

# *Libertarian Party of Nevada*

## *Bylaws*

*2009*

### **Preamble**

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

### **I. NAME**

- A. The name of this organization is the Libertarian Party of Nevada, hereinafter referred to as LPN.

### **II. PURPOSE**

- A. The purpose of this organization is to elect Libertarians to public office within the state of Nevada.

### **III. MEMBERSHIP**

#### **A. AFFILIATED AREAS**

1. All members of an affiliate party in Nevada are members of the LPN, provided that region has joined the Local Membership Program [hereafter referred to as "LMP"].
2. Local Membership Program:
  - a All affiliates are required to participate in the Local Membership Program.
  - b Under the LMP, an affiliate may define its membership at its sole discretion, but may not include persons legally residing outside of its affiliate boundaries as members.
  - c An LMP affiliate shall forward \$10 to the Executive Committee of the LPN from a qualified account for each member of that affiliate Party.
  - d No one residing within an affiliated area may join the LPN except by joining their affiliate party.

#### **B. UNAFFILIATED AREAS**

1. All residents of Nevada who reside in Unaffiliated Areas shall be considered members of the LPN provided they:
2. Are and have been registered Libertarian in Nevada for a period of not less than 60 days, and
3. Have donated at least TWENTY-FIVE DOLLARS (\$25) to the LPN in the past 365 days, and
4. Have certified in writing that they oppose the initiation of force to achieve

political or social goals AND have donated \$25 to the Libertarian Party in the United States of America in the past 365 days.

#### IV. CONVENTION

- A. The LPN shall hold a Convention in even numbered years for the purpose of choosing Candidates for Public Office and whatever business shall be deemed necessary and proper, including but not limited to amending these bylaws, choosing delegates to the National Convention, and filling vacancies in the Executive Committee or Judicial Committee. Vacancies in the list of delegates to the National Convention can be filled by the Executive Committee before the National Convention, or by a vote of the delegates at the National Convention. If the beginning date for a minor political party to file its list of candidates with the Secretary of State is prior to February 1 of the election year, then the Convention may be held up to 60 days before the first date to file even if that moves the Convention to the previous year.
- B. The LPN shall hold a Convention in odd numbered years for the purpose of electing Executive Committee and Judicial Committee members, amending these bylaws, and whatever business may deemed necessary and proper.
- C. All LPN members are qualified to be delegates to the Convention [hereafter referred to as “the Convention”].
- D. A nomination for "None of the above" (NOTA) shall be considered valid. Should NOTA receive a majority of the vote in the balloting for any office or candidacy, the names of all nominees shall be kept on the ballot but the nominations for that office shall be reopened for additional nominees and another ballot taken.
  - 1. In any election held at the State Convention, should NOTA receive a majority on two successive ballots, then no candidate shall be nominated for that office.
- E. The Executive Committee shall publish the time, date, location, and ticket prices for the Annual State Convention as soon as possible, but no later than 60 days before the State Convention. This publication will be sufficient if it is prominently placed on the LPN’s official website. However, if at all possible, the Executive Committee is encouraged to mail notice to all members at least 30 days before the Convention.
- F. The business session of each State Convention shall be recorded by video device and a copy of the recording shall be provided to the Chair and the Secretary of the LPN along with the approved minutes from the state convention no later than 30 days after the State Convention. In the event the proceedings of a State Convention are challenged by a State Member, the recording of the convention and State Convention minutes shall be provided to the Secretary and the Chair immediately.
- G. Candidates for Partisan Public Office
  - 1. The LPN may nominate Candidates for Public Office by ballot of the Convention during an even numbered year.
  - 2. Candidates for President and Vice President shall be nominated by the National

Convention of the Libertarian Party. Candidates for United States Senator, all statewide offices, and any office for which the district lies within more than one affiliate shall be nominated at the Convention of the Libertarian Party of Nevada.

3. Affiliates may nominate candidates for any office for which the district lies entirely within the affiliate's territory. The Secretary of an affiliate shall file a list of its nominated candidates with the Secretary of the LPN by the start of the Convention.
4. The LPN may nominate a candidate for any office that falls completely within one affiliate, unless the appropriate affiliate convention has either selected a candidate or voted NOTA for that office for that election. No more than one candidate may be elected to be the nominee of the Libertarian Party for any partisan office.
5. The Secretary of the LPN or the Secretary's representative shall file a list of the nominated candidates with the Secretary of State of Nevada, in accordance with Nevada law.

## **V. EXECUTIVE COMMITTEE**

- A. There shall be an Executive Committee of the LPN to be responsible for handling the affairs and business of the LPN.
- B. The Executive Committee shall consist of eight (8) members:
  1. There shall be four (4) officers of the LPN, as follows: Chair, Vice-Chair, Secretary and Treasurer. If the position of Chair becomes vacant, the line of succession will follow the order listed in the first sentence of this Section.
  2. There shall be three Regional Representatives to the Executive Committee, one each for the Northern, Central, and Southern regions of the State.
  3. There shall be an At-Large Representative to the Executive Committee.
- C. The Executive Committee members shall be elected by a majority vote of the Convention and shall serve until the end of the Convention at which their successors are elected. The officers and the representatives shall be elected in odd numbered years.
- D. The Executive Committee members must be members of the LPN. No member shall hold more than one office at a time within the LPN. Members of the LPN Executive Committee shall not be restricted from serving in officer or representative positions within an Affiliate. The Executive Committee members shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the LPN. These duties shall include the following:
  1. The Chair shall preside at all LPN Executive Committee meetings and conventions. The Chair shall be an ex-officio nonvoting member of all standing committees. The Chair may, by and with the consent of the Executive Committee, appoint Positions or Committees for such functions as Outreach, Campaigns, Fundraising, the Convention, or others deemed necessary to assist in the performance of the Chair's duties. In the event of a vacancy in an

Executive Committee position, the Chair shall, with advice and consent of the Executive Committee, fill the vacancy by Pro Tem appointment, until the next Convention.

2. The Vice Chair shall assist the Chair in the performance of the Chair's duties. At meetings of the Executive Committee the Vice Chair shall preside in the absence of the Chair.
3. The Secretary shall record and maintain Minutes of party meetings and conventions, and all non-financial records of the LPN including but not limited to these bylaws and all committee reports. The Secretary shall send out membership notices of meetings and conventions.
4. The Treasurer shall maintain the LPN's bank accounts, deposit all revenues, and pay all bills. A formal Treasurer's Report shall be presented annually, at the Convention. The Treasurer shall maintain the LPN's financial records in accordance with the law and generally accepted accounting principles.
5. The Northern Regional Representative shall represent and reside in one of the Counties of Washoe, Carson City, Storey, and Douglas.
6. The Central Regional Representative shall represent and reside in one of the Counties of Humboldt, Elko, Pershing, Churchill, Lander, Eureka, White Pine, Lyon, Mineral, Esmeralda, Nye, and Lincoln.
7. The Southern Regional Representatives shall represent and reside in the County of Clark.
8. The At-Large Representative shall represent the State of Nevada as a whole.

#### E. MEETINGS

1. Meetings of the LPN Executive Committee shall be held at least quarterly, either in person or by electronic means, or the Executive Committee shall maintain an e-mail list or message board for conducting business.
2. Executive Committee Meetings shall be open to all LPN members.
3. A majority of the members of the Executive Committee shall constitute a quorum for the transaction of normal business.

## VI. JUDICIAL COMMITTEE

### A. COMPOSITION

1. The Judicial Committee shall be composed of SIX (6) members.
2. No member of the Executive Committee shall serve on the Judicial Committee.
3. The Judicial Committee members shall be elected to two-year terms.
4. Half of the Judicial committee shall be elected in odd number years and half shall be elected in even numbered years.
5. If a Judicial Committee member vacates his or her seat, the Chair of the Judicial shall appoint a replacement with the advice and consent of the Judicial Committee. The replacement shall serve for the remainder of the term or until the next State Convention, whichever is shorter.
6. Once all spots on the judicial committee are filled, by a candidate or NOTA, the convention shall elect one of the judicial committee members to be chair of the judicial committee.
7. If the Judicial Committee Chair vacates his or her seat, the Judicial Committee

shall elect a new Judicial Committee Chair.

**B. JURISDICTION**

1. The Judicial Committee shall have the power to remove a member of the Executive Committee, pursuant to the procedures of this article.

**C. PROCEDURES FOR IMPEACHING AN EXECUTIVE COMMITTEE MEMBER**

1. Any Member of the Executive Committee can be impeached for
  - a Actions in Violation of the By-laws; or
  - b Actions Unbecoming an Executive Committee Member
2. To be impeached, two-thirds of the Executive Committee, not including the Member at issue, must vote in favor of Articles of Impeachment, which clearly state the reasons a Member should be removed from office. A member of the Executive Committee may also be impeached by a petition signed by at least 10 percent of the membership and approved by 1/3 of the Executive Committee. The petition must be sent to the Judicial Committee and include articles of impeachment which clearly state the reasons a member should be removed from office.
3. After approving Articles of Impeachment, the Executive Committee shall choose a Manager for the trial, who shall present the case of the Executive Committee.
4. All evidence used to support the Articles of Impeachment must be presented to the Judicial Committee and the Impeached Member, no later than 5 days after the vote of the Executive Committee to Impeach.
5. All evidence presented to the Business Email List of the Executive Committee shall be considered presented to the Judicial Committee and the Impeached Member.
6. All evidence used in defense of the Impeached Member must be presented to the Judicial Committee and the Manager, no later than 20 days after the vote of the Executive Committee to impeach.
7. The trial of the Judicial Committee shall be held between 30 and 45 days after the vote of the Executive Committee to impeach.
8. At trial, the Manager shall be able to call any witnesses who have signed an affidavit, which was properly presented to the Executive Committee, describing the substance of their testimony.
9. The Impeached Member shall have the right to present his or her case to the Judicial Committee after the Manger presents the position of the Executive Committee.
10. If the Judicial Committee shall find that 1) the Member is guilty of the conduct described in the Articles of Impeachment and that 2) the actions or omissions described in the Articles of Impeachment constitute 1) a violation of the by-laws, or 2) conduct unbecoming an Executive Committee Member, the Judicial Committee shall have the power to censure the Member or to remove the Member from office.

**VII. AFFILIATES**

A. ESTABLISHMENT

1. The Executive Committee shall have the power to grant affiliate status by a majority vote, provided the procedures in this section are followed.

B. REVOCATION OF AFFILIATE STATUS

1. The Executive Committee shall have the power to revoke affiliate status if two-thirds of the Executive Committee shall so vote. Members voting to revoke affiliate status must state their reasons in writing.

C. AFFILIATE DEFINED

1. An Affiliate is a creation of the LPN over some territory in Nevada and exists at the discretion of the LPN and subject to the other provisions and protections of these bylaws.
2. At the discretion of the Executive Committee, an affiliate may be composed of more than one contiguous county or counties.
3. In no case may the Executive Committee form an affiliate composed of a portion of one county at the exclusion of another portion.
4. In no case, shall an affiliate consist of more than three counties.

D. AFFILIATE REQUIREMENTS

1. Each affiliate shall hold an Affiliate Convention every year at some point prior to the State Convention.
2. This Affiliate Convention shall be to amend the Affiliate Bylaws, nominate candidates as described herein, and any other proper business.
3. Notice, by mail, shall be given to all members of the affiliate of the time, date, and location of the convention at least 30 days in advance of the Affiliate Convention. Notice, through the Executive Committee business email list, shall be given to the State Executive Committee at least 30 days in advance of the Affiliate Convention of the time, date, and location of the Affiliate Convention.
4. The business session of each Affiliate Convention shall be recorded by video device and a copy of the recording shall be provided to the Chair and the Secretary of the LPN along with the approved minutes from the Affiliate Convention no later than 30 days after the Affiliate Convention. In the event the proceedings of an Affiliate Convention are challenged by an affiliate member, the recording of the convention and Affiliate Convention minutes shall be provided to the Secretary and the Chair immediately.
5. Each Affiliate shall provide a completed copy of its FEC filing to the LPN Treasurer no later than the TENTH 10th day of each month. Failure to provide this FEC filing shall automatically result in a special meeting of the Executive Committee to consider revocation of the offending affiliate's status as an affiliate.
6. The Treasurer of the LPN and each Affiliate Treasurer shall work together to ensure FEC compliance.

E. CANDIDATES FOR PUBLIC OFFICE

1. Each affiliate may nominate candidates for public office to any office, which lies completely within its borders, subject to the provisions of Nevada law.
2. NOTA is considered a candidate and the State Convention shall not be able to

nominate candidates to any office for which NOTA was properly nominated at an Affiliate Convention.

3. Once the Affiliate Convention has completed, the Affiliate cannot nominate any additional candidates.
4. Each Affiliate must report its list of nominated candidates to the State Convention.

F. ESTABLISHMENT PROCEDURE

1. EXECUTIVE COMMITTEE INITIATION

- a The Executive Committee may organize an affiliate by designating the territory of a proposed affiliate, giving all registered Libertarians within the territory at least 30 days notice of the Organizational Convention, holding an Organizational Convention, and voting to affiliate the Prospective Affiliate within 30 days of the Organizational Convention.

2. INITIATED BY PETITION

- a Ten (10) or more LPN members residing in the same county or up to three contiguous counties, and who are each willing to serve as an affiliate officer may petition the Executive Committee to form an affiliate in the territory.
- b No later than one month after receipt of the petition, the Executive Committee shall meet by video or telephonic conference. (Hereinafter Petitioner Meeting) All of the petitioners shall be given time to address the Executive Committee on the subject of affiliate organization.
- c The Executive Committee shall schedule an Organizing Convention not less than 45 days later, but not more than 90 days after the Petitioner Meeting.
- d The Secretary shall notify by mail all registered Libertarians residing within the boundaries of the perspective affiliate of the time, date, and location of the Organizing Convention. The mailing shall include the requirements for being a delegate. To be a delegate, an individual must be a member of the LPN. The LPN Executive Committee is not required to fund this notice, but may require the petitioning members to fund the organizing convention mail notice.
- e At the Petitioner Meeting, the Executive Committee shall in consultation with the Petitioners choose a date for the Organizing Convention. It shall be the responsibility of the Petitioners to locate a meeting room for the Organizing Convention and get it approved by the Executive Committee. A representative of the Executive Committee shall reserve the approved room.
- f The Organizing Convention shall be chaired by the Chair of the LPN or the chair's designee chosen from among and with the consent of the Executive Committee.
- g The credentials committee for the Organizing Convention shall be selected by the Executive Committee. Any Executive committee member and all LPN members residing in the prospective affiliate are eligible to be selected for service to the Credentials Committee.
- h The Organizing Convention shall adopt bylaws and elect officers for the

- prospective affiliate.
  - i No later than 30 days after the Organizing Convention, the Executive Committee of the LPN shall conduct a video or telephonic conference for the purpose of granting or denying affiliate status to the prospective affiliate. In order for affiliate status to be granted, a majority of the Executive Committee must so vote during this Affiliate Status meeting. Each prospective officer of the prospective affiliate shall be given an opportunity to be heard on the subject of Affiliation before the vote of the Executive Committee.
  - j In determining whether to vote for or against granting Affiliate Status the Executive Committee shall consider the following factors
    - i The quality of the Prospective Bylaws; and
    - ii The character and quality of the prospective officers
  - k Any Executive Committee Member voting Against Affiliate Status must state their reasons in writing.
3. EFFECT OF DENIAL OF AFFILIATE STATUS
- a If affiliate status is denied, none of the petitioners may petition for affiliate status for a period of one year from the date of denial; and
  - b Any petition for affiliate status filed within one year of the date of denial shall not compel the Executive Committee to hold an Organizing Convention. Instead, a Petitioner Meeting shall be held within 30 days of the filing of the petition. The Executive Committee shall vote at the Petitioner Meeting whether to hold an Organizing Convention.

## VIII. PARLIAMENTARY PROCEEDURE

1. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the LPN in all cases to which they apply, and in which they are not inconsistent with these bylaws, any special rules of order the LPN may adopt, and any statutes applicable to the LPN. The causes for disciplinary as outlined in Robert's Rules of Order shall be in effect.

## IX. AMENDMENTS

1. These by-laws may be amended by two-thirds vote at any Convention.
2. To be considered in convention, all bylaws proposals and amendments thereto

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