copies thereof.

1000.3.6 The following shall be exempt from disclosure and the Open records provisions:

- (A) Software licensed or used by the Party;
- (B) Specific addresses of files, passwords, access codes, user identifications, or any other mechanism for controlling the security or restricting access to records in the party's computer system;
- (C) Membership list information other than name, address, congressional district and county;
- (D) Donor lists and data, other than such information as is filed publicly;
- (E) Specific personal identifying information of any member or donor, including social security number, banking information, or similar personal identifying information.
- (F) Records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy, but this shall not include any meeting minutes or public meeting audio or video;
- (G) Any legal advice, memorandum, or matters protected by the attorney-client or other applicable legal privilege recognized by state or federal courts;
- (H) The contents of real estate appraisals, engineering or feasibility estimates and evaluations relative to acquisition of property, until such time as all of the property has been acquired;
- (I) Records of the Party involved in adjudication that were compiled in the process of regulating elections, determining compliance with party requirements, or investigatory matters if the disclosure of the information would harm the party by premature release of information to be used in a prospective adjudication;
- (J) Preliminary drafts, notes, correspondence with private individuals, other than correspondence which is intended to give notice of final action of the Party;

(K) Preliminary recommendations, and preliminary memoranda in which opinions are expressed or policies formulated or recommended;

(L) All Open records or information the disclosure of which is prohibited by federal or state law or regulation;

(M) Any other record of a proprietary or confidential nature, the release of which to the general public has a substantial likelihood of seriously damaging the party or its interests in the judgment of the Chair and Secretary, who shall both agree that the exception applies; this exception shall not be used to prevent the release of the minutes of any meeting or general financial reports; and

(N) Materials that relate solely to internal party operations with sensitive data of a political or operational interest.

1000.4: Financial controls and party assets

1000.4.1.1: "Party Resources" shall be defined as funds, time, compensated personnel, property, or any asset of value, which are owned, leased, coordinated, controlled, or operated by a Party, but does not include: (i) promotional materials given away; or (ii) items with a value (in aggregate) of \$25 or less.

1000.4.1.2: A list of Party Resources of a Party shall be recorded and maintained by that Party. Authorization to expend Party Resources must be specifically approved by the Executive Committee of that Party.

1000.4.1.3: Any Party Resource in the possession of, but not owned by, a Party shall be tracked. The owner's name, contact information, date obtained, and condition of use shall be maintained until a Party returns that Party Resource to its owner. Personal assets may not be advertised as Party Resources.

1000.4.1.4: An Affiliate Party shall not transfer Party Resources to any other Party, without giving notice to the State Party Executive Committee Treasurer.

1000.4.1.5: If resources are given away, then the value and the number of items, along with the date, location, and event title given shall be reported to the Executive Committee Treasurer.

1000.4.1.6: If the replacement value of an item is greater than ten dollars (\$10), then contact information of the recipient shall also be reported

1000.4.1.7: At any Annual Convention for a Party at which Officers are elected, all Party Resources not in a paid storage facility shall be brought to the convention for transfer to new leadership. The key, combination, or other security mechanism for access to assets stored in a storage facility shall also be brought to the convention for transfer to new leadership. Bank account transfers shall be initiated within one week of the convention. If paperwork is necessary to transfer control of a storage facility, that paperwork shall be brought to the convention and completed by the appropriate parties.

1000.5: Default Standing Rules:

1000.5.1 - General Provision

These shall be the default standing convention rules for any annual, or special convention. The applicable executive committee, however, directly or on the recommendation of a rules committee established for that purpose, shall be permitted to alter these rules in any way that they see fit, provided any such amendments or deviations are adopted and approved by the applicable executive committee at least thirty (30) days in advance of the respective convention.

1000.5.2: Delegates and Credentialing

1000.5.2.1 Delegates to all County, all District, and State Conventions:

- a. All “Voting Members” as defined in the current Constitution of the Libertarian Party of Kentucky, who are Voting Members as of 14 days prior to the Convention, who have registered for the Convention as set forth in these rules, and checked into the Convention, as set forth in these rules.
- b. A “Putative Delegate” are those persons who are Voting Members, set forth above, who are Voting Members by the deadlines set forth above, but have either: (i) not checked in to the Convention; or (ii) have not registered for the Convention.

1000.5.3 Registration for the Convention

Registration shall be opened, onsite, starting one hour prior to the start of convention business, at the convention location. Any person who is a convention delegate shall then be permitted to register, provided he or she is in line to register by the time set for the start of convention business; registration shall be handled by the Credentials Committee.

1000.5.4 Verification of Delegates

1000.5.4.1 There is hereby created a Credentials Committee, which shall consist of three persons to be appointed by the Executive Committee, one of whom shall be the Secretary of the committee calling the convention; the committee shall be appointed not later than twenty-one days prior to the start of the convention. The duties of the committee shall be as set forth in these Rules, and shall include verification of the credentials of delegates. In the absence of an Executive Committee appointment by twenty-one days prior to the start of the convention, the Secretary of the committee calling the convention shall appoint the other members of the Credentials Committee and provide notice of those appointments to the Executive Committee.

1000.5.4.2 Not earlier than thirty days prior to the convention, and not later than twenty-one days prior to the convention, the Membership Committee shall transmit a draft list of Putative Delegates to the Executive Committee with a copy to the Secretary of the Executive Committee. The Executive Committee may hold a meeting to make additions or modifications to the list in question, or to address discrepancies not earlier than twenty-one days prior to the convention, and not later than fourteen days prior to the convention. The list, as transmitted by the Membership Committee, with any additions or modifications by the Executive Committee within the time allotted, shall be deemed Putative Delegates. The draft list, as approved or

amended by the Executive Committee, shall then be transmitted to the Credentials Committee, which is not empowered to remove anyone from this list of Putative Delegates.

1000.5.4.3 The Membership Committee shall likewise transmit, to the Credentials Committee, a list of persons that have become a “Voting Member” as defined in the current Constitution of the Libertarian Party of Kentucky, between the period of thirty days to fourteen days prior to the convention. The Credentials Committee may determine and decide any claims of error or discrepancy, from this list, prior to the presentation of its report. Absent some evidence of error or mistake, these persons shall also be deemed Putative Delegates, along with any additions found appropriate by the Credentials Committee due to error or mistake. Any such additions shall be transmitted to the Executive Committee Chair and Secretary by the Credentials Committee not later than three days prior to the convention.

1000.5.4.4 The Credentials Committee shall handle the check-in procedure for the Convention, and shall conduct check-ins during the one hour preceding the start of the convention, at the convention site. Any person who is on the list of Putative Delegates, shall be permitted to check in, provided he or she is in line to register by the time set for the start of business for the convention. In the event that a Putative Delegate checks-in who has not registered for the convention (and registration is not still open), they shall be informed of that fact, and be permitted to register onsite.

1000.5.4.5 The Credentials Committee shall cross-reference registrations for the convention, with the Putative Delegate Voting Member lists describe above, and those persons who have checked in, to determine who is permitted to vote as a Delegate to the convention.

1000.5.4.6 Authorized Delegates, who are the only parties authorized to vote, shall be maintained in list format by the Credentials Committee, which shall also issue some form of identification for credentialed Delegates making it apparent who is permitted to vote in the convention.

1000.5.5 Opening of the Convention, Presentation of the Report of the Credentials Committee and amendments thereto, and Adoption of Rules

1000.5.5.1 The Chair shall not call the convention to order until the check in procedure above has concluded. The Chair of the Convention at the start of the convention shall be the Executive Committee Chairman, unless he shall not be present or resign, in which case the Vice Chair of the party shall serve as Chair. The Secretary of the Convention at the start of the convention shall be the Executive Committee Secretary. In the event the Executive Committee Secretary shall not be present, or shall resign, the Chair shall appoint the Secretary of the Convention.

1000.5.5.2 Immediately after the Chair calls the convention to order, the first order of business shall be the Presentation of the Report of the Credentials Committee, which shall report those delegates authorized to vote. The Report may be, by the body of those delegates authorized to vote in the Report, debated, adopted or amended, by a simple majority vote. Putative Delegates shall be entitled, however, to be recognized on the floor, for a period of two

minutes each, for the purposes of debating the Report of the Credentials Committee, but shall not be entitled to vote on the adoption or amendment of the Report.

1000.5.5.3 No one can vote whose name is not on the list of delegates reported by the Credentials Committee, until it has been amended to add that person to the Report. Upon the motion to substitute one delegation for another, neither one can vote. Upon a motion to strike out the names of a delegation whose seats are contested any such person in that delegation cannot vote. But upon the main motion to accept the report, all persons whose names are on the list of members as reported by the committee and amended by the convention are entitled to vote, and they alone.

1000.5.5.4 If there is a case of contest between two sets of delegates and there is serious doubt as to which is entitled to recognition, the Credentials Committee should omit both from the list and report the fact of the contest.

1000.5.5.5 The Credentials Committee shall also permit check-in to occur at a period of two hours following the opening of the convention for 10 minutes, and at a period of two hours following that check-in for 10 minutes. Further, if the convention lasts multiple days, check-in shall be opened for 10 minutes preceding the opening of business on each subsequent day. Anyone in line during those time periods shall be permitted to register. Following check-ins, the credentials committee reports shall be revised, by a majority vote. The Reports of the Credentials Committee shall act automatically to suspend any pending business until the completion of that report, upon recognition by the Chair, without the need to suspend the rules. Once a member has been admitted to the convention and has checked in, that member shall be determined to be part of the body and may not be removed by virtue of an amendment to the Credentials Committee Report, for purposes of quorum. However, an amendment to the Credentials Committee Report may add members to the convention after it is initially adopted.

1000.5.5.6 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.

1000.5.5.7 The third order of business by the Chair shall be the presentation of these Rules by the Rules Committee, as approved by the State Party Executive Committee, to the convention body, which may debate, adopt or amend these rules, by a simple majority vote. Once approved, these rules may not be further amended, but may be suspended by a two-thirds (2/3) vote.

1000.5.5.8 The fourth order of business by the Chair shall be presentation of the agenda for additional business. The agenda shall be the agenda that was provided in the notice for the Convention that was given by the Chair of the Executive Committee of the State Party. The convention body may debate, adopt or amend such agenda, by a simple majority vote. Once

adopted, the agenda may not be modified, or its order of business deviated from, except by a motion to suspend the orders of the day, which must pass by a 2/3 vote.

1000.5.6 – General Convention Rules

1000.5.6.1 Rules governing the election and nomination of candidates for the Libertarian Party primary shall be as established by the State Elections Committee; these rules govern matters other than the voting of candidates for public office in the Libertarian Party primary.

1000.5.6.2 Voting by proxy will not be permitted at this Convention.

1000.5.6.3 Each individual nominated to any party position shall be nominated and voted on as an individual, not as part of a slate. Names of all nominees shall be listed in alphabetical order on the ballot.

1000.5.6.4 Any delegate to this convention may place in nomination for any officer or other position to be elected at this convention, the name of any other delegate, or the name of any other eligible member. Nominations shall be accepted by the presiding officer of the convention until the Chair calls for any further nominations three times, and a period of 15 seconds elapses with no further nominations. No person may be nominated who is not a Voting Member of the party, as of the start of business for this convention. No nomination shall be official until it is accepted by the person so nominated. In the event that seconding speeches are to be given, they shall be determined by random drawing of lots.

1000.5.6.5 Any vote for officer or office must be taken by secret ballot, implementing instant runoff or preferential voting, and “None of the Above” (or NOTA) also listed as an option. Tellers shall be appointed, as set forth in Paragraph 5 below, for any vote for any officer or office. The Secretary of the Convention shall serve as the chief teller and coordinate their activities. If NOTA prevails, there shall be no one elected to the position in question and it shall be counted as a vacancy at the close of the convention. The persons elected shall not take office until the adjournment of the convention.

- a. Upon the conclusion of the voting and reports from the tellers, if any, for any office or officer to be elected at this Convention, the results of the voting shall be reported by the tellers to the Chair, who shall then report it to the Convention body. The Chair shall also report whether or not the results from the tellers is unanimous to the Convention body.
- b. If the tellers results are unanimous, the vote shall not be subject to any challenge from the floor except upon a vote of two-thirds (2/3) of the convention body to reconsider. If tellers are not unanimous, the convention body shall resolve the discrepancy by majority vote, or by declaring the election void and holding it again.
- c. It shall be out of order for any member to seek reconsideration of any vote for any office or officer to be elected at this Convention: (i) except on the date the vote is held for the office or officer to be elected; and (ii) within two hours of the initial announcement of the results. Any such motion to reconsider shall

be considered a privileged motion the first time that it is made. Not more than one motion to reconsider shall be considered.

1000.5.6.6 The Chair of the convention shall appoint three or five tellers to count the members who are entitled to vote and also to count the actual balloting, one of whom shall be the Secretary of the Convention. In the event that any teller is running for any office, a substitute teller shall be appointed for the vote for that office.

1000.5.6.7 It shall be the duty of the Chair of the convention to assure that the right to challenge any committee recommendation is more than perfunctory, and places no undue burden on the challengers. All such committee reports shall be subject to approval and to amendment, in whole or in part, from the floor of the convention, and shall be subject to the final vote of the Convention.

1000.5.6.8 Quorum to do business shall constitute 45% of the members authorized to vote, as established in the Credentials Committee report, or any amendments thereto. The Credentials Committee shall be responsible for tracking and calculating the quorum number.