

September 19, 2016

Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to 52 U.S.C. § 30108, Libertarian Party of Alabama (“LPAL”), C00618173, seeks an advisory opinion recognizing it as a State committee of the Libertarian National Committee, Inc. (“LNC”).

Consistent with 52 U.S.C. § 30101(15), 11 C.F.R. § 100.14(a), and Advisory Opinion 2015-01 (Green-Rainbow Party), the following qualifications have been met:

1. LNC qualifies as a political party, as detailed in Advisory Opinion 2010-13 (Libertarian Party of Florida) and Advisory Opinion 1975-129 (National Committee of the Libertarian Party).
2. LPAL is the recognized affiliate of LNC for the state of Alabama, as detailed in the August 31, 2016 LNC letter, attached.
3. LPAL performs, and is responsible for, the day-to-day functions and operations of a political party at the state level. Specifically:
  - A. LPAL has assisted in placing Gary Johnson on the 2016 general election ballot as a candidate for President of the United States. Mr. Johnson qualifies as a “candidate” under 52 U.S.C. § 30101(2) and 11 C.F.R. § 100.3(a).
  - B. LPAL organizes state party conventions, supports Libertarian candidates in the state, develops and implements state policy, and manages state party operations and other related affairs. Consistent with 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a), this is supported by LPAL’s current organizing documents, attached.

Please let me know if you have any questions regarding this request.

Sincerely,

/s/

Christina Sirois, Esq.  
571-207-6451 Direct  
csiros@dbcapitolstrategies.com

Enclosure(s): LNC List of State Affiliates  
LPAL Organizing Documents

# **BYLAWS OF THE LIBERTARIAN PARTY OF ALABAMA**

**(Adopted at the 2009 State Convention, amended 2010, 2011, 2014, 2015)**

## **ARTICLE I: PURPOSE AND SCOPE**

These bylaws govern the Libertarian Party of Alabama, hereinafter referred to as the "Party," whose purpose is to pursue liberty and promote libertarian political ideals consistent with the Libertarian Party Statement of Principles by:

- a) Disseminating information about libertarian ideals and principles;
- b) Nominating and promoting candidates for local, state, and national public office;
- c) Promoting and coordinating regional and local organizations throughout the state;
- d) Selecting and sending delegates to Libertarian Party national conventions.

## **ARTICLE II: MEMBERSHIP**

**Section 1.** Members of the party are those residents of Alabama whose LPA party dues are current and who have certified in writing that they oppose the initiation of force to achieve political or social goals.

**Section 2.** The entire Executive Committee, by two-thirds vote, may revoke an individual's membership for cause.

## **ARTICLE III: THE OFFICERS**

**Section 1.** The officers of the Party shall be the Chair, Vice-Chair, Secretary, and Treasurer. The officers are elected at the Annual Party Convention and take office immediately following the close of the Convention. No offices shall be combined.

**Section 2.** The Chair shall preside at all Party Conventions and at all meetings of the Executive Committee, and shall be the chief executive officer of the Party.

**Section 3.** The Vice-Chair shall act as assistant to the Chair and shall perform the duties of the Chair during periods in which the Chair is unable to perform those duties.

**Section 4.** The Secretary shall be responsible for maintaining the Party membership list, taking minutes of Executive Committee meetings, and keeping other records as required by the Chair or Executive Committee.

**Section 5.** The Treasurer shall receive, disburse, and account for the funds of the Party under the supervision of the Chair and the Executive Committee. The Treasurer shall prepare an annual report and make available any financial information required by the Executive Committee.

## **ARTICLE IV: THE EXECUTIVE COMMITTEE**

**Section 1.** The Executive Committee is composed of the Chair, Vice-Chair, Secretary, Treasurer, up to two At-Large Members, and a Regional Representative from each of the following four regions, each running east-to-west across the state, the first to include Huntsville and Florence, the second Birmingham, Tuscaloosa, and Gadsden, the third Montgomery, Selma, and Auburn, and the fourth Mobile and Dothan. The exact geographic composition of each region shall be determined by the Executive Committee. No person shall hold more than one title. At-Large Members of the Executive Committee are elected at the Annual Party Convention. Up to two At-Large positions may be filled, but are not required.

**Section 2.** No Member of the Executive Committee shall be a member of, or hold office in, another political party, or support a candidate of another political party in opposition to a candidate of the Libertarian Party of Alabama.

**Section 3.** Each Regional Representative is chosen at the Annual Convention by caucus of the Party members present who reside in that region. A Regional Representative should be a Party member residing within the region he or she represents and is charged with the responsibility of promoting the activities described in Article I within the region. A Regional Representative is also responsible for organizing county-level subunits within the region as well as college campus groups or other local organizations promoting libertarian goals.



## **BYLAWS OF THE LIBERTARIAN PARTY OF ALABAMA**

**(Adopted at the 2009 State Convention, amended 2010, 2011, 2014, 2015)**

**Section 4.** The Executive Committee shall appoint new officers if vacancies occur, such officers to complete the term of the office vacated. The Executive Committee may also appoint Regional Representatives to fill vacancies, so long as an appointee is a Party member and is willing to serve. The Executive Committee may appoint an acting Regional Representative from outside the region if necessary.

**Section 5.** The Executive Committee shall meet at such time and place as determined by action of the Committee or call of the Chair, except however the Executive Committee shall meet at least quarterly. If a meeting is to be held at a time and/or place not arranged at a previous meeting it is the responsibility of the Secretary to give reasonable notice to all Executive Committee members.

**Section 6.** A meeting of Executive Committee members numbering more than thirty-five percent of the total number of Officers, At-Large Members, and Regional Representatives (currently filled) shall constitute a quorum for the transaction of Committee business.

**Section 7.** An Officer, Regional Representative, or other member holding a Party position may be removed from that position for cause by two-thirds vote of the entire Executive Committee.

**Section 8.** The Executive Committee may establish rules of order for its meetings, which need not include recording individual votes on every decision; however votes will be recorded by the Secretary on any decision made under Article II, section 2 or Article IV, sections 4 or 7 and on any decision for which a recorded vote is requested by one or more members of the Committee.

**Section 9.** A summary of the results of Executive Committee meetings shall be published in the next issue of the Party newsletter.

### **ARTICLE V: CONVENTION**

**Section 1.** It shall be the responsibility of the Executive Committee to set the time, place, and schedule of events for the Annual Convention. At least thirty days notice must be provided to the members concerning these arrangements. In order to vote at the Convention a Party member must have been a member at least 30 days prior to the date of the Convention.

**Section 2.** All votes for one or more candidates, officers, or delegates must include as the last selection the option, "None of the Above"(NOTA). If NOTA receives a majority of votes, an entirely new slate of candidates may be offered and a new vote taken, or that position shall go unfilled.

**Section 3.** At-Large Members of the Executive committee are elected at the Annual convention. Up to two At-Large positions may be filled, but are not required. A single election for both possible seats is conducted in the following manner: Each voting member may cast up to two votes, but no more than one vote for any one candidate or for NOTA. Of the two candidates receiving the highest vote totals, those receiving more votes than NOTA shall be declared elected.

**Section 4.** Candidates for public office shall be chosen by majority vote at the Convention from among those put into nomination there. A Party candidate for public office must be a member of the Party, legally eligible to serve in the office, and willing to accept the nomination. In cases such as the death, resignation, disqualification, or suspension of a Party nominee, offices for which no candidate is chosen at the Convention, and circumstances such as special elections, redistricting, etc. requiring new candidates to be put forward, the Executive Committee shall be responsible for the selection of Party candidates. A candidate's nomination may be suspended for cause by 2/3 vote of the entire Executive Committee.

### **ARTICLE VI: AMENDMENT OF BYLAWS**

These Bylaws may be amended by a two-thirds vote of those members present and voting at an Annual Convention. Proposed amendments to the Bylaws may be submitted by any Party member, but must be made available to the Executive Committee at least two weeks prior to the Convention so that preparations for their proper consideration at the Convention can be made.





This document was filed electronically on 09/06/2016 at 05:50PM with the Elections Division, Office of the Alabama Secretary of State.

# Statement of Organization of Political Action Committee

This statement establishes the following political action committee:

Please print in ink or type. Email address is required

This form is due within **ten (10)** days of raising or spending \$1,000.00

Full Name of the Committee LIBERTARIAN PARTY OF ALABAMA		Email Address of the Committee (required) LEIGH.LACHINE@LPALABAMA.ORG	
Address of the Committee (street, post office box) PO BOX 101043			
City BIRMINGHAM	State AL	ZIP Code 35210	
Telephone Number (205) 936-9387		Acronym for Political Committee LPALABAMA	
Date Political Committee established March 25, 2010			

**Type of Committee** (check one)

- Statewide political action committee
- County political action committee
- Municipal political action committee

**Duration of Committee** (check one)

- Continuing (non short term)
- Short term - Termination Date: #Error

Describe, as concisely as possible, the purpose of this committee and, if applicable, the identification of affiliated or connected organizations [pursuant to Code of Alabama 1975, §17-5-5(b)(2)-(3).] (if additional space is necessary, please use back of form or attach pages)

PROMOTE LIBERTARIAN IDEALS

### Committee Associated Entity Information:

Committee Associated Entity Name	Address	City	State	Zip Code

Please describe the manner in which residual funds will be disposed in the event of dissolution of the political committee [pursuant to Code of Alabama 1975, §17-5-5(b)(6).] (if additional space is necessary, please use back of form or attach pages)

PROMOTE LIBERTARIAN CANDIDATES

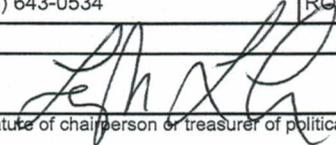
### Identify this Committee's Chairperson and Treasurer:

To identify other principal officers of the political action committee pursuant to Code of Alabama 1975, §17-5-5(b)(5), including members of any finance committee, please attach additional pages.

Chairperson	
Full Name LEIGH LACHINE	
Address (street or post office box) 4752 VERMONT AVE	
City BIRMINGHAM	State AL
ZIP Code 35210	
Telephone Number (205) 936-9387	Email Address (Required) LEIGH.LACHINE@LPALABAMA.ORG

Treasurer	
Full Name ROSS LOWE	
Address (street or post office box) 7724 BIRMINGPORT ROAD	
City SYLVAN SPRINGS	State AL
ZIP Code 35118	
Telephone Number (205) 643-0534	Email Address (Required) ROSS.LOWE@LPALABAMA.ORG

As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the information contained herein is true and correct.

Signature of chairperson or treasurer of political committee  Date 09/06/2016

### Where to file this form ...

Political committees, except principal campaign committees, which seek to influence an election for local office or to influence a proposition regarding a single county, shall file all reports and statements with the judge of probate of the county affected.  
All other political committees that are not principal campaign committees shall file reports and statements with the Secretary of State.  
[Code of Alabama 1975, §17-5-9(b)]

### In the event this information changes ...

Any material change in information reported on this Statement of Organization shall be reported to the Secretary of State or the county judge of probate within ten (10) days following the change.  
"Material change" includes changes in the identity or address of the chairperson or treasurer, or changes in the name, address, purpose or intended duration of the political committee. [Code of Alabama 1975, §17-5-5(b)-(c)].

September 15, 2016

Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to 52 U.S.C. § 30108, Arizona Libertarian Party, Inc. (“AZLP”), C00622845, seeks an advisory opinion recognizing it as a State committee of the Libertarian National Committee, Inc. (“LNC”).

Consistent with 52 U.S.C. § 30101(15), 11 C.F.R. § 100.14(a), and Advisory Opinion 2015-01 (Green-Rainbow Party), the following qualifications have been met:

1. LNC qualifies as a political party, as detailed in Advisory Opinion 2010-13 (Libertarian Party of Florida) and Advisory Opinion 1975-129 (National Committee of the Libertarian Party).
2. AZLP is the recognized affiliate of LNC for the state of Arizona, as detailed in the August 31, 2016 LNC letter, attached.
3. AZLP performs, and is responsible for, the day-to-day functions and operations of a political party at the state level. Specifically:
  - A. AZLP has assisted in placing Gary Johnson on the 2016 general election ballot as a Libertarian candidate for President of the United States. Mr. Johnson qualifies as a “candidate” under 52 U.S.C. § 30101(2) and 11 C.F.R. § 100.3(a).
  - B. AZLP organizes state party conventions, supports Libertarian candidates in the state, develops and implements state policy, and manages state party operations and other related affairs. Consistent with 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a), this is supported by AZLP’s current organizing documents, attached.

Please let me know if you have any questions regarding this request.

Sincerely,

/s/

Christina Sirois, Esq.  
571-207-6451 Direct  
csiros@dbcapitolstrategies.com

Enclosure(s): LNC List of State Affiliates  
AZLP Organizing Documents

**BYLAWS OF THE ARIZONA LIBERTARIAN PARTY, INC.  
AND ITS STATUTORILY CONSTITUTED STATE COMMITTEE**

**As Amended and Approved by the State Committee on January 4, 2015**

**Definitions:** The Party: Arizona Libertarian Party, Inc. as defined by its Constitution which is also its Articles of Incorporation; State Committee: As defined by Title 16, Chapter 5, Article 2, Arizona Revised Statutes, the statutorily constituted State Committee of the Arizona Libertarian Party, Inc.

**1. Statutory Officers:** The statutory officers of the Party and State Committee are defined and shall be elected in accordance with Title 16, Chapter 5, Article 2, Arizona Revised Statutes; to wit, the statutory officers of the Party and State Committee shall be: 1) the State Chairman, who is the Chief Executive Officer of the Party and State Committee, 2) the State Secretary of the Party and State Committee, and 3) the State Treasurer, who is the Chief Financial Officer of the Party and State Committee. The State Committee shall elect from its membership the statutory officers at the biennial statutory organizing meeting of the State Committee. All statutory officers shall be elected for a two-year term, shall take office immediately upon election, and shall hold office until their successors are elected or qualified.

**2. Nonstatutory Officers:** These Bylaws hereby create four nonstatutory officers of the Party and State Committee. The four nonstatutory officers of the Party and State Committee shall be: 1) the State First Vice-Chairman of the Party and State Committee, 2) the State Second Vice-Chairman of the Party and State Committee, 3) the State Assistant Secretary of the Party and State Committee, and 4) the State Assistant Treasurer of the Party and State Committee. The State Committee shall elect from the class A members the non-statutory officers at the biennial statutory organizing meeting of the State Committee. All nonstatutory officers shall be elected for a two-year term, shall take office immediately upon election, and shall hold office until their successors are elected or qualified.

**3. Board of Directors and Terms of Office:** The statutory and nonstatutory officers of the Party and State Committee shall constitute the Board of Directors of the Party and State Committee. Thus, there shall be seven members of the Board of Directors and this membership shall not be changed or increased except by an amendment, approved by the State Committee, to these Bylaws. Furthermore, no individual may hold more than one office on the Board of Directors, and no member of the Board of Directors shall have more than one vote. Each member of the Board of Directors shall serve a two year term, and the two year terms of office of members of the Board shall run concurrently with their two year terms of office as statutory and nonstatutory officers.

Furthermore, at the time of their election by the State Committee, succession by means of Bylaw 10, or appointment by the remainder of the Board to office, the statutory and nonstatutory officers that thus constitute the Board of Directors shall be residents of the State of Arizona and shall be state committeemen of the Party and State Committee. However, upon assuming their offices, all statutory and nonstatutory officers shall be ex officio state committeemen while serving, in good standing, as officers and members of the Board of Directors and until the terms of office of ex officio state committeemen end, as defined below.

All Arizona Revised Statutes (in particular, A.R.S. 38-291) regarding elections, appointments, residency requirements, and vacancies in office shall be interpreted with the widest possible latitude to allow the statutory and nonstatutory officers to serve out their terms of office as officers and members of the Board and as state committeemen, where: 1) the term of office of a person as an officer and as a member of the Board, elected by the State Committee, shall end at the next biennial statutory organizing meeting of the State Committee; 2) the term of office of a person as an officer and as a member of the Board, succeeding by means of Bylaw 10 or appointed by the remainder of the Board, shall begin immediately upon succession or appointment and shall end at the next annual meeting of the State Committee; 3) the term of office of a person as a state committeeman, appointed by the State Chairman of the Party and State Committee, shall begin immediately upon appointment; 4) the two year terms of office of persons as state committeemen, elected at the biennial statutory organizing meetings of the county committees that are the recognized county affiliates of the Party and State Committee, shall begin upon the adjournments of these meetings; 5) also, the terms of office of persons elected or appointed as state committeemen shall end upon the adjournments of the next biennial statutory organizing meetings of the above recognized county affiliates; 6) the term of office as ex officio state committeeman, of a county chairman of an above recognized county affiliate, shall begin when that person assumes the office of county chairman; 7) the term of office of a person serving ex officio as a state committeeman shall end when that person is neither a statutory or nonstatutory officer of the Party and State Committee nor the county chairman of an above recognized county affiliate, and; 8) all persons serving as statutory or nonstatutory officers and thus as members of the Board of Directors and all persons serving as state committeemen shall hold office until their successors are elected, appointed, or qualified.

**4. Duties of the Board of Directors:** The duties of the Board of Directors of the Party and State Committee shall include but not be limited to the following: 1) ensuring that the Arizona Libertarian Party, Inc. has continuing countywide and continuing statewide ballot status, 2) recruiting Libertarians wishing to seek elective office, 3) registering voters as members of the Arizona Libertarian Party, Inc., 4) educating the electorate on the virtues of Libertarian principles, and 5) bringing laws into closer agreement with Libertarian principles through the initiative and referendum process, through the legal challenge of unjust laws, and through the persuasion of sitting lawmakers.

(a) Candidate Understandings

It shall be a duty of each member of the Board of Directors, in its process of recruiting Libertarians to run for office, and/or interviewing and certifying Libertarians presenting themselves as candidates for office, to be certain that each candidate has been contacted by the Secretary of the state or local county party, or member of the Board of Directors, and has received copies of the national, state, and if pertinent, local Party platform, constitution and bylaws; and a policy sheet further elucidating the party's stances concerning receipt of public ("Clean Elections") funds, cross-party endorsements, and policies plainly contrary to national, state, or local Party platforms.

Candidates shall be presented with copies of these materials in hard copy in person or via postal mail, or if requested, via electronic mail.

The Secretary shall provide the candidate with a checklist and signature form to indicate that s/he has received each of the items described.

(b) Personal Political Endorsements

Personal Political Endorsements: In connection with any political activity, the Arizona Libertarian Party desires to discourage conflicting use of endorsements that in any way implies, states or misrepresents an affiliation or relationship with, or endorsement by, the AzLP/State Committee. An individual who endorses a candidate or political issue in conflict with the support of the Arizona Libertarian Party, shall not reference 'Libertarian' in a way that associates the endorsement with the Libertarian Party. This includes Libertarian candidates who use the title of an office sought as part of a personal endorsement.

The Arizona Libertarian Party's recourse may include withholding of financial aid, invitations to events, voter data, inclusion in mailings, official endorsement and censure. Any member of the State Committee may bring violations of this Bylaw before the officers for a censure vote. A censure vote will be a majority of those present and voting. If the officers fail to vote upon the matter within 10 days, a petition signed by 25% of the State Committee will require the Chair to convene the entire State Committee for a censure vote within two weeks of receipt.

**5. General Powers of the Board of Directors:** The Board of Directors of the Party and State Committee shall manage all affairs of the State Committee, and the Board of Directors shall have the power to make contracts and set general policy on behalf of the State Committee. The Board of Directors shall have final authority over all State Committee finances. The Board of Directors, however, may establish funds available to the State Chairman of the Party and State Committee and the State Treasurer of the Party and State Committee, for discretionary expenses.

The Board of Directors of the Party and State Committee shall fulfill all legal requirements of the State of Arizona, in particular, all requirements currently set out in Title 16, Chapters 1 through 8 of the Arizona Revised Statutes governing political parties, elections, and campaign finance; all

requirements currently set out in Title 19, Chapters 1 through 2 of the Arizona Revised Statutes governing initiative, referendum, and recall; and all requirements currently set out in Title 10, Chapters 24 through 40 of the Arizona Revised Statutes governing nonprofit corporations.

Should the Board of Directors of the Party and State Committee choose to make the State Committee a Federal political committee, the Board of Directors shall then fulfill all legal requirements of the Federal election laws and Federal campaign finance laws of the United States of America.

The Board of Directors of the Party and State Committee shall have the sole power to appoint and to dismiss the statutory agent for the Arizona Libertarian Party, Inc.

## **6. Specific Powers of the Statutory and Nonstatutory Officers:**

**a) Chairman:** The State Chairman or acting State Chairman is the Chief Executive Officer of the Party and State Committee. The Chairman or acting Chairman presides over the meetings of the Board of Directors, and the Chairman or acting Chairman presides over the meetings of the entire State Committee. With the exception of the statutory agent and in addition to the powers delegated in Bylaw 21 below, the Chairman or acting Chairman shall have the power to form or abolish all other committees, create or abolish other positions, including paid positions, and make all appointments to these committees and positions as needed to carry on the business of the Party and State Committee. The Chairman or acting Chairman is responsible for overseeing the performance of his appointees, and all appointed committee members and other appointees such as employees, consultants, and vendors shall serve at the discretion of the Chairman or acting Chairman. Furthermore, the Chairman or acting Chairman, at his discretion, may delegate some of his authority.

**b) First Vice-Chairman and Second Vice-Chairman:** In the absence of the State Chairman or acting State Chairman, the State First Vice-Chairman of the Party and State Committee shall preside over the meetings of the Board of Directors and the meetings of the entire State Committee. In the simultaneous absence of the State Chairman or acting State Chairman and the State First Vice-Chairman, the State Second Vice-Chairman of the Party and State Committee shall preside over the meetings of the Board of Directors and the meetings of the entire State Committee.

**c) Secretary:** The State Secretary of the Party and State Committee shall correspond with other organizations and individuals as needed. The Secretary shall keep all non-financial written records of the Party and State Committee and shall record, keep, and maintain all minutes of meetings of the Board of Directors and of meetings of the entire State Committee.

**d) Assistant Secretary:** The State Assistant Secretary of the Party and State Committee shall aid and assist the State Secretary of the Party and State Committee in the Secretary's duties to correspond with other organizations and individuals. At the Secretary's discretion, the Assistant Secretary shall keep copies of non-financial written records of the Party and State Committee, and the Assistant Secretary shall also keep copies of all minutes of meetings of the Board of Directors and of meetings of the entire State Committee. In the absence of the Secretary, the Assistant Secretary shall perform the duties of Secretary at meetings of the Board of Directors and at meetings of the entire State Committee.

**e) Treasurer:** The State Treasurer of the Party and State Committee is the Chief Financial Officer of the Party and State Committee. The Treasurer shall receive all funds and maintain complete and current financial records for the Party and State Committee. The Treasurer shall maintain all appropriate legal financial documentation for the Party and State Committee and shall file all appropriate State of Arizona and Federal documents. As pursuant to Title 16 (16-904) of the Arizona Revised Statutes, no expenditure may be made on behalf of the State Committee without the authorization of the Treasurer or his designated agent. Should the Board of Directors choose to make the State Committee a Federal political committee, the name and address of the Treasurer shall appear on the Federal Statement of Organization form.

**f) Assistant Treasurer:** The State Assistant Treasurer of the Party and State Committee shall aid and assist the State Treasurer of the Party and State Committee in his duties as Chief Financial Officer of the Party and State Committee. At the discretion of the Treasurer, the Assistant Treasurer shall maintain copies of financial records of the Party and State Committee. Pursuant to Title 16 (16-904) of the Arizona Revised Statutes, the Assistant Treasurer is the designated agent of the Treasurer. In the absence of the Treasurer, the Assistant Treasurer may receive funds, make expenditures, and file all appropriate State of Arizona and Federal documents on behalf of the Party and State Committee. Should the Board of Directors choose to make the State Committee a Federal political committee, the name and address of the Assistant Treasurer shall appear on the Federal Statement of Organization form.

**7. Veto and Modifying Power of the Board of Directors:** By a two-thirds vote at a meeting of the Board of Directors, the Board of Directors may veto or modify any decision that any statutory or nonstatutory officer, appointee, committee, employee, consultant, or vendor has made on behalf of the Party or the State Committee.

**8. Removal of Appointees:** By a two-thirds vote at a meeting of the Board of Directors, the Board of Directors may remove from his or her position any appointee, including the statutory agent, and also including any appointed member of a committee, employee, consultant, or vendor. With the exception of the statutory agent who is only appointed or dismissed by the Board of Directors, all appointees shall remain subject to dismissal at any time and for any reason by their respective committee chairperson, if one exists, or by the State Chairman or acting State Chairman of the Party and State Committee.

**9. Acting Chairman:** If the State Chairman of the Party and State Committee is temporarily absent, the State First Vice-Chairman (followed, if necessary, by the State Second Vice-Chairman, State Secretary, State Assistant Secretary, State Treasurer, and State Assistant Treasurer in that order) shall assume, as acting State Chairman, the powers and duties of State Chairman of the Party and State Committee. While exercising the powers and duties of acting State Chairman, an officer shall not exercise the powers and duties of the office that he or she originally held. Upon return from any temporary absence, the State Chairman of the Party and State Committee shall automatically reassume the powers and duties of State Chairman.

**10. Succession to the Statutory Officers:** if the position of State Chairman is not filled or becomes permanently vacant by reason of death, resignation, or otherwise, the State First Vice-Chairman shall resign his or her position as State First Vice-Chairman and shall assume the position of State Chairman of the Party and State Committee and shall serve in that position until a new State Chairman can be elected at the next annual meeting of the State Committee. If the positions of State Chairman and State First Vice- Chairman are simultaneously not filled or become simultaneously permanently vacant by reason of death, resignation, or otherwise, the State Second Vice-Chairman shall resign his or her position as State Second Vice-Chairman and shall assume the position of State Chairman of the Party and State Committee and shall serve in that position until a new State Chairman can be elected at the next annual meeting of the State Committee.

If the position of State Secretary is not filled or becomes permanently vacant by reason of death, resignation, or otherwise, the State Assistant Secretary shall resign his or her position as State Assistant Secretary and shall assume the position of State Secretary of the Party and State Committee and shall serve in that position until a new State Secretary can be elected at the next annual meeting of the State Committee.

If the position of State Treasurer is not filled or becomes permanently vacant by reason of death, resignation, or otherwise, the State Assistant Treasurer shall resign his or her position as State Assistant Treasurer and shall assume the position of State Treasurer of the Party and State Committee and shall serve in that position until a new State Treasurer can be elected at the next annual meeting of the State Committee.

**11. Vacancies on the Board of Directors:** In the event that any position of a statutory officer is not filled or becomes permanently vacant by reason of death, resignation, or otherwise, Bylaw 10 above shall first be implemented. Afterwards, the remaining Board of Directors shall appoint, by majority vote, members of the State Committee in good standing to the remaining vacated offices on the Board of Directors, and those members shall serve in those offices until their successors can be elected at the next annual meeting of the State Committee.

In the event that any position of a nonstatutory officer is not filled or becomes permanently vacant by reason of death, resignation, or otherwise, the remaining Board of Directors shall appoint, by majority vote, class A members in good standing to the vacated offices on the Board of Directors, and those members shall serve in those offices until their successors can be elected at the next annual meeting of the State Committee.

If by reason of death, resignation, or otherwise, the Party and State Committee have no directors at all in office, any member of the State Committee may call a special, or if the time restrictions under Bylaw 20 allows, annual meeting of the State Committee for the purpose of electing all the officers on the Board of Directors.

Under the provisions of Bylaws 10 and 11, if a new replacement statutory or nonstatutory officer is elected at an annual or special meeting of the State Committee, that officer shall take office immediately upon election, shall hold office until the next biennial statutory organizing meeting of the State Committee, and shall hold office until his or her successor is elected or qualified.

**12. Voting Method:** When the State Committee votes to elect statutory and nonstatutory officers, this vote shall be by secret ballot unless, by unanimous consent, the State Committee agrees to some other voting method. When the State Committee votes to elect the elected members of the Executive Committee, this vote shall also be by secret ballot unless, by unanimous consent, the State Committee agrees to some other voting method.

**13. Voting Absentee:** In any matter upon which the Board of Directors is entitled to vote, anyone eligible to vote may vote absentee prior to or at the meeting at which voting is to occur. An absentee vote may be written or made by telephone or other suitable communication device, subject to such authentication procedures as are deemed necessary by the State Secretary to verify the identity of the person voting.

**14. Proxy Voting:** Proxy voting is not allowed by members of the State Committee when voting to amend the Constitution, when voting to amend the Bylaws, when voting by written consent under Arizona Revised Statute 10-3704, or when voting by written ballot under Arizona Revised Statute 10-3708. For votes on all other matters, proxy voting is allowed at meetings of the State Committee. Proxy votes shall meet the following requirements which exceed the requirements listed in Arizona Revised Statute 16-828 and which replace the requirements listed in Arizona Revised Statute 10-3724: 1) Only a registered Libertarian residing within the county of a state committeeman may act as a proxy voter for that state committeeman. 2) A proxy is only valid for a specific meeting of the State Committee, and that proxy is not valid for any future meetings of the State Committee. 3) Every proxy shall be attested by a notary public or two witnesses. Proxy voting is also not allowed at meetings of the Board of Directors and at meetings of the Executive Committee.

**15. Voting for None of the Above "NOTA":** "None of the Above" also known as "NOTA" shall always be a voting option in elections for the nonstatutory officers who serve on the Board of Directors and in elections for the elected members of the Executive Committee. No candidate, including "NOTA", may receive more than one vote for an office on a single ballot, regardless of the number of positions being filled for that office. No candidate shall be elected to office who receives the same or fewer votes than "NOTA". Such offices are considered held by "NOTA", are considered vacant, and can only be filled by a new election.

## **16. Executive Committee:** Identity, Purposes and Election:

**a) Identity:** As mandated by Arizona Revised Statute 16-827, the Executive Committee of the State Committee shall consist of the statutory and nonstatutory officers of the Party and State Committee, and, when they exist, members of the National Committee of the national Libertarian Party who reside in Arizona or who represent Arizona as regional representatives to the National Committee, the county chairman and first and second county vice-chairmen from each recognized county affiliate of the Party as those county affiliates are defined in the Constitution of the Party, and three State Committee members at large from each congressional district. The State Chairman of the Party and State Committee shall be ex officio chairman of the Executive Committee.

**b) Purposes:** The main purpose of the Executive Committee shall be to fulfill the requirements of Arizona Revised Statute 16-343 which shall be: In the case of vacancy occurring due to death, mental incapacity or voluntary withdrawal of a candidate for United States senator or other statewide candidate after the close of petition filing but prior to a primary or general election, the Executive Committee shall nominate a candidate to fill the vacancy and shall file a nomination paper and affidavit complying with the requirements for candidates as stated in Arizona Revised Statute 16-311 in order to fill the vacancy.

**c) Election:** The elected members of the Executive Committee shall be the three State Committee members at large from each congressional district. At the biennial statutory organizing meeting of the State Committee, members of the State Committee from each congressional district shall assemble as a group and elect their three members at large from their congressional district. If there are three members of the State Committee or less from a given congressional district, then those three members or less are automatically elected to the Executive Committee. All elected members of the Executive Committee shall be elected for a two year term, shall take office immediately upon election, and shall hold office until their successors are elected or qualified.

If after the biennial statutory organizing meeting of the State Committee, vacancies occur among the elected members of the Executive Committee, the Board of Directors may fill those vacancies with state committeemen from the same congressional district, and those state committeemen shall hold office on the Executive Committee until the next biennial statutory organizing meeting of the State Committee and until their successors are elected or qualified.

**17. Delegates to the National Convention of the National Libertarian Party:** At the annual meeting or at a special meeting of the State Committee that immediately precedes the convening of a national convention of the national Libertarian Party, the Board of Directors shall present to the State Committee a plan for selecting delegates who shall be eligible to attend this national convention. At this meeting of the State Committee, members of the State Committee may propose any amendments they wish to this plan. After considering amendments, members of the State Committee at this meeting shall vote on this plan. If the plan passes, delegate selection to the national convention shall proceed. If the plan fails to pass, the State Committee shall modify the plan and continue to vote on the plan until it passes in which case delegate selection to the national

convention shall finally proceed. If the State Committee finds it impossible to pass a plan for delegate selection, then the Party and State Committee shall send no delegates to the national convention.

**18. Presidential and Vice-Presidential Nominees of the Party and State Committee:**

**a) The Nominees:** Upon the nomination by the national convention of the national Libertarian Party of the national Libertarian Party's candidates for the offices of President and Vice-President of the United States, those candidates shall immediately become, for the next Arizona general election ballot, the Libertarian candidates, within the State of Arizona, of the Party and State Committee for the offices of President and Vice-President of the United States. Furthermore, those candidates shall remain the candidates of the Party and State Committee for the offices of President and Vice-President until the official results of the next Arizona general election ballot are known and until the next President and Vice-President of the United States are actually elected.

**b) Letter to the Arizona Secretary of State:** After the adjournment of a national convention of the national Libertarian Party but before the Arizona general election ballots are printed, the State Chairman of the Party and State Committee shall send a letter, signed by the State Chairman, to the Arizona Secretary of State directing the Secretary of State to place on the ballot next to the Libertarian candidates for the office of Presidential elector the surname of the nominee, for the office of President of the United States, of the national Libertarian Party. Pursuant to Arizona Revised Statute 16- 507, this surname shall be the name of the Libertarian Presidential candidate represented on the next Arizona general election ballot.

**19. Quorums:** A quorum to do business for the Board of Directors shall consist of a simple majority of the number of such directors currently serving. A normal quorum for any matter upon which all members of the State Committee may vote is defined as a majority or more of all currently serving Libertarian state committeemen residing within the State of Arizona. However, a normal quorum shall not apply when the State Committee votes on amending the Constitution of the Party. In this case, the Constitution of the Party shall specify the quorum required to amend the Constitution.

Further quorum requirements shall apply to the State Committee in the following manner: 1) a quorum for the express purpose of electing the statutory and nonstatutory officers of the Party and State Committee, at a properly called annual or special meeting shall be the state committeemen attending such a meeting, and no election of the statutory and nonstatutory officers may occur by means of written consent as defined by Arizona Revised Statute 10-3704 or by means of written ballot as defined by Arizona Revised Statute 10-3708, and; 2) a normal quorum shall apply for all other items of business by and on which the State Committee may vote, such as votes by written consent (defined by A.R.S. 10-3704) or by written ballot (defined by A.R.S. 10-3708), votes on the adoption of any written resolutions or standing rules, votes on the adoption of a State Party Platform, votes on the election of the members at large of the Executive Committee, votes on a

plan for delegate selection to a national convention of the national Libertarian Party,, and votes on the removal of a member of the Board of Directors from office.

When the Constitution or Bylaws of the Party and State Committee allow proxy voting, proxy votes may be counted towards a quorum. Otherwise, when the Constitution or Bylaws prohibit proxy voting, proxy votes may not be counted towards a quorum. Finally, the only permitted quorum for the Executive Committee shall be those members who attend a meeting of the Executive Committee that is properly called under the provisions of Arizona Revised Statute 16-343.

## **20. Meetings:**

**a) Board of Directors Meetings:** The State Chairman or acting State Chairman may convene a meeting of the Board of Directors at any time the State Chairman or acting State Chairman so desires. A majority of the members serving on the Board of Directors may also convene a meeting of the Board of Directors.

### **b) State Committee Meetings:**

**i) Special Meetings:** The State Chairman or acting State Chairman may convene a special meeting of the State Committee at a date, time, and place within Arizona at his or her discretion or may convene a special meeting of the State Committee at the next Libertarian National Convention upon 10 days notice to all state committeemen. The State Chairman or acting State Chairman must cause a special meeting of the State Committee to be convened, within 30 days, at a date, time, and place within Arizona at his or her discretion or must cause a special meeting of the State Committee to be convened at the next Libertarian National Convention upon the request of a majority of the members serving on the Board of Directors or upon the written request of 10 percent or more of all serving Libertarian state com residing within the State of Arizona. Notice of special meetings shall meet the requirements of Arizona Revised Statute 10-3705, but a member of the State Committee may waive his right to any notice under Arizona Revised Statute 10-3706.

**ii) Annual Meetings:** The State Committee of the Arizona Libertarian Party, Inc. shall hold an annual meeting each January. As specified in Arizona Revised Statute 16-826, in each January following a general election, an annual meeting of the State Committee shall be held no earlier than ten days after the second Saturday in January and in any event no later than the fourth Saturday in January. An annual meeting held in each January following a general election shall be the biennial statutory organizing meeting of the State Committee, and this meeting shall be held in the city where the state capitol is located. An annual meeting of the State Committee held in each January not following a general election shall be held in the city of Tucson, Arizona. Upon passage of a motion to fix the time to which to adjourn, an annual meeting may be adjourned to a future date,

time, and place within Arizona or may be adjourned to the next Libertarian National Convention. The adjourned meeting shall be considered a continuation of the annual meeting. Notice of annual meetings shall meet the requirements of Arizona Revised Statute 10-3705, but a member of the State Committee may waive his right to any notice under Arizona Revised Statute 10-3 706.

**21. Special, Select, or Standing Committees:** The State Chairman or acting State Chairman of the Party and State Committee shall have the authority to create, to abolish, and to make appointments to special, select, or standing committees consisting of Libertarian state committeemen. Such special, select, or standing committees shall serve at the discretion of the State Chairman or acting State Chairman.

**(a) Policies Governing Standing Committees:**

It shall be the business of the Board of Directors, and/or Executive Committee, as appropriate, to develop written policies to direct the work of standing committees and to assist standing committee members in implementing the same.”

**22. Motions, Resolutions, and the State Party Platform:** The State Committee, on behalf of the entire Party, shall have the power to adopt or amend any motion or any resolution and shall have the power to adopt or amend a State Platform for the Party. Furthermore, at any annual or special meeting of the State Committee, the Board of Directors, the officers, or any state committeeman may propose any motion or any resolution, may propose a State Platform for the Party, and may propose any amendments to these items.

**23. Amendments to the Bylaws:** From time to time, the Board of Directors may adopt limited technical amendments to these Bylaws to correct minor ambiguities or minor errors that may occur in these Bylaws or to revise or renumber, when necessary, any references in these Bylaws to the Arizona Revised Statutes. Otherwise, the Board of Directors or any state committeeman may propose amendments to these Bylaws that shall be voted on at any annual or special meeting of the State Committee. Arizona Revised Statute 10-11003 shall govern the procedure for calling a meeting of state committeemen to vote on a proposed amendment to these Bylaws, and under Arizona Revised Statute 10-3705, the State Chairman or acting State Chairman of the State Secretary shall provide notice of this meeting to all state committeemen. Under Arizona Revised Statute 10- 3706, a state committeeman may waive his rights to notice of this meeting.

State committeemen may also vote on a proposed amendment to these Bylaws by written consent as defined by Arizona Revised Statute 10-3 704 or by written ballot as defined by Arizona Revised Statute 10-3708, in which case Article V of the Constitution of the Party shall govern voting procedure. Under Article V of the Constitution, the State Chairman or acting State Chairman or the State Secretary shall provide a written ballot (defined by A.R.S. 10-3708) to every state committeemen of the Party.

With the sole exception of the limited technical amendments described above, that the Board of Directors may adopt, amendments to these Bylaws must be ratified by at least a two-thirds vote of the state committeemen voting. When state committeemen vote on a proposed amendment to

these Bylaws by written consent (defined by A.R.S. 10-3704) or by written ballot (defined by A.R.S. 10-3708) or at an annual or special meeting of the State Committee, a normal quorum shall apply. Upon adoption by the Board of Directors or ratification by the State Committee of a proposed amendment, that amendment to these Bylaws shall take effect immediately unless the amendment itself specifies another time for it to take effect.

**24. Rules of Order:** The Party and the State Committee adopt the most recent published edition of Robert's Rules of Order, Newly Revised as the governing parliamentary authority for the Party, the State Committee, the Executive Committee, the Board of Directors, the statutory and nonstatutory officers, and any other associates of the Party. Furthermore, the rules contained in the parliamentary authority shall govern the Party in all cases to which they are applicable and in which they are not inconsistent with the Constitution and Bylaws and any special rules of order that the State Committee may adopt.

**25. Removal of Members of the Board of Directors:** The State Committee shall have the sole power to remove any member of the Board of Directors from office for misfeasance, malfeasance, or nonfeasance of duty. Removing any member of the Board of Directors shall require at least a two-thirds vote of the state committeemen voting at an annual or special State Committee meeting. However, before a vote is taken to remove a member of the Board of Directors from office, the disciplinary procedures chapters of Robert's Rules of Order, Newly Revised shall be followed in order to examine whether a member of the Board of Directors of the Party and State Committee has been derelict in his duty.

**26. Constitution, Bylaws, and Minutes Distribution:** A copy of the Constitution of the Party, a copy of these Bylaws, or a copy of any minutes shall be provided to any state committeeman of the Arizona Libertarian Party, Inc. who requests a copy.



September 19, 2016

Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to 52 U.S.C. § 30108, Arkansas Libertarian Party, Inc. dba Libertarian Party of Arkansas (“LPAR”), C00625079, seeks an advisory opinion recognizing it as a State committee of the Libertarian National Committee, Inc. (“LNC”).

Consistent with 52 U.S.C. § 30101(15), 11 C.F.R. § 100.14(a), and Advisory Opinion 2015-01 (Green-Rainbow Party), the following qualifications have been met:

1. LNC qualifies as a political party, as detailed in Advisory Opinion 2010-13 (Libertarian Party of Florida) and Advisory Opinion 1975-129 (National Committee of the Libertarian Party).
2. LPAR is the recognized affiliate of LNC for the state of Arkansas, as detailed in the September 16, 2016 LNC letter, attached.
3. LPAR performs, and is responsible for, the day-to-day functions and operations of a political party at the state level. Specifically:
  - A. LPAR has assisted in placing Gary Johnson on the 2016 general election ballot as a Libertarian candidate for President of the United States. Mr. Johnson qualifies as a “candidate” under 52 U.S.C. § 30101(2) and 11 C.F.R. § 100.3(a).
  - B. LPAR organizes state party conventions, supports Libertarian candidates in the state, develops and implements state policy, and manages state party operations and other related affairs. Consistent with 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a), this is supported by LPAR’s current organizing documents, attached.

Please let me know if you have any questions regarding this request.

Sincerely,

/s/

Christina Sirois, Esq.  
571-207-6451 Direct  
csiros@dbcapitolstrategies.com

Enclosure(s): LNC List of State Affiliates  
LPAR Organizing Documents

# LIBERTARIAN PARTY OF ARKANSAS



**STATE BYLAWS AS  
AMENDED IN  
CONVENTION,  
LITTLE ROCK, AR  
MAY 16, 2015**

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## I. NAME, DURATION AND PURPOSE.

1. Name  
The name of this organization shall be the Libertarian Party of Arkansas (the "Party").
2. Duration  
The duration of this organization shall be perpetual.
3. Purposes  
The purpose of the Party shall be to:
  - a. promote and support libertarian philosophy and ideals in the state of Arkansas;
  - b. nominate and support candidates for the United States Congress and for state and local offices in Arkansas;
  - c. support the Libertarian Party candidates for President and Vice-President; and
  - d. affiliate with the national Libertarian Party.

## II. MEMBERSHIP.

1. Membership Eligibility  
A person is eligible to become a Member of the Party if the person:
  - a. is a resident of the state of Arkansas;
  - b. is eighteen (18) years of age or older;
  - c. fills out the membership form either online or through hardcopy;
  - d. pays the membership dues required as set by the State Executive Committee (Dues and forms cannot be altered less than ninety (90) days prior to the State Convention.);
2. Termination of Membership  
A person's Membership shall terminate if the person:
  - a. ceases to be eligible for Membership under subsection (1);
    - i. There shall be a grace period of sixty (60) days after the expiration date of membership before he or she is removed from the rolls as a member.
  - or
  - b. for good cause, upon the two-thirds (2/3) vote of the State Executive Committee present and voting.
    - i. No member who may have been removed by the State Executive Committee shall be allowed to reapply for membership, except upon the approval of two-thirds (2/3) of the State Executive Committee present and voting.
    - ii. The term "good cause" as used in this Article shall include:
      - a. intentional violation of these Bylaws;
      - b. intentional and unauthorized hindering or interruption of the operations of the State

- Executive Committee, any officer, or the party at large;
- c. intentional violation of any applicable state and federal election law or other laws related to elections;
- d. any criminal act against the State Executive Committee, any officer, any Member, or the party at large;
- e. the commission of any crime of moral turpitude or dishonesty which the State Executive Committee deems to bring a negative light to the party; or
- f. the cooperation with other political parties, without the authorization of the State Executive Committee in endeavors of a political nature.

### 3. Rights of Membership

Each Member shall:

- a. have one (1) vote on any business presented to the membership at the State Convention (provided each member has been a Member for ninety (90) days prior to the State Convention), District meeting or County Committee meeting where he or she resides, any sub-committee meeting of a sub-committee that he or she has been appointed or elected to, or any other official meeting where business may be conducted; and
- b. have the right to petition the State Executive Committee, County Committee or any sub-committee with ideas or items to be brought before those committees.

### 4. Resignation of Membership

A Member may resign membership at any time, and for any reason, or no reason at all, upon non-payment of the required dues, or written notice to the State Secretary.

### 5. Nondiscrimination

No person may be denied membership in the Party based upon race, religion, national origin, ethnicity, gender, disability, perceived disability, past political affiliation, sexual orientation, or any other protected status under state or federal law, including age, provided he or she is eighteen (18) years of age or older.

### III. PARTY ORGANIZATION.

#### 1. State Executive Committee

##### a. Composition

The State Executive Committee of the Party shall be composed of:

- i. A Chair
- ii. A Vice Chair
- iii. A Secretary
- iv. A Treasurer
- v. A Representative from each U.S. Congressional District (District Representatives)
- vi. One (1) member shall be selected At-Large to serve on the State Executive Committee.
- vii. If the number of U.S. Congressional Districts becomes other than four (4) districts, there will be two (2) At-Large members selected.

##### b. Terms of Office

- i. The term of office of all members of the State Executive Committee shall be from the final adjournment of the State Convention at which they are elected until the final adjournment of the next State Convention in odd-numbered years.
- ii. There shall be no limit on the number of terms a person may serve in any office.

##### c. Qualifications of State Executive Committee Members

- i. No person who is not a member in good standing of the Party for one (1) full year prior to election, may serve as any officer above named, unless the position is being filled by the State Executive Committee to fill a vacant position on the State Executive Committee and is approved by a two-third (2/3) vote of the State Executive Committee.
- ii. All District Representatives must reside in the district they are elected to represent, and the changing of the residence by a District Representative out of the district shall mean an automatic vacancy of his or her office.
- iii. No member shall hold more than one office on the State Executive Committee concurrently.

##### d. Method of Selection

- i. The Chair, Vice Chair, Secretary, Treasurer and the At-Large Representative shall be elected by majority vote of all of the delegates at each State Convention in a year ending in an odd number.
- ii. The delegates present from each U.S. Congressional District at each State Convention shall meet and elect in district caucuses a District Representative from that U.S. Congressional District. If a district caucus fails to elect a

District Representative to the Committee, or should a U.S. Congressional District fail to be represented by delegates at the State Convention, the office of District Representative for that district may be filled by the State Executive Committee.

##### e. Duties

###### i. The Chair shall:

1. be the presiding officer over the State Convention;
2. be the presiding officer of the State Executive Committee;
3. appoint members to sub-committees; and
4. be the Chief Executive Officer of the Party.

###### ii. The Vice Chair shall:

1. act as Chair in the event the Chair is unable or unwilling to so serve;
2. otherwise assist the Chair in carrying out the functions and purposes of the Party;
3. be the Chief Operating Officer of the Party at the direction of the Chair; and
4. fulfill the duties otherwise assigned by the State Executive Committee.

###### iii. The Secretary shall:

1. keep the minutes of the State Convention, meetings of the State Executive Committee and other meetings as necessary;
2. report such minutes by request or by rule to the members of the Party;
3. maintain and certify the official copies of the Bylaws and Platform;
4. keep and be custodian of the permanent books and records of the Party, except financial records;
5. conduct mail balloting;
6. maintain and make available a roster of names, addresses, telephone numbers, and email addresses of the members of the State Executive Committee, of County Chairs, and of candidates for the Party's nominations for public office;
7. maintain and make available to the State Executive Committee and only other such persons as allowed by the Executive Committee of the names, addresses, telephone numbers and email addresses of the members of the Party;

8. maintain and submit to the National Party a list of delegates and alternates to the National Convention;
  9. have the ability to appoint a deputy Secretary and assistant Secretaries who shall assist with such duties as assigned by the Secretary; (The deputy Secretary shall perform the duties of the Secretary, except voting in the State Executive Committee, in the event of Secretary's absence, death, removal from office, resignation, removal from the state of Arkansas or inability to act, until a new Secretary is elected.)
  10. cause the minutes of meetings of the State Executive Committee to be furnished to the members of the Committee within ten (10) days of the adjournment of the meeting; and
  11. fulfill the duties otherwise assigned by the State Executive Committee.
- iv. The Treasurer shall:
1. keep and maintain all financial books and records of the Party;
  2. maintain Party bank accounts and other financial assets;
  3. ensure that the Executive Committee is aware of the financial condition of the Party;
  4. issue financial statements to the Executive Committee at least quarterly;
  5. ensure party funds are dispersed only according to these Bylaws and state or federal law;
  6. expend funds only through check, electronic transfer, debit card or other common methods which allow for a detailed audit, since cash is not an acceptable method of expenditure due to lack of audit capabilities;
  7. have the ability to appoint a deputy Treasurer and assistant Treasurers who shall assist with such duties as assigned by the Treasurer; (The deputy Treasurer shall perform the duties of the Treasurer, except voting in the State Executive Committee, in the event of Treasurer's absence, death, removal from office, resignation, removal from the state of Arkansas or inability to act, until a new Treasurer is elected.)
  8. perform all other duties required of the office of Treasurer by applicable state or federal laws;
9. be the Chief Financial Officer of the Party; and
  10. fulfill the duties otherwise assigned by the State Executive Committee.
- v. The District Representatives shall:
1. represent the members who live in the district which they represent to the State Executive Committee and State Convention;
  2. actively further the growth of the Party within their districts;
  3. make all reasonable efforts to establish and promote local Party organizations within their districts; and
  4. fulfill the duties otherwise assigned by the State Executive Committee.
- vi. The At-Large Representative shall:
1. be a representative for all Members across the state;
  2. actively further the growth of the Party within the state; and
  3. fulfill the duties otherwise assigned by the State Executive Committee.
- vii. The State Executive Committee shall:
1. make such rules as necessary and proper which do not conflict with these Bylaws for the carrying out of functions and purposes of the Party;
  2. have authority to govern and administer the Party;
  3. set job descriptions and oversee any staff;
  4. establish a Temporary County Chair in any County of the state of Arkansas which, in the opinion of the State Executive Committee, is suitable for such;
  5. establish such committees to report and answer directly to the State Executive Committee as it deems appropriate to assist it in carrying out its non-statutory duties;
  6. fill vacancies on the State Executive Committee by majority vote, except the State Chair;
  7. propose amendments to these Bylaws to the members at the State Convention; and
  8. have all other authority and duties implied by the Committee member's titles and expressed or implied by these Bylaws or assigned by the State Chair or the State Executive Committee.
- f. Non-Voting Members of the State Executive Committee

- i. Parliamentarian
  - 1. The responsibilities of the Parliamentarian shall be to ensure that the meetings of the State Convention and State Executive Committee are conducted in accordance with these Bylaws, such other rules as may be adopted by the State Executive Committee and the latest version of Robert's Rules of Order. The Parliamentarian shall have no vote on the State Executive Committee.
  - 2. The Parliamentarian can vote at the State Convention and District Caucuses, provided he or she has not been required to make a ruling on these issues which may cause a conflict of interest. If there is a question as to when he or she can vote, it is to be decided by the State Executive Committee by a majority vote.
  - 3. The Parliamentarian shall be appointed by a majority vote of the State Executive Committee.
  - 4. The Parliamentarian can be removed at any time by a two-thirds (2/3) vote of the State Executive Committee.
- g. General Rules for the State Executive Committee
  - i. Governing Authority
    - 1. These rules shall govern the conduct of all meetings and proceedings of the State Executive Committee of the Party.
    - 2. The rules contained in the current edition of Robert's Rules of Order Newly Revised are hereby adopted to govern all meetings and proceedings of the State Executive Committee of the Party in all cases to which they are applicable and in which they are not inconsistent with state law, these Bylaws, or any special rules of order the Committee may adopt.
    - 3. The State Executive Committee may make additional rules for its conduct so long as said additional rules do not conflict with these Bylaws
  - ii. Removal of an member of the State Executive Committee
    - 1. Removal from office for absences
      - a. If a member of the State Executive Committee is absent from two (2) successive meetings of the Committee without legitimate cause as determined by the State Executive Committee, at the opening of business of the third meeting

- of absence that position shall be declared to be vacant.
- 2. Removal from office
  - a. A member of the State Executive Committee may be removed from his or her position by a three-fourths (3/4) vote of the State Executive Committee.
    - i. The member shall be notified in writing or electronic format at least two weeks prior to the action of the State Executive Committee. The notification must include the reasons for the meeting, and the member must be given a reasonable opportunity to appear and produce evidence and witnesses in his or her favor before any vote on removal may be taken.
    - ii. Two (2) members of the State Executive Committee must state their reasons and recommend in writing or electronic format to begin removal proceedings. These recommendations must be given to the State Chair, or State Vice Chair if the chair is the subject of such proceedings, within one (1) week of one another.
    - iii. A special meeting of the State Executive Committee may be called to deal with a removal issue, provided that all members of the State Executive Committee are made aware of the meeting no less than two weeks in advance.
    - iv. Once removed, the member may not hold office, including appointments, within the Party for a period of not less than two years, or for a duration set by the State Executive Committee at the time of the removal.

- v. The majority of delegates at a Convention may reduce the time period an officer has been prohibited from serving, provided that the removal period be shortened to no less than six months or until after the next State Convention, whichever is longer.
    - 3. Resignation from office
      - a. A member of the State Executive Committee may resign his or her position, with or without cause.
      - b. This resignation must be a written and signed notice to the Secretary, or, if the Secretary is seeking to resign, notice shall be to the Chair.
  - iii. Meetings
    - 1. The State Executive Committee shall hold its meetings at such times and places as it may establish, and shall meet no less than one (1) time per quarter; and such meetings may be in person, by conference call, or any such other means which allows for each member to take part in the meeting personally and in real time.
    - 2. Notice of the time and place of all State Executive Committee meetings shall be given to all members of the State Executive Committee not less than two (2) weeks prior to each meeting. These meetings may be held in person, by telephone conference call or internet conference call.
    - 3. No meetings of the State Executive Committee shall be held outside the state of Arkansas.
    - 4. The State Executive Committee shall be required to hold a public meeting upon the written request of one-third (1/3) or more of its members.
    - 5. The State Chair may call a meeting of the State Executive Committee.
    - 6. Any action of the State Executive Committee shall require a simple majority vote of the members present and voting, unless otherwise provided for herein.
    - 7. Each member of the State Executive Committee, except the Parliamentarian, shall have one (1) vote on any business before that body.
  - 8. Unless otherwise specified in these rules, the method of voting in all meetings of the State Executive Committee shall be in the following order:
    - a. voice vote;
    - b. show of hands;
    - c. standing division of the house;
    - d. written secret ballot; or
    - e. roll call vote.
  - 9. The voting mechanism shall be Plurality voting, where Members get one vote per round. If there is no majority in a given round, a new round commences wherein the position with the lowest number of votes is eliminated.
  - 10. A division vote must be taken on the request of any member of the State Executive Committee, said member not needing to have the floor to make such requests.
  - 11. All votes taken shall be counted by the State Chair and State Secretary of the Committee.
  - 12. The use of proxies and proxy voting is prohibited at all meetings of the State Executive Committee.
- iv. Quorum
 

Except as specifically provided otherwise in these Bylaws, a majority of the membership, excluding vacancies, shall be the quorum at all meetings of the State Executive Committee.
  - v. Approval of Expenditures
    - 1. Approval of the expenditure of funds by the State Executive Committee shall require a favorable vote of a majority of the membership of that committee, excluding vacancies.
    - 2. No other funds shall be expended without the advance approval of the State Executive Committee except as otherwise provided for in these rules.
    - 3. The State Executive Committee may not incur debt, and it may not obligate the Party to pay any account payable or fulfill any contractual obligation that cannot be repaid from current revenue.
  - vi. Mail, Telephone, Internet, or Email Voting
    - 1. The State Executive Committee may, without meeting together, transact business by mail, telephone or email, by voting on questions

submitted to them by or with the approval of the State Chair or one-third or more of the State Executive Committee members.

- a. Mail voting
  - i. Fifteen (15) days must be allowed for the return of the ballots by mail to the State Secretary. If at the end of fifteen (15) days a majority of the State Executive Committee has not returned the ballots, the measure shall be considered defeated. When a majority of the ballots are returned within fifteen (15) days, a majority of the ballots returned shall be sufficient for passage unless a higher vote is required by these Bylaws.
- b. Telephone voting
  - i. Each member of the State Executive Committee must be notified of the date and time of the conference call not less than 72 hours prior to each call.
- c. Email voting
  - i. The State Chair or a representative of one-third or more of the State Executive Committee may send a copy of the motion to all State Executive Committee members by email.
    1. The email shall have the subject line "Motion - LPAR State Executive Committee Action" and the body of the email shall state the full motion along with as much other information as reasonably possible.
    2. Each member shall respond to the motion with a response email with his or her vote within seven (7) days of

the motion being sent. If at the end of seven (7) days a majority of the State Executive Committee have not returned his or her vote, the measure shall be considered defeated.

3. Any objection must be received by the State Chair within seven (7) days.

- vii. Overturn State Executive Committee Action  
Any action of the State Executive Committee may be overturned by the Members during the State Convention, upon motion of a member, upon the second of another, and approval by a majority of the members present and voting.

## 2. County Executive Committees

- a. Purpose  
The County Executive Committees shall be the official branch of the Party in their respective counties, promote the Party and the Party's candidates in their county and shall be governed by these Bylaws, as well as any applicable state or federal law.
- b. County Executive Committee Organization
  - i. Each County Executive Committee as created by the State Executive Committee by the appointment of a Temporary County Chair shall be composed of a County Chair and other such Party officials of that county as the Members of that county may designate.
  - ii. A Member of the Party shall be deemed a Member of the County Committee of the county of his or her residence.
  - iii. Any Party officials to serve on a County Executive Committee (except for the County Chair) must be appointed or elected according to a set of bylaws, to be drafted and ratified by the Members of that county, and subject to rejection by the State Executive Committee.
  - iv. Such Members shall further designate the procedure to be followed in filling vacancies on the County Executive Committee.
  - v. Each County Committee shall have, at the very least, a Chair, selected by the Members of the County Committee, who shall act in accordance with all applicable laws.
  - vi. County Chairs are required to provide a copy of the county bylaws to the State Secretary upon any adoption or

alteration of said county bylaws. In the absence of county bylaws being on file, the State Executive Committee has the authority to recognize a qualified individual as County Chair in the event of a dispute.

- vii. Only Members of the Party shall be a member or officer of any County Executive Committee.
  - viii. County Executive Committees shall meet no less than one (1) time per quarter to conduct such business as may be required.
  - ix. All official business of a County Executive Committee shall be conducted in open meetings and upon the majority vote of those present and voting.
  - x. No business shall be conducted by a County Executive Committee unless a quorum of the total membership of the County Executive Committee shall be present.
  - xi. County Executive Committees may create sub-committees, by majority vote of those present and voting, with members appointed by the County Chair.
  - xii. Each County Committee shall conduct a County Convention in accordance with applicable law, including Ark. Code Ann. 7-3-101 ~ 108, as amended.
  - xiii. The County Convention shall convene on the first Monday following the date of the general primary election, as required by Ark. Code Ann. 7-7-203(f), as amended.
- c. Appointment of Temporary County Chairs  
The State Executive Committee may appoint a Temporary County Chair for any county which is not yet organized. Such Temporary County Chairs shall serve only until their County Party formally elects its County Chair, which should be done on completion of the County bylaws. The State Executive Committee may remove such Temporary County Chairs from office for any reasons it deems proper.

#### IV. STATE CONVENTION.

- 1. Time and Location  
Each year prior to July 1st, at a time and place determined by the State Executive Committee, the Party shall conduct a State Convention within 60 miles of the city limits of Little Rock, Arkansas.
- 2. Notification
  - a. No less than thirty (30) days and no more than ninety (90) days prior to the date of the State Convention, the State Executive Committee shall cause notice of such to be sent to each current

Member of the Party by mail, email, or such means as may be approved by the State Executive Committee and designed to ensure quick and accurate notice.

- b. The notice shall state:
    - a. the date, time and location of the State Convention;
    - b. the text of any amendments to the Party Bylaws and changes to the Platform to be considered;
    - c. the names of the members proposing amendments to the Bylaws and changes to the Platform;
    - d. the tentative agenda of business items;
    - e. the tentative list of speakers; and
    - f. a statement of the procedures for adding business items to the agenda for the State Convention upon the motion of a member, the second of another, and the approval of a majority of the members present and voting.
3. Committees of the Convention
- a. Committees Described
    - i. A Platform Committee, which shall consider and report to the Convention on recommendations for amendments to the permanent Statement of Principles and Platform of the Party.
    - ii. A Bylaws Committee, which shall consider and report to the Convention on recommendations for amendments to the permanent Bylaws of the Party.
    - iii. Any other committees which the State Executive Committee may establish.
  - b. Membership of Committees
    - i. The members of all committees at State Conventions shall be appointed by the State Executive Committee no later than six (6) months prior to the Convention.
    - ii. Those persons chosen to be members of committees must be notified of their selection within thirty (30) days after the State Executive Committee at which they are selected.
4. Order of Business  
At all State Conventions, the order of business shall be as follows:
- a. Call to order by the State Chair;
  - b. Opening Ceremonies, if any;
  - c. Secretary report on actions taken by the State Executive Committee;
  - d. Treasurer report of money collected, money spent, and money remaining in all accounts of the Party;
  - e. Report of the Bylaws Committee and action on its report;
  - f. Nominations (if any) of candidates for public office;
  - g. Nomination and election (if any) of State Party officers;

- h. Chair announces clearly to the delegates the place of each district caucus (if any), then declares a brief recess for such caucuses;
  - i. District caucuses (if any) meet and elect District Representatives;
  - j. Chair calls Convention back to order, if previously adjourned;
  - k. District caucuses report (if any) on election of District Representatives;
  - l. Nomination and election (if any) of delegates and alternates to the national convention;
  - m. Report of the Platform Committee and action on its report;
  - n. Other business;
  - o. Adjournment.
5. Voting in District Caucuses  
District caucuses at State Conventions may elect their District Representatives in whatever manner they choose as long as all delegates present from that region are given an equal voice in the election.
6. Election of delegates to National Convention
- a. Number of Delegates  
The Party will be represented by delegates and alternates at the National Convention who are Members of the Libertarian Party of Arkansas. The total number of delegates to the National Convention shall be that number assigned by the National Executive Committee in the call to the Convention.
  - b. Notification of interest in being a Delegate  
Any Member of the Party must inform the State Executive Committee that he or she would like to be a delegate to the National Convention at least thirty (30) days prior to the State Convention.
  - c. Procedures for selection of Delegates  
Delegates will be selected by the Members at the State Convention.
  - d. Finality of delegate selection  
Neither the delegation nor the delegate chair shall have the authority to add or remove delegates or alternates.
  - e. Emergency Changes to delegates  
In the event of a last-minute change in schedule of a selected delegate, the State Executive Committee shall have the authority to select another delegate to replace the removed delegate.
  - f. Removal of delegate for cause  
The State Executive Committee shall have the authority to remove and replace a delegate as it deems necessary.
7. General Rules Governing State Conventions
- a. Eligibility to vote at State Convention
    - i. All Members at any convention shall be eligible to vote on all matters before the floor of that State Convention, except for district caucuses.
- ii. In order to vote on any given matter, a delegate must be present on the floor at the time the vote is taken.
  - iii. Each delegate present shall have one vote.
- b. Governing Authority
- i. These Bylaws shall govern all proceedings and the conduct of all meetings of all Convention and caucuses at all levels.
  - ii. The rules contained in the current edition of Robert's Rules of Order Newly Revised are hereby adopted to govern all proceedings and the conduct of all meetings of all Conventions and Caucuses and committees at Convention of the Party in all cases to which they are applicable and in which they are not in conflict with state law, these Bylaws, or any special rules of order which may be adopted.
  - iii. Any Convention may make any additional rules for its conduct and proceedings which do not conflict with state law or these Bylaws.
  - iv. It shall be the duty of the presiding officer at the opening of each Convention to provide a summary explanation of the special rules which will govern that Convention and the ways in which the action of that Convention may influence important Party actions and decisions.
- c. Quorum  
The quorum at any State Convention shall be a majority of the Members registered and signed in as attending the convention.
8. Voting procedures
- a. Unless otherwise provided elsewhere in these Rules, the method of voting at all Conventions, and caucuses and committees at Conventions of the Party shall be in the following order:
    - i. Voice vote;
    - ii. Show of hands;
    - iii. Standing division of the house;
    - iv. Written secret ballot; or
    - v. Roll call vote.
  - b. Unless otherwise specified in these Rules, the method used shall be left to the discretion of the presiding officer, provided, however, that:
    - i. A division vote must be taken on the request of any qualified participant. Said participant need not have the floor to call for a division vote.
    - ii. A roll call vote must be taken when requested by one-fifth of the participants.
  - c. All votes taken shall be counted by the presiding officer and secretary.
  - d. Elections must be held by secret ballot when there is a contested race for any Party office or offices (including delegate and alternate) or for

- the Party nomination for any public office (including Presidential Elector candidates).
- e. If a roll call vote is taken, polling shall be by alphabetical call of all delegates registered as attending.
  - f. Proxy voting or voting by proxies is prohibited in all conventions and caucuses and committees at Conventions of the Party.
  - g. The use of the unit rule or the practice of instructing delegates shall not be permitted at any level of the Convention process. (A unit rule is a rule of procedure at a convention which allows a body's entire vote to be cast for the candidate preferred by a majority of its delegates.)
9. Limits on discussion
    - a. No delegate shall speak for more than five minutes on any one motion at any Convention; provided, however, that the delegates making the majority and minority reports of any committees may speak on such reports for not exceeding ten minutes each and then may answer legitimate questions relating to such reports from any delegate.
    - b. The discussion on any motion shall not exceed a total of twenty minutes.
  10. Petition to place item on agenda  
A petition signed by ten percent of the delegates attending any Convention shall be sufficient to automatically place any legitimate item of business on the agenda of that Convention for its consideration.
  11. Secretary and Treasurer Reports  
Reports shall be given orally at State Convention but must be provided in writing to the Members present.
  12. News Media  
Representatives of the news media shall have the right to attend all Conventions for the purpose of reporting the proceedings.

#### **V. NATIONAL AFFILIATION.**

The State Executive Committee shall conduct its business and direct the Party in such a manner as to establish and maintain an affiliation with the National Libertarian Party, so that delegates may be sent to national events and conventions.

#### **VI. PARTY LOGO AND BRAND.**

1. The State Executive Committee of the Party shall approve the use of a Party logo and brand. The official logo and variants will be kept by the Secretary.
2. The approved Party logo and brand shall be used on all Party and Party affiliated organization communications and other materials where deemed appropriate. This includes, but is not limited to, websites, email correspondence, advertising, letterhead, outreach materials, communication, and by individuals acting on behalf of the Party.
3. Electronic logos and branding must be updated within thirty (30) days of the approval of a new logo and brand.

4. Existing supplies of printed materials may be exhausted in the event of approval of a new logo and brand.
5. Variations of the Party logo must be approved by the State Executive Committee, including for any Party affiliate.
6. Outside organizations, groups, candidates, and individuals must receive written permission from the State Executive Committee prior to using the Party logo or any variation thereof.
7. The State Executive Committee has the authority to require removal or disuse by any member or organization of any former or current Party logo, brand, website, material, or other items endorsed by the Party.

#### **VII. CANDIDATES AND OTHER PUBLIC MATTERS**

1. Candidates for Public Office
  - a. Candidates for public office established by the Laws or Constitution of the State of Arkansas may not run for such as the Libertarian Party candidate, who must be approved for such in accordance with these Bylaws and the rules and procedures established by the State Executive Committee.
  - b. Only Members of the State Party will be the Libertarian Party candidate for any public office covered by this Article.
  - c. The State Executive Committee shall establish rules, procedures and fees, consistent with these Bylaws and applicable state and federal law, for the approval and selection of candidates for public office.
  - d. The State Executive Committee shall establish rules and procedure for the support of Libertarian Candidates for public office.
  - e. The State Executive Committee shall not appropriate funds to, or for the support of any candidate for public office unless they are a Member of the Party.
2. Ballot Initiatives
  - a. The Party shall support only ballot initiatives or referenda that are consistent with the Platform adopted during the State Convention and that are approved by two-thirds (2/3) of the State Executive Committee.
  - b. The State Executive Committee shall only appropriate funds in support of any ballot initiative or referendum which are consistent with the libertarian philosophy, and which are approved by two-thirds (2/3) of the State Executive Committee.
3. Ballot Access
  - a. Gaining access to the ballot in the State of Arkansas for Libertarian Party candidates, being of the highest priority for the Party, the State Executive Committee shall enact such

- measures as may be deemed necessary and proper for the establishment and maintenance of ballot access in Arkansas.
- b. The State Executive Committee shall establish rules and procedures for the appropriation of funds to support the establishment and maintenance of ballot access in Arkansas.

**VIII. ADOPTION, STATUS, AMENDMENT AND PUBLICATION OF THESE BYLAWS**

1. Effective date of Original Bylaws  
These Bylaws shall become effective upon the final adjournment of the State Convention at which they are adopted.
2. Permanent Amendments
  - a. These Bylaws shall be amended only upon the approval of two-thirds (2/3) of the Members present and voting, and only during a State Convention.
  - b. Amendments to these Bylaws may be proposed for consideration during a State Convention in writing, signed and verified by no less than ten percent (10%) or five (5) members, whichever is less, delivered to the State Secretary no less than ninety (90) days prior to the State Convention at which such amendment is to be considered.
  - c. Within the same time frame set for members in (VIII. 2. b.) above, the State Executive Committee, by majority vote of the members present and voting, may refer amendments to the members for consideration and approval during the next State Convention.
3. Temporary Amendments
  - a. Between State Conventions these rules may be temporarily amended for good cause by a vote of four-fifths (4/5) of the entire membership of the State Executive Committee, provided:
    - i. Each member of the State Executive Committee shall receive written notice including the full text of any proposed amendment at least two weeks prior to any meeting held to consider temporary amendments to the Bylaws; or
    - ii. if the vote on the proposal is by mail, then the ballot shall contain the full text of any proposed amendment.
  - b. All such temporary amendments shall remain in effect only until the final adjournment of the next State Convention after their adoption, and they must be presented to that Convention for approval in the form of proposed amendments to these Bylaws in order to become permanent.
  - c. If any temporary amendment is rejected by a State Convention following its temporary adoption, neither that amendment nor any other amendments having substantially the same effect may be considered until the next State Convention thereafter.

- d. As used in this section, the term “good cause” shall mean the discovery or passage of state or federal law, including case law, statutes, administrative regulation, and any other rule, law or regulation governing political parties, and only upon the advice, counsel and recommendation of the party’s attorney or the Attorney General of the State of Arkansas.
4. Effective date of Permanent Amendments  
Permanent amendments to these Bylaws shall become effective upon the final adjournment of the State Convention at which they are adopted except that rules pertaining to the handling or selection of candidates and nominees for public office do not take effect until the end of the current election cycle.
5. Superiority and Permanence of Bylaws
  - a. Superiority
    - i. These Bylaws, as permanently amended by State Conventions, shall constitute the permanent and continuing Bylaws of the Libertarian Party of Arkansas, wholly superseding, amending, nullifying and rescinding all previous rules, Constitutions, Bylaws, resolutions, regulations and customs of whatever type or kind.
    - ii. On Subjects not covered by these Bylaws, the State Chair may specify a temporary rule to take effect at the adjournment of the next meeting of the State Executive Committee if the rule is approved by that body by a four-fifths (4/5) vote. This temporary rule, once approved, is treated as a temporary amendment as described herein.
  - b. Permanence  
These Bylaws shall continue in force until rescinded or changed by action of a State Convention or as temporarily amended by the State Executive Committee as provided herein.
6. Publication of Bylaws and Amendments
  - a. County chairs shall be notified of amendments to these Bylaws (whether permanent or temporary) by the Secretary of the State Executive Committee within thirty (30) days following the adoption of such amendments.
  - b. The State Executive Committee shall have copies of these Bylaws made and shall furnish such copies to any person on request, provided, however, that persons to whom copies of the Bylaws are furnished may be required to pay the expenses incurred in making and mailing their copies.
  - c. These Bylaws shall be placed on the Party website within thirty (30) days of the adjournment of the State Convention in which they are adopted, and any amendments (whether permanent or temporary) shall be placed on the website within thirty (30) days

of the adjournment of the meeting at which the amendment is approved.



**Arkansas Secretary of State  
Mark Martin**

State Capitol Building ♦ Little Rock, Arkansas 72201-1094 ♦ 501-682-3409

**Certificate of Good Standing**

I, Mark Martin, Secretary of State of the State of Arkansas, and as such, keeper of the records of domestic and foreign corporations, do hereby certify that the records of this office show

**ARKANSAS LIBERTARIAN PARTY, INC.**

authorized to transact business in the State of Arkansas as a Non-Profit Corporation, filed Articles of Incorporation in this office February 19, 2010.

Our records reflect that said entity, having complied with all statutory requirements in the State of Arkansas, is qualified to transact business in this State.



**In Testimony Whereof**, I have hereunto set my hand and affixed my official Seal. Done at my office in the City of Little Rock, this 14th day of September 2016.

*Mark Martin*

Mark Martin  
Secretary of State

Online Certificate Authorization Code: fc66816a5821cab

To verify the Authorization Code, visit [sos.arkansas.gov](http://sos.arkansas.gov)



ARKANSAS  
SECRETARY OF STATE

*Mark Martin*

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Corporation Name	ARKANSAS LIBERTARIAN PARTY, INC.
Fictitious Names	LIBERTARIAN PARTY OF ARKANSAS
Filing #	800172336
Filing Type	Nonprofit Corporation
Filed under Act	Dom Nonprofit Corp; 1147 of 1993
Status	Good Standing
Principal Address	P O BOX 46730 LITTLE ROCK, AR 72214
Reg. Agent	MICHAEL PAKKO
Agent Address	21400 LAKE VISTA DR. ROLAND, AR 72135
Date Filed	02/19/2010
Officers	GERHARD LANGGUTH , Incorporator/Organizer STEPHEN WAIT , Director CHRISTOPHER OLSON , Director WILLIAM BRACKEEN , Director MICHAEL PAKKO , Chairman
Foreign Name	N/A
Foreign Address	
State of Origin	AR

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# STATE OF ARKANSAS

SECRETARY OF STATE



## DECLARATION OF NEW POLITICAL PARTY

I, **Mark Martin**, Secretary of State, State of Arkansas, do hereby certify that the petition submitted to organize a new political party known as the **Libertarian Party of Arkansas** has met the statutory requirements of Arkansas Code Annotated § 7-7-205.

I further certify that the affidavit required by Arkansas Code Annotated § 7-3-108 has been filed.

Therefore, I declare the **Libertarian Party of Arkansas** to be a new political party within the State of Arkansas. Party status shall be maintained as long as statutory requirements are met.

In Witness thereof, I have hereunto set my hand and affixed the official seal of my office on this the 8<sup>th</sup> day of July, 2015.



*Mark Martin*

Mark Martin,  
Arkansas Secretary of State

September 15, 2016

Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to 52 U.S.C. § 30108, Libertarian Party of Hawaii (“LPHI”), C00622761, seeks an advisory opinion recognizing it as a State committee of the Libertarian National Committee, Inc. (“LNC”).

Consistent with 52 U.S.C. § 30101(15), 11 C.F.R. § 100.14(a), and Advisory Opinion 2015-01 (Green-Rainbow Party), the following qualifications have been met:

1. LNC qualifies as a political party, as detailed in Advisory Opinion 2010-13 (Libertarian Party of Florida) and Advisory Opinion 1975-129 (National Committee of the Libertarian Party).
2. LPHI is the recognized affiliate of LNC for the state of Hawaii, as detailed in the August 31, 2016 LNC letter, attached.
3. LPHI performs, and is responsible for, the day-to-day functions and operations of a political party at the state level. Specifically:
  - A. LPHI has assisted in placing Gary Johnson on the 2016 general election ballot as a Libertarian candidate for President of the United States. Mr. Johnson qualifies as a “candidate” under 52 U.S.C. § 30101(2) and 11 C.F.R. § 100.3(a).
  - B. LPHI organizes state party conventions, supports Libertarian candidates in the state, develops and implements state policy, and manages state party operations and other related affairs. Consistent with 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a), this is supported by LPHI’s current organizing documents, attached.

Please let me know if you have any questions regarding this request.

Sincerely,

/s/

Christina Sirois, Esq.  
571-207-6451 Direct  
csiros@dbcapitolstrategies.com

Enclosure(s): LNC List of State Affiliates  
LPHI Organizing Documents

**BY-LAWS OF THE LIBERTARIAN PARTY OF HAWAII**  
**As adopted-November 8, 2015**

**ARTICLE I (Name)**

The name of the organization shall be “The Libertarian Party of Hawaii”, hereinafter referred to as the “Party”.

**ARTICLE II (Principles and Objectives)**

The Party is a political organization which affirms the following principles:

A. That each individual possesses the right to life and liberty and justly acquired property;

B. That no person or institution, government or private, has the right to initiate the use of physical force or to initiate fraud against another;

C. That all individuals are entitled to choose their own lifestyles as long as they do not forcibly interfere with the equal right of others to live their lives in whatever manner they choose;

D. That the voluntary exchange of goods and services is a fundamental right of the individual; and

E. That the only moral basis of politics is the protection of individual rights. In recognition of the fact that the initiation of force by government has been the chief instrument for the expropriation of individual rights and freedom, the party enters into politics for the specific purpose of eliminating the intervention of government in moral and economic affairs.

**ARTICLE III (Membership)**

*Section 1.*

Party members shall be those individuals who subscribe to the Principles and Objectives (above) and have signed and uphold the Party Pledge (“I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals”)

*Section 2.*

The Party Dues is an annual fee paid to the Party in exchange for the privileges of Party membership. Currently that fee is twenty dollars (\$20) per year.

*Section 3.*

Membership privileges include the right to vote in Party elections, receipt of the Party newsletters and emails, and the right to represent the Party in candidacy for public office.

**ARTICLE IV (Officers and Duties)**

The officers of the Party shall be:

- (1) a Chairperson
- (2) a Vice-Chairperson
- (3) a Secretary, and
- (4) a Treasurer,

to be elected at the State Convention. No individual may hold more than one office at a time.

A. The Chairperson shall preside at all meetings of the Party, shall perform such duties as usually pertain to the office, and shall perform such other duties as are assigned by the Executive Committee.

B. The Vice-Chairperson shall act as assistant to the Chair-person shall perform the duties of the Chairperson in the Chairperson's absence, and shall also perform such other duties as are assigned by the Executive Committee.

C. The Secretary shall keep an accurate, complete and up-to-date record of the Party and the Executive Committee Meetings and present at each meeting the minutes of the previous meeting for approval. In all elections and roll call votes, the Secretary shall keep an accurate tally of such votes.

D. The Treasurer, or any assistant treasurer recognized by the Executive Committee, shall receive all monies paid to the Party and shall deposit the same in such bank or banks as shall have been designated by the Executive Committee and shall disburse funds upon order of the Executive Committee.

#### **ARTICLE V (Executive Committee)**

The Executive Committee of the Party shall be composed of the following:

- (1) the four elected officers of the Party; and
- (2) five members elected at large at the State Convention.

The Executive Committee shall take office immediately upon the close of the State Convention and serve thereafter until the adjournment of the next State Convention.

A. The Executive Committee shall meet at such times and places as may be determined by the action of the Committee by call of the Chairperson, or by the written request of three or more of the members of the Executive Committee. The Chairperson shall notify all Committee members of all meetings of the Committee.

B. More than one-half of the membership thereof shall constitute a quorum at all meetings of the Executive Committee for the transaction of business, and a majority vote of those present at a meeting shall rule. Each member of the Executive Committee shall have one vote and no voting by proxy shall be permitted.

C. The Chairperson, or a designated substitute, shall report all business transacted by the Executive Committee at the next General Membership Meeting.

D. All Executive Committee Meetings shall be open to observation by any Party member.

E. The Executive Committee may interview intended candidates for political office to determine their familiarity with the National or State Party and if they are in general agreement with the principles and ideals of the Party and its Platform. If an intended candidate disagrees with one or more planks of the platform, the Executive Committee may require, as a condition of certifying the intended candidate as a Libertarian Party candidate for the government office, that the intended candidate agrees not to raise certain specified planks as an issue in their campaign. The Executive Committee may choose to waive adherence by the intended candidate to one or more planks of the platform if they feel that the intended candidate has principled philosophical objections to the wording of those particular planks.

F. The Executive Committee shall have the responsibility, subject to the direction of the General Membership Meetings, for the development and implementation of Party policy, the

creation of budgets for the implementation of Party policy, and the operations of the Party, and for the expenditures of Party funds.

## **ARTICLE VI (Meetings and Conventions)**

### *Section 1.*

The Party may hold regular General Membership Meetings, which may be publicized through notification of all major news media by the Chairperson or other authority designated by the Chairperson for the purpose of inviting the public. Party members may be notified by mail, telephone, email, or other forms of communication of the time, day and location of each such meeting by the Chairperson or other authority designated by the Chairperson. These meetings may be conducted de facto or informally via such events as the Foolish Things Literary Salon or other venues that may be of interest to Libertarian Party members.

### *Section 2.*

All Party transactions at the General Membership Meetings shall be conducted within 90 minutes of the scheduled meeting time.

### *Section 3.*

The Party shall hold a State Convention at least bi-annually in conjunction with a regular monthly General Membership Meeting. The officers of the Party shall be the officers of the convention. The Executive Committee shall have supervision and management of each Convention and shall fix the official program and order of business.

A. The State Convention shall elect a Chairperson, a Vice-Chairperson, a Secretary, a Treasurer, and five members-at-large to the Executive Committee in each odd numbered year. Except that in times of vacancy each Committee member's term shall expire at the close of business at the subsequent odd numbered year's convention.

(1) Nominations for these posts shall be from the floor, with any Party member eligible to be elected. In cases where no nominee receives a majority vote of all Party members present and voting on the first ballot, runoff votes shall be held, dropping the nominee with the lowest number of votes after each ballot.

(2) Voting shall be conducted separately for the four Party officers.

(3) Nominations for the at-large positions shall be voted on a single ballot with each Party member present allowed to vote for up to five persons. Only those persons receiving a majority of votes shall be elected. If less than five persons receive a majority of votes there shall be up to three run off elections to fill the positions.

(4) The presiding officer of the Convention may call for a voice vote to close nominations after the first vote is held for at-large members.

(5) Executive Committee positions that cannot be filled under the Convention nominating process shall be filled by the rules for vacancy in Article VII.

(6) Notwithstanding anything in this section to the contrary an officer or at-large member who receives less than eight votes due to a low convention turnout shall serve only until the next Contention, rather than the next odd year's convention.

B. The State Convention may adopt a State Platform which shall be submitted by the Platform Committee for approval.

(1) Each proposed plank shall be approved by two-thirds *or more* of the Party members present and voting to become a part of the State Platform.

(2) Any portion of the existing State Platform may be deleted by *one third or more* of the Party members present and voting at the State Convention.

C. A Platform Committee comprised of no less than three Party Members shall be appointed by the Executive Committee at least sixty days prior to the State Convention. The Platform Committee shall review the Party planks and make recommendations for the substitutes, deletions, and/or additions to the State Convention for adoption.

## **ARTICLE VII (Vacancy, Succession and Disciplinary Action)**

### *Section 1.*

In the event of a vacancy in the office of Chairperson, the Vice-Chairperson shall serve as Chairperson until the next State Convention. In the event of the vacancy of any other elected position, the Executive Committee may appoint any Party member to fill such vacancy until the next State Convention.

### *Section 2.*

The Executive Committee, by a two-thirds majority, shall have the authority to suspend on written notice the membership of any Party member who

- (1) follows a continued course of public action which is contrary to the principles or objectives of the Party,
- (2) claims to speak or represent the Party when no such authority has been granted, or
- (3) seriously and repeatedly disrupts meetings or activities of the Party.

A. The accused member shall be granted a full hearing by the Executive Committee within thirty days. Within ten days after such hearing the Executive Committee shall vote to withdraw the suspension or extend it to the next General Membership Meeting at which the Party members present and voting may override the Executive Committee by a two-thirds majority and reinstate said member.

## **ARTICLE VIII (Constitution and By-Law Amendments)**

### *Section 1.*

Proposed amendments to this Constitution and By-Laws shall be submitted to the Executive Committee at least thirty days prior to the General Membership Meeting at which they are to be considered. Each amendment to this Constitution and By-Laws shall be by a vote of two-thirds of the members present and voting at that General Membership Meeting.

### *Section 2.*

A copy of the Party Constitution and By-Laws shall be made available to any Party member upon request.

## **ARTICLE IX (Parliamentary Authority)**

Roberts Rules of Order, Latest Edition, shall be the Parliamentary Authority at all Party meetings for all matters of procedure not specifically covered in this Constitution and By-Laws.

September 19, 2016

Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to 52 U.S.C. § 30108, Libertarian Party of Idaho (“LPID”), C00622837, seeks an advisory opinion recognizing it as a State committee of the Libertarian National Committee, Inc. (“LNC”).

Consistent with 52 U.S.C. § 30101(15), 11 C.F.R. § 100.14(a), and Advisory Opinion 2015-01 (Green-Rainbow Party), the following qualifications have been met:

1. LNC qualifies as a political party, as detailed in Advisory Opinion 2010-13 (Libertarian Party of Florida) and Advisory Opinion 1975-129 (National Committee of the Libertarian Party).
2. LPID is the recognized affiliate of LNC for the state of Idaho, as detailed in the August 31, 2016 LNC letter, attached.
3. LPID performs, and is responsible for, the day-to-day functions and operations of a political party at the state level. Specifically:
  - A. LPID has assisted in placing Gary Johnson on the 2016 general election ballot as a Libertarian candidate for President of the United States. Mr. Johnson qualifies as a “candidate” under 52 U.S.C. § 30101(2) and 11 C.F.R. § 100.3(a).
  - B. LPID organizes state party conventions, supports Libertarian candidates in the state, develops and implements state policy, and manages state party operations and other related affairs. Consistent with 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a), this is supported by LPID’s current organizing documents, attached.

Please let me know if you have any questions regarding this request.

Sincerely,

/s/

Christina Sirois, Esq.  
571-207-6451 Direct  
csiroid@dbcapitolstrategies.com

Enclosure(s): LNC List of State Affiliates  
LPID Organizing Documents

# BY-LAWS OF THE LIBERTARIAN PARTY OF IDAHO

Adopted by the LPID 2008 State Convention

## ARTICLE I: DUTIES OF OFFICERS

- SECTION 1.** The Chairperson shall preside at all meetings of the Party and shall perform such duties as usually pertain to the office of Chair and perform such other duties as are assigned by the Executive Committee.
- SECTION 2.** The Vice-Chairperson shall act as assistant to the Chair and shall perform the duties of the Chair in the Chairperson's absence and shall also perform such other duties as are assigned by the Executive Committee.
- SECTION 3.** The Secretary shall keep an accurate and complete record of the proceedings of all meetings of the Party and the Executive Committee and shall keep these records up-to-date and in order in the master book containing the official minutes of the Party. At each meeting the Secretary shall present the minutes of the previous meeting for approval. In all elections and roll call votes, the Secretary shall call the roll of the registered members and shall keep an accurate tally of such votes. The Secretary may appoint assistants for this purpose and, in contested elections, with the consent of a majority of the members of the Party one representative for each contestant in question plus one additional member, if needed, so that the Board shall consist of an odd number of persons.
- SECTION 4.** The Treasurer, or the Treasurer's designated agent, shall receive and give receipts for all moneys paid to the Party and shall deposit same in such bank or banks as have been designated by the Executive Committee. The Treasurer shall present a written report in accordance with the Constitution or at any other time when requested to do so by the Executive Committee. The Treasurer shall file reports required by any government agency in the format and on the timetable specified by the agency. The Treasurer shall, at the direction of the Executive Committee, present the financial records of the Party for audit by such auditors as the Executive Committee shall specify. Expenditures of funds shall be made only in accordance with regulations established by the Executive Committee. Not later than January 5<sup>th</sup> of each year the Treasurer shall send a dues notice to each member of the Party (if applicable).

## ARTICLE II: EXECUTIVE COMMITTEE

- SECTION 1.** The Executive Committee shall have such powers and duties as prescribed in the Constitution.

- SECTION 2.** The Executive Committee shall meet at such times and places as may be determined by action of the Committee, by call of the Chair, or by written request of one-third or more of the members of the Executive Committee.
- SECTION 3.** The Executive Committee may without meeting together, transact business by mail and/or e-mail, voting a question submitted to them by or with the approval of the Chair. Ten days shall be allowed for the return of votes thereon by mail to the Party Secretary during the period between a Regular Convention and the next general election, and twenty days at all other times. If at the expiration of the applicable period, the majority of the Executive Committee have not returned their votes, the measure being voted on shall be deemed to have failed; in all other cases, a vote is required by the Constitution. The Secretary must preserve all such votes until the next meeting of the Executive Committee, at which meeting the Executive Committee shall order the disposition of the votes.
- SECTION 4** More than one-half of the membership thereof shall constitute a quorum at all meetings of the Executive Committee for the transaction of all business, except where a larger vote is required by the Constitution.
- SECTION 5.** Except as otherwise provided in the Constitution, a majority vote of those present at, or in live communication with, a meeting shall rule.
- SECTION 6.** To afford all Committee members the ability to participate in meetings, meetings shall be conducted at a location with technological services available. A “speakerphone” and a telephone connection capable of conference calling shall be the minimum facility requirement. Alternative methods, such as those using the internet, must receive unanimous approval of those committee members that are responsible for providing equipment at the primary and remote locations. The committee and general members attending an Executive meeting shall be individually and severally responsible for any facilities, equipment, transportation, internet, telephone company, and/or other charges required for their participation at or from a particular meeting location.
- SECTION 7.** The Chairman, or his designate, shall specify the primary meeting location and shall accommodate the committee members desiring to participate in the meeting from a remote location via technological methods.
- SECTION 8.** Provisions shall be made for observation of the meeting by the general membership at the primary and at any, and all, remote locations.

## **ARTICLE III: OTHER COMMITTEES**

- SECTION 1.** The Finance Chairperson shall have the responsibility of increasing the treasury of the Party, and for such other duties as may be assigned by the Executive Committee. With the help and cooperation of the Executive

Committee, the Finance Chairperson shall select a working finance committee to assist in the fulfillment of such Chairperson's duties.

**SECTION 2.** The Membership Chairperson shall have the responsibility of increasing the membership of the Party, and for such other duties as may be assigned by the Executive Committee. With the help and cooperation of the Executive Committee, the Membership Chairperson shall select a working membership committee to assist in the fulfillment of such Chairperson's duties.

**SECTION 3.** The Publicity Chairperson shall have the responsibility for publicizing the Party and its activities and for such other duties as may be assigned by the Executive Committee. With the help and cooperation of the Executive Committee, the Publicity Chairperson shall select a working publicity committee to assist in the fulfillment of such Chairperson's duties.

**SECTION 4** The Finance Chairperson, Membership Chairperson, and Publicity Chairperson, and all other offices shall be appointed at the first meeting of the Executive Committee after their election.

**SECTION 5.** The Chair shall have the power to form other committees by choice, or by the direction of the Executive Committee, and appoint committee directors.

## **ARTICLE IV: CONVENTION COMMITTEES**

**SECTION 1.** The Chairperson of the Constitution, By-Laws, Rules, and the Platform Committee shall be the presiding officers.

**SECTION 2.** A majority vote of those of the committee members present, or in live communication with the committee at the time of the vote, is necessary for a "do-pass" recommendation, and in the case of the Platform Committee, a majority must approve each specific plank separately.

**SECTION 3.** The Committees shall report their recommendations to the floor of the Convention in accordance with the Party Rules.

**SECTION 4.** Two or more members of the Platform Committee may join together to insure a minority report regarding any plank to the floor of the Convention. Two or more members of the Constitution, By-Laws, and Rules committee may join together to issue a minority report regarding the Constitution, by-laws, or Rules.

**SECTION 5.** A member must be present in committee, or in live communication with the committee at the time of the vote, to vote.

**SECTION 6.** More than one-half of the membership of each committee shall constitute a quorum.

## **ARTICLE V: FINANCES AND ACCOUNTING**

**SECTION 1.** The fiscal term of the Party shall begin the first day of July 1 and end the 30th day of June.

**SECTION 2.** The Executive Committee shall cause an efficient double entry system of accounts to be installed and maintained.

**SECTION 3.** All disbursements exceeding \$25.00 shall be made solely by check.

**SECTION 4.** The Executive Committee shall have the power to designate the depository of all funds of the Party, and shall appoint such officers and employees as its judgment may deem advisable to deposit and withdraw funds from said depository.

## **ARTICLE VI: PARLIAMENTARY AUTHORITY**

Robert's Rules of Order Newly Revised shall be the parliamentary authority for all matters of procedure not specifically covered by the Constitution, By-Laws or Rules of the Party.

## **ARTICLE VII: AMENDMENT TO THE BY-LAWS**

Amendments to the By-Laws shall be in accordance with the Constitution.

## **ARTICLE VIII: REGULAR CONVENTION RULES**

The regular Convention Rules shall be in accordance with the Constitution.

# CONSTITUTION OF THE LIBERTARIAN PARTY OF IDAHO

Adopted by the LPID 2012 State Convention

## ARTICLE I: NAME

The name of the corporation shall be the Libertarian Party of Idaho, hereinafter referred to as the "Party."

## ARTICLE II: PERIOD OF DURATION

The duration of the Party shall be perpetual.

## ARTICLE III: PURPOSES

The purpose for which the Party is organized is to implement and give voice to the Statement of Principles of the National Libertarian Party by:

- a. Nominating candidates for political offices.
- b. Promoting Libertarian Party activities and party membership.
- c. Entering into political information activities.

## ARTICLE IV: OFFICERS

**SECTION 1.** The officers of the Party shall be a Chairperson, a Vice-Chairperson, Secretary and Treasurer. Only Party members in good standing shall be eligible to fill these offices. All of these officers shall be elected at a Regular Convention of the Party by attending Party delegates and shall take office immediately upon the close of such convention and serve thereafter until the final adjournment of the next Regular Convention. If, for any reason, a Regular Convention is not held during an appropriate year, all officers of the party shall be elected at the next available Convention, including, but not limited to, a Delegate Selection Convention.

**SECTION 2.** No offices shall be combined.

**SECTION 3.** The current officers pro tem shall perform all prescribed duties until the elected officers take office.

**SECTION 4.** The officers shall be full voting members of the Executive Committee, unless under notification of suspension.

**SECTION 5.** The Chairperson shall preside at all conventions and at all meetings of the Executive Committee. The Chairperson shall be the chief executive officer of the Party.

**SECTION 6.** The Vice-Chairperson shall act as assistant to the Chairperson, and shall perform the duties of the Chair in the event the Chairperson is, for any reason, unable to perform the duties of that office.

**SECTION 7.** The Secretary shall be the recording officer of the Party, and shall provide or make provision for all legal services to the Party, under the direction of the Executive Committee. The Secretary shall also have the power to appoint any other qualified member as an assistant in carrying out the functions of this office.

**SECTION 8.** The Treasurer shall receive, expend, and account for the funds of the Party under the supervision and direction of the Chairperson and the Executive Committee. The records for such funds shall be maintained in accordance with generally accepted accounting principles and the Treasurer shall make available to the Executive Committee quarterly financial reports, such reports to include a Statement of Operations and a Balance Sheet.

**SECTION 9.** Except as otherwise provided herein, the officers of the Party shall have such power and perform such duties as shall be prescribed in the By-Laws of the Party.

**SECTION 10.** Upon being suspended or vacating an office, an officer must render to the Executive Committee within three days all materials concerning the Party he has in his possession.

## **ARTICLE V: EXECUTIVE COMMITTEE**

- SECTION 1.** The Executive Committee of the Party shall be composed of the following:  
The four elected officers of the Party.
- a) Three Regional Chairs elected at the Regular Convention. Each Regional Chair shall represent a specific region of the state, and shall be responsible for organizing a Regional Committee to organize and carry forward the goals of the state party within that region. Regional Chairs must reside in the region they represent, and must be elected by the delegates residing in that region.
  - b) Region One shall consist of the following counties: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone.
  - c) Region Two shall consist of the following counties: Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley, and Washington.
  - d) Region Three shall consist of the following counties: Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Camas, Caribou, Cassia,

- Clark, Custer, Franklin, Fremont, Gooding, Jefferson, Jerome, Lemhi, Lincoln, Madison, Minidoka, Oneida, Power, Teton, and Twin Falls.
- e) If for any reason a Regional Chair is not elected at a Regular Convention, a Regional Chair may be appointed by the Executive Committee, to serve until the next Regular Convention. Such person must be a Party Member in good standing and a resident of the region.

**SECTION 2.** The Executive Committee shall take office immediately upon the close of the Regular Convention and serve thereafter until the adjournment of the next Regular Convention.

**SECTION 3.** The current Executive Committee pro tem shall perform all prescribed duties until the elected officers take office.

**SECTION 4.** The Executive Committee shall have the control and management of all the affairs, properties, and funds of the Party consistent with this Constitution.

**SECTION 5.** The Executive Committee shall meet in the manner, time, and places as prescribed by the by-laws of the Party.

**SECTION 6.** All meetings of the Executive Committee shall be open to all members of the Party. Discussion from non-committee members shall be entertained only by majority vote of the Executive Committee.

**SECTION 7.** An officer may be suspended, that is, denied the authority to perform his specific functions, by a two-thirds majority vote of the State Central committee. The office of a suspended officer shall be declared vacant unless the suspended officer appeals his suspension. The State Central Committee shall appoint new officers if vacancies or suspensions occur, such officers to complete the term of the office vacated, or the time during which the suspension is in effect, as applicable. In the absence of a functioning State Central Committee, the Executive Committee shall appoint the new officer(s).

## **ARTICLE VI: CONVENTIONS**

**SECTION 1.** Regular Conventions shall be held in each even-numbered year, in the final two weeks of the month of June, or in accordance with the Election Laws of the State of Idaho. All Party business and affairs required herein shall be transacted. Such conventions shall be held at the time and place selected by the Executive Committee.

**SECTION 2.** In the event that a national party Regular Convention shall be held within 45 days following the state party Regular Convention, the Executive Committee shall solicit the membership for nominees for delegates to the national convention, and shall submit a preliminary delegate list to the

national party no less than 45 days prior to the national convention. Final delegates shall then be selected at the state party Regular Convention.

**SECTION 3.** All Party Conventions may be attended by all members of the Party.

**SECTION 4.** Convention attendees may not vote unless they were a member in good standing of the Libertarian Party of Idaho as of the end of January prior to the convention.

## **ARTICLE VII: COMMITTEES**

All committees shall be appointed as needed until the Party membership increases to 70 members, at which time the following committees will become committees for each Regular Convention and a Judicial Committee shall be a standing committee.

**SECTION 1.** There shall be a Platform Committee, the duties of which shall be:

- a) To formulate a state platform dealing with issues of importance in the State of Idaho.
- b) Shall consist of 7 party members selected as follows: 4 appointed by the Executive Committee; one from each region to be selected in caucus by the County Central Committee Chairmen of that region.

**SECTION 2.** There shall be a Constitution, By-Laws and Rules Committee consisting of seven party members appointed by the Executive Committee.

**SECTION 3.** There shall be a Judicial Committee appointed by and exclusive of the Executive Committee for the same term as the Executive Committee and shall be composed of nine members: any five will constitute a quorum.

## **ARTICLE VIII: PLATFORM**

**SECTION 1.** The Party shall adopt the platform at its Regular Convention in 1976. The platform shall not be inconsistent with the Statement of Principles adopted by the national party. The platform shall include a Statement of Principles and proposal in the form of planks.

**SECTION 2.** The statement of Principles of the Platform affirms the philosophy upon which the Libertarian Party is founded, by which it shall be sustained, and through which Liberty shall prevail.

**SECTION 3.** The platform, exclusive of the Statement of Principles, shall be adopted on a plank-by-plank basis by the delegates in attendance at the 1976 Regular Convention. Each plank must receive approval by a vote of two-thirds of the voting delegates for inclusion in the Platform.

**SECTION 4.** The platform may be amended at each succeeding Regular Convention after 1976 by deletion, substitution, or addition of any plank. A plank may be deleted by a simple majority of the Convention delegates. 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 of the delegates present and voting.

## **ARTICLE IX: SELECTION AND NOMINATION OF PARTY OFFICERS; ENDORSEMENTS OF POLITICAL CANDIDATES**

- SECTION 1.** Endorsements of candidates for political offices may be made at a Convention of the Party.
- SECTION 2.** No candidate may be endorsed who is ineligible by law to serve in the office which he is seeking.
- SECTION 3.** Endorsements or nominations shall be made from the Convention floor by delegates at a convention. All balloting shall be done by county roll-call vote of delegates.
- SECTION 4.** Nominations and elections, in addition to the list of candidates nominated, there shall be an automatic nomination for NONE OF THE ABOVE. When any candidate, including NONE OF THE ABOVE, receives less than 10% of the total vote, that candidate shall be stricken from subsequent ballots.
- SECTION 5.** When NONE OF THE ABOVE receives a majority vote, all candidates on that ballot shall become ineligible for re-nomination for the same office at the same convention. The next order of business shall be the re-opening of nominations from the floor for the office, and election shall proceed according to Article IX of this constitution until such time as the vacancy has been filled or the conventions elects by a two-thirds vote not to select a candidate.
- SECTION 6.** The Libertarian Party of Idaho shall not support the candidacy of any candidate for office opposing a Libertarian candidate endorsed by a convention; nor shall it endorse any candidate for President or Vice-President other than the candidate selected by the delegates at the national party convention.

## **ARTICLE X: MEMBERSHIP**

All dues-paying members of the Libertarian Party of Idaho shall enjoy full rights as stated in this Constitution. The classes of membership and dues shall be initially determined by the Executive Committee. Subsequent changes in classes and dues are subject to a majority vote of all delegates present and voting at Regular Conventions.

## **ARTICLE XI: JUDICIAL COMMITTEE**

- SECTION 1.** At such time that the Judicial Committee becomes established according to the requirements of this Constitution, it shall function as follows:
- a) Take disciplinary actions against any other party member in accordance with Robert's Rules of Order Newly Revised, except as otherwise provided herein by the Party Constitution and by-laws.
  - b) Challenges of adopted Party planks believed by a delegate to be in conflict with the Statement of Principles shall be referred in writing, during the Regular Convention, to the Judicial Committee by the delegate requesting action for consideration. The challenge shall specify in what manner the plank is believed to be in conflict, The Judicial committee shall consider the challenge, decide whether the plank in question conforms to the Statement of Principles, and make a report stating the justification of their decision to the floor of the convention. If the plank is found to be in conflict by the Judicial Committee, it shall be declared null and void, but can be reinstated in the platform by a three-fourths vote of the Regular Convention delegates.

## **ARTICLE XII: BY-LAWS**

**SECTION 1.** The By-Laws of the Party shall be initially approved by a majority vote of the membership obtained by mail ballot. Upon such approval, the Executive Committee shall officially adopt and promulgate the By-Laws in accordance with applicable law.

**SECTION 2.** The By-Laws of the Party may be amended by a majority vote of the delegates at any Regular Convention of the Party, or by a vote of three-fourths of the State Central Committee at any other time.

## **ARTICLE XIII: CONVENTION GOVERNMENT**

The convention of the Party shall be governed by the applicable Convention Rules of the National Party unless otherwise amended by the convention. Matters not specifically addressed by convention rules will be governed by Robert's Rules of Order Newly Revised.

## **ARTICLE XIV: CONSTITUTION**

**SECTION 1.** This constitution shall be initially adopted by a three-fourths vote of the membership obtained by a mail ballot.

**SECTION 2.** This Constitution may be amended by a vote of a majority of members in attendance at the first Regular Convention and, thereafter, by a two-thirds vote of the delegates at any subsequent Convention.

## **ARTICLE XV: SELECTION OF DELEGATES TO THE NATIONAL CONVENTION**

- SECTION 1.** The number of delegates shall be those allowed by the national Party and at least an equal number of delegate alternates.
- SECTION 2.** Delegates and alternates to the national Party Regular convention shall be nominated from the floor of the state Delegate Selection Convention. The delegate nominees receiving the highest vote shall go to the national Party convention as delegates. Any Idaho Party member in good standing shall be eligible to be an alternate to the national Party Regular Convention.
- SECTION 3.** Any party member may attend any Regular National Convention as an observer.
- SECTION 4.** Prior to each duly called national Regular Convention, the Secretary shall certify the delegates and alternates to the national convention at least twenty days prior to the Convention to the national Party Secretary, and offer such proof as the national Executive Committee shall require that the selection of said delegates and alternate delegates was made in compliance with the Constitution of the Libertarian Party of Idaho.

## **ARTICLE XVI: CENTRAL COMMITTEES**

- SECTION 1.** The Constitution and By-Laws of the Libertarian Party of Idaho are also the governing documents of the State Central Committee. The four officers of the Party (Chairperson, Vice-Chairperson, Secretary and Treasurer) are the officers of the State Central Committee.
- SECTION 2.** The County Central Committee in each county shall consist of the precinct committeemen representing the precincts within the county and the county chairman elected by the precinct committeemen. The precinct committeemen within each county shall meet at the county seat within ten (10) days after the primary election and at the time and date designated by the incumbent county chairman, and shall organize by electing a chairman, vice chairman, a secretary, a state committeeman, a state committeewoman, and such other officers as they may desire who shall hold office at the pleasure of the county central committee or until their successors are elected.

When a vacancy exists in the office of county central committee chairman, it shall be the duty of the state central committee chairman to call a meeting of the precinct committeemen of the county, and the precinct committeemen shall proceed to elect a chairman of the county central committee for the balance of the unexpired term.

The county central committee shall fill by appointment all vacancies that occur or exist in the office of precinct committeeman who shall be a qualified elector of the precinct.

If a county central committee does not exist, the precinct committeemen within that county shall form one based on state law to the maximum extent practical.

In the event there are no duly elected precinct committeemen within that county, the dues paying members of the Party residing within that county shall select precinct committeemen for the purpose of this and the following section. The selection process of precinct committeemen shall mimic the election process provided for in state law to the maximum extent practical.

**SECTION 3.** The Legislative District Central Committee in each legislative district shall consist of the precinct committeemen representing the precincts within the legislative district, and the legislative district chairman elected by the precinct committeemen. The precinct committeemen within each legislative district shall meet within the legislative district within eleven (11) days after the primary election, the meeting time and place to be designated by the incumbent legislative district chairman. At this meeting the precinct committeemen shall organize by electing a chairman, vice chairman, a secretary and such other officers as they may desire, who shall hold office at the pleasure of the legislative district central committee or until their successors are elected.

When a vacancy exists in the office of legislative district central committee chairman, it shall be the duty of the state central committee chairman to call a meeting of the precinct committeemen of the legislative district, and the precinct committeemen shall proceed to elect a chairman of the legislative district central committee for the balance of the unexpired term.

If a legislative district central committee does not exist, the precinct committeemen within that legislative district shall form one based on state law to the maximum extent practical.

| **SECTION 4.** The State Central Committee shall consist of [the four officers of the party](#), all legislative district chairmen, all county central committee chairmen, and all state committeepersons selected by the county central committees. Each of the above members of the state central committee shall be entitled to vote at all meetings of the state central committee and the State Conventions as delegates.

**SECTION 5.** The filling of vacancies in the slate of candidates shall be by the County Central Committees, Legislative District Central Committees, and State Central Committee as provided by Idaho law.

September 15, 2016

Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to 52 U.S.C. § 30108, Libertarian Party of Maryland (“LPMD”), C00618249, seeks an advisory opinion recognizing it as a State committee of the Libertarian National Committee, Inc. (“LNC”).

Consistent with 52 U.S.C. § 30101(15), 11 C.F.R. § 100.14(a), and Advisory Opinion 2015-01 (Green-Rainbow Party), the following qualifications have been met:

1. LNC qualifies as a political party, as detailed in Advisory Opinion 2010-13 (Libertarian Party of Florida) and Advisory Opinion 1975-129 (National Committee of the Libertarian Party).
2. LPMD is the recognized affiliate of LNC for the state of Maryland, as detailed in the August 31, 2016 LNC letter, attached.
3. LPMD performs, and is responsible for, the day-to-day functions and operations of a political party at the state level. Specifically:
  - A. LPMD has assisted in placing Gary Johnson on the 2016 general election ballot as a Libertarian candidate for President of the United States. Mr. Johnson qualifies as a “candidate” under 52 U.S.C. § 30101(2) and 11 C.F.R. § 100.3(a).
  - B. LPMD organizes state party conventions, supports Libertarian candidates in the state, develops and implements state policy, and manages state party operations and other related affairs. Consistent with 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a), this is supported by LPMD’s current organizing documents, attached.

Please let me know if you have any questions regarding this request.

Sincerely,

/s/

Christina Sirois, Esq.  
571-207-6451 Direct  
csiros@dbcapitolstrategies.com

Enclosure(s): LNC List of State Affiliates  
LPMD Organizing Documents

# Constitution of the Libertarian Party of Maryland

(Approved 9 January 2016)

## Article I NAME

The name of this organization shall be the "Libertarian Party of Maryland" (hereinafter referred to as "the Party").

## Article II PURPOSE

The purpose of the Party is to participate in the political process in Maryland in order to promote public understanding and acceptance of liberty, and to affect governmental processes toward preserving the rights and liberties of the individual on the following principle: No person (or group of persons) has the right to seek to attain values by initiating the use of force or fraud against any other person (or group of persons).

Toward these ends the Party shall work in affiliation with the National Libertarian Party to build and promote the Party, its principles, and platform; to nominate candidates for public office in Maryland who are in agreement with our principles, and support their election; and to engage in educational, social, and fundraising activities to support and advance the Party's goals.

## Article III DEFINITIONS

Section 1. The use of word "county" herein refers to each county in Maryland and to Baltimore City.

Section 2. The use of the feminine pronoun herein is expressly intended to include the masculine.

## Article IV MEMBERSHIP

### Section 1. Classes of Membership

A. General Membership shall be open to all persons. A General Member shall receive a monthly notice, via the member's Local Central Committee, of upcoming meetings and events, and shall receive a subscription to the state party newsletter. A General Member is also eligible to serve in the State Central Committee and Local Central Committee, if they meet the requirements specified in Article IV, Section 2. General Membership dues and other benefits shall be determined by the Executive Board.

B. Youth Membership shall be open to all persons who have not yet reached the age of 21 years. Youth Members shall have all benefits of General Membership. Youth Membership dues and other benefits shall be determined by the Executive Board.

C. Pledge Memberships shall be open to all persons. Pledge Members shall receive all the benefits of General Membership, a published annual report, and other benefits as determined by the Executive Board. The minimum monthly pledge shall be set by the Executive Board.

D. A portion of each member's dues, determined by the Executive Board, shall be sent to the member's Local Central Committee. Any changes in membership policies will be reported to the membership at the next State Central Committee meeting.

### Section 2. Central Committee Membership

Any Maryland resident who is either a Youth Member, General Member, or Pledge Member who wishes to become a voting member of the resident's Local Central Committee (referred to in Article VI) or State Central Committee (referred to in Article V) may do so provided that: the member certifies agreement with the

principle set forth in Article II; the member is registered as a Libertarian, unless registration as a Libertarian is not permitted; and is not currently registered as affiliated with any other political party. A member may choose to be a member of either Central Committee, or both, or neither one.

#### Article V STATE CENTRAL COMMITTEE

Section 1. Name: The name of the governing body of the Party shall be the "Libertarian State Central Committee of Maryland" (hereinafter referred to as the "State Central Committee").

Section 2. Purpose: The State Central Committee shall have the powers conferred upon it by law, and shall have the full power and authority to act with respect to all matters pertaining to the organization, maintenance, conduct, affairs, and interests of the Party consistent with law.

Section 3. Membership: The members of the State Central Committee shall be those persons who meet the criteria specified for membership in Article IV, Section 2.

#### Section 4. Officers and Executive Board

A. Executive Board: Seven members of the State Central Committee shall be elected to the Executive Board according to the provisions of Section 4-B of Article V. The Chairman shall be a voting member of the Executive Board, ex officio. They shall assign among themselves the offices of Secretary, Treasurer, and Vice Chairman. The three remaining members shall be known as At-Large members. These assignments may be changed at any time by the Executive Board. The officers of the Executive Board shall be the respective officers of the State Central Committee.

B. Election of the Chairman and Executive Board: At the regular spring meeting of the State Central Committee, a separate vote shall be held for the Chairman and the remaining members of the Executive Board. The vote for the Chairman shall be held first. Nominations for Chairman and Executive Board membership can be made by any Central Committee member, including the person seeking the office. The Chairman and members of the Executive Board shall be elected to one year terms. Votes shall be cast by the transferable ballot method of proportional representation. Voters shall list all candidates they are willing to have represent them in order of preference and submit those ballots to the teller. On the first count the teller shall assign one vote to the most preferred candidate on each ballot. Each candidate receiving enough votes for election (more than seven eighths of the number of ballots cast) shall be declared elected. The teller shall repeat the process, assigning one additional vote to the most preferred unelected candidate on each count until all slots are filled or until seven such counts shall have been completed. If an impasse is reached any unelected candidate may withdraw and her votes will be appropriately reassigned. Should no candidate offer to withdraw, the one with the fewest votes must pass her votes on. The elected officers shall assume membership immediately and assign offices among themselves as required by Section 4-A of Article V. If the period of nomination for Executive Board members has closed, and the number of candidates is equal to or lesser than the number of vacancies, all candidates may be elected as a slate by majority vote, with two-thirds approval of the assembly.

C. Removal: The Chairman and each Executive Board member shall be subject to removal by the following procedure: Upon receipt of a recall petition signed by twenty percent of the State Central Committee, the Credentials Committee (Section 7-B of Article V) shall call a special meeting of the State Central Committee which, by a two-thirds vote of those present and voting, may remove her.

D. Vacancies: Vacancies on the Executive Board caused by death, resignation, or any other reason, shall be temporarily filled by the appointment of a replacement by the Chairman (or Vice-Chairman if the vacancy involves the Chairman), which shall be made within 30 days of the vacancy. The appointment shall be subject to confirmation by the Executive Board at its next regular meeting, or at a special meeting called for that purpose. The temporary appointment shall end at the next regular meeting of the Central Committee, or at a special meeting called for that purpose, wherein the Central Committee shall elect a replacement member who shall serve the balance of the term.

#### Section 5. Duties of Officers and the Executive Board

A. Duties of the Chairman: The Chairman shall preside at all meetings of the State Central Committee and Executive Board which she shall attend, shall serve as the principal spokesman for the Party and shall perform such other duties as directed by the Executive Board or the State Central Committee. All powers granted to the Chairman by the Libertarian Party National Committee, such as the ability to remove and replace Regional Reps, shall actually reside in the Executive Board and shall be performed by the Chairman at, and only at, its direction.

B. Duties of the Vice-Chairman: The Vice-Chairman shall act as Chairman in the absence of the Chairman, and perform such other duties as directed by the Executive Board and the State Central Committee.

C. Duties of the Secretary: The Secretary shall have charge of all books, papers, records, and other documents of the State Central Committee. She shall keep the minutes of the meetings of the Executive Board and shall make the minutes available as may be required by law, and perform such other duties as may be required by the Executive Board, the State Central Committee, or this Constitution.

D. Duties of the Treasurer: The Treasurer shall have full responsibility for all fiscal affairs throughout her term, and shall perform such other duties as may be required by the Executive Board, the State Central Committee, or this Constitution.

E. Duties of the Other Officers: Each At-Large member shall be responsible for a functional area such as (but not limited to) membership, outreach, and media relations, and such other duties as they may be required to perform by the Executive Board or the State Central Committee.

F. Duties of the Executive Board: The Executive Board shall oversee and act in respect to all matters pertaining to the Party. The business of the State Central Committee between meetings shall be conducted by the Executive Board. A majority of the total number of votes authorized to be cast by the Executive Board shall constitute a quorum. All questions coming before the Executive Board shall be decided by a majority vote of those present and voting. Meetings of the Executive Board shall be held regularly in person, by teleconference, or a combination of both, and minutes of the meetings shall be made available as may be required by law. The Secretary shall send written notice of the time and place of the Executive Board meeting at least one week in advance (seventy-two hours for emergency meetings.) Any action of the Executive Board may be overruled by resolution adopted by a majority vote of the State Central Committee. No proxies will be counted in Executive Board meetings.

#### Section 6. Meetings

A. The State Central Committee shall hold at least two meetings per year: one

in spring (if practical, in May) and one in fall (if practical in October.) The spring meeting may be known as the Convention for all statutory purposes, and it shall include on the agenda the election of the Executive Board.

B. Normally, the Chairman shall call all meetings. In the event of her failure or refusal to do so, the Vice-Chairman shall call meetings. Meetings may also be called by a majority of the Executive Board or by written request of the Chairmen of a majority of the Local Central Committees.

C. Notice of meetings shall set forth the time and place of the meeting and shall be mailed or emailed to members of the State Central Committee at least ten days prior to the meeting, addressed to the postal address or email address of each member on file.

D. All meetings shall be held in the state of Maryland.

E. A quorum shall be required for the transaction of all business. A quorum shall consist of twenty percent of all members, with at least five members present in person.

F. When not inconsistent with the provisions of the Constitution or Bylaws of the Party, or the laws of the state of Maryland, the current edition of The Standard Code of Parliamentary Procedure (Sturgis) shall govern the conduct of all meetings.

G. All meetings of the State Central Committee shall be open to the public.

H. No votes of meetings of the State Central Committee, the Executive Board, or any other official Party committee, commission, or body shall be taken by secret ballot.

I. Each member of the State Central Committee is entitled to one vote. There shall be no unit voting unless required by the law of Maryland.

J. Written proxies may be given by any member of the State Central Committee to any other member of the State Central Committee.

K. Except when meeting in a closed executive session, the Executive Board may not exclude any Central Committee member from attending to observe its deliberations.

#### Section 7. Committees

A. Standing Committees: The Finance Committee, the Credentials Committee, and the Program Committee shall be defined in Article V, Section 7-A. Additional standing committees may be defined in the bylaws.

1. Finance Committee: The Treasurer, one At-Large member of the Executive Board, and one other member of the State Central Committee (not an officer) whom the Chairman of the State Central Committee may appoint (subject to the disapproval of the State Central Committee) shall constitute the Finance Committee. All officers shall submit their budgetary requests to the Finance Committee. Should the Finance Committee disapprove any such request, a vote of two-thirds of the Executive Board shall be required for its authorization. The occurrence of such a vote in contravention of the opinion of the Finance Committee shall be communicated to the Chairmen of the Local Central Committees within ten business days.

2. Credentials Committee: The Secretary, one At-Large member of the Executive Board, and one member of the State Central Committee (not an officer) appointed by the Chairman shall comprise the Credentials Committee.

The committee shall certify all recall petitions and report the number of State Central Committee members present and the number of proxies present at all meetings of the State Central Committee, and perform such other duties as directed by the State Central Committee.

3. Program Committee: Any State Central Committee member who chooses to be may become a member of the Program Committee. The committee will meet at least 7 days and not more than 90 days before the first day of the annual convention. Notice of this meeting shall state the time and place of the meeting and shall be mailed to all members of the State Central Committee at least ten days prior to the meeting, addressed to the residence of each member. The Chairman of the State Central Committee shall appoint a member to serve as the initial chair of the committee. After the meeting comes to order, the committee shall select a chair and a secretary for the meeting. Any member of the State Central Committee who cannot attend the meeting may submit a proposal to the Program Committee to modify the Program of the Party. The committee shall debate and amend all proposals submitted to it as it sees fit, and vote to recommend for or against adoption for each proposal. All of the recommendations of the committee shall be recorded by the committee secretary and delivered to the secretary of the State Central Committee within seven days.

B. Ad Hoc Committees: The Chairman or the Executive Board may form ad hoc committees at any time to perform various tasks for the party, and the Committee shall expire at the end of the term of the Executive Board, or sooner if the task for the committee has been completed. These committees may, at the discretion of the Executive Board, be extended for another term.

#### Section 8. Program

A. Purpose: The Libertarian Party of Maryland Program (hereinafter known as "the Program") shall express a plan of action to take steps towards the goals specified in Article II.

B. Program Committee: The program committee shall complete its work as specified in Article V, Section 7A3, and present its recommendations to the State Central Committee at the annual convention.

C. Adoption: Changes to the Program may only be made at the annual convention. The State Central Committee may debate, but not amend, any proposed changes to the Program. The State Central Committee shall vote on all proposals that the Program Committee recommended for passage, and may vote on proposals that the Program Committee recommended against if time permits and a motion is made and seconded to do so.

#### Article VI LOCAL CENTRAL COMMITTEES

Section 1. Powers and Duties: The Central Committee members in each county shall comprise the Libertarian County Central Committee (hereinafter referred to as the "Local Central Committee") for that county. Each Local Central Committee shall have the power to conduct the affairs of the Party in its county, to adopt its own Constitution and Bylaws, to adopt its own rules of procedure, and to take any and all other actions authorized by law.

Section 2. Membership: The members of the Local Central Committee shall be those persons who meet the criteria specified for membership in Article IV, Section 2. Local Central Committees must promptly notify the Secretary of the State Central Committee of changes in their membership rolls and vice versa. The State Party Secretary shall be responsible for maintaining the membership rolls for all counties that do not have a Local Central Committee.

Section 3. Constitution and Bylaws: Each Local Central Committee shall adopt a "Constitution and Bylaws" which shall, if required by state law, within thirty days of the adoption thereof, be filed with the Secretary of the Party and with the State Board of Elections.

Section 4. Officers: Each Local Central Committee shall have a Chairman and such other officers as required by its Constitution and Bylaws.

Section 5. Meetings: Regular meetings of a Local Central Committee shall be held at such times as are specified in the Constitution, bylaws and/or written rules of procedure of the individual Local Central Committee. The minutes of each meeting of a Local Central Committee shall be filed with the Secretary of the State Central Committee within two weeks after the date of the meeting. Special meetings shall be called at the request of a majority of the members. Notice shall be in compliance with the laws of Maryland, but in any case, at least seventy-two hours notice of a meeting shall be given to each member stating the time, place, and purpose of the meeting.

Section 6. Electoral Duties: The Local Central Committees shall perform such duties in the electoral process as are required by law.

#### Article VII NOMINATIONS FOR PUBLIC OFFICE

Section 1. Qualifications of Nominees: All persons who seek the nomination of the Party must first meet the legal requirements for age, residency, and registration as provided by the laws of the State of Maryland for the offices they seek before applying for the nomination of the Party. At the time of filing, and continuously through the date of the corresponding General Election, all candidates of the Maryland Libertarian Party to public office must be registered Libertarian as defined in the qualification for Central Committee membership stated in Article IV, Section 2. Should any candidate fail to meet this qualification after nomination and if the state has already been notified of that nomination, the Chairman and Secretary are directed to notify the State Board of Elections that the Party's nomination is rescinded.

Section 2. Local Nominations: Nominations of persons by the Party for local offices (i.e., non-Federal and non-statewide offices) shall be determined by the Local Central Committees of the jurisdictions in which the offices are held, in accordance with the Constitutions and Bylaws of the Local Central Committees. Should the Local Central Committee of the corresponding jurisdiction not exist, or not be recognized by the appropriate County or State Board of Election, or the jurisdiction crosses the boundary of more than one such Local Central Committee, or the duly authorized Chairman of an empowered recognized Local Central Committee so request, the State Central Committee may nominate such candidates in the same manner as described in Section 3 of this Article.

Section 3. Federal and Statewide Nominations: Nominations of persons by the Party for Federal offices (excluding the offices of President and Vice President of the United States of America) and statewide offices shall be by a 3/5 vote at a meeting of the State Central Committee.

Section 4. Presidential and Vice-Presidential Nominations: For any purpose which might be required by law, the nominees for President and Vice-President of the United States of America of the National Libertarian Party shall be the nominees of the Libertarian Party of Maryland.

#### Article VIII VACANCIES IN NOMINATIONS FOR PUBLIC OFFICE

Any vacancy in the Party's nominations for public office shall be filled in the manner provided by the law of Maryland. Whenever under the law of Maryland the State Central Committee is to act in filling such a vacancy, a meeting to fill the vacancy

may be called by the Chairman and be held upon at least five business days notice. Such notice shall state the time, place, and agenda of the meeting.

#### Article IX BYLAWS

Bylaws shall be adopted at meetings of the State Central Committee by a vote of twenty percent of the membership or three-fifths of those voting, whichever is larger. Any bylaw may be rescinded or amended by a similar vote.

#### Article X AMENDMENTS AND ADOPTION

##### Section 1. Amendments

A. Amendments to this Constitution may be proposed by a majority vote of a meeting of the State Central Committee.

B. Each such proposal shall be investigated by a committee consisting of the Chairman, one other member of the Executive Board, and at least three volunteers from the State Central Committee. After the Committee completes its investigation, it shall issue a recommendation for or against the proposal within eight days (if the committee is evenly divided then the recommendation shall be against).

C. The proposal, together with the provisions of the Constitution affected by it, and the recommendation shall then be published to the membership of the whole State Central Committee.

D. Each member of the State Central Committee shall have the right to cast her vote on ratification by a letter over her signature directed to the Secretary, or another specified officer, and delivered before the State Central Committee acts on the question of ratification; members shall be reminded of this right in the proposal.

E. The State Central Committee shall not act on ratification until at least fourteen days after the publication.

F. Ratification shall be by an affirmative vote of at least three-quarters of the votes cast (whether by letter, in person, or by proxy) provided that such affirmative votes number at least twenty percent of the entire membership of the State Central Committee.

G. Any amendment to this Constitution and Bylaws of the Party shall be filed with the State Board of Elections within thirty days after adoption.

Section 2. Adoption: Within 90 days of the submission of the last qualifying signature to the State Board of Election, the State Chairman named in the party-forming petition shall convene an organizational meeting of those designated in the petition as the initial governing body. At that duly called meeting, the governing body shall vote on (1) adoption of the Party's Constitution and By-Laws; and (2) the election of officers. This Constitution shall become effective immediately following its adoption by six sevenths of the persons designated as the governing body of the Party in the petition for its formation submitted to the State Board of Elections and voting at the subsequent organizational meeting.

**Bylaws of the  
Maryland Libertarian Party**  
(Approved 24 July 2004)

Bylaw on Proxies

1. Substantive Criteria

A proxy is an action by which one member of the State Central Committee, as principal, exercises his voting powers through another member of the State Central Committee, as agent. To be valid a proxy must satisfy all of the following criteria:

- (a) It must be in writing.
- (b) It must be signed by the principal and dated.
- (c) The proxy must say who is the agent.
- (d) The proxy must clearly indicate that the principal gave his power to vote in the State Central Committee to the agent. It is not enough that it expresses the principal's opinion.

2. Limitations

A proxy cannot be voted if one or more of the following occurs:

- (a) It is revoked by the principal.
- (b) The principal is present.
- (c) Another agent casts the vote of the principal with a subsequent proxy.
- (d) The expiration date has passed or the vote does not conform to the limitations in the proxy.

Unless the duration is specified in the proxy, it shall expire after one year. Unless limitations are specified in the proxy, it shall be unlimited. If a proxy may be voted on a motion, then unless otherwise specified in the proxy, it may be voted on any subsidiary motion.

3. Procedure

- (a) If an agent wishes to cast his principal's vote at a meeting of the State Central Committee, he must allow the secretary to examine the proxy.
- (b) The secretary will make an initial determination of whether the proxy is valid.
- (c) A simple majority of the Executive Board members present may overrule the secretary.
- (d) The State Central Committee may overrule the secretary and/or Executive Board, subject to the following conditions:
  - (i) Challenges to the determinations made must be voted on one alleged proxy at a time.
  - (ii) The proxies which may be voted on a challenge are those which are currently allowed, except that the challenged proxy may not be voted even if otherwise allowed.
  - (iii) Motions to challenge a ruling on an alleged proxy and motions to cutoff consideration of further challenges are both questions of privilege which take priority over all other motions except: to fix a time to adjourn to; to adjourn; to recess; and to close debate.
  - (iv) The vote on them must be by roll call.

Bylaw on Delegates to the National Convention

Delegates to the national convention shall be selected at a state convention. Selection shall be by the semi-negotiable vote method used for electing the Executive

Board (adjusted for the number of delegate slots available), except that in the event that the number of nominees is smaller than the number of delegate slots available the State Central Committee may, by a 3/5 vote of those present and voting, vote to send all nominees as delegates.

Bylaw on Alternates to the National Convention

Any member of the party may become an alternate with the approval of 3/5 of the State Central Committee members voting at a state convention. Any member of the State Central Committee may also become an alternate by petition signed by four other members of the State Central Committee submitted to the secretary or another Executive Board member at a state convention. A delegate temporarily off the floor may select her own replacement (or none). A delegate permanently off the floor shall be replaced by a vote of the delegation.

Bylaw on Organizational Memory

1. A copy of the minutes of each meeting of the Executive Board and the State Central Committee will be sent to all past Chairmen.
2. The Chairman shall appoint one or more past Chairmen and/or Secretaries to serve as a *Committee of Organizational Memory* and consult with them on all matters in which a knowledge of past experience will benefit the activities of the Party.
3. The Executive Board shall arrange for the preparation and maintenance of documentation on past experiences and activities as may be of benefit to the Party.

September 19, 2016

Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to 52 U.S.C. § 30108, Libertarian Party of Mississippi (“MSLP”), C00622852, seeks an advisory opinion recognizing it as a State committee of the Libertarian National Committee, Inc. (“LNC”).

Consistent with 52 U.S.C. § 30101(15), 11 C.F.R. § 100.14(a), and Advisory Opinion 2015-01 (Green-Rainbow Party), the following qualifications have been met:

1. LNC qualifies as a political party, as detailed in Advisory Opinion 2010-13 (Libertarian Party of Florida) and Advisory Opinion 1975-129 (National Committee of the Libertarian Party).
2. MSLP is the recognized affiliate of LNC for the state of Mississippi, as detailed in the August 31, 2016 LNC letter, attached.
3. MSLP performs, and is responsible for, the day-to-day functions and operations of a political party at the state level. Specifically:
  - A. MSLP has assisted in placing Gary Johnson on the 2016 general election ballot as a Libertarian candidate for the President of the United States. Mr. Johnson qualifies as a “candidate” under 52 U.S.C. § 30101(2) and 11 C.F.R. § 100.3(a).
  - B. MSLP organizes state party conventions, supports Libertarian candidates in the state, develops and implements state policy, and manages state party operations and other related affairs. Consistent with 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a), this is supported by MSLP’s current organizing documents, attached.

Please let me know if you have any questions regarding this request.

Sincerely,

/s/

Christina Sirois, Esq.  
571-207-6451 Direct  
csiroid@dbcapitolstrategies.com

Enclosure(s): LNC List of State Affiliates  
MSLP Organizing Documents

# Bylaws of The Libertarian Party of Mississippi

## BYLAW I: PURPOSE AND SCOPE

These bylaws shall govern the association known as the “Libertarian Party of Mississippi” hereinafter referred to as the “Party”

## BYLAW II: MEMBERSHIP

**Section 1.** All members of the Party shall be required to sign the following membership pledge: “I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals.”

(a) A “Basic Member” is a member who has signed the pledge of non-initiation of force.

(i) A “Basic Member” is not a “Voting Member”.

(b) A “Sustaining Member” is a member who has contributed at least \$25 to the National Libertarian Party annually and at least \$25 to the Party annually.

(i) A “Sustaining Member” must sign the pledge of non-initiation of force.

(ii) The Executive Committee at its discretion may waive the requirement for \$25 to the Party for those within the Party that have contributed considerable service to the Party.

(iii) A “Sustaining Member” shall also be a “Voting Member”.

(c) A “Subscribing Member” shall be a member who has contributed at least \$25 to the National Libertarian Party annually, and at least \$10 per month to the Party.

(i) A “Subscribing Member” must sign the pledge of non-initiation of force.

(ii) A “Subscribing Member” shall be a “Voting Member”.

**Section 2.** The amount of yearly dues required may not be changed except as an act of the yearly state convention of the Party, IAW Bylaw VII, Section 1.

**Section 3.** Membership may be indefinitely revoked for cause by unanimous vote of all Party officers sitting as a Judicial Committee.

a. Request for membership revocation must be submitted in writing to each member of the Judicial Committee, and to the member whose membership is being questioned.

**Section 4.** The Secretary shall provide a copy of the membership list to each party officer. With the approval of the Executive Committee, the membership list may be provided to other groups, such as the National Libertarian Party, a Libertarian Party candidate, or a campaign committee.

**Section 5.** Only Sustaining Members and Subscribing Members shall be elected as delegates to the National Convention.

## BYLAW III : PARTY OFFICERS

**Section 1.** State party officers are; Chairman, Vice-Chairman, Secretary, Treasurer, one District Representative for each of the congressional districts, and one Party Representative At Large. Officers shall serve until the next annual state convention.

**Section 2.** All actions of the State, County and Campus party officers must support the Party Platform, the Constitution and Bylaws of the Party, and also uphold the pledge of non-initiation of force. No party officer shall endorse a non-Libertarian candidate for public office who is opposed by a Libertarian candidate.

**Section 3.** If office of Chairman becomes vacant, or is unable to fulfill the duties as Chairman, then the order of succession as acting Chairman is; Vice-Chairman, Secretary-Treasurer, District One Representative; Followed by the remaining District Representatives in numerical order.

**Section 4.** The State Executive Committee, consisting of the Chairman, Vice-Chairman, and Secretary, Treasurer, and all Representatives, hereinafter referred to as the Execomm are authorized to act in the name of the Party in all matters subject to the following rules;

**(a)** A simple majority is sufficient authority for the Execomm to act in all matters.

**(b)** If a vacancy occurs in the Execomm, the Chairman or acting Chairman may appoint a Party Officer to fill the position. If the other member(s) of the Execomm object to the appointment, the appointment must be approved by the majority vote of Party Officers.

**(c)** The Execomm may conduct business by telecommunications, mail, meetings, or by other electronic means.

**(d)** Execomm meetings may be called by any member of the Execomm.

**(e)** Reasonable notice of Execomm meetings shall be given to all party officers.

**(f)** Scheduled Execomm meetings are open to all members of the Party, and all scheduled meetings shall be posted on the Party website 10 days in advance.

**(g)** Minutes of Execomm meetings and any votes taken by mail or telecommunications must be published in the next issue of the Party newsletter or on the Party website, at least in summary form.

**(h)** If any action, appointment or proposed action of the Execomm is objected to by five party officers or by one-tenth(1/10) of the Voting Members of the Party, then the matter shall be submitted to a mail ballot of the entire Party membership or be deferred to the next yearly state convention.

**(i)** The Execomm may, at its sole discretion, refuse to accept any applications for candidacy of any state or local office. Decisions under this section may be appealed to the Judicial Committee.

**Section 5.** The Judicial Committee shall consist of all Party Officers as defined by BYLAW III Section 1.

**a.** A simple majority of the Judicial Committee shall be sufficient on all appeals.

**b.** It shall take unanimous vote of the Judicial Committee to revoke membership for cause.

**c.** The action of the Judicial Committee may be appealed to the next annual convention where 3/5ths majority of the voting delegates may reinstate membership.

## **BYLAW IV: FINANCES**

**Section 1.** Any Party money spent must be authorized by a majority vote of the Execomm.

**Section 2.** The Treasurer shall keep, in an auditable fashion, a record of all Party money spent or received by the Party.

**Section 3.** The Execomm shall appoint a 3 person Audit Committee no later than 90 days prior to the annual convention. The Audit Committee shall audit the financial records of the Party beginning with the ending date of the previous Audit, and submit the findings of the audit to the ExeComm at the annual Convention.

a. The Treasurer of the Party shall provide all financial records to the Audit Committee.

## **BYLAW V : AFFILIATE ORGANIZATIONS**

**Section 1.** The Execomm shall promote and authorize county and campus Libertarian Organizations to be affiliated with the party.

**Section 2.** Affiliate organization Executive Committees may be appointed by the Party Execomm until the affiliate organization has five party members, after which the affiliate should elect its officers.

**Section 3.** The Execomm may revoke affiliate status for cause.

**Section 4.** No person, group or organization may use the name “Libertarian Party of Mississippi” or any confusingly similar designation except as authorized by the Party.

## **BYLAW VI: ANNUAL PARTY CONVENTION RULES**

**Section 1. OFFICIAL NOTICE** – The Execomm shall set the time, place and schedule of events for the annual state convention. At least 30 days advanced notice must be provided to the Party members concerning these arrangements. In addition, public notice must be given as required by the state election code. All Party conventions are open to the public.

**Section 2. CONVENTION OFFICERS** – The current Chairman and Secretary of the Party shall preside as Chairman and secretary respectively of the annual state convention.

**Section 3. CONVENTION DELEGATES** – All Voting Members shall be duly registered as Voting Delegates except as provided in Section 4. Each Voting Delegate shall have one vote and be present on the floor when the vote is taken, except that written and signed proxies are allowed when voting on amendments to the Party Constitution.

### **Section 4. SENIORITY RULES**

(a) Only Supporting and Sustaining Members are eligible to be Voting Delegates at the annual Convention.

(b) No Party member shall be a Voting Delegate to any Party convention until 60 days have elapsed after their date of membership.

(c) No Party member shall be nominated as a member of the Executive Committee, or Voting Delegate to the National Convention or candidate for public office until 60 days have elapsed after their date of membership.

(i) Candidates may petition the Judicial Committee for a waiver of this requirement.

(d) The application of Bylaw VI, Section 4, Sub-Section b, may be suspended at any Party convention provided that the suspension is submitted as the first order of business and is favored by 3/5 of the Voting Delegates. If this section is suspended, then those Party members affected must be duly registered as Voting Delegates as the second order of business.

**Section 5. QUORUM** - A simple majority of all Voting Delegates registered at the convention shall be a quorum for all matters.

**Section 6. VOTING PROCEDURE** – On all matters not requiring a greater number, a simple majority of Voting Delegates present and voting shall be required for the passage of any matter.

**Section 7. SPEECHES AND DEBATE** – Each Voting Delegate shall be limited to five minutes on any issue unless otherwise specified by the Chairman or determined by majority vote.

**Section 8. ORDER OF BUSINESS** – The order of business shall be:

Call to Order – promptly at the time given by advanced notice.

**(1) Delegate Registration-** A motion to suspend the seniority rules in accordance with Bylaw 6, Section 4, Subsection d, may be submitted. Afterwards the registration of Voting Delegates will be closed.

**(2) Chairman’s Report** (required)

**(3) Treasurer’s Report** (required)

**(4) Reports by other Party officers** (as recognized by the convention Chairman)

**(5) Other reports** (as recognized by the convention Chairman)

**(6) Motions & Resolutions**

**(7) Nomination and election of all Party officers** (required)- The newly elected Party officers take office effective with the adjournment of the convention.

**(8) Nomination and election of delegates to the National Libertarian Party Convention** (if so moved).

**(9) Nomination of candidates for public office** (if so moved)

**(10) Other business** (as recognized by the convention Chairman)

Adjourn

## **BYLAW VII : AMENDMENT OF BYLAWS**

**Section 1.** These Bylaws may be amended by 2/3 majority vote of the Voting Delegates at the annual state convention of the Party.

*Approved by vote of the Voting Delegates at the State Convention on 27 February 2016*

September 19, 2016

Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to 52 U.S.C. § 30108, Missouri Libertarian Party (“MOLP”), C00618256, seeks an advisory opinion recognizing it as a State committee of the Libertarian National Committee, Inc. (“LNC”).

Consistent with 52 U.S.C. § 30101(15), 11 C.F.R. § 100.14(a), and Advisory Opinion 2015-01 (Green-Rainbow Party), the following qualifications have been met:

1. LNC qualifies as a political party, as detailed in Advisory Opinion 2010-13 (Libertarian Party of Florida) and Advisory Opinion 1975-129 (National Committee of the Libertarian Party).
2. MOLP is the recognized affiliate of LNC for the state of Missouri, as detailed in the August 31, 2016 LNC letter, attached.
3. MOLP performs, and is responsible for, the day-to-day functions and operations of a political party at the state level. Specifically:
  - A. MOLP has assisted in placing Gary Johnson on the 2016 general election ballot as a Libertarian candidate for President of the United States. Mr. Johnson qualifies as a “candidate” under 52 U.S.C. § 30101(2) and 11 C.F.R. § 100.3(a).
  - B. MOLP organizes state party conventions, supports Libertarian candidates in the state, develops and implements state policy, and manages state party operations and other related affairs. Consistent with 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a), this is supported by MOLP’s current organizing documents, attached.

Please let me know if you have any questions regarding this request.

Sincerely,

/s/

Christina Sirois, Esq.  
571-207-6451 Direct  
csiroid@dbcapitolstrategies.com

Enclosure(s): LNC List of State Affiliates  
MOLP Organizing Documents



State of Missouri
Robin Carnahan, Secretary of State

Corporations Division
P.O. Box 778 / 600 W. Main Street, Rm 322
Jefferson City, MO 65102

File Number:
N00950190
Date Filed: 02/23/2009
Robin Carnahan
Secretary of State

Articles of Incorporation of a Nonprofit Corporation
(To be submitted with a filing fee of \$25)

The undersigned natural person(s) of the age of eighteen years or more for the purpose of forming a corporation under the Missouri Nonprofit Corporation Act adopt the following Articles of Incorporation:

- (1) The name of the corporation is Missouri Libertarian Party
(2) This corporation is a Mutual Benefit Corporation.
(3) The period of duration of the corporation is Perpetual
(4) The name and street address of the Registered Agent and Registered Office in Missouri is:
Greg Tlappek 1569 Cape Rock Dr. Cape Girardeau, MO 63701
(5) The name(s) and address(es) of each incorporator:
Cisse W. Spragins, Ph.D., Vice Chair MO LP, 3425 Gladstone Blvd., Kansas City, MO 64123
(6) Does the corporation have members? YES NO
(7) The assets of the corporation will be distributed on dissolution as follows: Distributed to donors, candidates for public office, or to charitable or non-profit organizations, as determined by the MO LP Executive Committee.
(8) The corporation is formed for the following purpose(s): To support candidates for public office, and political activities and causes for the advancement of libertarian principles.
(9) The effective date of this document is the date it is filed by the Secretary of State of Missouri, unless you indicate a future date, as follows:

(Date may not be more than 90 days after the filing date in this Office)

Please see next page

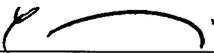
Name and address to return filed document:
Name: Cisse Spragins
Address: 3425 Gladstone Blvd.
City, State, and Zip Code: Kansas City, MO 64123

State of Missouri
Creation - NonProfit 2 Page(s)



In Affirmation thereof, the facts stated above are true and correct:  
(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)

Signed by Incorporator(s):

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# State of Missouri



Robin Carnahan  
Secretary of State

## CERTIFICATE OF INCORPORATION MISSOURI NONPROFIT

WHEREAS, Articles of Incorporation of

*Missouri Libertarian Party*  
N00950190

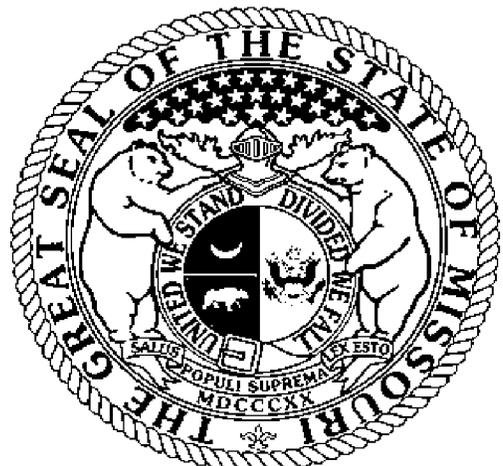
have been received and filed in the Office of the Secretary of State, which Articles, in all respects, comply with the requirements of Missouri Nonprofit Corporation Law;

NOW, THEREFORE, I, ROBIN CARNAHAN, Secretary of the State of Missouri do by virtue of the authority vested in me by law, do hereby certify and declare this entity a body corporate, duly organized this date and that it is entitled to all rights and privileges granted corporations organized under the Missouri Nonprofit Corporation Law.

IN TESTIMONY WHEREOF, I hereunto  
set my hand and cause to be affixed the  
GREAT SEAL of the State of Missouri.  
Done at the City of Jefferson, this  
23rd day of February, 2009.

A handwritten signature in cursive script that reads "Robin Carnahan".

Secretary of State



# Bylaws of the Missouri Libertarian Party

(As amended by the State Committee in convention March 19, 2016)

## Preamble

We, the Libertarians of the State of Missouri, recognizing the need in this state for an authentic political alternative, and believing in the principles and philosophy of libertarianism, supporting a return to Constitutional government in these United States and Missouri, hereby organize and institute the Missouri Libertarian Party under these bylaws. These bylaws, as amended herein, replace and supersede the Constitution and Bylaws of the Missouri Libertarian Party originally adopted in Springfield Missouri on 6 September 1992 and all intermediate versions preceding this revision date.

## ARTICLE 1 -- IDENTITY AND PURPOSE

**1.1** The name of this organization shall be the "Missouri Libertarian Party", hereinafter referred to as the "MoLP".

**1.2** The purpose of the MoLP shall be the promotion of Libertarian candidates for election to public office and the promotion of libertarian ideas and philosophy.

**1.3** The MoLP shall be affiliated with the National Libertarian Party and shall comply with all of the applicable rules and bylaws affecting affiliate parties as promulgated by the Libertarian Party National Committee and the Libertarian Party National Convention.

## ARTICLE 2 -- PERIOD OF DURATION

**2.1** The duration of the Party shall be perpetual.

**2.2** In the event of dissolution of the corporation/organization, any remaining funds will be: returned to donors; given to then current candidates for office; donated to other non-profit organizations; or donated to charity, as determined by the Executive Committee.

## ARTICLE 3 -- MEMBERSHIP

**3.1** A person is a voting member of the MoLP and entitled to vote on MoLP business per these by-laws if he or she is a current committeeman or committeewoman per the Missouri state statutes for political parties, has run as a Libertarian candidate in a partisan Missouri election within the last two years, or has made a contribution to the MO LP of at least \$100 (\$40

for students) in the last two years.

**3.2** A person is a recognized member of the MoLP during any calendar year if that person donates \$25.00 to the MoLP (\$15 for students) during the same calendar year. A recognized member is not entitled to vote on MoLP business per these by-laws unless such person also meets the requirements of section 3.1.

**3.3** A member may be censured and/or disavowed by the State Committee if he or she, while purporting to represent to the public the MoLP, states positions which are contrary to Libertarian principles and/or is found to have committed acts of fraud and/or violence. Upon 30 days notice to appear or be represented before the State Committee to be heard on the charge(s) levied, censure or disavowal shall be only upon approval of three-quarters of the whole membership.

**3.4** A member may be expelled from the organization for violation of the bylaws or for other cause deemed prejudicial to the best interests of the organization, as determined by the State Committee. Only the Executive Committee may propose the expulsion of a member to the State Committee. Notice that the State Committee will consider expulsion of a member shall be mailed to all of the State Committee members and the member subject to expulsion in writing and at least 30 days prior to the State Committee meeting. At the State Committee meeting, the Chair shall preside over the proceeding to consider expulsion of a member. Expulsion shall be only upon approval of three-quarters of the whole membership.

## **ARTICLE 4 -- THE STATE COMMITTEE**

**4.1** The State Committee shall be constituted as nearly as feasible in accordance with Missouri statutes.

**4.2** The State Committee shall have the authority to pass and amend bylaws, raise money, maintain bank accounts, expend necessary funds raised, form committees, assign duties to State Officers and appoint agents to act on its behalf.

**4.3** The State Committee shall meet at least at each State Convention.

## **ARTICLE 5 -- THE EXECUTIVE COMMITTEE**

**5.1** An Executive Committee, as defined herein, shall be authorized to act on behalf of the State Committee in between State Committee meetings. The Executive Committee shall be authorized to take any action which could be taken by the State Committee on a simple majority vote.

**5.2** The Executive Committee shall consist of the elected officers of the MoLP, and district members from the various Congressional Districts, not

to exceed two per District, chosen by the respective members of the State Committee residing in that District. The State Committee members of each District may also select up to two alternate Executive Committee members, who may vote in the event of the absence of an Executive Committee member(s) from their district. All Executive Committee members and alternates must be voting members of the MoLP as defined in section 3.1.

**5.3** Challenges to the selection of Executive Committee members from a given Congressional District may be made by State Committee members from the same Congressional District. Any such challenge shall be presented to the State Committee for resolution. In the event of such a challenge, no challenged member shall vote on the resolution of said challenge.

**5.4** The Executive Committee shall serve for a period of one year, or until their successors are selected, beginning at the State Committee meeting coinciding with the annual State Convention. Vacancies occurring during a term shall be filled by State Committee members residing in that district, or, failing that, by appointment of the Chair with the approval of the Executive Committee, and become permanent after six weeks provided no State Committee member registers a written objection to the Chair.

**5.5** The Executive Committee shall hold at least one meeting every three months. All members of the Executive Committee shall be given reasonable notice of when and where each meeting is to be held.

**5.6** Any district member of the Executive Committee who does not attend three consecutive regularly-scheduled meetings shall be demoted to an alternate member from their Congressional District, unless prior notice was given to the Chair, or an alternate member from the same Congressional District attended in that member's place.

## **ARTICLE 6 -- STATE OFFICERS**

**6.1** The Officers of the MoLP shall consist of a Chair, Vice Chair, Secretary and Treasurer.

**6.2** State Officers shall be elected at the State Convention by the State Committee and shall take office immediately after Convention. They shall serve for a term of two years or until their successors are elected.

**6.3** The Chair shall be responsible for calling meetings of the State Committee and the Executive Committee, chairing all State Committee and Executive Committee meetings, chairing the State Convention, serving as official spokesperson of the MoLP, and appointing persons and/or performing other functions as authorized by the State Committee.

**6.4** The Vice Chair shall act as Chair in the event of the Chair's inability or unwillingness to perform such action required by these bylaws and/or

Missouri election law. The Vice Chair shall also be responsible for coordinating outreach efforts and shall act as public relations officer of the MoLP, as directed by the State Committee and the Chair. The Vice Chair must call an Executive Committee meeting if the Chair has not done so within the three month period stated in Article 5.5.

**6.5** The Secretary shall record the minutes of all State Committee and Executive Committee meetings and correspond with government officials of the State of Missouri. The Secretary shall also ensure that the Annual Report for a Missouri Corporation is timely filed, and that any needed updates to the Registered Office and/or Corporate Officers are timely filed with the Secretary of State.

**6.6** The Treasurer shall maintain the records of receipts and expenditures of party funds and shall be responsible for reporting such records to any federal or state agency or official as required by law.

**6.7** The Treasurer shall prepare a financial report to be distributed at State Committee meetings to all members of the State Committee. The Treasurer shall prepare this report at least quarterly and distribute it to the Chair. The Treasurer shall submit an annual financial report to the delegates attending the State Convention.

**6.8** Should a vacancy occur in any state officer's position, that office shall be filled by appointment of the State Committee. However, in the event a vacancy shall occur in the office of Chair, a vacancy shall also be declared in the office of Vice Chair and a new election shall be held for filling the vacancies of both Chair and Vice Chair.

**6.9** The Chair, Vice Chair, Secretary and Treasurer may delegate portions of their responsibilities with the approval of the Executive Committee

**6.10** Impeachment charges may be brought against any officer of the Executive Committee by any member at any regular or special meeting of the Executive Committee. The charges must show cause for removal from office. The officer so charged shall be given the opportunity to reply to the charges and if not present at the meeting at which charges are made, voting on the question shall be deferred until the next regularly scheduled meeting. In the case the officer so charged is the Chair, then the next highest ranking officer will preside over the proceedings. Impeachment shall be only upon approval of two-thirds of the entire Executive Committee.

## **ARTICLE 7 -- LOCAL AFFILIATES**

**7.1** Local affiliates of the MoLP may organize county, legislative, senatorial, congressional, and judicial district committees as provided by Missouri election law.

7.2 Such affiliates shall not be recognized by the MoLP until the Secretary of the MoLP is provided written notice of the formation of the affiliate including a list of its members and officers.

## **ARTICLE 8 -- THE USE OF PARTY FUNDS**

8.1 The State and/or Executive Committee must approve in advance the expenditure of any party funds. The State and/or Executive Committee may, but is not obligated to, reimburse funds expended by a member without prior authorization.

## **ARTICLE 9 -- THE STATE CONVENTION**

9.1 A State Convention shall be held annually. Except in even numbered years when the convention will be held the weekend before the opening of candidate filing, the time and place of the State Convention shall be determined by the State and/or Executive Committee or a Convention Committee as appointed by either. Written notice, via either postal mail or email, of the Convention date, time and place (and proposed bylaws changes - if any) shall be given by the state Secretary to all State Committee members at least 30 days prior to the Convention (with member's RSVP directed to the state Secretary). However this does not preclude amendments to the changes from the floor.

9.2 The purpose of the State Convention shall be to select the Executive Committee, select delegates to the Libertarian party National Convention (if applicable), amend the MoLP bylaws through the State Committee, and amend the MoLP Platform.

9.3 The State Officers shall serve as officers of the State Convention.

9.4 All voting delegates to State Conventions must be voting members in good standing of the Missouri Libertarian Party, as defined in section 3.1, and must have been members of the MoLP for at least 30 days prior to the start of the Convention. Adoption of platform changes shall require a two-thirds vote of those members present and voting.

9.5 Only delegates present on the convention floor may vote.

## **ARTICLE 10 – THE NOMINATING CONVENTION**

10.1 In even numbered years, a Nominating Convention will preempt the State Convention on the Saturday afternoon of the convention. These provisions will govern the proceedings and will supersede all other bylaws related to candidate selection.

If Missouri statutes or Secretary of State practices regarding filing fees change so as to *require* political parties to accept filing fees from whoever wants to run on their ticket, these provisions shall become null and void.

**10.2** The purpose of the Nominating Convention will be two-fold.

1. Encourage people to run for statewide office.
2. Allow, but not require, members to choose a single candidate to represent the MoLP in the general election in any statewide race.

**10.3** The Vice-Chair shall be responsible for conducting the Nominating Convention according to these by-laws. He/she may delegate that responsibility to a member of the Executive Committee.

**10.4** All voting members, as defined in section 3.1 of these bylaws, who are in attendance are eligible to nominate and vote.

**10.5** There will be an initial nominating process open to all candidates for all statewide offices. People who have made it known they want to be a candidate but do not personally appear shall be eligible for nomination. Individuals may be nominated for more than one office. Nominations do not require a second. Recognition by the person leading the convention is not required to make a nomination, though he/she should acknowledge the nomination from the podium.

**10.6** Each person present who places or accepts their name into nomination is to be asked two questions. These questions are to be asked of a nominee only one time throughout the entire process, even if the candidate is nominated for several offices. Nominees who are not in attendance may have a video presented of them answering each question and including a one minute preface and a one minute close.

1. Why are you running for office?
2. What are the big issues in your race?

They will have one minute to answer each question.

**10.7** If members wish to have the candidates in any race answer additional questions, whether that race is contested or uncontested, the vice-chair or his/her designee will conduct the questioning at their own discretion. This additional question opportunity is to take place immediately preceding a vote on a race. Motions from the membership to close questioning will be accepted and require a two-thirds majority of those voting to pass.

**10.8** Balloting shall proceed in this order, except in the years when the

Auditor's race is the only statewide contest: Attorney General, US Senate, Governor, Secretary of State, Treasurer, Lieutenant Governor.

**10.9** After the balloting for an office is complete, the nomination process will resume to allow and encourage people to place themselves, or allow themselves to be placed, into nomination for any remaining office. Any new candidates will be asked the questions in 10.6 with the same time constraints. Optional questions will again be allowed per 10.7.

**10.10** Delegates are to be provided with a ballot before each vote and votes are to be kept secret. The ballots are to assume substantially this form:

*Is there one candidate who you feel should have exclusive access to the primary ballot for this office? Write their name. \_\_\_\_\_*

*Are there any candidates who you feel should be excluded from the primary ballot for this office? Write their name(s). \_\_\_\_\_*

**10.11** If there are two or fewer nominees, the first ballot will be the only ballot for that office. To get the exclusive right to have their name on the August primary ballot, a candidate must get in excess of 50% of the ballots cast.

**10.12** In races where there are three or more candidates, if more than half the delegates who cast ballots want one candidate to have the exclusive right to be on the August primary, but no single candidate gets a majority of the votes cast, the two candidates with the most votes will face each other in a runoff election. If neither of those two leading candidates receives a majority in the runoff, no candidate shall be granted exclusive right to be on the ballot.

The same form of ballot shall be used in runoff elections as in a first ballot. Tie votes will be repeated until one person wins.

**10.13** A simple majority of the ballots cast is enough to keep a candidate off the ballot.

#### **10.14 General Rules Governing the Nominating Convention**

There will be no admission charged to attend the Nominating Convention.

A motion to have a member or non-member removed from the proceedings requires a simple majority of the voting members present and voting in a voice vote.

### **Counting of ballots**

Two delegates deemed trustworthy and competent by the Vice Chair or his/her designee in charge of conducting the business of the convention will count the votes. After each ballot, they are to announce the total number of votes cast. If no candidate received enough votes to get exclusive access to the primary ballot that shall be announced. If a candidate did receive a sufficient number of votes to grant them exclusive access to the primary ballot, the number of votes they received shall also be announced. If a majority of delegates who cast a ballot voted to deny a candidate access to the ballot, the number of those votes shall also be announced.

Either delegate in charge of counting votes may be challenged and replaced by a motion passing with a simple majority of the delegates present and voting. This vote will be conducted by an officer of the State Party by voice vote. The delegate body will nominate and elect replacements.

The ballots are to be retained until two weeks after the close of the filing period by the Secretary for inspection by the Executive Committee.

### **Credentials of delegates**

Ten days in advance of the Nominating Convention, the State Chair or his/her designee will submit to the members of the State Committee, and to the "members" e-mail subscription list, a list of the people who are recognized voting members and entitled to vote in the Nominating Convention.

The day of the Nominating Convention a credentials committee comprised of the four officers of the State Party will determine who in attendance is allowed to vote, such decision being made immediately following a vote by the delegates on the aforementioned pre-submitted list whether to allow any or all other people in attendance to participate in the Nominating Convention, including the right to nominate and vote. Attendees who make no claim to voting membership are only to be admitted after having made the \$100 contribution and been approved by a majority of the already credentialed delegates.

### **Enforcement of results**

As the final business of the Nominating Convention, the Treasurer will announce a list of statewide candidates who as a result of the Nominating Convention paid their fee and received their receipt, as well as a list of those who are entitled but have yet to do so.

It shall be the responsibility of the Treasurer, officers and agents of the Party to abide by and enforce the decision of the Nominating Convention. Accordingly, no receipt for filing fees is to be issued to any candidate who has been denied the right to have their name on our ballot either because another candidate has gained that exclusive right or because the delegates voted not to allow the person access to the ballot for other just cause.

Except as provided in this paragraph, no receipts are to be issued to any candidates for statewide office on the first day of filing or at any time, except by default to candidates who pay their fee to the Secretary of State at the time they file and without the Party's objection within two weeks thereof. All statewide candidates who are entitled to file on the first day of filing should have paid their filing fee and received their receipt at the Nominating Convention.

## **ARTICLE 11 -- RULES OF PROCEDURE**

**11.1** The rules governing the conduct of State Committee meetings, Executive Committee meetings, and the State Convention shall be Robert's Rules of Order.

**11.2** A quorum at State Committee meetings and Executive Committee meetings shall exist if 51% of the membership of the committee is present in person or via telecommunications.

**11.3** Only members present, either in person or via telecommunications, may vote at meetings of the State Committee and the Executive Committee. No absentee or proxy voting shall be allowed except that duly elected alternates may vote in place of absent district representatives.

## **ARTICLE 12 -- NATIONAL CONVENTION DELEGATION**

**12.1** MoLP delegates to Libertarian Party National Conventions shall elect a delegation chairman and a delegation vice-chairman. In the absence of the chairman, the vice-chairman shall act as chairman.

**12.2** The delegation chairman may freely substitute alternates to vote in place of delegates not present on the floor provided that the total number of votes cast by delegates and alternates shall not exceed the total number of delegates to which Missouri is entitled.

**12.3** All delegates to the Libertarian Party National Convention must be of a sufficient age to make them eligible to vote in an election during the same year as the Convention, unless approved by two-thirds of the state's credentialed delegates for the current session.

## **ARTICLE 13 -- PRESIDENTIAL PREFERENCE PRIMARIES**

**13.1** During years in which the State of Missouri conducts a presidential primary, a summary of the Missouri statutory filing requirements and key dates relative to presidential primaries shall be prepared with references to the applicable Missouri statutes. This data shall, upon request, be made available to potential candidates by the Secretary of the MoLP no later than fifteen days subsequent to the receipt of said request.

**13.2** During years in which the State of Missouri conducts a presidential primary prior to the State Convention's final selection of national delegates, Congressional District caucuses shall be held to choose the Congressional District's delegates from each Congressional District in accordance with applicable Missouri statutes.

## **ARTICLE 14 -- AMENDMENTS**

**14.1** Amendments to these bylaws of the Missouri Libertarian Party should be made by the State Committee at the State Convention and shall require a two-thirds vote of those State Committee members present and voting in favor. Amendments shall be given to the party Secretary and distributed to the State Committee members 30 days prior to the Convention.

**14.2** Between Conventions, amendments may be made by the State Committee to change those provisions which are not in accordance with Missouri and Federal law. The amendments may be made by using the

following procedure. The proposed amendment(s) and notice of special meeting date, time and place shall be sent by the party Secretary to all State Committee members, in writing, at least 30 days prior to the scheduled State Committee meeting. The amendment(s) shall require a two-thirds vote of those State Committee members present and voting.

## **ARTICLE 15 -- PARTISAN ELECTION CANDIDATE SELECTION**

**15.1** Selection of candidates for partisan elective office shall be in accordance with Missouri statutes.

Per section 115.357.2 RSMo, the MoLP will allow candidates to submit their filing fee to the election officials of the office of the Secretary of State (SOS) for forwarding to the Party. The officials of the MoLP are not to adopt the common practice of instructing the officials of the Secretary of State not to take candidate filing fees.

On the first day of filing in Jefferson City for the August Primary, no filing fees are to be accepted from any candidate for United States Senate, Governor, Lt. Governor, Secretary of State, Attorney General, Treasurer or Auditor unless that candidate has e-mailed to [the](#) contact address for the Missouri Libertarian Party on the LPMO.org website notice of their intention to run at least two weeks prior.

Officials of the MoLP can only accept filing fees or issue a receipt to any candidate who wants their name to appear on our ballot in the August Primary on the first day of filing. Thereafter, election officials of the SOS office shall collect the filing fees and forward to the Treasurer of the MoLP as 115.357.2 requires to be done promptly. The MoLP has two weeks from the time the filing fees are received to provide a written refusal to the SOS, indicating a denial of that candidate to run as a Libertarian. If written refusal is not provided, receipt shall be considered given to the candidate.

**15.2** The State Committee may refuse acceptance of a candidates filing fee for a partisan election, thus preventing the candidate from running for partisan elective office on the Libertarian Party ballot as follows:

1. Refusing acceptance of a candidates filing fee shall require approval by two-thirds of the State Committee in attendance and voting.
2. The State Committee has two weeks from close of candidate filing to consider refusing acceptance of a candidate's filing fee.

3. State Committee members shall be given at least one week notice that a special State Committee meeting is being called to consider motions to refuse acceptance of candidate filing fees and which candidates are to be considered,

4. Candidates subject to consideration by the State Committee for refusal of their candidate filing fee shall be given at least one week notice and invited to participate in the State Committee meeting,

5. The Secretary shall inform the Missouri Secretary of State and the candidate in writing that the Missouri Libertarian Party refused acceptance of the candidate filing fee.

6. The Treasurer shall return any filing fee received to candidates whose filing fee has been refused by the State Committee.

September 8, 2016

Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to 52 U.S.C. § 30108, Libertarian Party of New Mexico (“LPNM”), C00622803, seeks an advisory opinion recognizing it as a State committee of the Libertarian National Committee, Inc. (“LNC”).

Consistent with 52 U.S.C. § 30101(15), 11 C.F.R. § 100.14(a), and Advisory Opinion 2015-01 (Green-Rainbow Party), the following qualifications have been met:

1. LNC qualifies as a political party, as detailed in Advisory Opinion 2010-13 (Libertarian Party of Florida) and Advisory Opinion 1975-129 (National Committee of the Libertarian Party).
2. LPNM is the recognized affiliate of LNC for the state of New Mexico, as detailed in the August 31, 2016 LNC letter, attached.
3. LPNM performs, and is responsible for, the day-to-day functions and operations of a political party at the state level. Specifically:
  - A. LPNM has assisted in placing Gary Johnson on the ballot as a Libertarian candidate for president. Mr. Johnson qualifies as a “candidate” under 52 U.S.C. § 30101(2) and 11 C.F.R. § 100.3(a).
  - B. LPNM organizes state party conventions, supports Libertarian candidates in the state, develops and implements state policy, and manages state party operations and other related affairs. Consistent with 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a), this is supported by LPNM’s current organizing documents, attached.

Please let me know if you have any questions regarding this request.

Sincerely,

/s/

Christina Sirois, Esq.  
571-207-6451 Direct  
csiroid@dbcapitolstrategies.com

Enclosure(s): LNC List of State Affiliates  
LPNM Organizing Documents



# LIBERTARIAN PARTY OF NEW MEXICO

## Constitution and Bylaws

Adopted in Convention, April 18, 2015, Albuquerque, New Mexico



### ARTICLE I – NAME, PRINCIPLES, PURPOSE, and EMBLEM

#### 1.1 – NAME

(a) The Libertarian Party organization in the State of New Mexico shall be The Libertarian Party of New Mexico and may be referred to in this constitution and other official documents as LPNM.

(b) The name of LPNM organizations within each political subdivision or campus shall be The Libertarian Party of \_\_\_\_\_ with the appropriate designation of the county or other appropriate political subdivision, or \_\_\_\_\_ College Libertarian Club.

#### 1.2 – PRINCIPLES

We, the members of the Libertarian Party of New Mexico advocate the American tradition of limited government and defend the rights of the individual.

We hold that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose.

Governments throughout history have regularly operated on the opposite principle that the state has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the right to regulate the lives of individuals and seize the fruits of their labor without their consent.

We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate the rights of any individual, namely: the right to life – accordingly we support prohibition of the initiation of physical force against others; the right to liberty of speech and action – accordingly we oppose all attempts by governments to abridge the freedom of speech and press, as well as government censorship in any form; and the right to property – accordingly we oppose all government interference with private property such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud, and misrepresentation.

Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to

deal with one another as free traders, and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.

#### 1.3 – PURPOSE

The purpose of LPNM shall be to move society and public policy toward the ideals embodied in the Statement of Principles by nominating, supporting, and electing candidates for public office; by lobbying officials and governmental bodies; by engaging in educational and informational activities; by general advocacy, and by other means deemed appropriate by LPNM.

#### 1.4 – EMBLEM

The emblem of LPNM and of constituent organizations political subdivisions shall be the Statue of Liberty.

#### 1.5 – USE OF NAME AND EMBLEM

(a) The names "Libertarian Party" and "College Libertarians" shall not be used by any person, group, or convention except in strict conformance with this constitution and the laws of the State of New Mexico.

(b) The LPNM Central Committee is empowered to initiate legal action on behalf of LPNM upon determination that any individual, slate of candidates, group, or convention is using the name or emblem of LPNM in any manner not consistent with this constitution or the laws of the State of New Mexico.

### ARTICLE II – MEMBERSHIP

#### 2.1 – CATEGORIES AND DEFINITIONS OF MEMBERS

(a) AFFILIATE MEMBER. An affiliate member is any registered voter within the State of New Mexico who has indicated "Libertarian" as his or her party affiliation on the affidavit of voter registration.

(b) CAUCUS Member. A caucus member is any person who has indicated "Libertarian" as his or her party affiliation on the New Mexico affidavit of voter registration, has met at least one of the qualifications enumerated in 2.1(b)(1) below, and has signed the non-initiation of force statement, which reads "I certify that I do not advocate the initiation of force to achieve political or social goals."

(1) CAUCUS MEMBER QUALIFICATIONS. Only one qualification must be met. Qualifications are not cumulative and the qualification with the latest expiration date shall be recognized.

(a) Payment of a lump sum donation of \$25 to LPNM.

(b) Collection and timely submission of at least 200 verified signatures on any petition for LPNM party certification, or at

least 150 verified signatures on any petition for ballot qualification of a nominated LPNM candidate in a statewide or congressional race, or at least 100 verified signatures on any petition for ballot qualification of a nominated LPNM candidate in a county or legislative race. Qualification is enabled when the Secretary certifies verification of the signatures and expires one year from that date.

(c) Twenty-five hours of volunteer service within a one-year period. Service must be in activity (excluding business meetings and social events) sponsored by LPNM, a county affiliate of LPNM, or an LPNM-affiliated College Libertarian Club.

Qualification is enabled when the Secretary receives certification from the State Chair, County Chair or College Libertarian Club President that the service has been completed and expires one year from that date.

(d) Submission of a proposal to the State Chair for a project, and with acceptance of the project by the Executive Committee, execution of the project. Qualification is enabled when the Secretary receives certification from the State Chair that the project has been completed and expires one year from that date.

(e) Publication in a newspaper(s) of general circulation within a 12-month period, a total of two editorials or five letters to the editor promoting the Libertarian Party, its philosophy, or its candidates. Qualification is enabled when the Secretary receives dated copies of the editorials or letters and expires one year from that date.

(c) **WAIVER OF VOTER REGISTRATION REQUIREMENT.** The Central Committee is empowered to waive the voter registration requirement for any individual who is otherwise qualified as a caucus member but not legally qualified to vote, and who requests such a waiver in writing. However, under no circumstances shall any person who is registered in another party or who has indicated "no party" on the affidavit of voter registration be recognized as a caucus member.

(d) **SUBSCRIBING MEMBER.** A subscribing member is any person who has paid dues to LPNM.

(e) **SUSTAINING MEMBER.** Payment of a monthly pledge of \$10 or more. Donors should indicate that contributions are for membership. Caucus members or subscribing members may be sustaining members. Qualification is enabled when the first monthly pledge is received and will continue until pledges are 90 or more days in arrears.

## **2.2 – MEMBERSHIP BENEFITS AND RESTRICTIONS**

(a) Only caucus members shall serve as delegates to state conventions of LPNM. Any caucus member in good standing is automatically a state convention delegate.

1. Affiliate members shall have the right to vote on nominating candidates for public office at state conventions.

(b) Caucus members shall receive the state newsletter and other such publications and benefits as determined by the Central Committee.

(c) As all officers of LPNM and its affiliates, LPNM delegates to national conventions, and LPNM candidates for public office will automatically meet the 2-1-b-1 qualification for caucus membership, all such members must submit the certification that he or she opposes the initiation of force prior to being nominated.

(d) As LPNM recognizes Life Memberships, members who became Life Members prior to 2006 are exempted from the provisions of 2.1-b-1.

## **2.3 – MEMBERSHIP DUES FOR CAUCUS MEMBERS**

(a) Annual membership dues for caucus members may be fixed at any state convention by a two-thirds vote of the delegates present and voting. When a convention does not fix dues, the amount in effect during the previous year shall continue.

(b) The membership period of caucus members shall be 12 consecutive months, and shall commence on the first day of the month during which dues are received by the Treasurer.

## **ARTICLE III – ORGANIZATION AND ADMINISTRATION**

### **3.1 – EXECUTIVE COMMITTEE**

(a) **COMPOSITION.** The Executive Committee shall be composed of the executive officers of LPNM: Chair, Vice Chair, Secretary, and Treasurer. A quorum of the Executive Committee shall consist of a majority of the committee.

(b) **POWERS.** The LPNM Executive Committee is empowered to:

1. Call special conventions to nominate candidates for special elections or for other urgent purposes and to set the date, time, and place for such conventions;

2. Authorize and call teleconference meetings of the Central Committee or poll by mail the members of the Central Committee when there exists business of an emergency or urgent nature that can not wait until the next regular meeting of the Central committee;

3. Initiate disciplinary proceedings as provided for in this constitution; and

4. Perform such other duties as may be delegated by the Central Committee or State Convention.

(c) **QUALIFICATION.** To qualify for the Executive Committee, a member must have (a) been a member of the LPNM for at least 3 years prior to election to the Executive Committee and (b) served at least one full term on the LPNM Central Committee prior to election to the Executive Committee.

(d) **VACANCIES.** When the office of Chair becomes vacant, the Vice Chair shall automatically become Chair. When other executive offices become vacant, such vacancy shall be filled by appointment of the Chair with the advice and consent of the Central Committee.

### 3.2 – CENTRAL COMMITTEE

(a) COMPOSITION. The Central Committee shall be composed of the Executive Committee; three at-large representatives elected at state conventions in odd-numbered years; and one representative from each congressional district elected by the delegates from each respective congressional district in caucus at state conventions in odd-numbered years.

(b) POWERS. The Central Committee shall manage the affairs of LPNM as provided for in this constitution, the New Mexico Election Code, and acts of the caucus membership assembled in convention.

(c) MEETINGS. The Central Committee shall meet a minimum of four times each year. Meetings may be fixed by action of the Committee or call of the Chair. The Secretary shall notify each member of the Central Committee of the date, time and place of meetings, in writing, or by email, at least thirty days prior to the meeting except as otherwise provided in Section 3.1(b)2. Meetings shall be conducted according to Robert's Rules of Order except as otherwise provided in this constitution or in the LPNM bylaws.

(d) QUORUMS. When thirty-days written notice has been properly executed, a quorum of the Central Committee shall consist of at least four Central Committee members, one or more of whom is an Executive Committee Officer. Otherwise, a quorum shall consist of at least six Central Committee members, one or more of whom is an Executive Officer. Any member who misses two consecutive meetings or any three meetings during his or her term of office is automatically removed from the Committee.

(e) VACANCIES. Vacancies on the Central Committee shall be filled by appointment of the Chair with the advice and consent of the Central Committee. Members representing a congressional district must reside in the district they represent.

(f) VOTES BY ELECTRONIC MAIL. From time to time, an issue of emergency nature may require vote by electronic mail and/or telephone by the Central Committee. Such a vote can be initiated by one-third of all current Central Committee members submitting a request to the State Chair, or the State Vice-Chair, and the vote shall be carried out by the State Chair after it is requested. All efforts should be made to assure maximum Central Committee member participation and debate on the issue being voted on. Additionally, the standard for passage of any proposal voted on by this method shall be a majority of all current Central Committee members voting in favor. If all current Central Committee members participate and the vote is tied, the State Chair may break the tie by voting.

### 3.3 – JUDICIAL COUNCIL

(a) COMPOSITION. The Judicial Council shall be an ad hoc council and consist of three Caucus members, appointed by the State Chair, with the advice and consent of the Central Committee. It is strongly encouraged that former State Chairs, and other former executive officers, be appointed to these

positions. No member may serve on the Judicial Council while also serving as a member of the Central Committee.

(b) CHIEF JUSTICE. Chosen by the three members of the Judicial Council, the Chief Justice shall be the presiding member of the Judicial Council. The Chief Justice shall conduct hearings of the Council.

(c) HEARINGS. The Judicial Council shall conduct hearings for the purposes enumerated in (d) below. Hearings may be called by:

1. Request of the Chair, except for impeachment;
2. Majority vote of the Executive Committee, except for impeachment;
3. Two-thirds vote of the Central Committee, or any of the County Central Committees;
4. Majority vote of the delegates voting at a state convention; or
5. Submission of a Statement of Grievance by any caucus member in good standing and endorsed by six other caucus members, except for impeachment.

Once a hearing is called, the Chief Justice shall set the date, time, and place of such hearing and shall cause all other Council members and litigants to receive at least two weeks written notice of the particulars of the hearing. No member of the Council shall vote on any matter in which he or she is a litigant. Hearings shall be conducted according to Robert's Rules of Order. A quorum of two members may render a decision. Either party participating in the hearing may appeal this decision to a second hearing before the next regular state convention. The decision rendered by a two thirds vote of the state convention shall be final.

1. (d) POWERS. The Executive Committee, the Central Committee, and the County Central Committees may censure any caucus member or any affiliate member, but all other disciplinary actions are the purview of the Judicial Council. The Council is empowered to:
  1. Remove from office, for just cause, any officer or Central Committee member who has been impeached by a two-thirds vote of the Central Committee or majority vote of any state convention;
  2. Suspend, for just cause, the caucus membership of any caucus member until the next state convention. The state convention may, by majority vote, reinstate the caucus membership of any person so suspended. Such suspensions shall remain in effect if the state convention fails to reinstate the suspended member;
  3. Settle disputes arising from interpretation of this constitution or acts of the Central Committee; and
  4. Suspend, until the next state convention, any section of this constitution found to be in violation of state or federal law.

### 3.4 – COUNTY AFFILIATES OF LPNM

(a) RECOGNITION. The Libertarian Party of any county shall be recognized when:

1. A caucus member, who has been appointed by the State Chair, has assumed the office of County Chair;
2. A County Central Committee of the County Chair and at least two additional members has been seated;
3. A constitution, consistent with this constitution and the laws of New Mexico and the United States of America, has been filed with the County Clerk of the respective county; and
4. The Chair of LPNM has been notified in writing that the above requirements have been met.

In counties where there is no Libertarian Party organization, the Chair of LPNM is empowered to appoint, in writing, a caucus member as County Chair. The County Chair is then empowered to appoint two additional members to the County Central Committee, and the County Central Committee is then empowered to adopt a constitution. Within one year of the appointment of the County Chair, the County Libertarian Party shall hold a convention and the county convention shall properly elect officers and ratify the county constitution. If the County Libertarian Party fails to meet the requirements of recognition enumerated above, or fails to hold a county convention within one year of the appointment of the County Chair, the County Chair shall stand removed and the Chair of LPNM is empowered to appoint a new County Chair.

(b) ADMINISTRATION. Once a County Libertarian Party is recognized, it shall be administered by the County Central Committee in a manner identical to the administration of the Libertarian Party of New Mexico except that the County Libertarian Party is empowered to determine: the size of its Central Committee, except that it will have a minimum of three members; the number and qualifications of executive officers, except that the County Chair must be a caucus member. County Libertarian Parties shall not have their own Judicial Council: the LPNM Judicial Council shall serve as the judiciary body of the County Libertarian Parties as well as the Libertarian Party of New Mexico.

(c) CONSISTENCY OF COUNTY ACTIONS. No County Libertarian Party shall take any position or action which is inconsistent with the constitution, principles, or purposes of the Libertarian Party of New Mexico.

## **ARTICLE IV – OFFICERS**

### **4.1 – ENUMERATION AND DUTIES OF EXECUTIVE OFFICERS**

(a) ENUMERATION. The executive officers of LPNM shall be the Chair, Vice Chair, Secretary, and Treasurer.

(b) DUTIES. Any executive officer who fails to execute his or her duties may be impeached and removed as provided in this constitution. The duties of executive officers are:

1. CHAIR. The Chair shall serve as the chief administrative officer of LPNM; preside over meetings of the Executive

Committee and Central Committee, preside over state conventions, serve as spokesperson for LPNM, and perform such other duties and functions as specified in this constitution or as delegated by the Central Committee.

2. VICE CHAIR. The Vice Chair shall assist the Chair, assume the duties of the Chair when the Chair is unable to perform such duties, and perform such other duties and functions as delegated by the Chair, the Executive Committee or the Central Committee.

3. SECRETARY. The Secretary shall keep minutes of Executive Committee and Central Committee meetings, keep minutes of state conventions; initiate such correspondence as directed by the Chair, the Executive Committee, or the Central Committee, and manage all records of LPNM except financial records.

4. TREASURER. The Treasurer shall receive monies paid to LPNM, keep and disperse LPNM funds as directed by the Central Committee, keep the financial records of LPNM, make financial reports to the Central Committee, and manage the property of LPNM.

### **4.2 – ELECTION AND TERMS OF EXECUTIVE OFFICERS**

Executive officers shall be elected by a majority vote of the delegates voting at the first state convention following a regular congressional election. If more than two candidates seek an office and no candidate obtains a majority of the votes, the lowest vote-getter shall be eliminated and Caucus members shall vote again choosing among the remaining candidates. This shall be repeated until a candidate wins a majority of the votes, or if there are two candidates remaining, the highest vote-getter between the two shall be elected. If only two candidates seek an office, the highest vote-getter between the two shall be considered elected. The term of an elected executive officer shall be two years, and no members may serve more than two consecutive terms in a particular executive office. Vacancies of executive office shall be filled in accordance with Section 3.1(c) of this constitution.

### **4.3 – CABINET OFFICERS**

The Chair is empowered to appoint, with the advice and consent of the Central Committee, caucus members to positions such as Legislative Liaison, Publications Editor, Project(s) Coordinator(s), or other such cabinet office as deemed appropriate by the Chair.

Cabinet officers serve at the pleasure of the Chair and may be removed or replaced at will, or by a majority vote of the Central Committee.

## **ARTICLE V – CONVENTIONS AND CANDIDATES**

### **5.1 – CONVENTION DATES**

(a) WHEN LPNM IS A MAJOR PARTY. In election cycles when LPNM is qualified as a major party, LPNM shall hold annual conventions during the last weekend in March in even years and as determined by the Central Committee in odd years. Any candidate seeking the Libertarian nomination for public office in

the General Election who receives a majority of the votes at the March convention shall be considered endorsed by the party.

(b) WHEN LPNM IS A MINOR PARTY. In election cycles when LPNM is qualified as a minor party, annual conventions shall be held as determined by the Central Committee.

## **5.2 – NOTICE**

The Secretary shall notify each caucus member, by mail, of the dates, time, and public place of state conventions; and shall cause to be published in newspapers of general circulation notice of state conventions at least fourteen days prior to the date of the convention provided, however, that where a county party organization has been established, the officers of the county party organization shall cause such notice to be published as provided herein.

## **5.3 – BUSINESS OF THE CONVENTION**

Each annual state convention shall include a business meeting. Caucus members in good standing shall be automatic delegates to state convention business meetings and no fee shall be charged to delegates for attending the business meeting portion of state conventions. The Chair of LPNM, or the designee thereof, is empowered to verify the credentials of any delegates. Business meetings shall be conducted according to Robert's Rules of Order except as otherwise provided by this constitution and LPNM bylaws.

## **5.4 – NOMINATION OF CANDIDATES**

(a) WHEN LPNM IS A MAJOR PARTY. In election cycles when LPNM is qualified as a major party, nominations of candidates for public office, presidential electors, and delegates to the national convention of the Libertarian Party shall be made in accordance with the New Mexico Election Code and Primary Law. The New Mexico Election Code and Primary Law is hereby incorporated into this section.

(b) WHEN LPNM IS A MINOR PARTY. In election cycles when LPNM is qualified as a minor party, nominations of candidates for federal office, statewide office, and offices elected from multi-county districts shall be made by majority vote of the affiliate and caucus members voting at annual conventions, except for special elections in odd-numbered years. Nominations of candidates for offices selected from multi-county districts shall be made by affiliate and caucus members from the counties comprising such districts, in caucus at the state convention. Election of presidential electors and delegates to the national convention shall be by majority vote in even numbered years. If a potential candidate wishes to be nominated more than 12 months but not more than 24 months prior to an event, (election or National LP Convention), he or she must receive the votes of not less than 2/3 of the delegates present and voting.

(c) COUNTY OFFICE, Nominations of candidates for county office shall be made at the respective county conventions. Organized counties may caucus at the state convention for the purpose of nominating candidates if the county affiliate has not

had a convention at the time of the state convention, or to nominate additional candidates if the county affiliate has held a convention, provided that the County Chair is in attendance. Three or more caucus/affiliate members from any unorganized counties may caucus at the state convention for the purpose of nominating candidates, and the State Chair will certify such candidates in lieu of a county chair.

(d) CERTIFICATION AND VACANCIES. Candidates nominated for public office shall be certified in accordance with the provisions of the New Mexico Election Code. Additionally, any nomination is made subject to the nominee passing a criminal background check. Failure to pass such a background check shall result in the nomination being declared void. The Central Committee is empowered to fill vacancies in the list of federal, statewide, and multi-county district candidates in accordance with the New Mexico Election Code.

## **5.5 – NOMINATION, ELECTION OR APPOINTMENT OF DELEGATES TO NATIONAL CONVENTIONS.**

To be a delegate to the national convention, any individual must be a caucus member in good standing, both at the time of his or her election to delegate status and at the time of serving as a delegate. Only caucus members in good standing may be appointed by the delegation chair to delegate status at any national convention.

## **ARTICLE VI – PLATFORMS AND POSITIONS**

### **6.1 – PLATFORMS**

(a) LPNM PLATFORM. The Platform of the national Libertarian Party is the Platform of LPNM, except that LPNM may, at any state convention, delete any plank by a two-thirds vote of the delegates voting, or add any plank consistent with the Statement of Principles, by a two-thirds vote.

(b) CANDIDATE PLATFORMS. Candidates for public office may run on their own platforms. However, the Central Committee may disavow any plank that is contrary to the Statement of Principles or LPNM Platform.

(c) RESOLUTIONS OF POSITION. The Central Committee is empowered to issue resolutions expressing party positions on various issues throughout the year. However, any caucus member may challenge any such resolution that he or she believes to be inconsistent with the Statement of Principles or LPNM Platform by filing a Statement of Grievance with the Judicial Council in accordance with the provisions of Section 3.3(c)5.

## **ARTICLE VII – AMENDMENTS AND BYLAWS**

The Statement of Principles may be amended by a nine-tenths vote of the delegates voting at any state convention. This constitution may otherwise be amended by a two-thirds vote of the delegates voting at any state convention. The Judicial Council is empowered to remove any section of this constitution found to be in violation of federal or state law. Bylaws may be added or deleted by a two-thirds vote of the delegates voting at any state convention. The Secretary is empowered to renumber

bylaws as bylaws are added or deleted within two days of a state convention.

#### **LPNM BYLAWS**

##### **Bylaw #1**

Any Central Committee member may designate, in writing, a caucus member to serve as proxy if he or she must miss a Central Committee meeting and that proxy counts toward quorum. However, the proxy vote will not count as attendance for purposes of retention or removal of the member.

##### **Bylaw #2**

College Libertarian Clubs may be recognized as affiliates of LPNM under the same rules and conditions as county affiliates.

The Chair is empowered to implement guidelines for the administration of College Libertarian Clubs.

##### **Bylaw #3**

If the boundaries of the congressional districts are changed, Central Committee representatives shall serve the remainder of their terms; and for the purpose of electing Central Committee representatives, the changes shall be recognized by LPNM at the next convention in an odd numbered year following the changes.

**Adopted in Convention,  
April 18, 2015,  
Albuquerque, New Mexico**

September 15, 2016

Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to 52 U.S.C. § 30108, Libertarian Party of North Dakota (“LPND”), C00618264, seeks an advisory opinion recognizing it as a State committee of the Libertarian National Committee, Inc. (“LNC”).

Consistent with 52 U.S.C. § 30101(15), 11 C.F.R. § 100.14(a), and Advisory Opinion 2015-01 (Green-Rainbow Party), the following qualifications have been met:

1. LNC qualifies as a political party, as detailed in Advisory Opinion 2010-13 (Libertarian Party of Florida) and Advisory Opinion 1975-129 (National Committee of the Libertarian Party).
2. LPND is the recognized affiliate of LNC for the state of North Dakota, as detailed in the August 31, 2016 LNC letter, attached.
3. LPND performs, and is responsible for, the day-to-day functions and operations of a political party at the state level. Specifically:
  - A. LPND has assisted in placing Gary Johnson on the 2016 general election ballot as a Libertarian candidate for President of the United States. Mr. Johnson qualifies as a “candidate” under 52 U.S.C. § 30101(2) and 11 C.F.R. § 100.3(a).
  - B. LPND organizes state party conventions, supports Libertarian candidates in the state, develops and implements state policy, and manages state party operations and other related affairs. Consistent with 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a), this is supported by LPND’s current organizing documents, attached.

Please let me know if you have any questions regarding this request.

Sincerely,

/s/

Christina Sirois, Esq.  
571-207-6451 Direct  
csiros@dbcapitolstrategies.com

Enclosure(s): LNC List of State Affiliates  
LPND Organizing Documents

# Libertarian Party of North Dakota

## CONSTITUTION AND BYLAWS OF THE LIBERTARIAN PARTY OF NORTH DAKOTA

### Preamble

We, the Libertarians of the State of North Dakota, recognizing the need in this state for an authentic political alternative, and believing in the principles and philosophy of libertarianism, supporting a return to Constitutional government in these United States and North Dakota, hereby organize and institute the Libertarian Party of North Dakota under these bylaws. These bylaws, as amended herein, replace and supercede the Constitution and Bylaws of the Libertarian Party of North Dakota and all intermediate versions preceding this revision date, November 7th, 2015.

### ARTICLE 1 -- IDENTITY AND PURPOSE

- 1.1 The name of this organization shall be the "Libertarian Party of North Dakota", hereinafter referred to as the "LPND".
- 1.2 The purpose of the LPND shall be the promotion of Libertarian candidates for election to public office and the promotion of libertarian ideas and philosophy.
- 1.3 The LPND shall be affiliated with the National Libertarian Party and shall comply with all of the applicable rules and bylaws affecting affiliate parties as promulgated by the Libertarian Party National Committee and the Libertarian Party National Convention.

### ARTICLE 2 -- PERIOD OF DURATION

- 2.1 The duration of the Party shall be perpetual.

### ARTICLE 3 -- MEMBERSHIP

- 3.1 A person is a voting member of the Libertarian Party of North Dakota if he or she is a current committeeman or committeewoman per the North Dakota state statutes for political parties, has run as a Libertarian candidate in a partisan North Dakota election within the last two years, or has made a contribution to the LPND of at least \$50 (\$20 for students) in the last two years. The State and/or Executive Committee may from time to time authorize lesser classes of membership not requiring a donation. Any such lesser classes of membership shall not grant the right to vote on official business of the party.
- 3.2 A member may be censured and/or disavowed by the State Committee if he/she: while purporting to represent to the public the LPND, states positions which are contrary to Libertarian principles and/or is found to have committed acts of fraud and/or violence. Upon 30-day notice to appear or be represented before the State Committee to be heard on the charge(s) levied, censure or disavowal shall be only upon approval of three-quarters of the whole membership.
- 3.3 A member may be expelled from the organization for violation of the bylaws or for other cause deemed prejudicial to the best interests of the organization, as determined by the State Committee. Only the Executive Committee may propose the expulsion of a member to the State Committee. Notice that the State Committee will consider expulsion of a member shall be mailed to all of the State

Committee members and the member subject to expulsion in writing and at least 30 days prior to the State Committee meeting. At the State Committee meeting, the Chair shall preside over the proceeding to consider expulsion of a member. Expulsion shall be only upon approval of three-quarters of the whole membership.

## ARTICLE 4 -- THE STATE COMMITTEE

- 4.1 The State Committee shall be constituted as nearly as feasible in accordance with North Dakota statutes.
- 4.2 The State Committee shall have the authority to pass and amend bylaws, raise money, maintain bank accounts, expend necessary funds raised, form committees, assign duties to State Officers and appoint agents to act on its behalf.
- 4.3 The State Committee shall meet at least at each State Convention.

## ARTICLE 5 -- THE EXECUTIVE COMMITTEE

- 5.1 An Executive Committee, as defined herein, shall be authorized to act on behalf of the State Committee in between State Committee meetings. The Executive Committee shall be authorized to take any action, which could be taken by the State Committee on a simple majority vote.
- 5.2 The Executive Committee shall consist of the elected officers of the LPND, and district members from the various Congressional Districts, not to exceed two per District, chosen by the respective members of the State Committee residing in that District. The State Committee members of each District may also select one or more alternate Executive Committee members, who may vote in the event of the absence of an Executive Committee member(s) from their district. All Executive Committee members (and alternates) must be voting members of the LPND as defined in section 3.1.
- 5.3 Challenges to the selection of Executive Committee members from a given Congressional District may be made by State Committee members from the same Congressional District. Any such challenge shall be presented to the State Committee for resolution. In the event of such a challenge, no challenged member shall vote on the resolution of said challenge.
- 5.4 The Executive Committee shall serve for a period of one year, or until their successors are selected, beginning at the State Committee meeting coinciding with the annual State Convention. Vacancies occurring during a term shall be filled by State Committee members residing in that district, or, failing that, by appointment of the Chair with the approval of the Executive Committee, and become permanent after six weeks provided no State Committee member registers a written objection to the chair.
- 5.5 The Executive Committee may hold at least one meeting every three months. All members of the Executive Committee shall be given reasonable notice of when and where each meeting is to be held.

## ARTICLE 6 -- STATE OFFICERS

- 6.1** The Officers of the LPND shall consist of a Chair, Vice Chair, Secretary and Treasurer.
- 6.2** State Officers shall be elected at the State Convention and shall take office immediately after Convention. They shall serve for a term of two years or until their successors are elected.
- 6.3** The Chair shall be responsible for calling meetings of the State Committee and the Executive Committee, chairing all State Committee and Executive Committee meetings, chairing the State Convention, serving as official spokesperson of the LPND, and appointing persons and/or performing other functions as authorized by the State Committee.
- 6.4** The Vice Chair shall act as Chair in the event of the Chair's inability or unwillingness to perform such action required by these bylaws and/or North Dakota election law. The Vice Chair shall also be responsible for coordinating outreach efforts and shall act as Public Relations officer of the LPND, as directed by the State Committee and the State Chair. The Vice Chair may call an Executive Committee meeting if the Chair has not done so within the three-month period stated in Article 5.5.
- 6.5** The Secretary shall record the minutes of all State Committee and Executive Committee meetings and correspond with government officials of the State of North Dakota.
- 6.6** The Treasurer shall maintain the records of receipts and expenditures of party funds and shall be responsible for reporting such records to any federal or state agency or official as required by law.
- 6.7** The Treasurer shall prepare a financial report to be distributed at State Committee meetings to all members of the State Committee. The Treasurer shall prepare this report and distribute it to the State Chair as needed. The Treasurer shall submit an annual financial report to the delegates attending the State Convention.
- 6.8** Should a vacancy occur in any state officer's position, that office shall be filled by appointment of the State Committee. However, in the event a vacancy shall occur in the office of Chairman, a vacancy shall also be declared in the office of Vice Chairman and a new election shall be held for filling the vacancies of both Chairman and Vice Chairman.
- 6.9** The Chair, Vice Chair, Secretary and Treasurer may delegate portions of their responsibilities with the approval of the Executive Committee
- 6.10** Impeachment charges may be brought against any officer of the Executive Committee by any member at any regular or special meeting of the Executive Committee. The charges must show cause for removal from office. The officer so charged shall be given the opportunity to reply to the charges and if not present at the meeting at which charges are made, voting on the question shall be deferred until the next regularly scheduled meeting. In the case the officer so charged is the Chair, then the next highest-ranking officer will preside over the proceedings. Impeachment shall be only upon approval of two-thirds of the entire Executive Committee.

## ARTICLE 7 -- LOCAL AFFILIATES

- 7.1** Local affiliates of the LPND may organize county, legislative, senatorial, congressional, and judicial district committees as provided by North Dakota election law.

**7.2** Such affiliates shall not be recognized by the LPND until the Secretary of the LPND is provided written notice of the formation of the affiliate including a list of its members and officers.

## ARTICLE 8 -- THE USE OF PARTY FUNDS

**8.1** The State and/or Executive Committee must approve in advance the expenditure of any party funds. The State and/or Executive Committee may, but is not obligated to, reimburse funds expended by a member without prior authorization.

## ARTICLE 9 -- THE STATE CONVENTION

**9.1** A State Convention shall be held at least bi-annually. The time and place of the State Convention shall be determined by the State and/or Executive Committee or a Convention Committee as appointed by either. Written notice, via either postal mail or email, of the Convention date, time and place (and proposed bylaws changes - if any) shall be given by the State Secretary to all State Committee members at least 30 days prior to the convention (with member's RSVP directed to the State Secretary). However this does not preclude amendments to the changes from the floor.

**9.2** The purpose of the State Convention shall be to select the Executive Committee, select delegates to the Libertarian party National Convention (if applicable), amend the LPND bylaws through the State Committee, and amend the LPND Platform. The state chairman and the national delegates must have been a member of the Libertarian party for at least 2 years before their election, unless approved by a 2/3rd's majority of the delegates. (Revised 11/7/15)

**9.3** The State Officers shall serve as officers of the State Convention.

**9.4** All voting delegates to State Conventions must be voting members in good standing of the Libertarian Party of North Dakota, as defined in section 3.1, and must have been members of the LPND for at least thirty days prior to the start of the convention. Adoption of platform changes shall require a two-thirds vote of those members present and voting.

**9.5** Only delegates present on the convention floor may vote.

## ARTICLE 10 -- RULES OF PROCEDURE

**10.1** The rules governing the conduct of State Committee meetings, Executive Committee meetings, and the State Convention shall be Robert's Rules of Order.

**10.2** A quorum at State Committee meetings and Executive Committee meetings shall exist if 51% of the membership of the committee is present in person or via telecommunications.

**10.3** Only members present, either in person or via telecommunications, may vote at meetings of the State Committee and the Executive Committee. No absentee or proxy voting shall be allowed except that duly elected alternates may vote in place of absent district representatives.

## ARTICLE 11 -- NATIONAL CONVENTION DELEGATION

**11.1** LPND delegates to Libertarian Party National Conventions shall elect a delegation chairman and a delegation vice-chairman. In the absence of the chairman, the vice-chairman shall act as chairman.

**11.2** The delegation chairman may freely substitute alternates to vote in place of delegates not present on the floor provided that the total number of votes cast by delegates and alternates shall not exceed the total number of delegates to which North Dakota is entitled.

**11.3** All delegates to the Libertarian Party National Convention must be of a sufficient age to make them eligible to vote in an election during the same year as the Convention, unless approved by 2/3rds of the state's credentialed delegates for the current session.

## ARTICLE 12 -- PRESIDENTIAL PREFERENCE PRIMARIES

**12.1** During years in which the state of North Dakota conducts a presidential primary, a summary of the North Dakota statutory filing requirements and key dates relative to presidential primaries shall be prepared with references to the applicable North Dakota statutes. This data shall (upon request) be made available to potential candidates by the Secretary of the LPND no later than fifteen days subsequent to the receipt of said request.

**12.2** During years in which the state of North Dakota conducts a presidential primary: Subsequent to the presidential primary and prior to the national convention, the state party shall hold a state convention, during which time, but prior to the state convention's final selection of national delegates, congressional district caucuses shall be held to choose the congressional district's delegates from each congressional district in accordance with applicable North Dakota statutes.

## ARTICLE 13 -- AMENDMENTS

**13.1** Amendments to these bylaws of the Libertarian Party of North Dakota should be made by the State Committee at the State Convention and shall require a two-thirds vote of those State Committee members present and voting in favor. Amendments shall be given to the party secretary and distributed to the State Committee members 30 days prior to the convention.

**13.2** Between Conventions, amendments may be made by the State Committee to change those provisions, which are not in accordance with North Dakota and Federal law. The amendments may be made by using the following procedure. The proposed amendment(s) and notice of special meeting date, time and place shall be sent by the party secretary to All State Committee members, in writing, at least 30 days prior to the scheduled State Committee meeting. The amendment(s) shall require a two-thirds vote of those State Committee members present and voting.

September 19, 2016

Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to 52 U.S.C. § 30108, Libertarian Party of Texas (“LPTX”), C00618280, seeks an advisory opinion recognizing it as a State committee of the Libertarian National Committee, Inc. (“LNC”).

Consistent with 52 U.S.C. § 30101(15), 11 C.F.R. § 100.14(a), and Advisory Opinion 2015-01 (Green-Rainbow Party), the following qualifications have been met:

1. LNC qualifies as a political party, as detailed in Advisory Opinion 2010-13 (Libertarian Party of Florida) and Advisory Opinion 1975-129 (National Committee of the Libertarian Party).
2. LPTX is the recognized affiliate of LNC for the state of Texas, as detailed in the August 31, 2016 LNC letter, attached.
3. LPTX performs, and is responsible for, the day-to-day functions and operations of a political party at the state level. Specifically:
  - A. LPTX has assisted in placing Gary Johnson on the 2016 general election ballot as a Libertarian candidate for President of the United States. Mr. Johnson qualifies as a “candidate” under 52 U.S.C. § 30101(2) and 11 C.F.R. § 100.3(a).
  - B. LPTX organizes state party conventions, supports Libertarian candidates in the state, develops and implements state policy, and manages state party operations and other related affairs. Consistent with 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a), this is supported by LPTX’s current organizing documents, attached.

Please let me know if you have any questions regarding this request.

Sincerely,

/s/

Christina Sirois, Esq.  
571-207-6451 Direct  
csiros@dbcapitolstrategies.com

Enclosure(s): LNC List of State Affiliates  
LPTX Organizing Documents

# The Libertarian Party of Texas Rules

April 9, 2016, San Antonio State Convention

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## **I. Statement of Principles.**

We, the members of the Libertarian Party, seek the maximum protection for the rights of all people against any violation, be it by other people, other nations, or our own government.

Every human being is born master of himself or herself, sole owner of his or her body and mind, free to live and act as he or she sees fit. It is our principle that, so long as a person does not violate the rights of others, he or she should be left free and unrestrained. Government tends to operate on the opposite principle, that the State is master and the individual the servant, to act only as directed by those in power.

We deny the right of any government to coerce peaceful citizens. Governments exist for the sole purpose of defending the freedoms of their citizens. These freedoms include the right to life; the right to liberty of thought, speech and action; and the right to property. When government violates these freedoms--by initiating force against them, by prohibiting the act and means of self-defense, by censoring thought, word and deed, or by taking property without the consent of the owner--the government must be brought to heel.

Government is, essentially, raw concentrated force, and thus prone to abuse. It is established and tolerated only as the agent and servant of the people- not their master. The force of government must be used only in response to an attack, fraud, or other initiation of force against an individual, group or government by another individual, group or government.

Governments have no business interfering in voluntary and contractual relations among individuals. Only to prevent or to rectify acts of fraud should government step in – never for purposes of redistributing wealth or providing special privilege to a few. Under no circumstances should government be allowed to prefer one set of people or handicap another, for whatever reason. All people should be equal under the law, free to deal with one another in a free market, the only system compatible with the principle of individual rights. The power of government must be kept to the minimum necessary to protect the rights of its citizens, and no more. Granting more power than that minimum allows the corrupt, the ambitious, and the tyrannical to run roughshod over the rights of the citizen. It is our mission to contest this trend, to stop its expansion and to reverse it, working towards the ideal society envisioned by the Founders and enshrined in the Constitution of the United States.

## **II. Name, Duration, Purposes and Membership.**

### **II.1. Name.**

The name of this organization shall be the “Libertarian Party of Texas”, hereinafter referred to as the “Party”.

### **II.2. Bylaws.**

These Rules shall be considered the ByLaws of the Party.

### **II.2. Duration.**

The duration of this organization shall be perpetual.

### **II.3. Purposes.**

The purpose for which this Party is organized is to implement and give voice to the principles embodied in the Party’s Statement of Principles by:

- a) Nominating and supporting candidates for the United States Congress and for state and local offices in Texas;
- b) Entering into political information activities;
- c) Establishing and supporting county Libertarian affiliates across the state; and
- d) Affiliating with the national Libertarian Party.

#### **II.4. Membership.**

##### **II.4.a. Voting Membership Eligibility.**

A person is eligible to become a Voting Member of the Party if the person:

- 1) is a qualified Texas voter;
- 2) generally supports the Party's Statement of Principles; and
- 3) is not affiliated with any other political party.

##### **II.4.b. Voting Membership.**

- 1) At any time an eligible person may become a Voting Member by affiliating with the Party.
- 2) On request of a person desiring to affiliate with the Party, a member of a County Executive committee for the county in which the person resides may administer the oath of party affiliation. In unaffiliated counties a member of the State Executive Committee, a person specially designated by the State Executive Committee, the State Chair, or person otherwise allowed by Texas law shall affiliate by administering the oath of party affiliation.
- 3) After administering the oath, the person shall stamp the party's name on the person's registration certificate or issue the person an affiliation certificate containing:
  - a) the name of the person to whom the certificate is issued;
  - b) the name of the Party ("Libertarian Party of Texas");
  - c) the name and official position of the issuer;
  - d) the function at which the affiliation occurred, if applicable; and
  - e) the date of affiliation.

##### **II.4.c. Termination of Voting Membership.**

A person's Voting Membership shall terminate if the person: 1) ceases to be eligible for Voting Membership under subsection (a); or 2) fails to affiliate with the Party on the date of the next Precinct Conventions.

##### **II.4.d. No dues for Voting Members.**

No dues shall be required for a person to become a Voting Member.

##### **II.4.e. Other Classes of Members.**

The State Executive Committee may create, eliminate or modify other classes of Membership. Such classes may or may not require Voting Membership, and may or may not require payment of such contributions or dues as the State Executive Committee shall deem proper. Such classes shall not grant any preference or privilege regarding the strength of votes or the manner of voting, or in election or appointment to office.

#### **II.4.f. Membership in General.**

All Voting Members, and all Members of other classes created by the State Executive Committee, shall be considered Members of the Party.

#### **II.4.g. Nondiscrimination.**

No eligible person shall be denied or restricted his or her rights of Membership and participation.

### **III. Party Organization.**

#### **III.1. State Executive Committee.**

##### **III.1.a. Composition.**

The State Executive Committee of the Party shall be composed of:

- 1) A Chair;
- 2) A Vice Chair;
- 3) A Secretary;
- 4) A Treasurer;
- 5) Representatives from State Senatorial Districts;
- 6) Members of the National Committee representing Texas ex officio with voice but no vote.

##### **III.1.b. Terms of Office.**

The term of office of all members of the Committee shall be from the final adjournment of the State Convention at which they are elected until the final adjournment of the next state Convention.

##### **III.1.c. Method of Selection.**

- 1) The Chair, Vice Chair, Secretary, and Treasurer shall be elected by majority vote of all the delegates at each State Convention.
- 2) The delegates present at each State Convention from each State Senatorial District shall meet and elect in district caucuses up to two representatives from that State Senatorial District.
- 3) If a district caucus fails to elect a District Representative to the Committee, or should a State Senatorial District fail to be represented by delegates at the state convention, the office of District Representative for that district may be filled by the State Executive Committee.

##### **III.1.d. Duties.**

- 1) The Chair shall be the principal and presiding officer of the State Executive Committee and the Party.
- 2) The Vice Chair shall perform the duties of Chair whenever the Chair is unable to do so, and shall assist the Chair.
- 3) The Secretary shall keep such minutes and records as are necessary; shall conduct mail balloting; shall give all notices required by these rules; shall maintain and certify the official copies of the Rules and Platform; shall maintain a roster of names, addresses and telephone numbers of members of the State Executive Committee, of County Chairs and of candidates for the Party's nomination for public office; shall cause the minutes or transcripts of meetings of the State Executive Committee to be furnished to the members of the committee as specified in these rules; and perform such other duties as the Chair directs.

- 4) The Treasurer shall maintain Party bank accounts and other financial assets, shall ensure that the State Executive Committee is aware of the financial condition of the Party, shall issue financial statements to the State Executive Committee at least quarterly, shall ensure that Party funds are disbursed only according to these rules and state or federal law.
- 5) The District Representatives shall actively work to further the growth of the Party. This includes, but is not limited to, communicating current organizational status within their districts to the Party, communicating Party information to their districts, assisting with candidate recruitment efforts, developing county affiliates, oversight of Party administration, and assisting to ensure proper function of official party events.
- 6) All members of the Committee shall further have all other authority and duties implied by their title and expressed or implied by these Rules, or assigned by the Chair or the Committee, and shall perform all other duties required of his or her office by applicable federal or state law, or by action of the Executive Committee or by these rules.

### **III.1.e. Vacancies and Removal from Office.**

#### **III.1.e.1. Vacancies.**

Should a vacancy occur in the office of Chair, Vice Chair, Secretary, Treasurer, or District Representative, the State Executive Committee shall elect a successor to fill the vacancy for the remainder of the term.

#### **III.1.e.2. Removal from Office for Absences.**

- (a) If an officer or district representative is absent from two successive meetings of the Committee, at the call to order of the second meeting that position shall be declared to be vacant.
- (b) An absence shall be counted against any meeting for the purpose of business of the State Executive Committee that requires a quorum and for which two (2) weeks notice was given.
- (c) Whenever the State Executive Committee removes a member of the Committee, the Secretary shall officially notify that member of his or her removal.

#### **III.1.e.3. Removal from Office for Cause.**

- 1) A member of the State Executive Committee may be removed for causes other than repeated absences from meetings by a three-fourths vote of the other members of the Committee.
- 2) Procedures set forth in the Party's parliamentary authority for disciplinary action shall be adhered to in order to protect the rights of both the accused and of the organization, including:
  - (a) the appointment of an investigating committee;
  - (b) the adoption of a resolution preferring specific charges;
  - (c) setting a special executive committee meeting for a trial; and
  - (d) the holding of a trial of the accused.

### **III.2. County Executive Committees.**

#### **III.2.a. Designated by County Conventions.**

- 1) There shall be in each county a County Executive Committee composed of a County Chair and such other Party officials of that county as the Voting Members of that county may designate. Any Party officials to serve on a County Executive Committee (except for the County Chair) must be appointed or

elected according to a set of bylaws, to be drafted and ratified by the Voting Members of that county, and subject to rejection by the State Executive Committee.

- 2) Such membership shall further designate the procedure to be followed in filling vacancies on the County Executive Committee.
- 3) Members of the County Executive Committee shall be elected at the regular County Conventions in even- numbered years, and their terms of office shall be from the adjournment of the regular Convention at which they are elected until the adjournment of the regular Convention in the second year thereafter.
- 4) County Chairs are required to provide a copy of the county bylaws to the State Secretary upon any adoption or alteration of said county bylaws. In the absence of county bylaws being on file, the State Executive Committee has the authority to recognize a qualified individual as county chair in the event of a dispute.

### **III.2.b. Appointment of Temporary Chairs.**

The State Chair or his designates may appoint a Temporary County Chair for any county which is not yet organized. Such Temporary Chairs shall serve only until their County Party formally elects its own Chair. The State Executive Committee may remove such Temporary Chairs from office for any reasons they deem proper.

### **III.2.c. Precinct Chairs.**

In counties without local rules specifying a procedure for selecting Precinct Chairs, the County Executive Committee shall select the Precinct Chairs. Within three (3) days of the election or appointment of a Precinct Chair, the name, address, phone number and email address of said Chair shall be sent to the State Chair.

### **III.2.d. Automatic Removal.**

Any County Chair who, for whatever reason, fails to hold a County Convention in an even-numbered year in accordance with these Rules or who fails to report in a timely manner the results of such a Convention to the State Chair or such officer designated to process such reports, shall no longer be County Chair. Any vacancy thus created may be filled by appointment by the State Chair.

### **III.2.e. Voting Membership Required.**

All County Executive Committee members must be Voting Members of the Party.

## **III.3. District and Precinct Executive Committees.**

### **III.3.a. District Executive Committees.**

Whenever these Rules or the actions of the State Executive Committee shall require action by a District Executive Committee, the membership of any such District Executive Committee shall be determined as follows:

- 1) For districts composed of less than one whole county, the Precinct Chairs within that district shall constitute the Committee, and such Precinct Chairs shall elect one of their number to serve as Chair of the Committee.

- 2) For districts composed entirely of one whole county, the County Executive Committee shall constitute the District Executive Committee and the County Chair shall be Chair of the District Executive Committee.
- 3) For districts composed of more than one whole county, or parts of more than one county, the District Executive Committee's membership shall consist of the County Chair of each county wholly within that district, and one District Committee member elected from among their number by each group of Precinct Chairs within that part of a county which is partially included in such district. If there is no county chair for any county wholly contained within the District and no precinct chair for any precinct within a District, then the county chair(s) of counties not wholly contained by the District shall comprise the District Executive Committee. The District Executive Committee thus formed shall elect its own Chair.
- 4) Within three days after any meeting at which District Executive Committee members are chosen as provided herein, the appropriate County Chair shall forward to the State Chair the names and addresses of the members of the District Executive Committee and within three days after the selection of the Chair of the District Executive Committee, the District Executive Committee shall forward to the State Chair the name and address of such Chair.

### **III.3.b. Precinct Executive Committees.**

The same general procedures as outlined in this section of this Article for District Executive Committees shall apply to Executive Committees for Commissioner's Precincts and Justice Precincts within a county.

### **III.4. General Rules for the State Executive Committee.**

#### **III.4.a. Governing Authority.**

- 1) These rules shall govern the conduct of all meetings and proceedings of the State Executive Committee of the Party.
- 2) The rules contained in the current edition of Robert's Rules of Order Newly Revised are hereby adopted by reference to govern all meetings and proceedings of the State Executive Committee of the Party in all cases to which they are applicable and in which they are not inconsistent with state law, these Rules, or any special rules of order the Committee may adopt.
- 3) The State Executive Committee may make additional policies for its conduct so long as said additional policies do not conflict with these rules.

#### **III.4.b. Powers of the State Executive Committee.**

- 1) In compliance with these Rules and the directives of Conventions, the State Executive Committee of the Party shall carry on the activities of the Party at its level between Conventions, and shall have the control and management of all Party affairs, properties, and funds at its level.
- 2) The Chair of the State Executive Committee, subject to the approval of that Committee, or the State Executive Committee itself, may appoint, elect or employ any such officers and assistants as may be deemed necessary to assist the Committee in its function and in making arrangements for Conventions at that level.
- 3) The State Executive Committee shall decide whether to hold a Primary Election, and make appropriate notification thereof.

#### **III.4.c. Qualifications of State Executive Committee Members.**

- 1) All Party officers and all members of the State Executive Committee must be Voting Members of the Party.
- 2) All Party officers and all members of the State Executive Committee must be residents of the region or political subdivision they represent, and the moving of his or her residence by a Party official out of such region or political subdivision shall mean an automatic vacancy of his or her office.
- 3) No person shall hold more than one membership on the State Executive Committee at the same time.

#### **III.4.d. Meetings of the State Executive Committee.**

- 1) The State Executive Committee of the Party shall meet at such times and places and in the manner required by:
  - (a) these rules;
  - (b) the action of the Committee itself;
  - (c) the call of its Chair; or
  - (d) the action of the Convention which elected it.
- 2) The State Executive Committee shall be required to meet upon the written request of one-third or more of its members.
- 3) Minutes or a transcript shall be taken at all meetings of the State Executive Committee, and a written copy shall be furnished to each member of the Committee within thirty days after the meeting.
- 4) All meetings of the State Executive Committee of the Party, except for executive sessions solely for the holding of a trial and possible removal of a member of the State Executive Committee, shall be open to attendance by the public and the press.
- 5) Notice of the time and place of all State Executive Committee meetings shall be given to all members not less than four (4) weeks prior to each meeting.
- 6) No in person meetings of the State Executive Committee shall be held outside the State of Texas.

#### **III.4.e. Quorum.**

Except as specifically provided otherwise in these Rules, a majority of the membership, excluding vacancies, shall be the quorum at all meetings of the State Executive Committee.

#### **III.4.f. Mail Voting.**

- 1) The State Executive Committee may, without meeting together, transact business by mail, by voting on questions submitted to them by or with the approval of the Chair or one-third or more of the Committee members.
- 2) Fifteen days shall be allowed for the return of the ballots by mail to the Secretary. If at the end of fifteen days, a majority of the Committee have not returned their ballots, the measure shall be considered defeated; when a majority of the ballots are returned within fifteen days, a majority of the ballots returned shall be sufficient for passage unless a higher vote is required by these Rules.
- 3) The Secretary must preserve all mail ballots received until their disposition is decided at the next meeting of the Committee.
- 4) All mail votes by the State Executive Committee shall be confirmed at the next State Executive Committee meeting.

#### **III.4.g. Electronic Meetings.**

- 1) The State Executive Committee may, without meeting together in person, remotely transact business by electronic means.
- 2) Notice of the time of all remote meetings shall be given to all members of the Committee not less than 72 hours prior to each meeting with a set agenda, and regular meeting notice requirement for an open agenda.
- 3) All remote meetings should be technologically inclusive of all committee members that have given their desire to participate in such meetings.
- 4) The State Executive Committee may, by majority vote of all members, restrict which type of remote meetings may be held.

#### **III.4.h. Electronic Voting.**

- 1) The State Executive Committee may request to vote on an issue by email or online forums outside of a meeting if 10% of current members of the body request a vote by forum or email.
- 2) The chair shall clearly present the issue as a motion to be voted upon by forum or email. If this does not occur within one week after the request to vote the vote on this issue shall not be taken up unless another request to vote is started.
- 3) At least 48 hours shall be given after the motion is given before a final tally may be counted. If enough yea votes of all current members to require passage have not been submitted within 96 hours the motion shall be considered failed.
- 4) If the method of casting votes was hidden then all members along with the name of each member and his or her vote shall be shown along with the final result.

#### **III.4.i. Approval of Expenditures.**

- 1) The State Executive Committee shall establish a categorized budget including expected revenues and expenses.
- 2) Authorization of all expenditures shall require a majority vote of the State Executive Committee.
- 3) Disbursement of all party funds shall require the approval of either the Treasurer or the Chair.
- 4) The State Executive Committee shall not take loans nor incur credit card debt.
- 5) Unless by  $\frac{2}{3}$  vote of the entire membership of the State Executive Committee, the State Executive Committee shall not obligate the Party to pay any financial commitment in excess of that which can be repaid from unrestricted cash and automatic recurring donations expected to be received within 6 months.

#### **III.4.j. Voting in Meetings.**

- 1) Unless otherwise specified in these Rules, the method of voting in all meetings of the State Executive Committee may be:
  - (a) voice vote;
  - (b) show of hands;
  - (c) standing division of the house;
  - (d) written secret ballot; or
  - (e) roll call vote.

The voting mechanism shall be Plurality voting or Approval Voting.

In Plurality Voting, voting members get one vote per round. If there is no winner in a given round, a new round commences wherein the lowest vote getter other than NOTA is eliminated.

In Approval Voting, voting members other than the Chair may vote for as many or few candidates as they wish. There is only round of voting. The candidate that gets the most votes wins. The Chair does not vote in Approval Voting except in the case of a tie vote, in which case the Chair is obliged to break the tie by voting for one and only one of the candidates in the tie.

In either case, if NOTA wins, then none of the candidates are eligible for the honor or position offered by the given election. If the position must be filled, new nominations are opened and a new vote is conducted.

- 2) The method used shall be left to the discretion of the Chair unless the Committee shall vote otherwise.
- 3) A division vote must be taken on the request of any member of the Committee, said member not needing to have the floor to make such request.
- 4) One fifth of the membership of the Committee shall be sufficient to order a roll call vote.
- 5) All votes taken shall be counted by the Chair and Secretary of each Committee.
- 6) The use of proxies and proxy voting is prohibited at all meetings of all Executive Committees at any level.
- 7) For all votes electing someone for any party position, None of the Above or an equivalent must be one of the choices. Any election by the SLEC without the ability to elect none of the candidates is void.

#### **III.4.k. Committees of the Executive Committee.**

- 1) The State Executive Committee may establish such committees as it deems appropriate to assist it in carrying out its non-statutory duties, and may appoint to such committees persons who are not members of the State Executive Committee.
- 2) No action of a subcommittee of or of any standing committee created by the State Executive Committee shall replace or supersede the actions or authority of the State Executive Committee at its subsequent meetings.

### **IV. Party Conventions.**

#### **IV.1. Precinct Conventions.**

- a) A Precinct Convention will be held in even numbered years in accordance with these Rules.
- b) Each Precinct Convention shall automatically elect all participants thereof to be delegates to the County convention and shall elect no alternates.
  - 1) The qualifications for delegates shall be the same as those for participation in the Precinct Convention.
  - 2) A person otherwise qualified need not be present at the Precinct Convention to be elected a delegate to the County Convention.

#### **IV.2. County Conventions.**

- a) A County Convention will be held in even numbered years in accordance with the Texas Election Code.
- b) Within 20 days following the deadline for making applications for the nomination of the Party in a general election, the Secretary shall notify each county chair of any candidates who have filed with the State Chair that are required to be nominated at a County Convention.

- c) All candidates for the Party's nomination for public office and for Party leadership shall be given an opportunity and encouraged to declare, prior to the voting on the office he or she is seeking, what if any disagreements he or she may have with the state and national platforms.
- d) The County Convention shall be composed of all delegates thereto who were duly elected by their Precinct Conventions that year.
- e) The County Convention shall elect delegates to the State Convention and to any appropriate District Conventions.
  - 1) County Conventions may elect a number of alternates to the State Convention not to exceed the total number of delegates allocated to that county.
  - 2) All delegates and alternates elected by a county convention must be qualified voters of that county.
  - 3) A person otherwise qualified need not be present at the County Convention to be elected a delegate or alternate to the State or District Conventions.
  - 4) Alternate delegates to the State Convention shall be assigned a number corresponding to the precedence of seating in the case that a delegate is not currently seated. The number assigned shall be a whole number between 1 and the total number of alternate delegates. If the county has not done so by whichever method it chooses, then the assignment of precedence number shall be chosen by random lottery by the chair of the state party.
- f) Unless specifically addressed by the County bylaws, all delegates may vote for nomination of candidates for districts that are entirely contained within the county.

### **IV.3. District Conventions.**

- a) A District Convention will be held in even numbered years for each district which is made up of more than one county or parts of more than one county and for which district at least one person has filed with the State Chair an application as a candidate for nomination for public office.
- b) All candidates for the Party's nomination for public office and for Party leadership shall be given an opportunity and encouraged to declare, prior to the voting on the office he or she is seeking, what if any disagreements he or she may have with the state and national platforms.
- c) The District Convention shall be composed of all delegates thereto who were duly elected by their County Conventions of that year.
- d) Between 10 days and 20 days following the deadline for making applications for the nomination of the Party in a general election, the Secretary shall send each elected and temporary county chair a letter informing the chair that they are to constitute a District Executive Committee (as specified in these rules) for each district for which one or more candidates have filed application for nomination. The letter shall contain the following:
  - 1) A list of the districts which are contained in whole or in part in her or his county for which one or more applications for nomination have been received;
  - 2) The names, addresses, and phone numbers of the Chairs of the other counties in each such district;
  - 3) A list of candidates who have filed for the Party's nomination for each district.
- e) The District Executive Committee shall determine the time and location of the District Convention for that district. Care shall be given to minimize scheduling conflicts between overlapping districts.

#### **IV.4. State Conventions.**

##### **IV.4.a. Composition and When Held.**

- 1) A State Convention will be held in even numbered years in accordance with these Rules.
- 2) The State Convention shall be composed of all delegates thereto who were duly elected by their County Conventions of that year.

##### **IV.4.b. Apportionment of Delegates.**

- 1) At the same meeting of the State Executive Committee at which the time and place of the next State Convention are decided, the Committee may limit the number of delegates that each county may elect to the State Convention to a fraction of the total number of votes cast in that county for all Libertarian nominees for statewide offices in the most recent general election for state and county officers. Such a fraction, if established, shall be uniform for all counties.
- 2) The number of delegates for each county calculated under subsection (1) shall be rounded up to the nearest whole number and shall not be below a minimum allocation set by the state executive committee.

##### **IV.4.c. Seating of Delegates and Alternates.**

- 1) Delegates shall be seated together by County at the State Convention.
- 2) Alternates shall be seated in order of precedence to fill any vacancies up to the maximum allotment for the County they represent.
- 3) Nonvoting alternates shall remain in a designated alternate seating area until such time as they are called to fill a vacancy.

##### **IV.4.d. Committees of the Convention.**

###### **IV.4.d.1. Committees Described.**

- (a) A Platform Committee, which shall consider and report to the Convention on recommendations for amendments to the permanent Statement of Principles and Platform of the Party;
- (b) A Rules Committee, which shall consider and report to the Convention on recommendations for amendments to the permanent Rules of the Party;
- (c) A Credentials Committee, which shall consider and report to the Convention on recommendations for resolution of any challenges to the credentials of delegates to the convention;
- (d) Any other committees which the State Executive Committee may deem it proper to establish.

###### **IV.4.d.2. Membership of Committees.**

- (a) The members of all committees at State Conventions shall be appointed by the State Executive Committee no later than four months prior to the Convention.
- (b) Those persons chosen to be members of committees must be notified of their selection within thirty days after the Executive Committee meeting at which they are selected.

##### **IV.4.e. Order of Business.**

At all State Conventions the order of business shall be as follows:

- 1) Call to order by the State Chair;

- 2) State Executive Committee report on the temporary roll;
- 3) State Chair introduces temporary officers of the Convention and turns over gavel to Temporary Chair if he or she has appointed someone other than himself or herself to act as Temporary Chair;
- 4) Opening ceremonies, if any;
- 5) Report of the Credentials Committee and action on its report to establish the permanent roll;
- 6) Nomination and election of permanent officers of the Convention;
- 7) Permanent Chair takes the chair;
- 8) Report of the Rules Committee and action on its report;
- 9) Nomination of candidates for public office;
- 10) Nomination and election of State Party officers;
- 11) Permanent Chair announces clearly to the delegates the place of each regional caucus, then declares a brief recess for such caucuses;
- 12) Regional caucuses meet and elect District Representatives;
- 13) Permanent Chair calls Convention back to order;
- 14) Regional caucuses report on election of District Representatives;
- 15) Nomination and election (if any) of delegates and alternates to the national convention;
- 16) Report of the Platform Committee and action on its report;
- 17) Nomination and election (if any) of Presidential Elector candidates;
- 18) Other business;
- 19) Acceptance speeches (if any) by certain nominees for public office;
- 20) Adjournment.

#### **IV.4.f. Functionaries of the State Convention.**

- 1) The State Chair may designate such temporary officers and assistants as he or she deems necessary to plan, arrange, and conduct the necessary work of the Convention until it elects its own permanent officers. Such temporary officers and assistants shall have those duties which are assigned to them.
- 2) The permanent officers of the Convention shall be a Chair, Secretary, and any additional officers who may be elected.
- 3) The Parliamentarian shall be chosen before the Convention by the State Executive Committee.
- 4) The permanent officers shall be elected separately and not as a slate.

#### **IV.4.g. Voting in District Caucuses.**

District caucuses at State Conventions may elect their District Representatives in whatever manner they choose as long as all delegates present from that region are given an equal voice in the election.

#### **IV.4.h. Voting on Contested Positions.**

- 1) In voting on delegates to a national convention, or Presidential Elector candidates in all cases in which there are more candidates than there are positions to be filled a ballot shall be taken on which each delegate to the State Convention shall vote for as many candidates as the number of positions to be filled, but no person may cast more than one vote for any single candidate.
- 2) That number of candidates equal to the number of positions to be filled who receive the highest vote totals shall be elected, providing each received votes from a majority of those present and voting.
- 3) If all the positions are not filled on the first ballot, then as many subsequent ballots shall be taken under the same procedure as are necessary to fill all the remaining positions.

#### **IV.4.i. Election of Presidential Electors.**

- 1) The State Convention in a Presidential election year shall elect a number of Presidential Elector candidates equal to the total number of United States Senators and Representatives to which the state is at that time entitled under law.
- 2) Any Voting Member of the Party who does not hold any office of profit or trust under the United States shall be eligible to be a Presidential Elector candidate.
- 3) If for any reason the State Convention cannot or does not select Presidential Elector candidates, Presidential Elector candidates shall be chosen by the State Executive Committee.
- 4) Each Presidential Elector candidate shall file with the State Chair a written affidavit attesting to his or her intention to support the Party's Presidential and Vice Presidential nominees. Should any Presidential Elector candidate fail to file such affidavit within a reasonable time, he or she shall be subject to removal and replacement by the State Executive Committee.

#### **IV.4.j. Election of Delegates to National Conventions.**

##### **IV.4.j.1. Number of Delegates.**

The total number of delegates to the national convention shall be that number assigned by the National Executive Committee in their call to the Convention.

##### **IV.4.j.2. Voting for Alternates for Delegates.**

- (a) In voting on alternates for delegates to the national convention, a single ballot shall be taken on which each voting delegate to the State Convention may vote for as many persons as there are alternate positions to be filled, but not casting more than one vote for any single candidate.
- (b) Those persons receiving the highest number of votes in the order of precedence of the higher number of votes shall be declared elected.
- (c) At the national convention such alternates shall serve in the same order of precedence in the absence of delegates, except as may be provided otherwise by the rules of the national Party.

##### **IV.4.j.3. Selection by State Executive Committee.**

- (a) If national party rules should require election of delegates to a national convention at a time when it would not be possible for a state convention to do so, such delegates shall be chosen by an open meeting of the State Executive Committee.
- (b) If reasonably possible, at least 60 days prior public notice of this meeting shall be given including publication in a state Party newsletter or other form of written notice.
- (c) Any Voting Member may appear before the State Executive Committee at this meeting for a reasonable time to present arguments for the election of himself or herself or any other Voting Member to be a delegate.

##### **IV.4.j.4. Finality of Delegate Selection.**

Neither the delegation nor the delegation chair shall have the power to add or remove delegates or alternates.

#### **IV.4.k. Opportunities for Expressing Disagreements with Platform.**

All candidates for the Party's nomination for public office and for Party leadership shall be given an opportunity and encouraged to declare, prior to the voting on the office he or she is seeking, what if any disagreements he or she may have with the state and national platforms.

#### **IV.5. General Rules Governing Party Conventions.**

##### **IV.5.a. Governing Authority.**

- 1) These Rules shall govern all proceedings and the conduct of all meetings of all Conventions and caucuses and committees at Conventions at all levels.
- 2) The rules contained in the current edition of Robert's Rules of Order Newly Revised are hereby adopted by reference to govern all proceedings and the conduct of all meetings of all Conventions and Caucuses and committees at Convention of the Party at all levels in all cases to which they are applicable and in which they are not in conflict with state law, these Rules, or any special rules of order which may be adopted.
- 3) Any Convention may make any additional rules for its conduct and proceedings which do not conflict with state law or these Rules.
- 4) It shall be the duty of the presiding officer at the opening of each Convention to provide a summary explanation of the special rules which will govern that convention and the ways in which the action of that Convention may influence important Party actions and decisions at subsequent levels of the Convention process.

##### **IV.5.b. Location of Conventions.**

- 1) All Party Conventions shall be held at places which shall be of easy public access to all participants who have expressed their intention to participate to the appropriate County, District or State Executive Committee at least 75 days before the scheduled date of the convention.
- 2) All Party Conventions shall be held in a place that is large enough to accommodate the greater of:
  - (a) The number of participants who participated in the same convention two years prior; or
  - (b) The number who have expressed their intention to participate to the appropriate County, District or State Executive Committee at least 75 days before the scheduled date of the convention.

##### **IV.5.c. Eligibility to Vote at Conventions.**

- 1) All delegates at any convention shall be eligible to vote on all matters before the floor of that Convention, except for district caucuses at County Conventions and regional caucuses at State Conventions.
- 2) In order to vote on any given matter, a delegate must be present on the floor at the time the vote is taken.
- 3) Each delegate present shall have one vote.
- 4) A person must be a Voting Member of the Party in order to participate in procedures at a Convention or serve as a delegate.

##### **IV.5.d. Quorum.**

The quorum at any Convention shall be a majority of the delegates or qualified participants registered as attending.

State Convention: Delegates and alternates may permanently leave the State Convention by submitting signed notification to the Credentials Committee, at which point they will be removed from the permanent roll.

#### **IV.5.e. Voting Procedures.**

- 1) Unless otherwise provided elsewhere in these Rules, the method of voting at all Conventions, and caucuses and committees at Conventions of the Party may be:
  - (a) Voice vote;
  - (b) Show of hands;
  - (c) Standing division of the house;
  - (d) Written secret ballot; or
  - (e) Roll call vote.
- 2) Unless otherwise specified in these Rules, the method used shall be left to the discretion of the presiding officer, provided, however, that:
  - (a) A division vote must be taken on the request of any qualified participant. Said participant need not have the floor to call for a division vote.
  - (b) A roll call vote must be taken when requested by one-fifth of the participants.
- 3) All votes taken shall be counted by the presiding officer and secretary.
- 4) Elections must be held by secret ballot when there is a contested race for any Party office or offices (including delegate and alternate) or for the Party nomination for any public office (including Presidential Elector candidates).
- 5) If a roll call vote is taken, polling shall be by alphabetical call of all delegates registered as attending.
- 6) Proxy voting or voting by proxies is prohibited in all conventions and caucuses and committees at Conventions of the Party.
- 7) The use of the unit rule or the practice of instructing delegates shall not be permitted at any level of the Convention process.

#### **IV.5.f. Limits on Discussion.**

- 1) No delegate shall speak for more than five minutes on any one motion at any Convention; provided, however, that the delegates making the majority and minority reports of any committees may speak on such reports for not exceeding ten minutes each and then may answer legitimate questions relating to such reports from any delegate.
- 2) The discussion on any motion shall not exceed a total of twenty minutes time.

#### **IV.5.g. Petition to Place Item on Agenda.**

A petition signed by ten percent of the delegates attending any Convention shall be sufficient to automatically place any legitimate item of business on the agenda of that Convention for its consideration.

#### **IV.5.h. Committees and Committee Reports.**

##### **IV.5.h.1. Committee Procedures in General.**

- (a) The Chair of each committee at a Convention shall be the presiding officer of that committee.
- (b) The vote of a majority of those committee members present shall be necessary to recommend to the floor the passage of any proposal.
- (c) A committee member must be present in order to vote.

- (d) A majority of the voting membership of each committee excluding vacancies shall constitute a quorum for that committee.

#### **IV.5.h.2. Right of Delegates to Appear before Committees.**

- (a) Any delegate to a Convention shall have the right to appear before any committee of that Convention and make recommendations for the committee's consideration.
- (b) A committee may make reasonable rules governing the time and manner of such presentations, which may include a requirement for submission of the proposal in writing to the Chair of the committee.
  - (i) Such submission in writing may not be required to be more than three days prior to the first official convening of the committee.
  - (ii) No requirement may be adopted after it is too late to meet the requirement.

#### **IV.5.h.3. Convening of committees.**

All committees, except the Platform Committee, shall first convene officially no later than the first day immediately preceding the Convention to which they shall report, but such committees may meet informally at any time at their discretion.

#### **IV.5.h.4. Committee Reports.**

- (a) The chair of each committee, and the chair's designees, shall report the committee's recommendations to the floor of the Convention. Recommendations on the report may be made individually or as a whole. The convention chair or committee chair shall preside over any discussion and any votes on recommendations.
- (b) Any committee may also issue a minority report or reports which shall have priority of consideration as proposed amendments to the majority recommendations of the committee.
- (c) After minority reports have been dealt with, any delegate may move to amend the recommendation, providing that the substance of such proposal shall have been considered by the committee or shall have been presented to the committee for its consideration.
- (d) Each proposed amendment to a recommendation shall be debated and voted upon separately.

#### **IV.5.h.5. Procedures for Platform Committee Reports.**

- (a) The Platform Committee must vote on each specific proposed plank or amendment separately.
- (b) In the case of the Platform Committee, the committee Chair shall report the committee's recommendations to the floor on a plank by plank basis, and each shall be debated and voted upon separately in the following order:
  - (i) Those recommendations receiving a unanimous favorable vote in committee.
  - (ii) Those recommendations receiving a unanimous favorable vote, less abstentions, in committee.
  - (iii) Those recommendations receiving a favorable vote in committee, regarding which there is not a minority report.
  - (iv) Those recommendations receiving a favorable vote in committee, regarding which there is a minority report.
- (c) Each Platform Committee recommendation shall be considered in the following manner:
  - (i) The Platform Committee Chair, or some other person, shall have up to two minutes to give the committee's thinking in making the recommendation;
  - (ii) The Chair of the Convention shall then open the floor to discussion of the recommendations for up to fifteen minutes;

- (iii) During this time amendments may be proposed from the floor, one at a time, and the proposed amendments shall be voted on before voting on the recommendation, as amended.
- (iv) In the case of a Platform Committee recommendation for which there is a minority report, after the majority position has been presented the minority report shall have priority of consideration as a proposed amendment to the majority report and a spokesperson for the minority shall have up to two minutes to present his or her position before the fifteen minute discussion period begins.

#### **IV.5.i. Statement of Principles and Platform Amendments.**

- 1) The Statement of Principles adopted by the Party at the first State Convention in July, 1972, as amended in accordance with the Rules, shall remain the permanent Statement of Principles of the Party. Aside from the Statement of Principles, the party shall have no permanent Platform; all planks in the Platform adopted at a previous convention shall expire or sunset upon the end of the third convention from adoption (6 years) unless the plank is deleted, renewed, or altered by a subsequent convention body. The Platform Committee shall have the authority to recommend changes to or deletions of any plank before its scheduled sunset date.
- 2) Proposed amendments to the Statement of Principles and Platform must be voted upon separately on a plank by plank basis.
- 3) Each proposed plank or amendment must receive the votes of two-thirds of the voting delegates for inclusion in the Platform.
- 4) An existing plank may be deleted before its scheduled sunset date by a majority of the delegates.
- 5) Proposed resolutions must receive the votes of two-thirds of the voting delegates for adoption by the Convention.

#### **IV.5.j. Nominations for Public and Party Office.**

##### **IV.5.j.1. Filing Procedures.**

- (a) No person may be the nominee of the Party for any public office who has not filed an application with the Party to be nominated for that office, in accordance with these Rules.
- (b) If a candidate who has made an application to be nominated withdraws, dies, or is declared ineligible, the filing deadline for applications for nomination for that office is reopened and extended until 11:59 PM of the day before the date of the Convention at which the nominee for that office is chosen.

##### **IV.5.j.2. Nominating Procedures.**

- (a) All nominations for Party office or for the Party nomination for public office shall be made from the floor and no nominations by committee shall be permitted.
- (b) All nominations for Party office or for the Party nomination for public office shall be made separately and not as a slate.
- (c) The motion to close nominations shall require a two-thirds vote, and such motion shall not be in order until a reasonable time has passed.

##### **IV.5.j.3. Exclusions from Eligibility for Nomination to Public and Party Office.**

- (a) No Convention or Executive Committee of the Party may nominate or endorse any candidate for public office who shall appear on a partisan election ballot either as an independent or as the nominee of another party.

- (b) No person may be the nominee of the Party for any public or Party office who:
  - (i) is ineligible to serve in that office; or
  - (ii) has not expressed a willingness to accept the nomination of the Party.

#### **IV.5.j.4. Balloting for Candidates for Public Office.**

##### **IV.5.j.4.a. Time of Nominations.**

Nominations of candidates for public office at the State level may be made only at the State Convention held in the year of the election for which the nominations are made.

##### **IV.5.j.4.b. Balloting Procedures.**

- (i) Majority vote required. The Party's nominees for public office shall be chosen by vote of a majority of the delegates present and voting at the time of balloting at the appropriate Convention.
- (ii) Normal balloting procedure. If after two ballots no candidate has attained a majority vote, the candidate receiving the lowest number of votes on the second ballot shall be dropped from all succeeding ballots, and this process shall be repeated for as many ballots as necessary for some candidates to be nominated, or until the Convention votes to not nominate any candidate. After each ballot from which no candidate receives a majority vote the presiding officer shall announce the total vote received by each candidate, including those candidates to be stricken from subsequent ballots.
- (iii) Approval voting procedure. If there are more than two candidates for a public office, then the convention may, by majority vote, choose to use approval voting to make a nomination for that office. If approval voting is used, only one ballot shall be taken. Each delegate shall be permitted to vote for as many of the candidates as he or she wishes. All the votes for all candidates shall be tallied, and the candidate receiving the most votes shall be elected as the nominee; however, if no candidate receives votes from a majority of the voting delegates, then the candidate receiving the most votes shall stand against "none of the above" in a second ballot using the normal balloting procedure.
- (iv) Order of nominations. In voting on the nomination of candidates for public office, the offices shall be considered in the reverse of the order in which they appear on the general election ballot.

##### **IV.5.j.5. Acceptance Speeches.**

- (a) Such candidates for public office nominated by a Convention as the relevant Executive Committee shall deem appropriate may give acceptance speeches to the Convention.
- (b) Such speeches shall be heard in the same order as the office for which the candidates were nominated were considered for the purpose of nominating the candidates.

##### **IV.5.j.6. Declining to Nominate Candidate for Public Office.**

A Convention may decline to nominate any candidate for public office, even if there are persons seeking the Party's nomination for that office.

##### **IV.5.j.7. Procedures for Election to Party Office.**

###### **IV.5.j.7.a. Majority Required.**

The vote of a majority of the qualified participants voting at the relevant Convention or caucus shall be necessary and sufficient for election to Party office, except for the position of alternate to a national convention, which shall be as provided elsewhere in these rules.

#### **IV.5.j.7.b. Multiple Ballot Procedure.**

- (i) Except as provided elsewhere in these Rules, in cases where no candidate receives a majority on the first ballot, the candidate receiving the lowest number of votes on that ballot shall be stricken from all subsequent ballots and this process shall be repeated for as many ballots as necessary for some candidate to secure election.
- (ii) After each ballot from which no candidate receives a majority, the Chair shall announce the total vote received by each candidate, including those to be stricken from subsequent ballots.

#### **IV.5.j.7.c. None of the Above.**

- (i) Votes cast for None of the Above in voting for a Party office shall be considered valid and properly recorded.
- (ii) Should a majority of the votes be cast for "None of the Above" in an election for a Party office, then that office shall be declared vacant and shall be filled as provided elsewhere in these Rules, but none of the persons who sought that office in that election shall be eligible to hold that office for that term.

#### **IV.5.k. News Media Right to Attend.**

Representatives of the news media shall have the right to attend all Conventions for the purpose of reporting the proceedings.

#### **IV.6. Combined Conventions.**

Each County Executive Committee may choose, with the consent of the State Executive Committee, to combine the Precinct and County Conventions into a single event. This combined convention shall be held at the time normally prescribed for the Precinct Convention. Precinct Chairs would then be elected by Precinct Caucuses.

### **V. Adoption, Status, Amendment and Publication of Rules.**

#### **V.1. Effective Date of Original Rules.**

These Rules shall be finally effective upon the final adjournment of the State Convention at which they are adopted.

#### **V.2. Permanent Amendments.**

These Rules may be permanently amended, altered or repealed only by a two-thirds vote of a State Convention.

The State Executive Committee, by  $\frac{4}{5}$  vote, may renumber, modify spacing, and formatting of these rules as long as it does not change wording, grammar, or intent in any way. Notification of these changes must be sent to all county affiliates within a week of a successful vote.

#### **V.3. Temporary Amendments.**

- a) Between State Conventions these rules may be temporarily amended for good cause by a vote of four-fifths of the entire membership of the State Executive Committee, provided:

- 1) each member of the Committee shall receive written notice including the full text of any proposed amendment at least two weeks prior to any meeting held to consider temporary amendments to the Rules; or
  - 2) if the vote on the proposal is by mail ballot then the ballot shall contain the full text of any proposed amendment.
- b) All such temporary amendments shall remain in effect only until the final adjournment of the next State Convention after their adoption, and they must be presented to that Convention for approval in the form of proposed amendments to the Rules.
- c) If any temporary amendment is rejected by a State Convention following its temporary adoption neither that amendment nor any other having substantially the same effect may be considered again until the next State Convention thereafter.

#### **V.4. Amendments to Statement of Principles of the Party.**

Whenever the party by two-thirds vote at the State Convention amends the permanent Statement of Principles of the Party, such vote shall also constitute automatic amendment to the Preamble to these Rules to comply with the amended Statement of Principles.

#### **V.5. Effective Date of Permanent Amendments.**

Permanent amendments to these Rules shall become effective upon the final adjournment of the State Convention at which they are adopted except that rules pertaining to the handling or selection of candidates and nominees for public office do not take effect until the end of the current election cycle.

A State Convention, by majority vote, may make any permanent amendments effective immediately upon adoption.

#### **V.6. Permanence and Superiority of Rules.**

##### **V.6.a. Superiority.**

- 1) These Rules, as permanently amended by State Conventions, shall constitute the permanent and continuing Rules of the Libertarian Party of Texas, wholly superseding, amending, nullifying and rescinding all previous rules, Constitutions, bylaws, and resolutions.
- 2) The State Executive Committee may establish a permanent and continuing set of policies that govern party organization and procedures. These policies shall be created, maintained, or dissolved by the State Executive Committee. No policies may supersede these Rules. Any policies found to contradict or conflict with these Rules are void.
- 3) On subjects not covered by these Rules, the State Chair may specify a temporary rule to take effect at the adjournment of the next meeting of the State Executive Committee if the rule is approved by that body by a four-fifths (4/5) vote. This temporary rule, once approved, is treated as a temporary amendment as described herein.

##### **V.6.b. Permanence.**

These Rules shall continue in force until rescinded or permanently changed by action of a State Convention or as temporarily amended by the State Executive Committee as provided herein.

## **V.7. Publication of Rules and Amendments.**

- a) County Chairs shall be notified of amendments to these rules (whether permanent or temporary) within thirty days following the adoption of such amendments.
- b) The State Executive Committee shall have copies of these Rules made and shall furnish such copies to any person on request, provided, however, that persons to whom copies of the Rules are furnished may be required to pay the expenses incurred in making and mailing their copies.
- c) The State Chair shall ensure that updated rules are sent to the Texas Secretary of State for review within thirty (30) days following the adoption of any temporary or permanent amendments.

## **Certification.**

It is hereby certified that this is a true and correct copy of the rules of the Libertarian Party of Texas currently in effect as adopted in State Convention in Houston, Texas November 16, 1974 and as amended below:

in State Convention in Dallas, Texas, June 12 1976;  
in Fort Worth, Texas, June 10, 1978;  
in San Antonio, Texas, June 14, 1980;  
in Houston, Texas, June 12, 1982;  
in Arlington, Texas, June 9, 1984;  
in San Antonio, Texas, June 14, 1986;  
in Austin, Texas, June 12, 1988;  
in San Antonio, Texas, June 9, 1990;  
in Arlington Texas, June 13, 1992;  
in San Antonio, Texas, June 11, 1994;  
in Lubbock, Texas, June 8, 1996;  
in Nacogdoches, June 13, 1998;  
in Corpus Christi, June 10, 2000;  
in Dallas, June 8, 2002;  
in College Station, June 12, 2004  
(Royce Mitchell (chair));  
in Houston, June 11, 2006  
(Rock Howard);  
in Fort Worth, June 14, 2008  
(Rock Howard, Arthur DiBianca);  
in Austin, June 12, 2010  
(Rock Howard (chair));  
in Fort Worth, June 9, 2012  
(Geoffrey Neale (chair), Jon Roland, Kathie Glass, Kevin Tunstall, Michael Lee);  
amended by the State Executive Committee, July 11, 2012;  
in Temple, April 12, 2014  
(Arthur Thomas (chair), Ed Kless, James Gholston, Jim Ryan, Michael Lee);  
In San Antonio, April 9, 2016  
(Alan Smith, Arthur Thomas (chair), James Holland, Melina Baker).



August 31, 2016

To whom it may concern:

The Libertarian National Committee, Inc., has chartered state-level affiliate parties in all 50 states and the District of Columbia, including the following:

**Alaska Libertarian Party**

200 W. 34<sup>th</sup> Ave., #543  
Anchorage, AK 99503

**Libertarian Party of Georgia, Inc.**

P.O. Box 19959  
Atlanta, GA 30325

**Libertarian Party of Hawaii**

1658 Liholiho St., #205  
Honolulu, HI 96822

**Libertarian Party of Maryland**

P.O. Box 176  
Abingdon, MD 21009

**Libertarian Party of Mississippi**

1625 E. County Line Rd.  
Suite 200-145  
Jackson, MS 39211

**Libertarian Party of Alabama**

P.O. Box 101043  
Birmingham, AL 35210

**Arizona Libertarian Party, Inc.**

4635 S. Lakeshore Dr.  
Tempe, AZ 85282

**Libertarian Party of Idaho**

1318 E. Beech St.  
Caldwell, ID 83605

**Libertarian Party of Maine, Inc.**

Private Mail Box 113  
235 Camden St., Ste 32  
Rockland, ME 04841

**Libertarian Party of Minnesota**

3270 W. Lake St., #9  
Minneapolis, MN 55416

**Missouri Libertarian Party**

P. O. Box 78623  
St. Louis, MO 63178-8623

**Montana Libertarian Party**

P.O. Box 4803  
Missoula, MT 59806

**Libertarian Party of North Dakota**

1415 4<sup>th</sup> Ave. S.  
Fargo, ND 58103

**Libertarian Party of New Mexico**

918 Ivory Road, S.E.  
Rio Rancho, NM 87124

**South Dakota Libertarian Party**

314 S. Wilson St.  
Aberdeen, SD 57401

**Libertarian Party of Tennessee**

P.O. Box 381932  
Germantown, TN 38183-1932

**Libertarian Party of Texas**

P.O. Box 41059  
Austin, TX 78704

**Libertarian Party of West Virginia**

P.O. Box 135  
Jane Lew, WV 26378

**Wyoming Libertarian Party**

P.O. Box 305  
State Capitol  
Cheyenne, WY 82003

**Libertarian Party of Illinois**

P.O. Box 5324  
Bloomington, IL 61702

**Libertarian Party of Michigan**

P.O. Box 27065  
Lansing, MI 48909

**Libertarian Party of North Carolina**

P.O. Box 28141  
Raleigh NC 27611

**Utah Libertarian Party**

6885 South State Street  
Suite 200  
Midvale, UT 84047

Sincerely:



Wes Benedict  
Executive Director



September 16, 2016

To whom it may concern:

The Libertarian National Committee, Inc. has chartered state-level affiliate parties in all 50 states and the District of Columbia, including the following:

**Arkansas Libertarian Party, Inc. dba Libertarian Party of Arkansas**

P.O. Box 46730

Little Rock, AR 72214

**Libertarian Party of Michigan Executive Committee, Inc.**

P.O. Box 27065

Lansing, MI 48909-7065

\*Note name correction from letter dated August 31, 2016.

**Libertarian Party of Florida**

1334 Tampa Road #2

Palm Harbor, FL 34683

Sincerely:

A handwritten signature in blue ink that reads "Wes Benedict".

Wes Benedict

Executive Director