

BYLAWS

**BYLAWS
OF THE
MONTANA LIBERTARIAN PARTY**

Adopted by the Montana Libertarian Party State Central Committee,
as Amended, on September 9, 2017, in Bozeman, Montana

Table of Contents

Section I.	General Provisions	Pg. 4
A.	Name of Association	
B.	Purpose of Bylaws	
C.	Jurisdiction of Bylaws	
D.	Amendments to Bylaws	
E.	Severability Clause	
Section II.	MTLP Membership	Pg. 5
A.	MTLP Membership Definition and Eligibility	
B.	MTLP Membership Nondiscrimination Policy	
Section III.	MTLP Leadership	Pg. 6
A.	Definition of MTLP Leadership	
B.	MTLP Leadership Eligibility	
C.	MTLP Leadership Resignation	
Section IV.	County Affiliation with the MTLP	Pg. 7
A.	Initial County Affiliation with the MTLP	
1.	Interim County Officers	
a.	Appointment of Interim County Officers	
b.	Interim County Officer Responsibilities	
i.	County Libertarian Party Meeting	
ii.	Appointment of Precinct County Representatives	
iii.	County Central Committee Convention	
c.	Removal of Interim County Officers	
2.	County Central Committee Responsibilities	
a.	Adoption of County Bylaws	
b.	County Officer Elections	
c.	Election of State Central Committee Members	
B.	Requirements to Maintain County Affiliation with the MTLP	
C.	Default County Bylaws	
Section V.	MTLP State Central Committee	Pg. 11
A.	MTLP State Central Committee Member Credentials	
B.	MTLP State Central Committee Member Duties and Responsibilities	
C.	Who May Call MTLP State Central Committee Meetings and Conventions	
D.	MTLP State Central Committee Meetings	
E.	MTLP State Central Committee Conventions	
1.	Who May Attend MTLP State Central Committee Conventions	
2.	Notice of MTLP State Central Committee Conventions	
3.	Scheduling of MTLP State Central Committee Conventions	
4.	MTLP State Central Committee Convention Order of Business	

- 5. MTLP State Central Committee Convention Elections
 - a. Candidate Eligibility
 - b. Nomination and Endorsement Procedure
 - c. Candidate Introductions
 - d. Ballots
 - e. Voting Procedure

- F. MTLP Candidate Vacancies
 - 1. Statewide Candidate Vacancies
 - 2. Multi-County District Candidate Vacancies
 - 3. County Candidate Vacancies

Section VI. MTLP Officers

Pg. 19

- A. MTLP Officer Definition and Eligibility
- B. MTLP Officer Duties and Responsibilities
 - 1. MTLP Chair
 - 2. MTLP First Vice Chair
 - 3. MTLP Second Vice Chair
 - 4. MTLP Treasurer
 - 5. MTLP Assistant Treasurer
 - 6. MTLP Secretary
 - 7. MTLP Assistant Secretary
- C. MTLP Officer Selection Procedure
 - 1. MTLP State Central Committee Elections
 - 2. Midterm Replacement of MTLP Officers
 - a. MTLP Officer Temporary Vacancy
 - b. MTLP Officer Permanent Vacancy
- D. Removal of MTLP Officer
- E. MTLP Officer Terms of Office

Section VII. MTLP Judicial Committee

Pg. 25

- A. MTLP Judicial Committee Member Definition and Eligibility
- B. MTLP Judicial Committee Duties and Responsibilities
- C. MTLP Judicial Committee Selection Procedure
 - 1. MTLP State Central Committee Elections
 - 2. MTLP Judicial Committee Member Midterm Replacement
- D. Removal of MTLP Judicial Committee Member
- E. MTLP State Judicial Committee Member Terms of Office
- F. MTLP Sanctions
 - 1. Grounds for MTLP Sanctions
 - 2. Nature of MTLP Sanctions
 - 3. Procedure for MTLP Sanctions
 - a. Written Complaint

- b. Notice of Complaint and Investigation
 - c. MTLP Judicial Committee Hearing
 - G. County Disaffiliation from the MTLP
 - 1. Grounds for Finding County Disaffiliation from the MTLP
 - 2. Procedure for Finding County Disaffiliation from the MTLP
 - a. Written Complaint
 - b. MTLP Judicial Committee Investigation
 - c. Decision to Acknowledge County Disaffiliation
 - H. Dispute Resolution
 - 1. Written Complaint
 - 2. MTLP Judicial Committee Decision
 - I. Appeals of MTLP Judicial Committee Decisions
 - 1. Written Appeal to MTLP State Central Committee
 - 2. MTLP State Central Committee Appellate Procedures

Section I: General Provisions

A. Name of Association

These Bylaws shall govern the association known as the Montana Libertarian Party (“MTLP”), which is an affiliate of the Libertarian Party (“LP”).

B. Purpose of Bylaws

The purpose of these Bylaws is to unite, organize, and coordinate the MTLP pursuant to a consensual framework, giving all MTLP members fair voice and due process, so that the MTLP can effectively implement Libertarian Party values.

C. Jurisdiction of Bylaws

These Bylaws shall govern the MTLP and all MTLP affiliates when not in conflict with any LP Bylaw, which shall govern in case of conflict. Any bylaw adopted by any MTLP affiliate that conflicts with any of these Bylaws or with any LP Bylaw shall be invalid and unenforceable.

Robert's Rules of Order (latest edition) shall be the only parliamentary authority at the state level of the MTLP for all matters of procedure not specifically covered by these Bylaws.

D. Amendments to Bylaws

These Bylaws may be amended or repealed only upon a two-thirds (2/3) vote of the MTLP State Central Committee present at any duly convened MTLP State Central Committee Meeting or Convention. A copy of the proposed amendment or appeal shall be provided to the MTLP State Central Committee at least ten (10) days and no more than sixty (60) days prior to the MTLP State Central Committee Meeting or Convention at which it shall be voted upon and in accordance with the notice requirements detailed herein.

For six (6) months following adoption of these Bylaws, these Bylaws may be amended by a two-thirds (2/3) majority of MTLP Officers, at which time this paragraph shall be stricken from these Bylaws, although this version of the Bylaws will be archived with the MTLP Secretary. The MTLP Chair shall present any amendments so adopted by MTLP Officers to the MTLP State Central Committee within four (4) days, however, and a majority of the MTLP State Central Committee present at the subsequent MTLP State Central Committee Meeting or Convention may repeal the MTLP Board's adopted amendments, either reverting to these original Bylaws, with this paragraph redacted, or adopting alternative amendments.

E. Severability Clause

To be added by MTLP Officers.

Section II: MTLP Membership

A. MTLP Membership Definition and Eligibility

MTLP membership shall be open to any person who pledges as follows: "I certify that I oppose the initiation of force to achieve political or social goals."

MTLP membership requires registration as an MTLP member, i.e., completing an online or paper membership form and submitting it to the MTLP Secretary, either directly or via any intermediary.

In addition, current MTLP members may be required to pay membership dues to maintain MTLP membership as set by a simple majority of the MTLP State Central Committee present at a duly convened MTLP State Central Committee Meeting or Convention. However, if a simple majority of the MTLP State Central Committee present at a duly convened MTLP State Central Committee Meeting or Convention sets an

MTLP lifetime membership fee, and if an MTLP member has paid such fee, the MTLP shall honor such lifetime membership without requiring payment of additional membership dues.

B. MTLP Membership Nondiscrimination Policy

MTLP membership shall be open to any eligible person as described herein, regardless of any other aspect of human diversity, including but not limited to previous political affiliation, religion or lack thereof, personal beliefs or values, race, ethnicity, culture, color, national origin, gender assignment at birth, present gender identification, sexual orientation, income, age, or disability.

Section III: MTLP Leadership

Unless otherwise specified, all MTLP leadership may attend any MTLP meeting by any appropriate and available means, including by phone, video conference, and/or in-person.

A. Definition of MTLP Leadership

A member of “MTLP leadership” shall be defined as any MTLP member who has been duly selected by election or appointment as such, at any state, county, or other level of the MTLP. Members of MTLP leadership shall therefore include: Precinct Committee Representatives; County and MTLP Officers; the MTLP State Central Committee; the MTLP Judicial Committee; all County and MTLP Delegates (including Alternate Delegates and Proxies, if applicable); and MTLP political nominees, candidates, and elected officials.

B. MTLP Leadership Eligibility

Every member of MTLP leadership shall be registered as an MTLP and LP member.

C. MTLP Leadership Resignation

The resignation of any member of MTLP Leadership shall be effective immediately in the following circumstances:

- (1) upon submittal of written paper or electronic resignation to any other member of MTLP Leadership;
- (2) upon announcement through any public venue or media source;

- (3) upon notice of severe injury or illness of such a nature that it is reasonable to assume that the duties and responsibilities of the MTLP Leadership position can no longer be fulfilled by that MTLP member; or
- (4) upon notice of that MTLP member's death.

Section IV: County Affiliation with the MTLP

To permit every County reasonable and adequate time to comply with this Section, this Section shall not go into effect for six (6) months following the adoption of these Bylaws, at which time this paragraph shall be stricken from these Bylaws.

A. Initial County Affiliation with the MTLP

To obtain legitimate and recognized affiliate status with the MTLP, and thereby with the Libertarian Party, a County Libertarian Party entity ("County") in Montana must comply with the requirements enumerated in this subsection.

1. Interim County Officers

a. Appointment of Interim County Officers

If an MTLP member is willing to serve as an interim County Chair in a county without MTLP affiliate status, the MTLP Chair shall appoint that MTLP member to the position of interim County Chair and shall notify other MTLP Officers of the appointment at or prior to the next duly convened MTLP Board Meeting.

The MTLP Chair or interim County Chair may in addition appoint an interim County Secretary, in which case that MTLP or interim County Chair shall notify the MTLP Board of the appointment at, or prior to, the next duly convened MTLP Board Meeting.

b. Interim County Officer Responsibilities

i. County Libertarian Party Meeting

The interim County Chair shall timely hold a County Libertarian Party Meeting open to all MTLP members residing in the County,

and shall make a good-faith effort to timely notify all MTLP members residing in the county of the County Libertarian Party Meeting and of the interim County Chair's appointment as such (and also of the interim County Secretary's appointment as such, if applicable).

The interim County Chair may choose to appoint Precinct County Representatives at the first County Libertarian Party Meeting and to then convene a County Central Committee Convention immediately following the first County Libertarian Party Meeting.

ii. Appointment of Precinct County Representatives

According to Montana law, the interim County Chair shall appoint no more than two Precinct County Representatives for each precinct (MCA 13-38-201), who must identify as different genders (MCA 13-38-201), who must be residents and registered voters in the precinct (MCA 13-38-201), and who shall comprise the County Central Committee (MCA 13-38-202).

The interim County Chair may also appoint Adjunct Precinct County Representatives able to vote at County Central Committee Conventions and having the same rights, privileges, duties, and responsibilities as other Precinct County Representatives at County Central Committee Conventions. (See MTGOP Bylaws, C, III, B, iii and C, III, C.)

The interim County Chair may self-appoint as a Precinct County Representative.

iii. County Central Committee Convention

The interim County Chair shall timely convene one or more County Central Committee Conventions to introduce proposed draft County Bylaws for amendment and adoption and to elect County Officers.

At least ten (10) days and no more than sixty (60) days in advance of the County Committee Convention, the interim County Chair shall make a good faith attempt to provide all Precinct Committee

Representatives fair and adequate notice of the County Committee Convention, including its purpose, its date, time, and location.

c. Removal of Interim County Officers

With the approval of a majority of those MTLP Officers present at any duly convened MTLP Board Meeting, the MTLP Chair may remove or replace any interim County Officers appointed pursuant to this section.

To permit other MTLP members the opportunity to organize a County Libertarian Party affiliated with the MTLP, an interim County Officer should, in general, be removed or replaced if the responsibilities enumerated herein are not completed within six (6) months of appointment.

2. County Central Committee Responsibilities

a. Adoption of County Bylaws

By a simple majority of those Precinct Committee Representatives present at a duly convened County Central Committee Convention, the County Central Committee shall adopt County Bylaws (MCA 13-38-203), i.e., rules of government, and the County Secretary shall submit them to the County Election Administrator (MCA 13-38-105) and to the MTLP Secretary.

b. County Officer Elections

Pursuant to County Bylaws, Precinct Committee Representatives present at a duly convened County Central Committee Convention shall elect County Officers, consisting of one County Chair (i.e., presiding officer, MCA 13-38-205), and one or more Vice County Officers (i.e., vice presiding officers, MCA 13-38-205), wherein the County Chair and the County Vice Chair who is second-in-command to the County Chair must identify as different genders (MCA 13-38-205), and one County Secretary (MCA 13-38-205) (who may also serve as a County Chair or County Vice Chair), and any additional County Officers (who may also serve as a County Chair, County Vice Chair, or County Secretary) (MCA 13-38-205).

The County Chair elected by the County Central Committee shall also serve as a County Member of the State Central Committee.

If a County Central Committee elects a County Treasurer and that County Treasurer does not also serve as County Chair, the County Treasurer shall also serve as a County Member of the State Central Committee, providing that does not contradict Montana gender parity laws.

Interim County Officers are eligible as candidates for elected County Officer positions.

c. Election of State Central Committee Members

At a duly convened County Central Committee Convention, the County Central Committee shall elect up to four (4) County Members of the State Central Committee (including the County Chair and County Treasurer, if applicable), and in accordance with Montana's gender parity laws. (MCA 13-38-203).

B. Requirements to Maintain County Affiliation with the MTLP

To maintain legitimate and recognized affiliate status with the MTLP, and thereby with the Libertarian Party, a County Libertarian Party entity in Montana must comply with the following requirements:

(1) to the extent required by Montana law, continue to fulfill the affiliation requirements described above;

(2) hold at least one biennial duly convened County Central Committee Convention, at which the County Central Committee elects County Officers and up to four (4) County Members of the MTLP State Central Committee (including the County Chair and County Treasurer, if applicable);

(3) select up to two (2) Precinct Committee Representatives from each precinct, each identifying as a different gender in accordance with Montana gender parity laws, and making a good faith effort to do so by primary election (MCA 13-38-301);

(4) hold at least two (2) County Officer meetings and at least one (1) meeting, convention, or other event open to all MTLP members residing within the County every consecutive six (6) months; and

(5) make a good-faith effort to recruit, support, and elect County Libertarian Party political candidates;

(6) file a Form C-2 with the Commissioner of Political Practices ("COPP") within five (5) days of appointing a Campaign Treasurer or making an expenditure to support or oppose a candidate or ballot issue, whichever comes first, and must otherwise comply with COPP rules (<https://politicalpractices.mt.gov/forms>);

(7) ensure selection of County Delegates, Alternate Delegates, and Proxies (if applicable) to the MTLP State Central Committee Convention in accordance with County Bylaws and Montana laws, with the acting County Chair (or other presiding officer) and the acting County Secretary (or other secretary) of that County Central Committee Convention jointly issuing and signing a Certificate of Election of each Delegate and Alternate Delegate (MCA 13-38-205 and, timely providing such Certificates of Election to the MTLP Secretary; and

(8) communicate performance of the above tasks to the MTLP Chair, either directly or indirectly via any intermediary.

C. Default County Bylaws

In the absence of County Bylaws or when County Bylaws do not specify how to proceed in a given instance, at the discretion of the MTLP Board, MTLP Judicial Committee, or County Chair, another county's Bylaws may temporarily serve as a default set of County Bylaws in order to resolve a dispute or to continue County business.

Section V: MTLP State Central Committee

Under Montana law, a State Central Committee has authority to permit additional persons to vote at a State Central Committee Convention. The current MTLP State Central Committee therefore has authority to hereby grant the following MTLP members voting rights on all matters at the MTLP State Central Committee Convention of September 9, 2017, even if they are not members of the MTLP State Central Committee: up to four (4) MTLP members selected by each County to serve as Representatives to the MTLP State Central Committee Convention. Following the September 9, 2017 Convention, this paragraph shall be stricken from these Bylaws, to be replaced by the following definitions and requirements.

The MTLP State Central Committee shall be comprised of up to four (4) County Representatives, including each County Chair, two State Committeepersons, and another County

Representative of that county's choosing, and all MTLP Officers, and where each person shall have only one vote.

Unless otherwise specified herein, all MTLP State Central Committee decisions shall be by majority vote.

A. MTLP State Central Committee Member Credentials

The MTLP Chief Justice of the MTLP Judicial Committee shall determine which MTLP members have been duly selected and credentialed as Members of the MTLP State Central Committee, and are therefore eligible to be seated and to vote as such at MTLP State Central Committee Meetings and Conventions, as applicable. If an MTLP member would like to appeal the MTLP Chief Justice's determinations, the MTLP Judicial Committee appellate process described herein shall apply.

The acting MTLP Chair shall preside over all MTLP State Central Committee Meetings and Conventions and shall abstain from voting unless a tie-breaker vote is required.

(Other MTLP Officers and MTLP Judicial Committee members shall not be eligible to be seated or to vote as Members of the MTLP State Central Committee unless duly selected as County Members of the MTLP State Central Committee.)

By three-quarter (3/4) vote of those present and eligible to vote at a duly convened MTLP State Central Committee Meeting or Convention, the MTLP State Central Committee may allow any MTLP member(s) in good standing to vote on any or all matters at that MTLP State Central Committee Meeting or Convention.

Each MTLP member entitled to vote at any MTLP State Central Committee Meeting or Convention shall be entitled to only one vote.

B. MTLP State Central Committee Duties and Responsibilities

1. At any MTLP State Central Committee Meeting or Convention or by written mail or electronic communication, the MTLP State Central Committee:

(a) shall grant MTLP affiliate status to any County meeting the affiliate requirements detailed herein;

(b) may introduce a candidate for an MTLP Leadership position;

- (c) may introduce potential amendments to the MTLP Constitution, MTLP Bylaws, and/or other MTLP governance documents;
- (d) may discuss appeals of MTLP Judicial Committee decisions;
- (e) may set the date, time, and location of MTLP State Central Committee Meetings and Conventions; and may
- (f) elect a nominee or candidate within the time provided by Montana law in the event that a Libertarian Party nominee or candidate, for a state office to be filled by the state at large or for a United States Representative office, dies or withdraws after the primary and before the general election.

2. The MTLP State Central Committee may only perform the following duties and responsibilities at a duly convened MTLP State Central Committee Convention:

- (a) conduct elections of MTLP Officers, MTLP Judicial Committee Members, MTLP Delegates, Alternate Delegates, and Proxies (if applicable) to the Libertarian National Convention, and special election political candidates;
- (b) vote on amendments to the MTLP Constitution, MTLP Bylaws, and/or other MTLP documents;
- (c) vote to endorse Libertarian Party political candidates; and
- (d) consider appeals of MTLP Judicial Committee decisions.

C. Who May Call MTLP State Central Committee Meetings and Conventions

MTLP State Central Committee Meetings and Conventions may be called by the MTLP Chair, a majority of the MTLP Board, or by a simple majority of the MTLP State Central Committee.

D. Notice of MTLP State Central Committee Meetings

The MTLP Chair shall make a good faith attempt to ensure that all MTLP State Central Committee Members are provided with written electronic or paper notice of meetings no more than sixty (60) days in advance and at least ten (10) days in advance of all MTLP State Central Committee Meetings, or at such time as all members have responded and either are attending or have approved of the meeting proceeding in their absence.

E. MTLP State Central Committee Conventions

1. Who May Attend MTLP State Central Committee Conventions

In-person attendance of MTLP State Central Committee Members is required at MTLP State Central Committee Conventions. The MTLP State Central Committee may, however, vote to permit the MTLP Chair to contact an absent MTLP State Central Committee Member by phone or other means of communication to solicit that Member's opinion or vote.

All MTLP State Central Committee Conventions shall be open to all MTLP members to attend as observers.

All MTLP State Central Committee Convention attendees may be required to pay a registration fee set by the MTLP Board.

2. Notice of MTLP State Central Committee Conventions

The MTLP Chair shall make a good faith attempt to ensure that all MTLP State Central Committee Members and all MTLP members are provided with fair and adequate notice of the date, time, location, and purpose of the next MTLP State Central Committee Convention at least ten (10) days and no more than sixty (60) days in advance, inviting all MTLP members to attend and observe as guests.

3. Scheduling of MTLP State Central Committee Conventions

There shall be at least one (1) MTLP State Central Committee Convention per calendar year.

There shall be an MTLP State Central Committee Convention every presidential election year prior to the national Libertarian Party Convention and at a time which complies with the requirements of the national Libertarian Party.

4. MTLP State Central Committee Convention Order of Business

The following order of business is adopted for all MTLP State Central Committee Conventions:

- (a) Meeting called to order by acting MTLP Chair.

- (b) Invocation, to consist of the Preamble of the Constitution of the MTLP read by the MTLP Chair or MTLP Officer serving as presiding officer, as follows: The Montana Libertarian Party pledges to recognize and uphold the inalienable right of every person to live according to personal conscience, so long as such person does not interfere with the equal right of others to do the same, and to thereby live free from force and fraud.
- (c) Roll call of those present and credentialed to vote or to observe.
- (d) Acting Chair determines whether a quorum is present.
- (e) Convention business.
- (f) Adjournment.

5. MTLP State Central Committee Convention Elections

The MTLP Chair and MTLP Secretary shall jointly issue and sign Certificates of Election and timely submit them to the national Libertarian Party and, as required by Montana law, to the Secretary of State.

If there is only one candidate for an open position, that candidate shall win by default, and no voting need be conducted.

Each person eligible to vote in any MTLP State Central Committee Convention Election may only have one vote, and each person nominated as a candidate for a position may not vote in any election or appointment proceedings to fill that position.

a. Candidate Eligibility

Any LP member is eligible to be considered as a candidate for MTLP endorsement or nomination for a national political position.

Any MTLP member who makes a verbal or written Statement of Willingness to Serve, a verbal or written Statement of Introduction, and a verbal or written affirmation or reaffirmation of the MTLP membership pledge (“I do hereby solemnly affirm that I oppose the initiation of force to achieve political or social goals.”) is eligible to be considered as a candidate for MTLP Officer, MTLP Judicial Committee Member, MTLP Delegate, Alternate Delegate, or Proxy to the Libertarian National Convention, or special election political nominee, so long as the member’s gender identification complies with Montana’s gender parity laws in relation to other elected positions.

The State Central Committee may require candidates to submit additional information or to complete a questionnaire.

A Statement of Willingness to Serve constitutes an agreement to fulfill the responsibilities and duties of the position.

A Statement of Introduction provides the MTLP State Central Committee with information about the candidate.

A candidate may submit a Statement of Willingness to Serve and/or a Statement of Introduction to the MTLP State Central Committee in advance of the MTLP State Central Committee Convention.

b. Nomination and Endorsement Procedure

Any MTLP member(s) may submit a Nomination Statement and/or Statement of Endorsement to the MTLP State Central Committee, i.e., explaining which candidate(s) the MTLP member(s) nominate(s) or endorse(s), and why.

c. Candidate Introductions

Each candidate present at the MTLP State Central Committee Convention shall give a verbal or written Statement of Willingness to Serve, Statement of Introduction, and affirmation or reaffirmation of the MTLP membership pledge (“I do hereby solemnly affirm that I oppose the initiation of force to achieve political or social goals.”)

d. Ballots

In the event that any election has more than one person nominated as a candidate, voting must be by secret and written ballot.

The names of all candidates must appear in alphabetical order by last name, and in identical color, type style, type size, font, and formatting.

e. Voting Procedure

Written ballots shall be submitted to the election judge(s) who shall (i) determine when all ballots are submitted; (ii) declare balloting closed; (iii) retire to count the votes; and (iv) announce the results of the vote.

Every candidate may designate one observer to witness all phases of vote counting.

In elections for one position, i.e., a position that may be held by only one person, the person receiving a majority of the votes cast shall win the election. If no person receives a majority of the votes cast on the first ballot, the name of the person receiving the fewest votes shall be stricken from subsequent ballots until one person receives a majority of the votes cast.

In elections for multiple positions, such as MTLP Judicial Committee Elections, the person(s) receiving the most votes cast shall be the persons elected for those positions, with no additional ballots cast unless a tie-breaker vote is required.

F. Candidate Vacancies

1. Statewide Candidate Vacancies

If an MTLP candidate for statewide partisan office other than governor or lieutenant governor withdraws or dies prior to the election primary and before the filing deadline, or dies or is disqualified (MCA 13-10-126) prior to the election primary and after the filing deadline, the MTLP State Central Committee may appoint a person to replace that candidate. MCA 13-10-327(a).

The MTLP Board shall be considered the delegated authority of the MTLP State Central Committee for purposes of appointing a replacement candidate if, in the view of the MTLP Board, calling an MTLP State Central Committee Meeting or Convention is not feasible in light of applicable time constraints.

The MTLP Board shall notify all MTLP members of the vacancy, requesting self-nominations and nominations of other MTLP members, and shall call either an MTLP State Central Committee Meeting or Convention, time permitting, or an MTLP Board Meeting to appoint a replacement candidate.

Notice requirements for any MTLP State Central Committee Meeting or Convention or MTLP Board Meeting called to fill such vacancy may be shortened from the requirements of other provisions as necessary, depending on time constraints.

2. Multi-County District Candidate Vacancies

If an MTLP candidate for a partisan office in a district encompassing more than one county withdraws or dies prior to the election primary and before the filing deadline, or dies or is disqualified prior to the election primary and after the filing deadline, the MTLP Board shall notify the County Central Committees of all counties in that multi-county district of their responsibility to appoint an Appointment Committee. MCA 13-10-327(b).

Each county may appoint its own county members of the Appointment Committee pursuant to County Bylaws. If possible, each county shall be equally represented.

MTLP State Central Committee election procedures shall apply unless the Appointment Committee, by majority written paper or electronic vote, alters them.

3. County Candidate Vacancies

If an MTLP candidate for a partisan office in a county withdraws or dies prior to the election primary and before the filing deadline, or dies or is disqualified prior to the election primary and after the filing deadline, the applicable County Central Committee shall appoint someone to replace that candidate pursuant to County Bylaws. MCA 13-10-327(c).

Section VI: MTLP Officers

For purposes of Montana nonprofit law, MTLP Officers shall constitute the MTLP Board of Directors, i.e., the MTLP Board.

A. MTLP Officer Definition and Eligibility

"MTLP Officers" shall be the MTLP Chair, the MTLP First Vice Chair, the MTLP Second Vice Chair, the MTLP Treasurer, the MTLP Assistant Treasurer, the MTLP Secretary, and the MTLP Assistant Secretary.

According to Montana gender parity law, the second-in-command to the MTLP Chair should identify as a different gender than the MTLP Chair.

B. MTLP Officer Duties and Responsibilities

MTLP Officers shall assist, support, and coordinate Libertarian Party efforts throughout Montana as requested or needed, manage MTLP finances, and oversee MTLP operations as described below.

MTLP Officers shall plan and regularly attend MTLP Officer Meetings at least once every three (3) months.

No person may have more than one vote at MTLP Officer Meetings, even if that person is serving multiple MTLP Officer roles.

In case of a permanent MTLP Officer midterm vacancy, remaining MTLP Officers shall fill the vacancy within one (1) month of the date the vacancy began.

MTLP Officers may appoint a Credentials Officer or Credentials Committee, a Parliamentarian, Election Judge(s), and other such persons as needed to serve at MTLP State Central Committee Meetings or Conventions.

Two-thirds (2/3) of MTLP Officers present at a duly-convened MTLP Officer Meeting may recognize partner organizations that share libertarian values, or may rescind a partner relationship.

MTLP Officers shall determine the location, headquarters, and other offices, if applicable, of the MTLP.

If the MTLP State Central Committee fails to perform any of its duties or responsibilities, the majority of MTLP Officers present at any duly convened MTLP Officer meeting may perform such duties and/or responsibilities as necessary to timely and efficiently continue MTLP business until the MTLP State Central Committee can resume performing them. However, MTLP Officers must timely notify all MTLP State Central Committee Members of any actions performed on behalf of the MTLP State Central Committee.

A majority of MTLP Officers has authority to temporarily act in any manner necessary to preserve the MTLP or to continue MTLP business.

1. MTLP Chair

The MTLP Chair shall be the Chief Executive Officer of the MTLP.

The MTLP Chair shall issue calls for and preside over all MTLP Officer Meetings, sending written electronic or paper notice to all MTLP Officers of the time, place, and location of such MTLP Officer Meetings, and shall determine whether a quorum is present.

The MTLP Chair shall issue calls for and preside over all MTLP State Central Committee Meetings and Conventions, sending written electronic or paper notice to all MTLP members of the time, place, and location of such MTLP State Central Committee Meetings and Conventions, and shall determine whether a quorum is present.

The MTLP Chair shall ensure that the following responsibilities and duties are performed: recruiting, training, and assisting libertarian political candidates; placing campaign candidates; ensuring ballot access; communicating MTLP policies, positions, and opinions to the public; managing media and PR; fundraising and accounting for the MTLP; maintaining an MTLP online presence; managing the MTLP website; maintaining and storing MTLP data, including MTLP membership lists and a database of all political positions in Montana; recruiting MTLP members; assisting and communicating with MTLP County Leadership; connecting with libertarian campus groups; building special interest group coalitions; planning and coordinating MTLP events; developing relationships with elected officials; and proposing and providing input on legislation.

The MTLP Chair shall officially represent the MTLP, the MTLP Board, and the MTLP State Central Committee, and shall have the usual powers of supervision and management as pertains to the office of a Chair.

The MTLP Chair may delegate any and all of the above duties and responsibilities, such as by appointing an MTLP State Central Committee Meeting or Convention acting Chair to preside, creating MTLP Divisions or Committees and MTLP Directorships of such Divisions or Committees, and/or other appointed MTLP Leadership positions, and appointing MTLP members to fill those positions. The MTLP Chair shall have sole responsibility for appointing, supervising, and removing persons in MTLP Leadership positions created and

appointed by the MTLP Chair, and shall assume ultimate responsibility for their performance.

All MTLP members appointed to any position solely by the MTLP Chair shall serve at the pleasure of the MTLP Chair, and the appointment may be terminated by the MTLP Chair at any time. The appointment of all such MTLP members, including MTLP members appointed to MTLP Divisions, MTLP Committees, and MTLP Directorships, shall automatically terminated at the conclusion of the term of office of the MTLP Chair or upon the resignation or removal of the MTLP Chair from office.

2. MTLP First Vice Chair

The MTLP First Vice Chair shall provide support and assistance to the MTLP Chair in the performance of the MTLP Chair's duties and responsibilities and shall perform such duties as may be assigned by the MTLP Chair.

3. MTLP Second Vice Chair

The MTLP Second Vice Chair shall provide support and assistance to the MTLP Chair in the performance of the MTLP Chair's duties and responsibilities and shall perform such duties as may be assigned by the MTLP Chair.

4. MTLP Treasurer

The MTLP Treasurer shall: serve as the accountant, bookkeeper, and oversight person for financial recordkeeping and practices; ensure that there is a monthly accounting for all receipts and disbursements of the MTLP; ensure the timely filing of all MTLP reports required to be made to any governmental body or agency; record all receipts and disbursements as required by the Federal Election Commission (“FEC”); present a report of the financial affairs of the MTLP at every MTLP State Central Committee Convention, as the MTLP Treasurer deems necessary, and upon request by the MTLP Chair or upon written request by at least five (5) members of MTLP Leadership; and ensure that the MTLP fully complies with all Montana and federal statutes and regulations relating to political party finances. With the approval of the MTLP Chair, the MTLP Treasurer may retain outside accounting advice and services.

All disbursements, excepting petty cash, shall be made by a check signed by the MTLP Treasurer and upon MTLP Chair written authorization.

5. MTLP Assistant Treasurer

The MTLP Assistant Treasurer shall provide support and assistance to the MTLP Treasurer in the performance of the MTLP Treasurer's duties and responsibilities; shall be familiar with and be able to perform the duties and responsibilities of MTLP Treasurer; and shall perform such duties as may be assigned by the MTLP Chair or MTLP Treasurer.

6. MTLP Secretary

The MTLP Secretary shall: keep the minutes of all MTLP Officer meetings and at all MTLP State Central Committee Meetings and Conventions; maintain paperwork relating to all MTLP business, including MTLP membership lists, County Bylaws, and paperwork relating to the MTLP State Central Committee; and perform such other functions as may be incidental to the office or assigned by the MTLP Chair.

7. MTLP Assistant Secretary

The MTLP Assistant Secretary shall provide support and assistance to the MTLP Secretary in the performance of the MTLP Secretary's duties and responsibilities.

C. MTLP Officer Selection Procedure

1. MTLP State Central Committee Convention Elections

MTLP Officers shall, in general, be elected at MTLP State Central Committee Conventions as described above.

2. Midterm Replacement of MTLP Officers

a. MTLP Officer Temporary Vacancy

If an MTLP Officer informs all other MTLP Officers in advance that the MTLP Officer will be absent from multiple MTLP Officer Meetings, unavailable, fails to maintain the qualifications of office, or otherwise unable to adequately perform that MTLP Officer's duties and responsibilities for a specified duration of time equal to or less than 90

days, that MTLP Officer may temporarily vacate the position and resume it at the specified later date.

In the event an MTLP Officer temporarily vacates that position, the next-named MTLP Officer pursuant to the following list shall automatically fulfill that MTLP Officer's duties and responsibilities until that MTLP Officer resumes them: MTLP Chair, MTLP First Vice Chair, MTLP Second Vice Chair, MTLP Treasurer, MTLP Assistant Treasurer, MTLP Secretary, and MTLP Assistant Secretary, in that order.

The majority of remaining MTLP Officers present at any duly convened MTLP Officer Meeting may instead choose to elect an interim MTLP Officer.

b. MTLP Officer Permanent Vacancy

If an MTLP Officer resigns, is removed from office, or is absent from multiple MTLP Officer Meetings, unavailable, fails to maintain the qualifications of office, or otherwise unable to adequately perform that MTLP Officer's duties and responsibilities without notice to all other MTLP Officers, for an unspecified duration of time, or for a specified duration of time to exceed 90 days, that MTLP Officer's position shall be permanently vacated.

Permanent vacancy shall constitute resignation.

In the event an MTLP Officer position is permanently vacated, the next-named MTLP Officer pursuant to the above list shall automatically serve in that role either until a majority of remaining MTLP Officers present at any duly convened MTLP Officer Meeting elects a replacement or until the MTLP State Central Committee holds Officer Elections, according to that next-named MTLP Officer's preference.

If the next-named MTLP Officer opts to serve until the MTLP State Central Committee holds MTLP Officer elections, a majority of remaining MTLP Officers present at any duly convened MTLP Officer Meeting shall elect an MTLP Officer to fill that next-named MTLP Officer's previous position.

D. Removal of MTLP Officer

An MTLP Officer may be removed for cause following an MTLP Judicial Committee complaint, as described in these Bylaws.

In addition, the majority of MTLP Officers present at an MTLP Officer Meeting may remove any MTLP Officer for failing to fulfill the duties and responsibilities described herein or for engaging in sanctionable conduct. The removed MTLP Officer may appeal the MTLP Board's decision to the MTLP Judicial Committee.

E. MTLP Officer Terms of Office

Unless otherwise specified herein, MTLP Officers shall serve until the conclusion of the subsequent MTLP State Central Committee MTLP Officer Elections, at which time such MTLP Officer may or may not be re-elected.

However, the former MTLP Chair and former MTLP Treasurer shall train and assist the MTLP Chair and MTLP Treasurer for a reasonable transition period, unless the current MTLP Chair or MTLP Treasurer, respectively, determine that such training and assistance is not wanted, feasible, or necessary.

Section VIII: MTLP Judicial Committee

A. MTLP Judicial Committee Member Definition and Eligibility

An "MTLP Judicial Committee Member" is one of up to nine (9) MTLP members elected to serve as the judicial body of the MTLP, i.e., to perform the following duties and responsibilities.

B. MTLP Judicial Committee Duties and Responsibilities

The MTLP Judicial Committee shall:

(1) plan and regularly attend MTLP Judicial Committee Meetings at least once every three (3) months;

(2) elect an MTLP Chief Justice from among the MTLP Judicial Committee Members to call, convene, and preside over MTLP Judicial Committee Meetings, communicate on behalf of the MTLP Judicial Committee, and ensure the MTLP Judicial Committee is notified of the date, time, and location of MTLP Judicial Committee Meetings;

(3) elect an MTLP Judicial Committee Secretary in the event of an MTLP Judicial Committee Hearing;

(4) propose amendments to the MTLP Bylaws, MTLP Constitution, and/or other MTLP governing documents; and

(5) review and process MTLP member complaints.

C. MTLP Judicial Committee Selection Procedure

1. MTLP State Central Committee Elections

The MTLP State Central Committee shall elect members of the MTLP Judicial Committee as described above.

2. MTLP Judicial Committee Member Midterm Replacement

If an MTLP Judicial Committee Member informs all other Judicial Committee Members in advance that the MTLP Judicial Committee Member will be absent from multiple MTLP Judicial Committee Meetings, unavailable, fails to maintain the qualifications of office, or otherwise unable to adequately perform that MTLP Judicial Committee Member's duties and responsibilities for a specified duration of time equal to or less than 90 days, that MTLP Judicial Committee Member may temporarily vacate the position.

If an MTLP Judicial Committee Member resigns, is removed from office, or is absent from multiple MTLP Judicial Committee Meetings, unavailable, fails to maintain the qualifications of office, or otherwise unable to adequately perform that MTLP Judicial Committee Member's duties and responsibilities without notice to all other MTLP Judicial Committee Members, for an unspecified duration of time, or for a specified duration of time to exceed 90 days, that MTLP Judicial Committee Member's position shall be permanently vacated. Permanent vacation shall constitute resignation.

The MTLP Judicial Committee may choose to leave an MTLP Judicial Committee Member position vacant until the following MTLP State Central Committee MTLP Judicial Committee Elections, or may elect, by majority of those present at a duly convened MTLP Judicial Committee Meeting, a MTLP Judicial Committee Member to serve.

D. Removal of MTLP Judicial Committee Member

An MTLP Judicial Committee Member may be removed for cause following an MTLP Judicial Committee complaint, as described in these Bylaws.

In addition, the majority of MTLP Judicial Committee Members present at any duly convened MTLP Officer Meeting may remove any MTLP Judicial Committee Member for failing to fulfill the duties and responsibilities described herein or for engaging in sanctionable conduct. The removed MTLP Judicial Committee Member may appeal the MTLP Judicial Committee's decision to the MTLP State Central Committee.

E. MTLP Judicial Committee Member Terms of Office

Unless otherwise specified herein, MTLP Judicial Committee Members shall serve until the conclusion of the subsequent MTLP State Central Committee MTLP Judicial Committee Elections, at which time such MTLP Judicial Committee Members may or may not be re-elected.

F. MTLP Sanctions

1. Grounds for MTLP Sanctions

If the MTLP Judicial Committee, the national Libertarian Party, or a state or federal legal or administrative entity finds that any MTLP member has, more likely than not, violated the MTLP membership pledge (i.e., has initiated force as a means of achieving political or social goals), that finding shall be grounds for sanction.

Recognizing that abortion is a sensitive issue and that people can hold good-faith views on all sides, abortion shall not qualify as a violation of the MTLP membership pledge.

In addition, if the MTLP Judicial Committee finds that any MTLP member has knowingly, seriously, and repeatedly disrupted the meetings, conventions, or other activities of the MTLP, that finding shall be grounds for sanction.

2. Nature of MTLP Sanctions

Upon a two-thirds (2/3) vote of MTLP Judicial Committee Members present at any duly convened MTLP Judicial Committee Meeting, MTLP sanctions may

consist of: a) requiring the MTLP member to write an apology to the victim(s) and/or to any or all MTLP member(s); b) requiring a monetary fine to be paid to the victim(s) and/or to the MTLP; and/or c) temporary suspension or permanent revocation of MTLP membership status or leadership position(s).

3. Procedure for MTLP Sanctions

a. Written Complaint

A written complaint to the MTLP Judicial Committee requesting sanctions of any MTLP member should allege facts that, if true, would justify finding that the MTLP member had, more likely than not, engaged in conduct warranting sanctions.

b. Notice of Complaint and Investigation

Within thirty (30) days of receiving a complaint, the majority of MTLP Judicial Committee Members present at a duly convened MTLP Judicial Committee Meeting shall make a determination as to whether the accusations contained within the complaint would, if true, justify sanctions.

If the MTLP Judicial Committee determines that sanctions would not be justified even if all alleged facts are true, the MTLP Judicial Committee shall provide timely written notice of that finding to the person who submitted the complaint.

If the MTLP Judicial Committee determines that sanctions may be justified, then the MTLP Judicial Committee shall attempt to timely obtain any evidence required to make a determination and shall provide the accused written notice of the complaint, setting forth in detail the nature of the complaint and any supporting evidence gathered at that juncture.

c. MTLP Judicial Committee Hearing

Within six (6) months of receiving a complaint, the MTLP Judicial Committee shall hold an MTLP Judicial Committee Hearing. At the Hearing, both the MTLP member who submitted the complaint and the accused shall have the right to testify, call other witnesses to testify, and/or to provide evidence before the MTLP Judicial Committee. Prior to and at

the Hearing, the MTLP Judicial Committee may also choose to seek out and consider additional evidence and witness testimony. The MTLP Judicial Committee Secretary shall take notes documenting all evidence submitted at or prior to the Hearing, and, following the Hearing, shall provide such notes to the accused, along with any supporting documentation.

Upon a two-thirds (2/3) vote of MTLP Judicial Committee Members present at any duly convened MTLP Judicial Committee Meeting or Hearing, the MTLP Judicial Committee shall determine whether or not any MTLP member has more likely than not engaged in conduct justifying sanctions, and if so, what sanctions to impose. The MTLP Judicial Committee shall provide a written MTLP Judicial Committee decision to both the MTLP member who submitted the complaint and to the accused, informing both of the result and the evidentiary basis for the decision.

If the sanctioned MTLP member fails to abide by the MTLP Judicial Committee decision, that is grounds for further sanctions.

G. County Disaffiliation From the MTLP

1. Grounds for Finding County Disaffiliation from the MTLP

If a County Libertarian Party has failed to meet requirements for MTLP affiliation as described herein, despite notice of such failure and fair opportunity to obtain compliance, and where such failure has impeded Libertarian Party goals, the MTLP Judicial Committee may recognize the County's unofficial or official disaffiliation from the MTLP, in order to permit other MTLP members the opportunity to organize a Libertarian Party in that County.

2. Procedure for Finding County Disaffiliation From the MTLP

a. Written Complaint

A written complaint to the MTLP Judicial Committee alleging that a County has unofficially or officially disaffiliated from the MTLP should allege facts that, if true, would justify finding that such disaffiliation had more likely than not occurred.

b. MTLP Judicial Committee Investigation

The MTLP Judicial Committee shall attempt to contact all known County Leadership and gather information to determine whether the County has unofficially or officially disaffiliated from the MTLP.

c. Decision to Acknowledge County Disaffiliation

The MTLP Judicial Committee may revoke MTLP affiliation with any MTLP County only if two thirds (2/3) of the MTLP Judicial Committee present at any duly convened MTLP Judicial Committee Meeting finds that, more likely than not, the County has unofficially or officially discontinued its affiliation with the MTLP.

The MTLP Judicial Committee shall provide a timely written MTLP Judicial Committee decision to all interested parties.

H. Dispute Resolution

1. Written Complaint

A written complaint to the MTLP Judicial Committee requesting resolution of a dispute pursuant to these Bylaws should specify the nature of the dispute and which Bylaws must be interpreted by the Judicial Committee in order to resolve the dispute.

2. MTLP Judicial Committee Decision

A majority of MTLP Judicial Committee Members present at any duly convened MTLP Judicial Committee Meeting may resolve any dispute relating to the application or interpretation of these Bylaws. The MTLP Judicial Committee shall provide a written MTLP Judicial Committee decision to all interested parties.

I. Appeals of MTLP Judicial Committee Decisions

Pending the appellate process, all interested parties must abide by the MTLP Judicial Committee's decision.

Following the final decision of the MTLP State Central Committee, there is no further appellate process unless otherwise provided by national LP Bylaws.

1. Written Appeal to MTLP State Central Committee

Within ninety (90) days of any MTLP Judicial Committee's decision, any interested party may appeal by submitting to the MTLP State Central Committee: a) a written request for appeal; b) the MTLP Judicial Committee Secretary's notes relating to the MTLP Judicial Committee Hearing, along with any supporting documentation, if applicable; and c) the MTLP Judicial Committee's written decision.

2. MTLP State Central Committee Appellate Procedure

Any MTLP State Central Committee Member who is an interested party must not participate in the appeals process.

The MTLP State Central Committee may choose to hold an MTLP State Central Committee Hearing and reconsider evidence already provided to the MTLP Judicial Committee, or may instead choose to uphold or overturn the MTLP Judicial Committee's decision on the basis of the documentation provided.

Within one (1) year of receiving an appeal, the MTLP State Central Committee may, by two-thirds (2/3) vote of disinterested parties, either affirm or overrule the MTLP Judicial Committee decision. If the MTLP State Central Committee overrules the MTLP Judicial Committee's decision relating to sanctions, the MTLP State Central Committee may provide for alternative sanctions.