

# **KANSAS LIBERTARIAN PARTY CONSTITUTION**

*As amended at Convention, April 20, 2013*

## **Article I — Name**

The name of the organization shall be the Libertarian Party of Kansas (LPKS), or alternatively the Kansas Libertarian Party (KSLP), hereinafter referred to as the “Party”.

## **Article II — Purpose**

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

- a. Entering into political information and educational activities;
- b. Nominating and supporting candidates for political office;
- c. Other activities consistent with operating and maintaining the Party.

## **Article III — Officers and Members**

### *Section 1. Officers*

The officers of the Party shall be the Chair, Vice-Chair, Secretary, Treasurer, and four (4) Congressional District Coordinators. Such officers constitute the voting members of the Executive Committee of the Party and shall be elected at the Annual Meeting of the Party in each odd-numbered year. The newly elected officers take office immediately upon the close of such Annual Meeting, and serve for a period of two years, or until their successors take office.

### *Section 2. Party Members Defined*

Party Members shall be defined as those persons who are Registered to vote with Libertarian listed as their Party Affiliation and who have not been expelled and are not currently under suspension pursuant to these Articles.

Officers, Auxiliaries, Delegates to National Conventions, and LPKS candidates for public office that seek endorsement beyond Nomination, i.e., financial and other official support from the LPKS, must certify in writing that they do not advocate the initiation of force to promote political or social goals prior to taking office as a Party Officer, Auxiliary, or Delegate to a National Convention.

### *Section 3. Chair*

The Chair shall be the Chief Executive Officer of the Party and shall preside over all meetings and conventions. The Chair, with the concurrence of the Executive Committee, shall appoint Party members to fill any vacancies which occur among the Officers of the Executive Committee and vacancies which occur in any Delegation to a National Convention.

The Chair, with the concurrence of the Executive Committee, shall also make appointments to fill any auxiliary positions created by this Constitution or the Executive Committee, or any vacancies in national, state, or local partisan electoral offices.

#### *Section 4. Vice Chair*

The Vice-Chair shall assume the authority of the Chair and preside at all meetings and conventions in the event of the absence, resignation, or removal of the Chair.

In the event of a permanent disability or absence due to the death, resignation or removal of the Chair, the Vice-Chair shall succeed to Chair the Party, with all powers of that office devolving upon him or her for the remainder of the former Chair's term.

#### *Section 5. Secretary*

The Secretary shall be the recording officer of the Party. The Secretary shall also keep complete and accurate records of Party memberships, contributors, and others indicating an interest in the Party Principles and policies. The Secretary, with the advice and assistance of the Chair, shall be responsible for certifying all Party nominations to the Secretary of State or appropriate election officer in the district in which the nomination appears. The Secretary shall advise the Kansas Secretary of State of the names, addresses and titles of all elected Party officers and any changes of such as they occur.

#### *Section 6. Treasurer*

The Treasurer shall receive, expend, and account for the funds of the Party under the supervision and direction of the Chair.

#### *Section 7. District Coordinators*

The District Coordinators must reside in the U.S. Congressional district they represent and shall coordinate the educational, organizational, outreach and publicity programs in their district with the Executive Committee.

#### *Section 8. Deputy District Coordinators*

For each Congressional District the District Coordinator may appoint one or more Deputy District Coordinators, with the concurrence of the Executive Committee.

Deputy District Coordinators may not vote on Executive Committee matters unless a District Coordinator, to expedite business at an in-person Executive Committee Meeting which he or she is unable to attend, gives authority to a Deputy District Coordinator to act as his or her Alternate. In order for this grant of authority to be exercised it must be communicated to the members of the Executive Committee at least three days before the meeting.

### **Article IV — Executive Committee**

#### *Section 1. Management of Party*

The Executive Committee of the Party shall have control and management of all affairs, properties, and funds of the Party consistent with this Constitution. The Executive Committee shall also make provision for legal services to the Party as needed. All vacancies not provided for in this Constitution may be filled by the Executive Committee, including, but not limited to, the vacancies created by illness, death, withdrawal, or disqualification of any Party candidate for office.

No Party funds shall be disbursed without a majority vote of the Executive Committee members present, if such number present constitutes a quorum. If less than a quorum no Party funds shall be disbursed until ratification by electronic or other means by a majority of the current members of the Executive Committee.

### *Section 2. Auxiliary Positions*

The Executive Committee may propose the addition of auxiliary officers whose duties shall be set forth in the By-Laws. The Chair shall appoint these auxiliary officers with the consent of the Executive Committee.

### *Section 3. Meetings*

The Executive Committee shall convene at such times and places as may be determined by the action of the Committee, by call of the Chair, or by a written request from a majority of the Committee. All Committee members shall be given one-week notice of the time and place of the meetings. All members are encouraged to participate in the discussions at such meetings but only officers of the Executive Committee may vote.

### *Section 4. Quorum*

One-half of the current membership of the Executive Committee shall constitute a quorum for the transaction of business at committee meetings. Any members of the Committee may participate in such a meeting by means of telephone or other conferencing equipment, or by post-meeting ratification.

## **Article V — Membership Meetings and Nominating Conventions**

### *Section 1. Robert's Rules*

Unless otherwise stated, the current edition of Robert's Rules of Order will be used in all Party meetings.

### *Section 2. Classes of Meetings*

There will be two classes of Party meetings, the Annual Meeting and Called Meetings.

### *Section 3. Annual Meetings*

The Annual Meeting shall be held in March or April and shall be the primary business and official meeting of the Party each year: and it shall be at that meeting the membership shall vote

on the various issues mentioned in these articles. In each odd-numbered year the agenda shall include, but not be limited to, changes in these Articles and By-Laws and the election of Party officers. Items of business may be proposed by any member or by the Executive Committee.

#### *Section 4. Called Meetings*

Called Meetings are for the transaction of any business that is determined to be of such importance and urgency as to not wait until the next scheduled meeting. The Chair with a majority of the entire Executive Committee or one tenth of the Party membership may call such a meeting by giving two weeks written or telephone notice to the Party membership. No changes in the Constitution or By-Laws may be considered at a Called Meeting, nor may other matters be decided except those having been specifically stated in the meeting notice to the membership.

#### *Section 5. Candidate Nominating Conventions*

A Candidate Nominating Convention shall be held each even-numbered year in conjunction with the Annual Meeting, at a time and place established by the Executive Committee. The agenda shall be limited to revision and adoption of the Party platform, nomination of candidates for Federal, State and local office, and the election of delegates to the National Libertarian Party Convention.

All registered Libertarians may attend and vote. However, all persons selected as delegates to a National Party Convention shall be members as defined in Article III, Section 2 of this Constitution.

#### *Section 6. Registered Libertarians Defined*

A registered Libertarian shall be defined as a person registered as Libertarian with the Elections Officer in the County of his or her residence. The validity of such registration shall be confirmed by the Party Secretary from a list of all such registrations supplied to the Party by the Secretary of State. If such a list is not available, or is incomplete, each person seeking to vote shall affirm by their signature that he or she is so registered.

### **Article VI — Statement of Principles**

#### *Section 1. Affirmation*

The Statement of Principles of the Party affirms that philosophy upon which the Libertarian Party is founded, by which it shall be sustained and through which liberty shall prevail. The Statement of Principles is attached to the Constitution and By-Laws and is made a part thereof.

#### *Section 2. Amendment*

The enduring importance of the Statement of Principles requires that it shall not be amended by a vote of less than 7/8's of members present and voting at an Annual meeting.

## **Article VII — Nomination of Candidates**

### *Section 1. Qualifications*

No person shall be entitled to run as a candidate for office on the Libertarian line of the ballot in a partisan election of the State of Kansas unless nominated at the Nominating Convention of the Party; or designated by the Executive Committee to fill a vacancy created by illness, death, withdrawal, or disqualification; or unless under State Law such nomination shall have been determined by primary election.

Any candidate in a partisan election as a Libertarian shall be nominated at the Nominating Convention of the Party. Such a candidate must be registered Libertarian on the voting lists in the State of Kansas and sign a pledge in support of the Party's Statement of Principles.

### *Section 2. Nominations*

Nomination of candidates for partisan local, state and federal offices shall be by majority vote of Registered Libertarians present and voting.

### *Section 3. Election*

When there is only one candidate for nomination, election may be by voice unless a "None of the Above" (NOTA) ballot is requested. A NOTA ballot may be requested by any member. When there is a NOTA ballot requested for a single candidate nomination, election shall be by written ballot. Where there are two or more candidates for a nomination, election shall be by written ballot. NOTA shall be included on every written ballot.

In the event that there is no majority, the candidate receiving the least votes shall be eliminated and another vote shall be taken. This process shall be repeated until a majority of votes cast shall elect. If NOTA receives a majority of votes then no one from that group of candidates for that office will be nominated. If a new candidate or candidates can be found for that office, a new election can be held in accordance with the above criteria.

## **Article VIII — Discipline**

### *Section 1. Disciplinary Actions*

Disciplinary actions against any Party member shall be in accordance with Robert's Rules of Order, except as otherwise provided herein by the Party Constitution or By-Laws. Disciplinary action against any member shall consist of reprimand, suspension, or expulsion from the Party.

### *Section 2. Reasons*

A member shall be subject to disciplinary action for the following reason[s]: a. Committing the Party to financial obligations without the consent of the Executive Committee or: b. making statements to the public in the name of the Libertarian Party which are in direct violation of the Statement of Principles and which are ruled objectionable or harmful to the interests of the Party by two-thirds of the members present and voting on the proposed disciplinary action.

### *Section 3. Validity*

A reprimand, suspension, or expulsion against any member requires approval by a two-thirds vote of the members present and voting at any Annual or Called Meeting. The offender must be given two weeks' notice of the charges for the disciplinary action to be valid. Notice shall be by certified, return receipt requested mail, sent to the offender's last known address.

## **Article IX — By-Laws**

### *Section 1. Promulgation*

The Executive Committee shall promulgate the By-Laws in accordance with the applicable law.

### *Section 2. Amendment*

The By-Laws of the Party may only be amended by:

a. a two-thirds vote of members present and voting at any Annual Meeting of the Party. All votes cast by the membership shall be by voice. Thereafter any member may ask for a division of the body

or

b. by a three-quarters vote of the total number of Executive Committee members currently holding office, thirty days or more after the Secretary shall have given the text of such amendment to all Executive Committee members. Post meeting ratification can be utilized to reach that majority.

### *Section 3. Conformity with Kansas Law*

The membership may not amend the By-Laws of this organization to be in violation of the prevailing laws of the State of Kansas or the United States.

## **Article X — Election and Removal of Officers**

### *Section 1. General*

The Chair, Vice-Chair, Secretary, and Treasurer shall be elected by nomination and majority vote of members present at the Annual Meeting during each odd-numbered year.

Where there is a single candidate for an office election may be by voice. Where there are two or more candidates for an office election shall be by written ballot. In the event that there is no majority the candidate receiving the least votes shall be eliminated and another vote shall be taken. This process shall be repeated until a majority of votes cast shall elect.

### *Section 2. District Coordinators*

A District Coordinator shall be a resident of, and represent members from, the U.S. Congressional District in which he or she resides. District Coordinators shall be elected by members present and voting who reside in each respective Congressional District at the Annual Meeting during each odd-numbered year.

When there is only one candidate for District Coordinator, election may be by voice unless a “None of the above” (NOTA) ballot is requested. A NOTA ballot may be requested by any member. When there is a NOTA ballot requested for a single candidate nomination, election shall be by written ballot. Where there are two or more candidates for a nomination, election shall be by written ballot. NOTA shall be included on every written ballot.

In the event that there is no majority, the candidate receiving the least votes shall be eliminated and another vote shall be taken. This process shall be repeated until a majority of votes cast shall elect. If NOTA receives a majority of votes then no one from that group of candidates for that office will be nominated. If a new candidate or candidates can be found for that office, a new election can be held in accordance with the above criteria.

### *Section 3. Limitations*

No person may be elected to concurrently hold more than one Party office. Any Executive Committee officer appointed to one or more additional Executive Committee offices shall have only a single vote.

### *Section 4. Removal*

An elected officer may be removed from office for disciplinary reasons as stated in Article VIII above, or for non-performance or negligent performance of official duties.

## **Article XI — Amendments to the Constitution**

This Constitution may be adopted by a majority vote or amended by a two-thirds vote of members present and voting at any Annual Meeting in an odd-numbered year, except Article VI, the Statement Of Principles, shall not be amended by a vote of less than 7/8's of members present and voting at such Annual meeting.

## **Article XII — Organizational Conformance With the Kansas Election Code**

The requirements of the Kansas Election Code and any other pertinent statute shall constitute a part of this Constitution and shall supersede any conflicting provisions hereof.

## **Article XIII — Affiliate Organizations**

### *Section 1. Requirements*

The Executive Committee may charter as Affiliate Organizations (“Affiliate”) those organizations requesting such status to organize and operate within the state. Affiliate status shall be granted only to those organizations which adopt the Statement of Principles and file a copy of their Constitution and By-Laws with the Party Secretary.

*Section 2. Affiliate Representative*

Each Affiliate so chartered shall declare an Affiliate Representative for the purpose of liaison between the Party and the Affiliate.