

2020 Rules Committee Report - Topline Report

The Rules Committee for this term was formed in late July and first met on August 24th. A total of 10 meetings were held, totalling approximately 22 and one-half hours of deliberation. Four of those meetings were held in-person; some members joined via teleconference for some of those meetings.

The committee was originally made up of 5, and the focus was on non-substantive corrections until the addition of 4 more members after the 2019 General Election.

The additional members were given an opportunity to review the work down prior to the addition of the last 4 members, and some revisions were made.

Many hours were spent deliberating contentious items until there was unanimous consent. Items that failed were not included in the report.

Our hope is that debate over proposed rules changes at the 2020 convention will return to being brief, as it had been prior to 2017. Because we've hammered out the issues in committee, we hope that the convention delegates will consider what the committee has produced. We also understand and appreciate it is the right of our members to object or divide-out certain items, and invite that to occur if there are concerns.

Sincerely,

Eric Cranley, Chair
Michelle Randall, Vice Chair
Ken Moellman, Secretary
April Colling
Randall Daniel
Mark Gailey
Joe Hunter
Cristi Kendrick
Chris Wiest

Rules Committee 2019-2020 Meeting Minutes

Meeting minutes of the Rules Committee 2019-2020

August 24th Meeting minutes

Meeting called to order at 2:12 PM

Members present

Cranley

Daniel

Moellman

Randall

Members not present

Gailey [Gailey joined later]

Election of Chair

- R. Daniel moves for Cranley as chair
 - R. Daniel speaks in favor
 - Cranley accepts nomination
- Cranley nominates M Randall
 - M Randall declines nomination
- Cranley votes no, 3 in favor

Election of Secretary

- R Daniel moved for Moellman as Secretary
- No objection

Election of Vice-Chair

- R Daniel nominates M Randall
- M Randall nominates R Daniel
 - R Daniel doesn't accept nomination
- No objection - M Randall VC

[Gailey joins the call]

Goals/thoughts

R Daniel notes affiliate difficulty in complying with rules meant to prevent corruption/problems (specifically OR 1000.2.1)

M Randall concerned with in-kind donations.

R Daniel asks about rules compliance triggers. R Daniel asks about ramifications for enforcing rules. R Daniel asks to see 2019 proposals made by K Moellman.

Moellman wants to continue to reduce the size of the document. Reduce micromanagement; increase darkening of lines of "Do not cross".

M Randall wants to make sure affiliate parties are filing KREF reports

M Randall wants more transparency long-term for rules committee changes.

M Randall would like all rules proposals are 3-column format. Moellman concurs.

Committee wants to use UberConference to do audio/video conference going forward

M Randall wants to review PII protections and transparency

Additional members after election

Next meetings: 1st and 3rd Wednesday at 6:30PM

Cranley moves, R Daniel second to adjourn, wo obj

Sept 4th Meeting minutes

Call to order 6:40PM

All present

Minutes from in-person accepted w/o objection

Discussion of strategy

-- Discussion of docs

-- Moellman proposal substantive vs non substantive

Decided to review non-substantive for 2 weeks and go over those next meeting

Meeting adjourned 7:30PM

Sept 18th Meeting minutes

Call to order 6:45PM

All present

Minutes not available - to be approved next meeting

Old Business

-- Review of Moellman non-substantive proposals

- Changes accepted unanimous or skipped if any objections or concerns
- Stop at end of Constitution, do Operating Rules next time

New Business

- Will do OR non-substantive proposals next time.

Adjourned 8PM

October 2nd Meeting minutes

Call to order 6:40PM

All present

All Previous Minutes approved w/o objection

Old business

- continued review and passage of non-substantive proposals by unanimous consent

New business

- set in-person meeting for November 9th.

Adjourned 7:30PM

October 16th Meeting minutes

Cranley, Moellman present

Quorum not established

Meeting postponed until 10/30

October 30th Meeting minutes

Call to order 6:40PM

Eric Cranley (chair) - present

Michelle Randall (vice-chair) - present

Ken Moellman (secretary) - present

April Colling - not present

Randall Daniel - present

Mark Gailey - present

Joe Hunter - joined later

Approval of minutes - Michelle moves to approve, Mark seconds; passes w/o objection

Old business

- Modifying in-person to Midway Public Library to begin at 9:30am; motion by Ken, second by Randall D; passes w/o objection

- Continuing through non-substantive proposals with no objections

New business

- Make sure everyone new is in the Drive and on the mailing list

- Break out Legal Review items to Eric, to send to Chris Wiest

Adjourned 8:18PM

November 9th In-person meeting

Eric Cranley (chair) - present
Michelle Randall (vice-chair) - present
Ken Moellman (secretary) - present
April Colling - present
Randall Daniel - present
Tim Filback - not present
Mark Gailey - present
Joe Hunter - present
Chris Wiest - present

Call to order 10:15AM

Minutes of 10/30 meeting approved wo objection

Old business

- Work through legal review by unanimous consent - completed
- Work through substantive by unanimous consent
- Recess 11:33 to 12:01
- Work through substantive by unanimous consent

New business

- Remaining proposals next meeting / Wiest to bring proposals next meeting
- Proposal to organize report by Unanimous Consent, then controversial
 - Figure out format - one document with all non-controversial stuff for next meeting
- Consider and pass some controversial items after amendments by unanimous consent
- Set next in-person meeting - meeting about to auto-close - date not set before adjournment - next meeting by phone 11/20 @ 6:30PM ET - next in-person to be decided at next phone meeting

Motion to adjourn - Moellman; M Randall - no objection

Adjourned 3:42PM

November 20th Meeting Minutes

Eric Cranley (chair) - present
Michelle Randall (vice-chair) - present
Ken Moellman (secretary) - present
April Colling - not present

Randall Daniel - present
Mark Gailey - present
Joe Hunter - present
Cristi Kendrick - present
Chris Wiest - present

Call to order 6:40PM

Minutes of 11/09 meeting accepted wo objection

Old business

— Remaining substantive proposals

Specific roll call on “Amend Article IV section 5(C) and OR 600.1.2.7”

Wiest - Yes

Kendrick - Yes

Hunter - Yes

Daniel - Yes

Randall - Yes

Cranley - Yes

Moellman - Yes

7-0

— Next in-person meeting 1/4/2020, location to be found near south Louisville by Moellman

New business

-- n/a

Remaining items labelled Moellman 12-04

Adjourned

December 4th in-person Meeting (Wiest office and phone/web)

Call to order 6:30PM

Eric Cranley - Absent
Michelle Randall - Present
Ken Moellman - Present
April Colling - Present
Randall Daniel - Absent
Mark Gailey - Present
Joe Hunter - Present
Cristi Kendrick - Present
Chris Wiest - Present

Worked through Moellman 12-04 proposals

Worked through Wiest proposals

Remaining proposals labeled Moellman 01-04

Next meeting in-person on 01/04 - no meeting 12/18

Adjourned 8:30pm

January 4th in-person Meeting (Louisville/Phone)

Call to order 10:40am

Eric Cranley - Present

Michelle Randall - Present

Ken Moellman - Present

April Colling - Present

Randall Daniel - Absent

Mark Gailey - Present

Joe Hunter - Present

Cristi Kendrick - Present

Chris Wiest - Present

Final meeting re-confirmed for teleconf on 1-15 @ 6:30pm; limit to approving report

Worked through Moellman 01-04 proposals

Break 1pm - 1:30pm

Michelle Randall moves to limit debate to 30 minutes per proposal, multiple seconds; w/o objection

Worked through last Moellman 01-04 proposals

Looped back to some skipped during morning session

End of proposals reached; no desire to amend or deliberate further on un-passed proposals

Agreed that items that fail worse than 3-5 will not be included in the report

Moellman Motions to adjourn, multiple seconds; wo objection @ 3:25pm

1/15/2020 Meeting - Agenda

Call to order - 6:35 PM

Roll call

Eric Cranley - Present

Michelle Randall - Present

Ken Moellman - Present

April Colling - Present

Randall Daniel - Present

Mark Gailey - Present

Joe Hunter - Absent

Cristi Kendrick - Present

Chris Wiest - Present

Minutes from 11/20, 12/4 and 1/4 meetings - April moves, Cristi seconds; w/o objection

Approval of report

Motion to approve: Moellman, second Cranley; roll call passes unanimously.

Convention rules discussion

Additional business

Adjournment

Motion by Moellman, second by Colling; passes w/o objection 7:11PM

PROPOSAL 1: UNANIMOUS CONSENT CHANGES

These changes include both substantive and non-substantive changes which were deliberated - at times, at great length - to address all concerns and come to compromise where there was disagreement. The Rules Committee proposes the adoption of this entire package, as presented, as the committee has deliberated and considered the outcome of all of the amendments contained herein. It would amend both the Constitution and Operating Rules.

The primary focuses of this proposal are as follows: Using standardized language, fixing grammar problems, decreasing bureaucracy for Affiliate Parties, fixing other technical problems with the rules, reducing the bulk of the rules, and increasing protections for membership.

The Libertarian Party of Kentucky State Party Constitution

PREAMBLE

WE, the Libertarians of Kentucky, in convention, in order to affiliate ourselves with the National Party and to promote the libertarian philosophy in the state of Kentucky, associate together to form a political party whose primary purpose is to place Libertarian candidates on the ballot and assist them in achieving electoral success, and for that purpose adopt this Constitution.

ARTICLE I. NAMES AND DEFINITIONS

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

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

Section 3. A "Chartering Party" is a ~~party~~ **Party** which, under this Constitution, currently has chartered, or is in the act of chartering, an Affiliate Party.

Section 4. An "Affiliate Party" is a division of the State Party, affiliated by a Chartering Party, in accordance with this Constitution.

Section 5. A Party chartered by the State Party as the official Affiliate Party for a United States Congressional District shall be a "District Party".

A. The official name for District Party shall be "The Libertarian Party of Kentucky – " followed by the ordinal number of the Congressional District, followed by " District".

B. Because of the nature of Jefferson County, that District Party may instead be known as "The Libertarian Party of Jefferson County, Kentucky", or "The Libertarian Party of Louisville, Kentucky."

Section 6. A Party chartered by a District Party as an official Affiliate Party shall be:

A. A "County Party", known as "The Libertarian Party of " followed by the name of the county, followed by " County, Kentucky"; or

B. In Jefferson County, a "Metro Party", known as the official name of the District Party, followed by " – Metro District ", followed by the number of the district.

Section 7. A "Party" is defined as any Constitutionally-sanctioned party within the State Party, including the State Party.

Section 8. No political party, other than the National Party, State Party, and Affiliate Parties may identify itself as any form of the name "Libertarian Party" within the state of Kentucky, nor shall any person claim a leadership title who does not hold such a title under this Constitution.

ARTICLE II. PERIOD OF DURATION

Section 1. The duration of the State Party shall be perpetual, unless disaffiliated by the National Party.

ARTICLE III. MEMBERSHIP

Section 1. Voting Members, in Annual Convention, are the supreme authority of the Party.

Section 2. Membership is uniform throughout the State Party and all Affiliate Parties. No Affiliate Party may create, alter, or delete membership requirements.

Section 3. Levels of membership

A. A "Voting Member" is a person who actively meets all of the qualifications to be a Signatory Member, Registered Member, and Dues-Paying Member, and lives within the boundaries of that Party.

B. A "Signatory Member" is a person who has signed the Statement of Principles, which reads: "I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving social, economic, or political goals."

C. A "Registered Member" is a resident of Kentucky who is registered with the state of Kentucky as a voter affiliated with the Libertarian Party.

i. A waiver may be granted to Kentucky residents unable to legally register to vote, because they:

a. have completed a sentence of conviction of a non-violent felony which does not violate the Statement of Principles, as approved by the ~~State~~ Elections Committee, with requirements to receive the waiver defined in Bylaws.

b. ~~"Youth Members" shall be those members who~~ are at least 16 years of age, but not yet able to legally register to vote due to their age. Such members shall be "Youth Members" and, when other criteria are met, able to exercise Voting ~~M~~ember rights only at the County ~~P~~arty level.

D. A "Dues-Paying Member" is a person who meets the minimum donation of Annual Dues, or has a waiver, as provided in Operating Rules.

i. Additional levels of Dues-Paying Members, based on donation levels which exceed minimum Annual Dues, may be codified in Operating Rules.

Section 4. Revocation of membership

- A. Dues-Paying Membership is revoked after a member, in writing, declares publicly, or declares privately to the Chair of the State Party, their desire to disaffiliate; or
- B. Revocation of Signatory Membership upon violation of the oath to be a Signatory Member, only after:
 - i. A vote of the Membership Review Committee recommends such action, under procedures outlined in Operating Rules; and
 - ii. The State Party Executive Committee votes to revoke Signatory Membership by a three-fifths (3/5) vote of the entire Executive Committee.

ARTICLE IV. PARTY ORGANIZATION

Section 1. Purpose

- A. ~~The purpose for which the State Party and Affiliate~~ **All** Parties **exist are organized** to implement and give voice to the principles embodied in the platform of the State Party by:
 - i. Nominating candidates for federal, statewide and local elections in Kentucky and supporting candidates for political office.
 - ii. Promoting membership in the State Party.
 - iii. Promoting and coordinating affiliate organizations throughout the state.
 - iv. Entering into political information activities.

Section 2. State Party

- A. The State Party shall charter District Parties within the Congressional Districts legally defined by the Commonwealth of Kentucky.

Section 3. Affiliate Parties

- A. There shall not be more than one Affiliate Party for the same political subdivision.
- B. An Affiliate Party shall not exist without a Chartering Party.
- C. District Parties shall:
 - i. Charter County Parties within counties where a majority of the population of that county lives within the Congressional District.
 - a.** Because of the nature of Jefferson County, that District Party may affiliate Metro Parties. A Metro Party shall be aligned to the boundaries of a Louisville Metro Council district and functionally equivalent to a County Party.
 - ii. Assist with coordinating cross-boundary activities with its Affiliate Parties.
- D. A County or Metro Party shall:
 - i. Fill out that Party with Precinct Captains.
 - ii. Build and train a grassroots organization of Libertarian Party activists for duly-nominated candidates of the Libertarian Party of Kentucky to contact.

Section 4. Party Governance

- A. Between conventions, a Party shall be governed by an Executive Committee, functioning as the Board of Directors, empowered to collect and expend funds, operate day-to-day tasks, and act on behalf of Voting Members as specified in, and limited by, this Constitution, ~~and the~~ Bylaws and Operating Rules.

- i. The voting members of an Executive Committee shall be the officers (Chair, Vice-Chair and/or Secretary, and Treasurer, who must be seated), At-Large Representatives not to exceed four (4) in number, and when applicable:
 - a. For the State Party, the Chairs of any affiliated District Parties.
 - b. For a District Party, the Chairs of any County Parties or Metro Parties affiliated by that District Party.
 - c. For a County or Metro Party, the Precinct Captain Chair, elected from among the Precinct Captains of the County or Metro Party.
 - ii. Specific duties of named positions of a committee shall be outlined in Operating Rules.
 - iii. An Executive Committee may create and populate Directors and sub-committees or other positions of that committee as outlined in Operating Rules.
 - iv. In no event shall a person serve as a voting member on more than one Executive Committee, except as defined in this Constitution.
- B. To be a voting member on any committee of a Party, a person must be a Voting Member of that Party.
 - i. Any committee member who is not a Voting Member shall be given thirty (30) days, upon notification, to become a Voting Member of that Party or they are automatically recalled from office.
 - ii. A committee may appoint non-voting members, who report to and serve at the leisure of the committee, as consultants to facilitate or operate any part of their duties.
- C. Meetings of Executive Committees, or any subcommittees, by electronic means may be permitted, and outlined in Operating Rules.
- D. If any Affiliate Party is unable to internally resolve a question of its rightful powers, duties, leadership, any and all questions under this Constitution or compliance with this Constitution, or legal obligations, the matter shall be submitted to the Chartering Party for resolution. Any dispute heard by a body other than the State Party Executive Committee may be appealed to the Chartering Party and/or the State Party Executive Committee, which decision shall be final. This section shall not govern disputes related to any primary election process for candidates for public office.

Section 5. Affiliation and Dissolution of Parties

- A. An Affiliate Party may be chartered with a majority vote of the Chartering Party.
- B. Dissolution shall only occur by either: (i) the vote of a majority of the Executive Committee of the ~~party~~ Affiliate Party being dissolved; or (ii) for cause, by the Chartering Party's Executive Committee, by a vote of three-fifths (3/5) of the entire Membership of the Chartering Party's Executive Committee, excepting the Chair of the Party at issue who may not participate.
- C. If an Affiliate Party is to be dissolved, the Chartering Party Executive Committee or State Party Executive Committee may, within ~~seven (7)~~

fourteen (14) days, alternatively choose to call a Convention for that Affiliate Party, in accordance with this ~~convention~~ Constitution, to remedy the issue(s) which triggered dissolution. ~~If a Convention is not called within seven (7) days~~ Otherwise, that Affiliate Party is ~~immediately~~ dissolved.

- D. ~~A District Party, County Party, or Metro Party that has been dissolved shall transfer all Party Resources, and a list of outstanding duties and obligations, to the State Party.~~
- E. ~~If the State Party is dissolved, its final act shall be to transfer all Party Resources, and a list of outstanding obligations, to the National Party. Nothing in this section requires the State Party to assume any liabilities of dissolved Affiliate Parties.~~
- F. When a Party has been dissolved, all titles and rights granted ~~to Members~~, as a function of that Party, are revoked.

Section 6. State Party Standing Subcommittees

- A. ~~State Party~~ Elections Committee
 - i. There shall be only one Elections Committee, the State Party Elections Committee. This committee exists only when the Party is not a qualified "Political Party" entitled to a state funded primary election process under Kentucky law.
 - ii. The ~~State~~ Elections Committee shall be comprised of five (5) members, elected for two-year staggered terms, at the State Party Annual Convention. Any member may serve on other committees, including Executive Committees.
 - iii. The committee may employ outside consultants to facilitate their duties, but those consultants are not voting members of the committee.
 - iv. The ~~State Party~~ Elections Committee shall be responsible for developing inclusive and fair rules and regulations, denoted as "~~Elections~~ Bylaws", for the conduct of primary elections and/or Nominating Conventions for candidates seeking political office as Libertarians.
 - v. ~~The proposed Elections~~ Bylaws, except for Emergency ~~Elections~~ Bylaws, shall be enacted not later than January 1~~st~~ of a given year to govern elections for that year. Once passed, rules shall be transmitted to the State Party Executive Committee, which shall have the ability, within thirty (30) days of the transmission of the rules, to disapprove any particular ~~Election~~ Bylaw or part of an ~~Election~~ Bylaw that constitutes one subject matter, by a three-fifths (3/5) vote. Any ~~Election~~ Bylaw is subject to ~~review and amendment or~~ recall by the ~~Voting Members of the Party~~ Voting Delegates at the State Party Annual Convention by a three-fifths (3/5) vote, and, if recalled, may not in substance be reenacted ~~for a period of one (1) year~~ until the next State Party Annual Convention. Emergency ~~Elections~~ Bylaws may be adopted by the ~~State Party~~ Elections Committee by a four-fifths (4/5) vote of the entire Committee, and shall take effect upon the rules passage and transmission to the State Party Executive

Committee. The State Party Executive Committee shall have the ability within fourteen (14) days to disapprove any Emergency ~~Election~~ Bylaw, by majority vote. ~~Election~~ Bylaws shall be in force and effect until and unless disapproved.

- vi. The ~~State-Party~~ Elections Committee shall be responsible for overseeing the electoral process and ensuring its integrity.
 - vii. The ~~State-Party~~ Elections Committee may appoint surrogates to operate any part of the primary process, who will report to, and serve at the leisure of, the ~~State-Party~~ Elections Committee.
 - viii. Meetings shall be held at the call of the Chair of this Committee, with at least seven (7) days advance notice, unless waived by a two-thirds (2/3) vote in the event of an emergency and this committee is authorized to conduct meetings electronically, by e-mail, telephone or video conference. All actions taken by this committee shall be open to all Voting Members, and meetings shall be advertised, except in an emergency, to encourage electoral transparency; provided, however, that the Committee may close its meetings to the public, for an Executive Session to discuss, but not act upon: (i) any adjudicatory matter; (ii) pending or proposed litigation; or (iii) to receive privileged legal advice. ix. Notwithstanding other provision, any disputes or questions arising under this Constitution related to the Libertarian Party of Kentucky primary election process for candidates for office including, without limitation, eligibility or office or voter regulations and eligibility, regardless of whether such nominations are made by a County, District, or the State Party or any part thereof, shall be heard and resolved by the ~~State-Party~~ Elections Committee. Any adjudicatory matter determined by the ~~State-Party~~ Elections Committee may be appealed to the ~~State-Party~~ Executive Committee, who may overturn the determination of the State Party Elections Committee by a vote of a majority vote of the entire membership of that Committee, with such decision to be issued within fourteen (14) days of the decision by the ~~State-Party~~ Elections Committee; otherwise, the ~~State-Party~~ Elections Committee's determination shall be final. Questions arising relating to the primary elections process for public office and its members shall not be reviewable in any Court, or subject to collateral attack by any third party.
- B. Membership Review Committee
- i. The Membership Review Committee shall be composed of five (5) members, elected for two-year staggered terms, at the State Party Annual Convention. Any member may serve on other committees, including executive committees.
 - ii. Its procedures and other details of its composition and operation shall be set forth in Operating Rules.
- C. Campaign Caucus Committees

- i. The State Party Executive Committee, or the body in convention at an ~~annual state party convention~~ State Party Annual Convention, through Operating Rules, is empowered, by a three-fifths (3/5) vote, to create one or more Caucus Campaign Committees as may be permitted under state law and regulations.
- ii. Such committees, if established, shall be permanent committees, shall continue in perpetuity until dissolved by the State Party Executive Committee or the convention body at an ~~annual state party convention~~ State Party Annual Convention, by three-fifths (3/5) vote.
- iii. Its procedures and other details of its composition and operation shall be set forth in Operating Rules.

ARTICLE V. CONVENTIONS

Section 1. Annual Convention

- A. A Party must annually call a convention of all Voting Members of that Party, known as the Annual Convention. Nothing in this section precludes a Party from calling its convention to be held in November or December of the previous year and that convention counting as an Annual Convention.
 - i. ~~Eligibility to participate as a voting delegate in an Annual Convention shall be limited to Voting Members, who:~~
 - ~~a. Are a Registered Member on December 31st of the year preceding the convention; or~~
 - ~~b. Become a resident of Kentucky and a Registered Member after December 31st of the year preceding the Annual Convention, but at least thirty (30) days prior to the Annual Convention.~~
 - ii. ~~If the State Party fails to properly call its Annual Convention by February 1, the State Party Annual Convention shall be the Default Convention.~~
Any State Party Annual convention will be held by June 1 of a given year.
 - a. When necessary, a Default Convention will be held at the Main Branch of the public library in Franklin County, Kentucky on the second Saturday of March, and will begin at 10 A.M. Eastern Time. All who qualify as registered Libertarians with the Secretary of State who are residents of Kentucky and are in attendance shall be considered Voting Delegates. The burden of proving eligibility to be a Voting Delegate is on the individual seeking to be a Voting Delegate. The National Party may send a representative to act as the Acting Convention Chair, who may also be responsible for validating eligibility for delegate status, until such time that the convention body elects a Convention Chair from among the Voting Delegates in attendance. Any requirements outside of the Constitution may be waived by majority vote of the Voting Delegates at such a Default Convention. All Officer and At-Large positions in the State Party

shall be declared vacant, and the convention body shall elect a new Executive Committee.

- ~~iii.—Any Default Convention shall be held on the dates and times provided in the Operating Rules; in that event, all who qualify as registered Libertarians with the Secretary of State, who are residents of Kentucky and are in attendance shall be considered delegates Voting Delegates. Further, in that event, any requirements outside of this Constitution may be waived by majority vote of the delegates Voting Delegates.~~
- iv.—ii. Notice of ~~the State Party~~ Annual Convention must be provided to all Voting Members of ~~the~~ that Party, and must include the date, time, location, and purpose of the Convention being called and notice must be provided at least forty-five (45) days prior to the Convention.
- ~~v.—Operating Rules may be enacted that govern additional details for the calling of such conventions, the timing of such conventions, rules for such conventions, penalties for failing to call such conventions (provided that no such penalty shall work to inhibit the nomination of candidates or their placement on the ballot, such matters being left to the Elections Committee), additional details on notice, default convention dates, and restrictions on calling conventions. Conventions must be held annually by the State Party and all Affiliate Parties.~~
- vi.—iii. The Party Voting Delegates, in ~~the~~ State Party Annual Convention, shall have the ability to waive, by three-fourths (3/4), any and all formalities, notice requirements, and legalities related to any question arising under this Constitution or Operating Rules, except for:
 - a. ~~(i)~~ requirements of ~~delegates~~ Voting Delegates to be a ~~voting member~~ Voting Member as defined in this Constitution, which may not be waived; and
 - b. ~~(ii)~~ questions arising under rules enacted by the Elections Committee for nominations for candidates to public office, which questions are reserved to the Elections Committee, and is encouraged to do so provided such requirements are determined by the Party, in Convention, to be substantially complied with.

Section 2. Special Convention

- A. A Special Convention must be called with a specific purpose or agenda, and that purpose made public as part of the notice of the Special Convention. Other than items under this Constitution which may occur at any convention, no other activities may occur at a Special Convention other than those properly noticed to the Voting Members and no suspension of the rules may be made to the contrary.
- B. A Special Convention of a Party may be called by an Executive Committee, or by the Executive Committee of the Chartering Party, and with at least thirty (30) days' notice to the Voting Members of that Party. Except as otherwise

expressly set forth in this Constitution, a Special Convention called by an Executive Committee may not be called more than twice per year.

- C. A Special Convention may be called by petition of one-third (1/3) of the Voting Members of a Party. Such a call shall be in writing at least forty (40) days prior to the convention date, signed by those members, with notice given to the Chair and Secretary of that Party. The Chair of that Party shall provide notice to the Voting Members of that Party within five (5) days of receipt of the petition. No Voting Member shall be permitted to sign more than one such Special Convention for any one Party more than once per year; provided that this limitation shall not apply if the convention is not successfully called.
- D. A Special Convention may be canceled by petition of one-half (1/2) of the Voting Members of that Party. Such a cancellation shall be in writing at least fourteen (14) days prior to the convention date, signed by those members, with notice given to the Chair and Secretary of that Party. The Chair of that Party shall provide notice of the cancellation to the Voting Members of that Party within five (5) days of receipt of the petition.

Section 3. Organizational Convention

- A. An Organizational Convention may be called when no Affiliate Party exists where one could exist under this Constitution, and members seek to form an Affiliate Party.
- B. Voting Members who live within that jurisdiction shall be permitted to organize for the purposes of electing Officers, and petitioning the Chartering Party or State Party to become a recognized Affiliate Party.
- C. The Executive Committee of a Chartering Party or of the State Party may call an Organizational Convention to create an Affiliate Party.

Section 4. Nominating Convention

- A. A Nominating Convention may only be called by the ~~State Party~~ Elections Committee, and shall be conducted in accordance with ~~Elections~~ Bylaws, for the sole purpose of nominating candidates for partisan external political office.
 - i. If a Nominating Convention is held on the same day as an Annual Convention, the agenda of the Nominating Convention shall take precedence over the agenda of that Annual Convention; this may not be overridden by a suspension of the rules or any other motion.
 - ii. Multiple Nominating Conventions may be called at the same date, time, and/or location.
 - iii. Participation shall be open to Registered Members who were registered as of December 31 of the year preceding the convention or who were never registered with any party in Kentucky but became registered while registration books were open with the Secretary of State at least thirty (30) days prior to the Nominating Convention.
- B. After ~~a the annual~~ Nominating Convention, one or more Executive Committee Nominating Conventions ~~(and an Executive Committee may hold as many such conventions as it deems appropriate, notwithstanding any other limitations~~

~~in this Constitution~~) may be called by the ~~State~~ Elections Committee, and there is no limit to the number of such conventions that may be called, with such convention and the persons entitled to vote to be comprised of the Executive Committee in question, for the purpose of nominating candidates, for offices for which the convention did not choose a nominee, for offices where the candidate nominated at convention has submitted a formal resignation from the political race, or for offices where the selected candidate has been deemed ineligible, following the rules outlined by this Constitution. These conventions need not comply with the other requirements regarding notice and similar issues in this Constitution, but a majority of the Executive Committee at issue shall constitute a quorum, and a majority vote of those attending shall be sufficient to nominate any candidate.

Section 5. National Convention

- A. Only those who are a Voting Member, and are counted as part of the delegate allocation formula of the National Party on the date the National Party calculates the number of Primary Delegates to the convention of the National Party, shall be permitted to be elected to be delegates to the National Convention. Procedures for nomination and election of delegates to convention of the National Party, and filling vacancies, shall be outlined in Operating Rules.

Section 6. General rules for Annual, Special, and Organizational Conventions

- A. A “Putative Delegate” is a person who is a Voting Member living within the jurisdictional boundaries of that Party as of thirty (30) days prior to a convention; and for an Annual Convention have also:
 - i. Been a Registered Member since December 31st of the year preceding the convention; or
 - ii. Become a resident of Kentucky and a Registered Member after December 31st of the year preceding the Annual Convention, but at least thirty (30) days prior to the Annual Convention.
- B. Only “Voting Delegates” may vote in convention, the number of which shall be the denominator when calculating quorum. A Voting Delegate is a Putative Delegate who has both registered for and checked into the Convention, and has not either checked out or have been removed by the Voting Delegates. After the opening of the convention, the list of Voting Delegates may only be amended by the Voting Delegates.
- C. Provided that no such rule shall work to inhibit the nomination of candidates or their placement on the ballot, Operating Rules may be enacted that govern additional details for the calling, timing, and rules for conventions, other than conventions for nominating candidates for external political office, by Voting Delegates at State Party Annual Convention.

ARTICLE VI. PLATFORM

- Section 1. A Party may adopt a Platform, provided that Platform does not conflict with the platform of the State Party or the Statement of Principles.

Section 2. At any convention at which platform amendment is part of the noticed agenda, planks may be deleted by majority vote, and created or amended by a vote of two-thirds (2/3), of the ~~delegates~~ Voting Delegates present and voting.

ARTICLE VII. GOVERNING DOCUMENTS

Section 1. This Constitution applies to all Parties, and supersedes all previous versions of the State Party Constitution and all governing documents of Affiliate Parties. A Constitution may only exist for the State Party.

Section 2. ~~Election~~ Bylaws

- A. ~~Election~~ Bylaws shall exist, as “bylaws” as defined under Roberts Rules of Order in a split-document governance model, limited to the purpose of conforming to and codifying the conduct of candidate nomination for external political office under this Constitution and state law, and shall be binding to all Parties. ~~Election~~ Bylaws may not conflict with this Constitution; any such Bylaw is immediately repealed.
 - i. No Affiliate Party may adopt ~~B~~bylaws, ~~including Election Bylaws. Any bylaws adopted by a Party, and any adopted by the State Party which are not directly related to the nomination of candidates, are repealed. Any former Elections Rules in effect prior to March 2, 2019 are codified as Election Bylaws.~~
- B. ~~Election~~ Bylaws shall codify, unless contrary to law:
 - i. Any candidate whose name was listed on the ballot and received fewer votes than None of the Above (“NOTA”) may not be nominated for that office during the same election cycle. ii. All in-person balloting shall be by secret ballot, and, to the extent reasonably practical, absentee balloting as well.
- C. Notwithstanding any other provision, it remains the province of the ~~State~~ Elections Committee to waive any formalities or technicalities of this Constitution or the ~~Election~~ Bylaws ~~of the State Elections Committee~~ that do not, in its judgment, have a material effect on the outcome of any given election.
- D. Notwithstanding any other provision, any sections of this Constitution, that do not adhere to state law, and otherwise prevent the nomination of candidates and their placement on the ballot, may be waived by the ~~State~~ Elections Committee, upon the advice of counsel of such conflict, by a four-fifths (4/5) vote and immediate notification to the State Party Executive Committee at least twenty-four (24) hours’ notice before taking such vote, and immediate notification after such vote, which is subject to review by the State Party Executive Committee within thirty (30) days of such action, which may be rescinded by majority vote of the State Party Executive Committee.

Section 3. Operating Rules

- A. Operating Rules are rules and regulations governing the ~~entire State Party, including Affiliate~~ the operations of all Parties, ~~and the party’s operations. Operating Rules shall be binding upon Affiliate Parties.~~

- B. Operating Rules may cover topics provided for in this Constitution and not prohibited by this Constitution.
- C. The violation of any Operating Rule shall not constitute grounds for the disqualification of any candidate for office or the invalidation of any nomination of any candidate for office. No Operating Rule may conflict with this Constitution, or ~~Elections~~ Bylaws, ~~and any~~ Any Operating Rule ~~adopted~~ in conflict with the Constitution or ~~Elections~~ Bylaws is, to the extent of such conflict, automatically repealed. The invalidation of part of an Operating Rule shall not invalidate the remainder of such rules.
- D. The State Party Executive Committee shall be empowered to waive, in any particular case, the requirement of any Operating Rule by a two-thirds (2/3) vote of the entire State Party Executive Committee, unless the rule violation in question involves a violation by the State Party Executive Committee itself, in which case the waiver shall be a three-fourths (3/4) vote of the entire State Party Executive Committee.

Section 4. Standing Rules

- A. A Party may adopt Standing Rules, provided such rules comply with federal and state law, this Constitution, Roberts Rules of Order, Bylaws, and Operating Rules of the State Party. Any Standing Rule which does not comply is repealed. Standing Rules only apply to the ~~party~~ Party that enacts them, and are not binding on the rights generally of Voting Members or on Affiliate Parties.
- B. Any Standing Rules adopted by a Party shall be reviewed by the Executive Committee at the first meeting after a Convention of the Party it serves.

Section 5. Amendments

- A. No Amendments to this Constitution, except Emergency Amendments, may be made until it has been submitted to the State Party Executive Committee, at least forty-five (45) days prior to the State Party Annual Convention at which it will be considered. This requirement of advance notice may be waived by three-fourths (3/4) of the ~~delegates~~ Voting Delegates present and voting, and a motion to suspend the rules on this subject matter shall be subject to limited debate of two minutes per side. Any amendments to this Constitution shall be approved by a vote of three-fourths (3/4) of the Voting ~~Members of~~ Delegates at the State Party Annual Convention ~~who are present and voting at the convention.~~
- B. This Constitution may also be amended by the State Party Executive Committee on an Emergency Basis, and not for convenience. Emergencies include, for instance, the potential loss of ballot access. Emergency Amendments shall be passed by a vote of at least four-fifths (4/5) of the members of the State Party Executive Committee, except that, within the period of sixty (60) days prior to, or sixty (60) days after the State Party Annual Convention, the vote must be five-sixths (5/6) of the entire membership of the Executive Committee. The State Party Executive Committee shall not be entitled to enact any amendment that was rejected by the Voting Members of

the State Party at the **immediately** preceding State Party Annual Convention ~~or State Party Special Convention, within one (1) year of that rejection.~~

- C. Any amendments made to this Constitution by the State Party Executive Committee between conventions shall take effect immediately, but shall be immediately repealed at the close of the next State Party Annual Convention unless ratified by a two-thirds (2/3) vote of the voting membership in attendance. Unless the measure is ratified, or the convention body, by a two-thirds (2/3) vote finds that the need for the amendment existed in good faith, each and every member of the State Party Executive Committee who voted for the Amendment shall be immediately recalled from office upon the failure of the Amendment to be ratified or the vote regarding good faith fails, whichever comes later. In the event of Recall, those persons shall be ineligible to hold any further office within the ~~party~~ **Party** for a period of two (2) years following those votes. The Convention body shall then fill these vacancies.
- D. Operating Rules may be adopted or amended, by a vote of three-fifths (3/5) at the State Party Annual ~~e~~**C**onvention, and shall be debatable and amendable as provided in Robert's Rules of Order. Any Operating Rule or part of an Operating Rule, may be rescinded or deleted by majority vote at the State Party Annual Convention. Operating Rules may be adopted, amended, or deleted at a State Party Special Convention by vote of three-fourths (3/4). Operating Rules amendment proposals will be submitted to the Voting Membership not later than fourteen (14) days prior to the convention; the failure to transmit a proposal transmitted to it within the time herein, shall not bar its consideration by the body in convention. This requirement of advance notice may be waived by three-fifths (3/5) of the ~~delegates~~ **Voting Delegates** present and voting.
- E. Operating Rules may also be amended by the State Party Executive Committee on an Emergency Basis, and not for convenience. Emergencies include, for instance, the potential loss of ballot access. Emergency Amendments shall be passed by a vote of at least three-fourths (3/4) of the members of the State Party Executive Committee, except that, within the period of sixty (60) days prior to, or six (6) days after the State Party Annual Convention, the vote must be four-fifths (4/5) of the entire membership. Any amendments made to Operating Rules by the State Party Executive Committee between conventions shall take effect immediately, but shall be immediately repealed at the close of the next convention unless ratified by a majority vote of the voting membership in attendance. Unless the measure is ratified, or the convention body, by a majority vote finds that the need for the amendment existed in good faith, each and every member of the State Party Executive Committee who voted for the amendment shall be immediately recalled from office upon the failure of the amendment to be ratified or the vote regarding good faith fails, whichever comes later. In the event of Recall, those persons shall be ineligible to hold any further office within the Party for a period of two

(2) years following those votes. The Convention body shall then fill these vacancies.

F. Standing Rules may be adopted, amended, or deleted by a Party Executive Committee.

ARTICLE VIII. PREFERENTIAL VOTING AND NONE OF THE ABOVE

Section 1. In any case where a question has been called to a vote and/or during the election or nomination of candidates, and there are more than two (2) options, preferential voting, also known as instant-runoff voting, shall be used to determine the winning choice.

Section 2. In any case where a question involves election or nomination, None of the Above (NOTA) shall be an option.

Section 3. Whenever preferential voting is used, the Secretary of the Party, or Elections Committee, as applicable, shall be responsible for tallying, announcing, and archiving the results of each round of voting. Except where otherwise explicitly outlined in this Constitution, those entitled to vote may, in good faith, challenge the results.

Section 4. Except where explicitly permitted in this Constitution or as may be permitted in ~~Elections~~ Bylaws, proxy or absentee voting is forbidden.

ARTICLE IX. ALL OTHER CIRCUMSTANCES

Section 1. All situations not covered shall be governed by the latest edition of "Robert's Rules of Order, Newly Revised"

Passed 3/3/2019

The Libertarian Party of Kentucky Operating Rules

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Article III

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

- a. If the amount calculated under this provision exceeds the amount permitted under Kentucky law to be contributed by a minor within a single calendar year, the amount required of a minor shall be the legal contribution limit.
- b. A change in the amount calculated for Annual Dues does not change the current status of existing Dues-Paying Members for the duration of their current membership.

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

- a. Pre-approved service-based support (or, "service exemption"), as a number of hours rounded up to the nearest quarter hour to cover the dollar amount for Annual Dues calculated at federal minimum wage.
- b. In-kind donation, valued at no less than the value of annual dues.
- c. In no event shall a member of a committee be given a Dues Waiver, or receive compensation or be reimbursed for expenses directly related to fulfilling the duties of their office.

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

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

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

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

300.1: Disbursement of Funds to Affiliate Parties by State Party

300.1.1: ~~No disbursement shall be made to~~ The State Party Executive Committee may refuse to disburse funds to any Affiliate Party that is not in good standing - in compliance with the Constitution and Operating Rules, and applicable campaign finance laws and regulations - at the time disbursements are made.

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

- a. If the donor lives in an area without an Affiliate Party, or lives outside the state, the donation will remain with the State Party.
- b. If the donor lives in an area with an affiliated District Party, the District Party shall be allocated one-third (1/3) of the donation, rounded to the nearest penny.
- c. If a donor who lives in an area with an affiliated County Party or Metro Party, the County Party or Metro Party shall be allocated one-half (1/2) of the donation, rounded to the nearest penny.

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

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

~~500.0.1: If a party is dissolved, its assets shall be transferred back to the state party; no party may transfer its assets in the six months preceding its dissolution with an eye towards avoiding this requirement.~~ **A District Party, County Party, or Metro Party that has been dissolved shall transfer all Party Resources, and a list of outstanding duties and obligations, to the State Party. No Party may transfer its assets preceding its dissolution with an eye towards avoiding this requirement. Nothing in this section requires the State Party to assume any liabilities of dissolved Affiliate Parties.**

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

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

- A) Chair, who is responsible for preparing an agenda for and presiding at all meetings of the committee, generally organizing the committee, being the primary spokesman for the committee, **and** being the primary contact with the committee which created or chartered the committee ~~being, at the option of the committee, either a non-voting or voting member of all other sub-committees of that committee.~~
- B) ~~Optionally (except for the State Party where it is mandatory), a~~ Vice-Chair, who is responsible for assisting the chair, performing the duties of the Chair when the Chair is unable to perform those duties, and performing the duties of the Secretary when the Secretary is unable to perform those duties.
- C) Secretary, who is responsible for maintaining all records of the committee (except financial transactions), recording the minutes of all committee meetings, and performing the duties of the Vice Chair if the Vice-Chair ~~does not exist or~~ is unable to perform those duties **or the Vice-Chair is vacant.**

500.1.2: ~~Officers of an~~ **An** Executive Committee **shall have the following officer positions available, of which the Chair, Treasurer, and either the Vice-Chair or Secretary must be filled. Those positions** have **the following** additional duties~~:~~:

- A) ~~Executive Committee~~ Chair, who is responsible for being the chief executive officer of the Party, and signing contracts approved by the Executive Committee on behalf of the Party.
- B) ~~Executive Committee~~ Secretary ~~for the State Party~~, **who for the State Party** is responsible for making provisions for legal services to all Parties.
- C) ~~Executive Committee~~ Treasurer, who is responsible for receiving, expending, and accounting for all Party Resources, and preparing and submitting campaign finance reports as, and if, mandated by Kentucky law.
- D) ~~The ranking of members of an Executive Committee is as follows: Chair, Vice-Chair, Secretary, and Treasurer, followed by At-Large Representatives ranked by order of~~

~~election, followed by the Chair of each Affiliate Party ordered alphanumerically by Affiliate name.~~

500.1.3 At-Large Representatives of an Executive Committee.

- A) They shall represent Voting Members who live in an area without an Affiliate Party, or otherwise represent minority viewpoints within a Party.
- B) The number of Executive Committee At-Large Representatives shall be set at ~~a~~ Annual Convention by the delegates Voting Delegates to that convention, and be between one and four members.

500.1.4 Precinct Captains of a County or Metro Party

- A) Precinct Captains only exist in a County Party or a Metro Party.
- B) The Precinct Captain shall be a resident of the precinct, whose title, when seated, shall be "Precinct Captain -" followed by the alphanumeric precinct designation.
- C) Precinct Captains in a Party shall elect a Chair of the Precinct Captains of a Party from amongst themselves.
- D) The majority vote of all sitting Precinct Captains on an Executive Committee shall be conveyed by the Chair of the Precinct Captains, and count as a single vote on that Executive Committee.
- E) When vacant, the Executive Committee may fill the position, and that Precinct Captain shall be granted the rights and privileges of a regularly-elected Precinct Captain.

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

~~Duties excom iv. Executive Committee shall perform such other functions and fill such other duties, as provided in the Operating Rules. v. Operating rules may be enacted, as provided in this Constitution, to limit the number of Executive Committees any person may serve on or to provide other qualifications to hold particular offices~~

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

~~Section 3. Leave of Absence A. Provisions regarding leave of absences and who may act as an acting officer in the event of such leave may be provided in Operating Rules.~~

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

purposes of quorum, as if that person is not on the committee, and not counted towards whether quorum is met or not.

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

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

Section 4: Resignations, recalls, and vacancies

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

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

- a) If a vacancy ~~occurs~~ **exists** in the office of Vice-Chair or Secretary, the remaining members may appoint a Vice-Chair or Secretary to ensure there are three Officers of an Executive Committee. Any vacancy so filled shall be filled by the Voting Members at their next ~~annual-convention~~ **Annual Convention**, or next ~~special-convention~~ **Special Convention** called for that purpose.
- b) If the office of Treasurer becomes vacant, the Vice Chair (or Secretary if no Vice Chair) shall immediately become the Acting Treasurer. The remaining members of the executive committee shall then appoint a permanent Treasurer within thirty (30) days. Any vacancy so filled shall be filled by the Voting Members at their next ~~annual convention~~ **Annual Convention**, or next ~~special-convention~~ **Special Convention** called for that purpose.
- c) If in the office of Chair becomes vacant, the Vice-Chair shall immediately become the Chair, and a vacancy shall occur in the office of Vice-Chair. Any vacancy so filled shall be filled by the Voting Members at their next ~~annual-convention~~ **Annual Convention**, or next ~~special-convention~~ **Special Convention** called for that purpose.
- d) ~~Any default member of a committee of a Party can choose not to serve, or be recalled for absenteeism. Vacant~~ **Other vacant** positions shall be appointed by the Executive Committee of that Party.

Recalls:

500.4.3: A member of an Executive Committee can also be recalled from office under the following circumstances:

- i. Any Party officer, At-Large Representative, or Precinct Captain may be recalled from office by written petition (including by electronic mail) of forty (40) percent of all Voting

Members of that Party, and by mailed, electronic, or other certified vote of no less than three-fifths (3/5ths) of all Voting Members of that Party. Notwithstanding any other provision, in the event that a recall petition fails, a subsequent recall petition may not be lodged within four months following the failure of the recall petition.

- ii. Any member of an Executive Committee who does not participate in the activities of the Executive Committee for a period of sixty-two (62) days or greater, without having first given proper notice of a leave of absence, shall be automatically recalled from office.
- iii. Any member of an Executive Committee may be recalled from office by a vote of no less than two-thirds (2/3) of the entire non-vacant voting members of the Executive Committee of that Party excluding the member in question who must vote affirmatively in favor of recall, and only for cause or neglect of duties. In the event of a recall under this section, the member in question shall be informed of the basis of the recall and notice of the meeting at which it will be heard at least seven days in advance, and shall be permitted to be heard in his or her defense by the entire non-vacant Executive Committee.
- iv. Any sitting member of an Executive Committee, who fails to meet the qualifications and requirements to be elected and serve in any capacity at any level in the ~~party~~ Party, as prescribed by the governing documents of that Party, will be given thirty (30) days, upon documented notification by any Party member, come into compliance with these requirements. Failure to meet these qualifications within the thirty (30) day period shall result in automatic recall from office.
- v. Any sitting member of an Executive Committee may also be recalled by a majority vote of the ~~voting members~~ Voting Delegates at an ~~annual-convention~~ Annual Convention; or by a 3/5 vote of a ~~special-convention~~ Special Convention.

~~Operating Rules A. Operating Rules may be adopted setting forth requirements for the frequency under which meetings must be held, and setting penalties for failing to call and/or hold such meetings:~~

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

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

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

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

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

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

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

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

500.5.3: Executive Session shall be limited to:

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

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

- A) The State Party Executive Committee shall provide and manage an official mailing list for electronic discussion and voting to every committee of the Party, made viewable to Voting Members, using official LPKY.org email addresses assigned by the State Party.
 - 1) No more than two (2) motions by electronic mail shall be considered by a committee at the same time. A committee member may introduce a motion by opening a distinct thread on the appropriate mailing list. The subject line must begin with "MOTION:" in capital letters, followed by subject in normal case.
 - 2) Discussion may begin once another member has seconded the motion. A motion is considered failed if it is not seconded within two (2) business days.
 - 3) The question will automatically be called, unless tabled to the next special or regular meeting, by a vote of one third (1/3) or more of the committee, after one (1) full business day with no discussion, or five (5) business days after the motion was seconded, whichever comes first. Once the question has been called, members shall have two (2) business days to vote.
 - 4) No action shall be considered passed without a vote of the majority of all seated members of that committee.
 - 5) If a committee votes via mailing list to enter Executive Session, the committee may meet privately via teleconference.
- B) In the case of an emergency, where the regular notice requirements would extend beyond a deadline specified in this Constitution, State Law, or State Regulations:
 - 1) The committee chair shall set a time, phone number, and any necessary access codes for a telephone conference, and notify members of the committee with as much notice as possible. Notification must be made by texting, or with a voice telephone call or voicemail for those unable to access texting.
 - 2) The topic of the motion to be considered will be included in the text, telephone call, or voice message.
 - 3) The actions considered and the results thereof shall be published to the mailing list assigned to the committee within twelve (12) hours.

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

500.6 Defined Directors

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

500.6.2: General provisions for Directors

- (a) Directors exist to execute duties, but a Director shall not have more authority than what is granted under the Constitution and what is authorized by the Executive Committee Chair.
- (b) A Director may be appointed by the Executive Committee, and when appointed shall report to, and serve at the leisure of, the Executive Committee Chair. A Director may be removed by either the Chair or the Executive Committee.
- (c) Only one Director may exist for each outlined Director position and set of duties.
- (d) No Party may otherwise codify any Director to operate any election-related or other items codified in Bylaws.
- (e) A Director may, at their discretion, appoint additional persons, who shall report directly to the Director, within the purview of their Director role. Any such appointments shall be promptly reported to the Executive Committee, which may disapprove same, and appointees shall have the same powers, limitations, and requirements of the Director.
- (f) A Director may hold an elected or appointed position in a Party, but shall not vote on any item related to their Director role, subject to any potential restrictions under conflict of interest rules.
- (g) A Director shall provide status reports at each meeting of the Executive Committee.
- (h) The term of any Director shall end at Annual Convention.

500.6.3: ➡ Defined Directors for the State Party:

1) Membership Director

- a) They shall work with the Membership Director of the Chartering Party and of all Affiliate Parties, where applicable, to maintain the membership roles for the Party and all Affiliate Parties. Membership lists shall be disseminated to Affiliate Parties in accordance with Operating Rules.
- b) They shall assist in developing a “Non-Disclosure Agreement” to protect membership data, and maintain the list of those who have signed that agreement.

2) Outreach Director

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

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

4) Communications Director

- a) They shall be responsible for external communications with the public and media, with approval from the Executive Committee Chair.
- b) They shall maintain content for any social media assets, and content for the Party on the State Party website.

- 5) Information Technology Director, who is responsible for executing all IT-related tasks as assigned.
 - a) They shall exist only for the State Party.
 - b) They shall work to document, obtain, implement, maintain, monitor, and/or modify any and all Party Resources under the purview of Information Technology of all Parties, with oversight from the State Party Executive Committee.
 - c) They shall respect privacy and autonomy, and not engage in the day-to-day operation of any Party Resource, unless specifically directed in Bylaws or Standing Rules, or by the Executive Committee of the Party that operates the asset or the State Party Executive Committee.
 - d) They may recommend "Acceptable Use Policy", "End User License Agreement", or other similar documents for consideration for adoption as a prerequisite to use IT assets.
- 6) Political Director, who is responsible for arranging external resources other than financial resources for candidates, and for arranging lobbying efforts for the ~~party~~ **Party**.
- 7) Events Director, who is responsible for arranging conventions and other non-fundraising events.
 - a) They shall be responsible for collecting and maintaining a list of political or other outreach events. The Executive Committee may task the director to organize Party presence at such events.
- 8) Field Development, who is responsible for finding and cultivating future leaders of the Party.
 - a) They shall be responsible for finding and assisting coordinators throughout that Party and its Affiliate Parties to build new Affiliate Parties.

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

Committees:

500.7 Defined Subcommittees

500.7.1 ~~500.6.3~~: State Party Membership Review Committee

500.7.1.1 ~~500.6.3.1~~: ~~It shall be comprised of five or seven members, as determined by the body in the State Party annual convention, to be elected to a one-year term, by the Voting Members at the State Party annual convention.~~ Vacancies shall be filled between conventions by the remaining members of the committee. Its members may serve on other committees, including executive committees. The Committee shall elect a chair and secretary at its first meeting, which may be held during or within seven days following the state convention at which the committee members are elected, or by email or telephone.

500.7.1.2 ~~500.6.3.2~~: It shall meet only as required when a Voting Member files a complaint to the committee regarding violations by a Voting Member of the Statement of Principles. Any complaint shall be in writing and signed by the Voting Member making the complaint. Hearings should generally be recorded, but the failure of recording equipment will not invalidate the hearing.

500.7.1.3 ~~500.6.3.3~~: Any matter regarding revocation of voting membership status that requires adjudication shall be referred to the entire Membership Review Committee. At the option of the Chair, he may refer the Complaint to the remainder of the Committee, which can vote to dismiss the complaint because it: (a) is dilatory; (b) has already been decided by the committee; (c) is frivolous on its face; or (d) does not violate the Statement of Principles. Unless dismissed, the Chair of this Committee shall immediately provide a copy of the charge or grounds for challenge, to the Voting Member being challenged. The Voting Member shall be entitled to file a response and answer within ten days. Any member who is the subject of a complaint may request that hearings be open in their answer. The failure to file a timely response may be determined by the Committee to constitute a default, and, in that event, the complaint may be upheld by the Committee and sent to the Executive Committee for further action. Further, if a response is filed that admits the basis of the challenge, the Committee may likewise uphold the Complaint and send the matter to the Executive Committee for further action.

500.7.1.4 ~~500.6.3.4~~: Absent a default or an upholding of the challenge as provided in ~~600.6.3.3~~ 500.7.1.3, the Committee shall then hold one or more hearings, including by telephone, to receive evidence and testimony. Evidence need not be admissible in a court of law, and the ruling of the Committee Chair on questions of admissibility shall be binding, subject to being overturned by a majority vote of the committee. The Chair may permit filings by e-mail or electronically in order to expedite the resolution of the matter.

500.7.1.5 ~~500.6.3.5~~: The Committee, or its members, may conduct its own investigation into any allegations in advance of a meeting or hearing.

500.7.1.6 ~~500.6.3.6~~: All deliberations shall be in closed executive session, but all final votes of the committee shall be in open session.

500.7.1.7 ~~500.6.3.7~~: Upon the conclusion of the hearing, the Committee shall vote whether to sustain the complaint and a violation of the Statement of Principles. If a complaint is sustained, the Committee shall also vote on a recommended remedy, which is not binding upon the Executive Committee, which may, but need not, include: (i) recommendation of censure of the Voting Member to the Executive Committee; or (ii) recommending to the Executive Committee the revocation of Membership. If the challenge is denied that ends the matter.

500.7.2 ~~500.6.4~~: Platform and Issues Committee

500.7.2.1 ~~500-6.4.1~~: The Chair of the Platform and Issues Committee shall be appointed by the Executive Committee from among the members of the Executive Committee of the Party no later than 60 days after the ~~annual convention~~ Annual Convention.

500.7.2.2 ~~500-6.4.2~~: The members of the Platform and Issues Committee shall be appointed by the Executive Committee of the Party. Membership is open to any voting member of the Party.

500.7.2.3 ~~500-6.4.3~~: This committee shall draft policy statements for the Executive Committee of the Party and develop position papers for the Party.

500.7.2.4 ~~500-6.4.4~~: This Committee shall prepare planks for the Party Platform, hold hearings on these planks and submit them to the ~~delegates~~ Voting Delegates of the State Party Annual Convention for approval.

500.7.3 ~~500-6.5~~: State Party Rules Committee

500.7.3.1 ~~500-6.5.1~~: The State Party Rules Committee shall be comprised of five, seven, or nine members, who shall be appointed by the State Party Executive Committee.

500.7.3.2 ~~500-6.5.2~~: The committee may recommend changes to the Constitution, Operating Rules, or default convention rules. Such recommendations shall be submitted to the State Party Executive Committee or State Party Convention for approval, as specified in the Constitution.

500.7.3.3 ~~500-6.5.3~~: The committee shall identify and bring forth any Party rules that conflict with state law.

500.7.4 ~~500-6.6~~: Caucus Campaign Committees

500.7.4.1 ~~500-6.6.1~~: Campaign Caucus Committees shall be the House Libertarian Caucus Campaign Committee and Senate Libertarian Caucus Campaign Committee.

500.7.4.2 ~~500-6.6.2~~: Each committee shall function as "caucus campaign committee," as set forth in Kentucky Revised Statutes and Kentucky Administrative Regulations, to solicit, raise, and spend funds to assist in the election of Libertarian candidates.

500.7.4.3 ~~500-6.6.3~~: Committee membership

- a) Members of each committee shall be elected to a two-year staggered term, as follows:
 - i) Two (2) members, to a two-year term in 2019, elected by the ~~delegates~~ Voting Delegates at each State Party Annual Convention.
 - ii) Three (3) members, to a one-year term in 2019, elected by the ~~delegates~~ Voting Delegates at each State Party Annual Convention, and then to a two-year term in 2020.

- iii) The members of both committees may be the same persons and may be members of the State Party Executive Committee.
- iv) Vacancy in an unexpired term of a seat on the committee shall be filled by the State Party Executive Committee.

~~500.7.4.4~~ ~~500.6.6.4~~: These committees shall not, in any way, expend any funds in connection with the nomination of Libertarian candidates for public office or internal ~~party~~ **Party** office, or internal governance matters. Nothing in this section shall prevent members of these committees from acting as ~~voting members~~ **Voting Members** of the ~~party~~ **Party**.

~~500.7.4.5~~ ~~500.6.6.5~~: Such committees are required to comply with this Constitution, and applicable Kentucky Revised Statutes and Kentucky Administrative Regulations. Failure to comply shall result in the removal of all members of the committee.

~~500.6.7: State Party Elections Committee or "Elections Committee"~~

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

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

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

500.7.5 Credentials Committee

500.7.5.1: This committee shall be mandatory for any Party with at least fifty (50) Voting Members. The committee shall consist of three (3) or five (5) Voting Members of that Party. One shall be the Executive Committee Secretary of that Party, and the others to be appointed by the Executive Committee of that Party not later than twenty-one (21) days prior to the start of the convention. In the absence of an Executive Committee appointment by twenty-one (21) days prior to the start of the convention, the Secretary of the Executive Committee calling the convention shall appoint the other members of the Credentials Committee and provide notice of those appointments to the Executive Committee.

500.7.5.2: When a Party with fewer than fifty (50) Voting Members opts to not create such a committee, the Executive Committee Secretary of that Party shall act as the committee.

~~Article VI Conventions B. Operating Rules may be enacted that govern the calling of such conventions, the timing of such conventions, rules for such conventions, penalties for failing to call such conventions (provided that no such penalty shall work to inhibit the nomination of candidates or their placement on the ballot, such matters being left to the Elections Committee); default convention dates, and restrictions on calling conventions. Conventions must be held annually by the State Party and all Affiliate Parties. Notice for Conventions Requirements for notice shall be as provided in Operating Rules. B. Calling a convention i. Except where otherwise defined in this Constitution, any regular convention must be called with advance notice prior to the convention as set forth in Operating Rules.~~

~~600.1.1:~~ **600.1.2:** Annual Convention

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

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

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

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

600.1.2.3: A District Party **which is not fully contained within a single county** shall conduct the business of their Annual Convention **on a non-holiday weekend. All District Parties shall hold their convention** in February, and shall be ready to provide notice of the convention to the State Party Executive Committee no later than the first weekend in December of the year prior.

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

600.1.2.5: Notwithstanding the date requirements in this Section ~~700.1~~ **600.1**, when any competent governmental authority has declared a weather emergency or state of emergency, any convention may be rescheduled by the applicable executive committee with notice to the State Party Executive Committee, to the following weekend. All notice requirements shall be waived in such instance, but best-effort shall be made to contact all Voting Members in the

affected area, given the timeframe and available resources, to encourage wide participation by Voting Members of that Party.

600.1.2.6. Notwithstanding the date requirements in this Section ~~700.1~~ 600.1, if a reservation for a planned convention location is canceled by facility, the Party shall inform the State Party Executive Committee and re-notice the new location to all those entitled to notice of convention. If this cancellation occurs within ninety-six (96) hours prior to the opening of business, if permitted by the facility, a sign will be clearly posted at the original location informing members of the location change.

600.1.2.7. Notwithstanding the date requirements in Section 600.1, if the legal deadline to file any paperwork for external political office in the next general election occurs prior to the second weekend in March, the State Party Executive Committee is hereby empowered to alter the times given in 600.1.

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

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

600.1.4. The Executive Committee of a Party shall be nominated, from the floor by, and elected by vote of, the ~~voting delegates~~ Voting Delegates of that Party at Annual Convention. ~~;~~ as follows:

- a. ~~600.1.5.~~ Officers of the State Party and affiliated County and Metro Parties, and At-Large Representatives of affiliated District Parties, shall be elected in odd-numbered years.
- b. ~~600.1.6.~~ Officers of affiliated District Parties, and At-Large Representatives of the State Party and affiliated County and Metro Parties, shall be elected in even-numbered years.
- c. ~~600.1.7.~~ Precinct Captains, if they exist, are elected by vote of the Voting Members in attendance from that voting precinct, at Annual Convention of a County or Metro Party each year.

600.1.8. Members of the Executive Committee shall take office immediately upon the close of the Convention at which they were elected, and shall serve until their successors are elected and qualify for office, unless otherwise specified by this Constitution.

~~600.1.9. The right of Voting Members of a Party to nominate and elect any person, qualified to serve under the Constitution and these Operating Rules, from the convention floor shall not be~~

~~not be infringed. Further, a~~ A Party may not act to explicitly or implicitly promote any particular candidate, except for external political candidates who have been nominated under ~~this~~ the ~~Constitution and Election~~ Bylaws.

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

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

~~600.1.12. Default Convention~~

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

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

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

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

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

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

~~600.1.12.7. All Officer and At-Large positions in the State Party shall be declared vacant, and the convention body shall elect a new Executive Committee. Section 6. National Party Convention Primary Delegates and Alternate Delegates A. Matters related to the election and handling of Primary and Alternate Delegates, their selection, and related matters shall be as provided in the Operating Rules.~~

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

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

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

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

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

600.2.6: Starting one hour prior to the opening of business, Delegates may be appended to the end of the Delegate List by vote of two thirds (2/3) of the Primary Delegates at the National Convention. Each addition shall be considered individually. For the avoidance of all doubt, any such additions shall be added at the end of the list, after primary and alternate delegates chosen at convention.

600.2.7: Delegation Chair

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

600.2.7.2: They shall be empowered to enter into a Regional Agreement with other state parties on behalf of the State Party, with approval ~~two (2)~~ one (1) other Officers ~~s~~ of the State Party.

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

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

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

600.2.9: Any Delegate absent that does not check-in at least one hour prior to the opening of business, resigns from the role, or is absent for more than one-hundred twenty (120) ~~seventy (70) consecutive~~ minutes cumulatively during business may be removed from the Delegate List by the Delegation Chair; a person is not considered absent if they are present at the venue, but performing official functions or party business off of the floor (including national committee or sub-committee work). If no Delegation Chair exists, then Primary Delegates who have checked-in shall elect a new Delegation Chair from amongst themselves.

Article X

1000.1: In Kind donations

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

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

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

1000.2: Ethics, nepotism, conflicts of interest No officer, or member of a subcommittee or committee, shall:

1000.2.1 Use his or her official position or office to obtain financial gain or other personal benefit, including voting to approve any expense or reimbursement, or to prevent a personal detriment, for himself or herself, any ~~F~~family ~~M~~member, or a business associate; ~~Nothing in this section shall prevent arm's length providing of goods or services to the party at their usual and customary pricing if the committee member Officer in question recuses himself or herself themselves from any deliberation or vote on the matter, but a full accounting of the transaction(s) - including the price and/or expense - shall be provided to the Executive Committee and to the Treasurer of the Chartering Party within 72 hours of any such transaction, and a comprehensive list provided to the convention body at the next Annual Convention of the Party.~~ ~~on behalf of the party or approval of expenses or compensation approved by an Executive Committee.~~

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

1000.3: Party records / open records

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

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

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

1000.3.4 Upon inspection, the Requestor shall have the right to make abstracts of the Open records and memoranda thereof, and to obtain copies of all Open records not exempted. Wherever possible and whenever electronic records exist, such records shall be provided electronically over electronic mail at no cost to the Requestor. For physical copies, the secretary may charge \$0.15 per page copied, plus reasonable postage fees, and may require advance payment of the prescribed fee, including postage where appropriate. In person inspection may occur at the time and location convenient to the secretary. Inspection shall occur within thirty (30) days of the request. In lieu of the foregoing, such materials may be made available on a public website.

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

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

- (A) Software licensed or used by the Party;
- (B) Specific addresses of files, passwords, access codes, user identifications, or any other mechanism for controlling the security or restricting access to records in the ~~party~~ Party's computer system;
- (C) Membership list information other than name, address, congressional district and county;
- (D) Donor lists and data, other than such information as is filed publicly;
- (E) Specific personal identifying information of any member or donor, including social security number, banking information, or similar personal identifying information.
- (F) Records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy, but this shall not include any meeting minutes or public meeting audio or video;
- (G) Any legal advice, memorandum, or matters protected by the attorney-client or other applicable legal privilege recognized by state or federal courts;
- (H) The contents of real estate appraisals, engineering or feasibility estimates and evaluations relative to acquisition of property, until such time as all of the property has been acquired;
- (I) Records of the Party involved in adjudication that were compiled in the process of regulating elections, determining compliance with ~~party~~ Party requirements, or investigatory matters if the disclosure of the information would harm the ~~party~~ Party by premature release of information to be used in a prospective adjudication;
- (J) Preliminary drafts, notes, correspondence with private individuals, other than correspondence which is intended to give notice of final action of the Party;
- (K) Preliminary recommendations, and preliminary memoranda in which opinions are expressed or policies formulated or recommended;
- (L) All Open records or information the disclosure of which is prohibited by federal or state law or regulation;
- (M) Any other record of a proprietary or confidential nature, the release of which to the general public has a substantial likelihood of seriously damaging the ~~party~~ Party or its interests in the judgment of the Chair and Secretary, who shall both agree that the exception applies; this exception shall not be used to prevent the release of the minutes of any meeting or general financial reports; and
- (N) Materials that relate solely to internal ~~party~~ Party operations with sensitive data of a political or operational interest.

1000.4: Financial controls and ~~party~~ Party assets

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

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

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

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

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

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

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

1000.5: Default Convention Standing Rules:

1000.5.1- General Provision

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

~~1000.5.2: Delegates and Credentialing~~

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

~~a. All "Voting Members" as defined in the current Constitution of the Libertarian Party of Kentucky, who are Voting Members as of 14 days prior to the Convention, who have~~

~~registered for the Convention as set forth in these rules, and checked into the Convention, as set forth in these rules:~~

- ~~b. A "Putative Delegate" are those persons who are Voting Members, set forth above, who are Voting Members by the deadlines set forth above, but have either: (i) not checked in to the Convention; or (ii) have not registered for the Convention.~~

1000.5.3 Registration and check-in of Voting Delegates for the Convention

1000.5.3.1 ~~1000.5.4.3~~ The Membership Director Committee shall ~~likewise~~ transmit, to the Credentials Committee, a list of persons that are ~~have become a~~ "Voting Members" of that Party as defined in the current Constitution of the Libertarian Party of Kentucky, ~~between the period of thirty days to on the thirtieth~~ fourteen days prior to the convention. ~~The Credentials Committee may determine and decide any claims of error or discrepancy, from this list, prior to the presentation of its report. Absent some evidence of error or mistake, these persons shall also be deemed Putative Delegates, along with any additions found appropriate by the Credentials Committee due to error or mistake. Any such additions shall be transmitted to the Executive Committee Chair and Secretary by the Credentials Committee not later than three days prior to the convention.~~

1000.5.3.2 Registration and check-in for the ~~C~~convention ~~Registration~~ shall be opened, onsite, starting one hour prior to the start of convention business, at the convention location. Any person who is a ~~convention delegate~~ Putative Delegate shall then be permitted to register, if necessary, and check-in to become a Voting Delegate; provided he or she is in line to register by the time set for the start of convention business. ~~;~~

1000.5.3.3 Registration, check-in, and check-out shall be ~~handled~~ processed by the Credentials Committee at reasonable times during the convention, and periodically provide a report, to be approved by the body, with proposed amendments to the list Voting Delegates.

1000.5.3.4 ~~1000.5.5.3~~ After the initial report of the Credentials Committee, No additional persons may one can vote be a Voting Delegate ~~whose name is not on the list of delegates reported by the Credentials Committee, until it~~ amendments to the Credentials Committee report, subject to amendment and division by the convention body, have been ~~has been amended~~ accepted by vote of the current Voting Delegates. ~~to add that person to the Report. Upon the motion to substitute one delegation for another, neither one can vote. Upon a motion to strike out the names of a delegation whose seats are contested any such person in that delegation cannot vote. But upon the main motion to accept the report, all persons whose names are on the list of members as reported by the committee and amended by the convention are entitled to vote, and they alone.~~

~~1000.5.5.5~~ The Credentials Committee shall ~~also~~ permit check-in to occur at a period of every two hours following the opening of the convention for 10 minutes, ~~and at a period of two hours~~

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

1000.5.4 Verification of Delegates

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

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

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

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

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

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

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

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

1000.5.5.2 Immediately after the Chair calls the convention to order, the first order of business shall be the Presentation of the Report of the Credentials Committee, which shall report those ~~delegates~~ **Voting Delegates** authorized to vote. The Report may be, by the body of those ~~delegates~~ **Voting Delegates** authorized to vote in the Report, debated, adopted or amended, by a simple majority vote. Putative Delegates shall be entitled, however, to be recognized on the floor, for a period of two minutes each, for the purposes of debating the Report of the Credentials Committee, but shall not be entitled to vote on the adoption or amendment of the Report.

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

~~the list of members as reported by the committee and amended by the convention are entitled to vote, and they alone.~~

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

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

1000.5.5.6 The second order of business shall be the ~~election~~ **potential replacement of a the** ~~Convention~~ Chair and ~~/or~~ Secretary, **, if present; by three-fifths (3/5) vote of the delegates, as Convention Chair and Secretary, respectively.** ~~the Secretary shall keep minutes reflecting actions taken at the convention. The Chair shall be the Executive Committee Chair unless not present, or removed by a three-fifths (3/5) vote of the convention body. The Secretary of the Executive Committee shall be the Secretary of the Convention, unless not present, or removed by a three-fifths (3/5) vote of the convention body. The Chair shall be entitled to employ or utilize a parliamentarian to assist on matters of procedure.~~

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

1000.5.5.8 The fourth order of business by the Chair shall be presentation of the **proposed** agenda ~~for additional business. The agenda shall be the agenda that was provided in the notice for the Convention that was given by the Chair of the Executive Committee of the State Party. The convention body may debate, adopt or amend such agenda, by a simple majority vote.~~ Once adopted, the agenda may not be modified, or its order of business deviated from, except by a motion to suspend the orders of the day, which must pass by a **two-thirds (2/3)** vote.

1000.5.6 – General Convention Rules

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

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

1000.5.6.3 ~~Each individual nominated to any party position shall be nominated and voted on as an individual, not as part of a slate. Names of all nominees shall be listed in alphabetical order on the ballot.~~ Balloting for each office to be elected shall immediately follow nominations from the floor for that office, and not as part of a slate.

1000.5.6.4 ~~The right of A~~any delegate Voting Delegate ~~to this convention may place in nomination for any~~ to nominate any person from the convention floor who is qualified, under the Constitution and Operating Rules as of the opening of the convention, to hold a position ~~officer or other position~~ to be elected at ~~that this~~ convention shall not be infringed; ~~the name of any other delegate, or the name of any other eligible member.~~ Nominations shall be accepted by the presiding officer of the convention until the Chair calls for any further nominations three times, ~~and~~ over a contiguous period of 15 seconds ~~elapses,~~ with no further nominations. ~~No person may be nominated who is not a Voting Member of the party, as of the start of business for this convention.~~ No nomination shall be official until it is accepted by the person so nominated. ~~In the event that~~ If seconding speeches are to be given, they order shall be determined by random drawing of lots.

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

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

- (ii) within two hours of the initial announcement of the results. Any such motion to reconsider shall be considered a privileged motion the first time that it is made. Not more than one motion to reconsider shall be considered.

1000.5.6.6 *The Secretary shall be a teller. When a convention has more than twenty (20) Voting Delegates,* ~~The~~ Chair of the convention shall appoint ~~three~~ *two (2)* or ~~five~~ *four (4)* *additional* tellers ~~to count the members who are entitled to vote and also to count the actual balloting, one of whom shall be the Secretary of the Convention.~~ In the event that any teller is running for any office, a substitute teller shall be appointed for the vote for that office.

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

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

Proposal 2 - KREF reporting requirement

Document: Operating Rules 500.1.2

Type of change: Substantive?

Committee Passed 5-3 on 1/4/2020

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

Rationale: KREF reporting is required if a committee is raising and expending any amount of funds for the purposes of electing candidates to office. Our Constitution repeats that a core purpose of any Party is to elect candidates (Preamble and Purpose). Per KREF, transfers between parties must be reporting by both sides; the sender and the recipient. This puts a burden on LPKY State Party to ensure that the recipient is complying, or that we believe they are complying.

Proposal 3 - Makeup of Platform and Rules committees

There are two competing proposals. The committee decided to leave this decision to the Convention Body as to which, if either, would be adopted.

Each alternative follows on its own page.

Proposal Alternative 1:

Document: Operating Rules 500.6.4 and 500.6.5

Type of change: Substantive

Proposal B passed 5-2-1 on 1/4/2020

500.6.4.1: ~~The Chair of the Platform and Issues Committee shall be appointed by the Executive Committee from among the members of the Executive Committee of the Party no later than 60 days after the annual convention.~~

~~500.6.4.2:~~ The ~~members of the~~ Platform and Issues Committee shall be appointed by the Executive Committee of the Party. Membership is open to any ~~v~~Voting ~~m~~Member of the Party. Any vacancies may be filled at any time.

500.6.5.1: The ~~State Party Rules C~~committee shall be comprised of five (5), seven (7), or nine (9) members, who shall be appointed by the State Party Executive Committee Membership is open to any Voting Member of the Party. Any vacancies may be filled at any time by the State Party Executive Committee to reach five (5), seven (7), or nine (9) members.

Rationale: The committees are different, and we've had trouble getting people to fill the Platform Committee. The Rules Committee has had too much focus, which is detrimental to the party, and the focus should be on elections not on party rules. There should not be a need for such heavy revisions and corrections going forward, so less time will be needed.

Proposal Alternative 2:

Document: Operating Rules 500.6.4 and 500.6.5

Type of change: Substantive

Proposal A deadlocked 4-4 on 1/4/2020

500.6.4.1: The committee shall be comprised of five (5), seven (7), or nine (9) members, who shall be appointed by the State Party Executive Committee ~~The Chair of the Platform and Issues Committee shall be appointed by the Executive Committee from among the members of the Executive Committee of the Party~~ no later than 60 days after the ~~a~~Annual ~~e~~Convention.

~~500.6.4.2: The members of the Platform and Issues Committee shall be appointed by the Executive Committee of the Party.~~ Membership is open to any ~~v~~Voting ~~m~~Member of the Party. Any vacancies may be filled at any time by the State Party Executive Committee to reach five (5), seven (7), or nine (9) members.

500.6.5.1: The ~~State Party Rules C~~committee shall be comprised of five (5), seven (7), or nine (9) members, who shall be appointed by the State Party Executive Committee no later than 60 days after the Annual Convention. Membership is open to any Voting Member of the Party. Any vacancies may be filled at any time by the State Party Executive Committee to reach five (5), seven (7), or nine (9) members.

Rationale: The committees are the same - they deliberate items to bring forward to the convention body for consideration. While the current Rules Committee started earlier than in 2018, we didn't have time to solicit input from membership, address items that some members talked about bringing up, and reach compromise on a few other proposals. Adding additional time - just two more months (4 meetings) - would benefit the convention body and reduce pressure on the committee. Mandating the filling of these committees by a certain date is common; for instance LP National requires their committee to be filled 1 year prior to the National Convention.