

Missouri Libertarian Party

BYLAWS OF THE MISSOURI LIBERTARIAN PARTY

(As amended 6 March, 2010)

Preamble

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

ARTICLE 1 -- IDENTITY AND PURPOSE

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

ARTICLE 2 -- PERIOD OF DURATION

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

ARTICLE 3 -- MEMBERSHIP

- 3.1 A person is a voting member of the Missouri Libertarian Party if he or she is a current committeeman or committeewoman per the Missouri state statutes for political parties, has run as a Libertarian candidate in a partisan Missouri election within the last two years, or has made a contribution to the MoLP of at least \$100 (\$40 for students) in the last two years. The State and/or Executive Committee may from time to time authorize lesser classes of membership not requiring a donation. Any such lesser classes of membership shall not grant the right to vote on official business of the party.
- 3.2 A member may be censured and/or disavowed by the State Committee if he or she, while purporting to represent to the public the MoLP, states positions which are contrary to Libertarian principles and/or is found to have committed acts of fraud and/or violence. Upon 30 days notice to appear or be represented before the State Committee to be heard on the charge(s) levied, censure or disavowal shall be only upon approval of three-quarters of the whole membership.
- 3.3 A member may be expelled from the organization for violation of the bylaws or for other cause deemed prejudicial to the best interests of the organization, as determined by the State Committee. Only the Executive Committee may propose the expulsion of a member to the State Committee. Notice that the State Committee will consider expulsion of a member shall be mailed to all of the State Committee members and the member subject to expulsion in writing and at least 30 days prior to the State Committee meeting. At the State Committee meeting, the Chair

shall preside over the proceeding to consider expulsion of a member. Expulsion shall be only upon approval of three-quarters of the whole membership.

ARTICLE 4 -- THE STATE COMMITTEE

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

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

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

ARTICLE 5 -- THE EXECUTIVE COMMITTEE

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

5.2 The Executive Committee shall consist of the elected officers of the MoLP, and district members from the various Congressional Districts, not to exceed two per District, chosen by the respective members of the State Committee residing in that District. The State Committee members of each District may also select up to two alternate Executive Committee members, who may vote in the event of the absence of an Executive Committee member(s) from their district. All Executive Committee members and alternates must be voting members of the MoLP as defined in section 3.1.

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

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

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

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

ARTICLE 6 -- STATE OFFICERS

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

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

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

- 6.4** The Vice Chair shall act as Chair in the event of the Chair's inability or unwillingness to perform such action required by these bylaws and/or Missouri election law. The Vice Chair shall also be responsible for coordinating outreach efforts and shall act as public relations officer of the MoLP, as directed by the State Committee and the Chair. The Vice Chair must call an Executive Committee meeting if the Chair has not done so within the three month period stated in Article 5.5.
- 6.5** The Secretary shall record the minutes of all State Committee and Executive Committee meetings and correspond with government officials of the State of Missouri. The Secretary shall also ensure that the Annual Report for a Missouri Corporation is timely filed, and that any needed updates to the Registered Office and/or Corporate Officers are timely filed with the Secretary of State.
- 6.6** The Treasurer shall maintain the records of receipts and expenditures of party funds and shall be responsible for reporting such records to any federal or state agency or official as required by law.
- 6.7** The Treasurer shall prepare a financial report to be distributed at State Committee meetings to all members of the State Committee. The Treasurer shall prepare this report at least quarterly and distribute it to the Chair. The Treasurer shall submit an annual financial report to the delegates attending the State Convention.
- 6.8** Should a vacancy occur in any state officer's position, that office shall be filled by appointment of the State Committee. However, in the event a vacancy shall occur in the office of Chair, a vacancy shall also be declared in the office of Vice Chair and a new election shall be held for filling the vacancies of both Chair and Vice Chair.
- 6.9** The Chair, Vice Chair, Secretary and Treasurer may delegate portions of their responsibilities with the approval of the Executive Committee
- 6.10** Impeachment charges may be brought against any officer of the Executive Committee by any member at any regular or special meeting of the Executive Committee. The charges must show cause for removal from office. The officer so charged shall be given the opportunity to reply to the charges and if not present at the meeting at which charges are made, voting on the question shall be deferred until the next regularly scheduled meeting. In the case the officer so charged is the Chair, then the next highest ranking officer will preside over the proceedings. Impeachment shall be only upon approval of two-thirds of the entire Executive Committee.

ARTICLE 7 -- LOCAL AFFILIATES

- 7.1** Local affiliates of the MoLP may organize county, legislative, senatorial, congressional, and judicial district committees as provided by Missouri election law.
- 7.2** Such affiliates shall not be recognized by the MoLP until the Secretary of the MoLP is provided written notice of the formation of the affiliate including a list of its members and officers.

ARTICLE 8 -- THE USE OF PARTY FUNDS

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

ARTICLE 9 -- THE STATE CONVENTION

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

Platform.

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

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

9.5 Only delegates present on the convention floor may vote.

ARTICLE 10 -- RULES OF PROCEDURE

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

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

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

ARTICLE 11 -- NATIONAL CONVENTION DELEGATION

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

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

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

ARTICLE 12 -- PRESIDENTIAL PREFERENCE PRIMARIES

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

12.2 During years in which the State of Missouri conducts a presidential primary, subsequent to the presidential primary and prior to the National Convention, the state party shall hold a State Convention, during which time, but prior to the State Convention's final selection of national delegates, Congressional District caucuses shall be held to choose the Congressional District's delegates from each Congressional District in accordance with applicable Missouri statutes.

ARTICLE 13 -- AMENDMENTS

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

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

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