

Proposal 361

Approval of PNC Rules, Amended

ARTICLE V. FLOOR RULES

Section 5-1 Title, Scope and Intention

5-1.1 These rules shall govern the conduct of business of each Presidential Nominating Convention of the Green Party of the United States.

5-1.2 These rules are intended to provide a clear, democratic and transparent process for the business of each Presidential Nominating Convention of the Green Party of the United States to be conducted.

Section 5-2 Honorary Co-Chairs

5-2.1 Gender-balanced, Honorary Co-Chairs shall be nominated by the Steering Committee of the Green Party of the United States, and submitted for confirmation by the Green National Committee at least 60 days prior to the Convention. If the Honorary Co-Chairs nominated by the Steering Committee are not approved, then the Steering Committee shall continue to submit nominations to the Green National Committee until they are approved.

5-2.2 Any person nominated as an Honorary Co-Chair must not be employed by, serve in any official capacity in the campaign of, nor officially endorse any of the Presidential candidates whose names are placed before Convention.

5-2.3 Any person nominated as an Honorary Co-Chair should be one who represents Green Party ideals, goals and practices; and who may be a Green elected or appointed official to public office; or who may be a spokesperson within their state or local Green Parties; and who may have made significant achievements in the advancement of Green politics; or who may represent an important constituency in the Green movement; or whose presence otherwise positively and significantly recommends the Green Party.

5-2.4 During the Convention, the Honorary Co-Chairs shall be responsible for opening the Convention and playing a 'Masters of Ceremonies' role in the proceedings. Before the Convention, the Honorary Co-Chairs shall serve as Media Spokespeople and participate in the promotion of the Convention.

Section 5-3 Election Administrator

5-3.1 An Election Administrator shall be nominated by the Steering Committee of the Green Party of the United States, and submitted for confirmation by the Green National Committee at least 60 days prior to the Convention. If the Election Administrator nominated by the Steering Committee is not approved, then the Steering Committee shall continue to submit nominations to the Green National Committee until one is approved.

5-3.2 Any person nominated as the Election Administrator must not be employed by, serve in any official capacity in the campaign of, nor officially endorse any of the Presidential candidates whose names are placed before Convention.

5-3.3 The Election Administrator shall be responsible for conducting and supervising the election process of the Green Party nominees for President of the United States and Vice President of the United States, as described herein under Sections 5-9, 5-10 and 5-11.

5-3.3 The Election Administrator may name such Assistant Election Administrators as may be necessary to the conduct of his/her duties, but may not delegate decision-making authority to them. Assistant Election Administrators shall be subject to the same conditions under 5-3.2 as the Election Administrator.

Section 5-4 State Delegation Reporters

5-4.1 Each state party shall elect a State Delegation Reporter and an Alternate State Delegation Reporter from among its delegates; and shall provide the Election Administrator with their contact information at least five days in advance of the nominating session.

5-4.2 Responsibilities of State Delegation Reporters

5-4.2(a) Attending such preliminary meetings organized for State Delegation Reporters as may be called within twenty-four hours preceding the convening of the Convention, and

5-4.2(b) During the Convention, accurately reporting vote totals from their state within the allowed time limit set by the Election Administrator. A Reporter may also designate another delegate to announce votes; or without objection from their delegation, designate another member of the state Green Party who is not a delegate.

5-4.3 If a state fails to designate a Reporter who can fulfill these required duties, then the Election Administrator shall appoint an Assistant Election Administrator(s) to perform such duties for that state.

Section 5-5 Enforcement of State Instructions Shall be a State Matter

5-5.1 No officer or servant of the Convention, nor any member of the Steering Committee or National Committee, is empowered on behalf of the Green Party of the United States, to enforce instructions and mandates given to any Delegation by their State Party.

5-5.2 Enforcement of any such instructions and mandates shall be a matter between the state party and its delegates. Disputes shall be resolved by a vote of a State Party's delegation, according to the rules of that State Party, and the convention shall accept any such decision by a state Delegation.

Section 5-6 Decision-Making by the Convention

5-6.1 Number of Votes Cast

Each state Delegation may cast no more votes than they are apportioned to under Article III and for which Delegates have been credentialed pursuant to Article IV of this Policy. However a state delegation may cast fewer votes than they are entitled to, if it so chooses.

5-6.2 Proxy Votes

A Delegate may cast a proxy vote in place of not more than one absent Delegate who is credentialed to participate in such Convention, as long as

5-6.2(a) The total number of votes cast for that state does not exceed its total allowed Delegates as apportioned under Article III and credentialed to under Article IV, or

5-6.2(b) Twice the number of voting Delegates in attendance, if twice the number of voting Delegates in atten-

dance shall be less than the total allowed Delegates as defined in 5-6.3(a); and

5-6.2(c) The Credentials Committee, or any other committee responsible for Convention logistics, may require state Delegations to inform it of their plans regarding such proxy voting, if it finds that such reporting would serve the provision of a fair and accurate vote or planning for the logistical needs of the Convention.

5-6.3 Roll Call Votes

5-6.3(a) When a vote of the Convention is required, a roll call vote shall be taken of each state delegation credentialed to cast votes.

5-6.3(b) State delegations shall be called in alphabetical order and a state may either cast its votes when called, or pass and be called to vote a second time by the Elections Administrator. No state delegation may pass more than once. However, in no case can a state delegation cast a portion of its votes at one time, and another portion at another; rather it must either cast all the votes it intends to cast or pass.

5-6.3(c) Any time a vote is taken, each state's Reporter (or designated speaker), shall announce both the number of state Delegates, plus alternate Delegates standing in for regular delegates present (not to exceed the state's authorized number of delegates), and the vote of the Delegation on the question before the Convention.

5-6.4 Close of Vote

Once all State Delegations have been called to vote, and those that have passed have been called to vote a second time, the voting period shall be considered closed.

Section 5-7 Approval of Credentials Committee Report

5-7.1 The first order of business for the Convention shall be, consistent with Article IV, to consider, amend, consider appeals to and adopt the Report of the Credentials Committee.

5-7.2 The decision-making base to adopt the Report of the Credentials Committee shall be those delegations and delegates who have been awarded preliminary credentials under Article IV.

5-7.3 Gender-balanced Co-facilitators shall be nominated by the Steering Committee of the Green Party of the United States to co-facilitate the decision-making process for adopting the Report of the Credentials Committee, and submitted for confirmation by the Green National Committee at least 60 days prior to the Convention. If the Co-facilitators nominated by the Steering Committee are not approved, then the Steering Committee shall continue to submit nominations to the Green National Committee until Co-facilitators are approved.

5-7.4 As established in 4-16.2, the Convention may by a majority vote, adopt the report as presented or as amended by a majority of the convention. The effect of the adoption of the report shall be to issue credentials to any delegate in possession of preliminary credentials.

5-7.5 As established in 4-16.3, the Convention shall consider any challenge where at least 33% or more of the committee has filed a minority report recommending convention action; and may by majority vote choose to consider any challenge where 20% or more of the committee has filed a minority report recommending convention action.

Section 5-8 Approval of Platform

5-8.1 Once the Report of the Credentials Committee has been adopted as specified under Section 5-7, the Convention shall consider approval of the Platform.

5-8.2 Approval of the Platform shall be by the process as specified by the Green National Committee in Article II. 2. of the Bylaws of the Green Party of the United States; and in accordance with the Platform Timeline & Process, the process as established by the Green National Committee September 15, 2002. The voting threshold for approval shall be 2/3 as defined in Article V. Voting Rules of the Bylaws of the Green Party of the United States.

5-8.2 (a) The Platform Committee Co-Chairs or other spokespersons designated by the Platform Committee shall be afforded not more than ten minutes to present the report of the Platform Committee and proposed 2008 Platform to the Convention. The presenter(s) for the Platform Committee shall also be afforded the final ten minutes of debate or discussion for closing remarks before the question of adoption of the Platform is put to the Convention.

5-8.2 (b) Discussion on the proposed 2008 Platform shall be limited to one hour. No delegate may address the Convention for longer than one minute on any provision of the Platform. To address the convention, a delegate is required to register, with their name, delegation, Platform provision to be addressed and their position on such provision, with the Convention facilitation team not later than the convening of the Convention plenary session scheduled to consider the Platform.

5-8.2 (c) The voting threshold for the adoption of the Platform shall be 2/3 of Convention Delegates, as defined in Article II. 2. and Article V. Voting Rules of the Bylaws of the Green Party of the United States.

5-8.2 (d) Should the Convention fail to adopt the proposed Platform, the Platform Committee is instructed to re-title the existing Green Party Platform as the current Green Party Platform, and to report it to the Green National Committee, which shall be authorized to publish it as the Platform of the Green Party of the United States.

Section 5-9 Presidential Candidate Speeches

5-9.1 Any candidate seeking the Presidential Nomination of the Convention who wishes to address the convention may do so, if at least one Delegate is pledged to vote for them from each of three states.

5-9.2 Any candidate seeking the Presidential Nomination of the Convention who wishes to address the convention who does not have at least one delegate pledged to vote for them from each of three states, may alternatively submit a petition signed by a number of credentialed Delegates equal to at least 3% of the total credentialed Delegates, and coming from at least 7 states, declaring each signers' intention to vote for the candidate named in the petition in the first round of voting. Such petitions must be submitted to the Election Administrator by 6:00 pm on the day immediately preceding the convening of the Convention; and Delegate signatures that appear on more than one petition will be disqualified on the petition of said delegate's choice.

5-9.3 Equal time shall be allocated for the purposes of addressing the convention to all candidates who qualify under 5-5.1(a) or 5-5.1(b)

5-9.4 A candidate need not qualify to address the Convention in order to receive nominating votes.

5-9.5 The Convention shall also provide equal time for a speaker for the No Nominee position, but not for None of the Above (NOTA). Equal time is defined as a time equal to that provided for each of the presidential candidates.

5-9.6 A caucus of the delegates who favor the no nominee position will choose the No Nominee speaker and report the name to the Election Administrator by 9:00 AM of the morning of day the Nomination is scheduled.

Section 5-10 Nominating a Presidential Candidate

5-10.1 Multiple rounds of voting shall be conducted until a simple majority of the voting delegates vote for either an eligible candidate or for No Nominee. Both No Nominee and None of the Above (NOTA) shall remain an option through all rounds of voting.

5-10.2 During the first round of voting, all delegates except those instructed by their state party as “Uncommitted”, “NOTA” or “No Nominee”, must vote for their designated candidate, as instructed by their state party. In subsequent rounds, delegates shall vote as instructed by their state party.

5-10.3 Half-votes from delegates assigned with such will be counted in the first round. Succeeding rounds will count only whole votes.

5-10.4 If there is a first-round winner, that candidate must formally accept the nomination, or that candidate becomes ineligible and the voting proceeds to the second round.

5-10.5 After the first round,

5-10.5(a) No candidate shall be eligible to receive votes who has failed to declare in writing to the Election Administrator their intention to accept the nomination if offered and to cooperate with each member state party of the Green Party of the United States to have their name placed on each ballot line to which a member State Party may be eligible.

5-10.5(b) Votes for ineligible candidates shall be treated as abstentions and shall not count toward the threshold for nomination.

5-10.5(c) The threshold for nomination in each round shall be the next whole number greater than half the number of non-abstaining votes cast in such round.

5-10.6 The Election Administrator shall permit a reasonable period of time between voting rounds for states to caucus, and for candidates to withdraw. Candidates who withdraw shall not be eligible to receive votes in subsequent rounds.

5-10.7 At the completion of the second round and all subsequent rounds, any candidate who received less than 10% of the vote in that round shall become ineligible. Should all candidates have received in excess of 10% of the vote in the previous round, the candidate with the lowest number of votes from that round shall become ineligible. In the case of a tie for the candidate with the lowest total number of votes where the candidate has over 10% of the ballots cast, no candidate is eliminated.

5-10.8 In the case of a tie between last-place candidates receiving at least 10% of the vote, none of these last-place candidates shall become ineligible after the first such tie. If two consecutive rounds end in a tie between the same last-place candidates and the elimination of all such tied candidates would leave two or more candidates, all such candidates shall become ineligible. If two or more consecutive rounds end in a tie between the same last-place candidates and the elimination of all such tied candidates would leave fewer than two candidates, no candidates shall become ineligible after any such round.

5-10.9 When an eligible candidate receives the majority of votes in a given round, the candidate shall be de-

clared the Presidential Nominee of the Green Party of the United States.

5-10.10 Should None of the Above (NOTA) receive the majority of votes in a given round, the Election Administrator shall permit a reasonable period of time before the next round for new nominations to arise from the floor. Any such candidate nominated must be eligible as defined in 5-10.5(a) and submit a petition signed by a number of credentialed Delegates equal to at least 3% of the total credentialed Delegates, and coming from at least 7 states, declaring each signers' intention to vote for the candidate named in the petition in the next round of voting.

5-10.11 Should No Nominee receive the majority of votes in a given round, there shall be no Presidential Nominee of the Green Party of the United States.

Section 5-11 Nominating a Vice Presidential Candidate

5-11.1 If the Convention has nominated a Presidential candidate, the Presidential nominee shall propose a candidate for the Vice Presidential nomination to the convention delegates.

5-11.2 To be eligible for consideration for the Vice Presidential nomination, a candidate must declare in writing to the Election Administrator their intention to accept the nomination if offered and to cooperate with each member state Green Party of the Green Party of the United States to have their name placed on each ballot line to which a member State Party may be eligible.

5-11.3 Once the Presidential nominee has proposed a Vice-Presidential nominee, the Election Administrator shall call for a show of raised hands by the delegates to approve the nomination of the proposed Vice Presidential candidate.

5-11.3(a) If the Election Administrator concludes that a clear majority of the delegates supports the nomination of the proposed Vice-Presidential nominee, then the Election Administrator shall ask for any outstanding concerns with the ruling; and unless there is a challenge as described under 5-11.3(b), the Election Administrator shall declare the proposed Vice-Presidential candidate nominated.

5-11.3(b) The ruling by the Election Administrator under 5-11.3(a) may be challenged by a number of credentialed Delegates equal to at least 3% of the total credentialed Delegates, and coming from at least 7 states; and if such a challenge is presented, then the Election Administrator shall administer a roll call of the convention by state.

5-11.3(c) If the Election Administrator concludes that the will of the delegates is not clear from the show of raised hands, then the Election Administrator shall administer a roll call of the convention by state.

5-11.4 If the delegates do not approve of the Vice Presidential nominee, the Presidential nominee shall propose another candidate for approval by the convention delegates. This process shall continue until a Vice Presidential nominee is approved.

Section 5-12 Appeals from a Decision of a Presiding Officer

5-12-1 Form of appeals

Should any Delegate object and be joined by at least four other Delegates representing any five accredited state Parties or Caucuses asserting that any ruling of one of the Honorary CoChairs, the Election Administrator or one of the Facilitators on any point with respect to the conduct of their responsibilities to the Convention was

made contrary to the rules governing such rulings, such objection shall be recognized, and shall serve to initiate an appeal from the decision. A Delegate may raise such an objection by respectfully addressing the presiding officer and stating: "I appeal from the decision of the chair because this ruling is contrary to our rules" and then explaining the inconsistency. Any such appeal which is then joined by sufficient cosponsors as required by this paragraph shall stay the effect of that decision, pending the resolution of the appeal.

5-12-2 Putting the appeal to the body

The Presiding Officer shall acknowledge the appeal by stating to the body the point ruled on, the officers' decision on it and shall then put the appeal to the Convention. The question put to the body shall be framed as: "Shall the body sustain the decision of the Chair that . . ."

5-12-3 Debate and Convention consideration of an appeal

Debate on the correctness of the ruling shall be limited to ten minutes. The presiding officer shall then put the question of the appeal to the body for a vote.

5-12-4 Resolution of an appeal

The ruling of the presiding officer shall be sustained unless overruled by the vote of a majority of those voting, who voted in opposition to the question of sustaining the decision, provided votes have been cast by Delegates from at least a simple majority of the Accredited states and caucuses eligible to cast votes on the matter. All appeals from the decision of the chair shall be made immediately, and no appeal shall be in order after other business has intervened from the time of the alleged error and before the appeal is sought.

5-12-5 Recording a protest in the minutes of the body

Any member may have entered in the official record a protest based on any ruling so made. Said protest shall clearly and succinctly set forth the grounds of such protest and shall not exceed 200 words. It shall not impugn the motive of the body or any member thereof.

Section 5-13 Adjournment of the Convention

On the vote of a simple two-third majority, the Convention may recess till a time certain, or adjourn.

Section 2.

Resolved, that for purposes of the 2008 Presidential Nominating Convention, the sixty day deadlines, provided by the Floor Rules of the Convention, specifically in Article 5, Section 2, Paragraph 1, related to naming of Honorary Co-Chairs; in Article 5, Section 3, Paragraph 1, related to naming of Election Administrator; and in Article 5, Section 7, Paragraph 3, related to naming of Convention Co-facilitators, are waived and the Steering Committee is urged to exercise all due speed to comply with the tasks outlined for them in each of those provisions.

Section 3.

Resolved, the Rules of the Presidential Nominating Convention are amended in Article 4., related to the Credentialing Process, Section 3., related to the "Delegate Credential Applications -- Timing and Receipt of Submission", Paragraph 5., related to actions upon receipt of an Application by the Committee, by striking from the first sentence, the phrase: "except for such personal contact information redacted" and inserting in its place:

“except for such personal information redacted”, so that the resulting sentence shall read:

“The Credentials Committee shall sign the application and its copy, certifying the receipt of a duplicate copy; and within three business days, make the application and all attachments, except for such personal information redacted under the provisions of Article 4, Section 2, Paragraph 8, available online at a web site accessible to members of the Green National Committee, to members of the Credentials Committee and to any delegate awarded preliminary credentials by the committee.”

Section 4.

Resolved, that it is the finding of the National Committee that a drafting error in Section 2, of Proposal #345, references and seeks to amend a non-existent Article 2, Section 3, Paragraph 3 of the Rules of the Presidential Nominating Convention; and further that it was the intention of the National Committee in adopting such Section to amend instead, Article 2, Section 3, Paragraph 3 of the Rules, Practices and Procedures of the Credentials Committee by striking the Paragraph which reads:

For purposes of the 2008 Presidential nominating cycle, the members of the committee shall be elected in two elections held four months apart, to name first eight members and then seven members. The first such election shall be held within four weeks of the adoption of these rules.

in its entirety, and by inserting in its place, the following:

For purposes of the 2008 Presidential nominating cycle, the members of the committee shall be elected in a single election to be called and conducted by the Steering Committee at the earliest possible opportunity.

Section 5.

The Rules of the Presidential Nominating Convention of the Green Party of the United States are amended by inserting between Article II., and Article IV., a new Article III, to read:

ARTICLE III. DELEGATE APPORTIONMENT

Section 1-1 Apportionment

1-1.1 The apportionment of Delegates for the 2008 Presidential Nominating Convention of the Green Party of the United States shall be in accordance with the provisions of Proposal #336, entitled “Approval of the Winner of the IRV for National Convention Delegate Apportionment Formula”, as adopted January 18th, 2008, by the Green National Committee.

1-1.2 Without further action by the Green National Committee, the provisions of Proposal #336 and of this Section shall sunset one month following the adjournment of the 2008 Presidential Nominating Convention of the Green Party of the United States, and the Secretary is instructed to then republish the Rules of the Presidential Nominating Convention, reserving Article III., related to Delegate Apportionment.

Section 6.

It is the finding of the National Committee that the Party has a collective responsibility to fund the costs of hosting and organizing the Presidential Nominating Convention of the Green Party of the United States,

It is finding that until such time as the Green Party of the United States shall qualify for public funding of its

National Convention, which would allow the Party to collectively fund most or all of its Convention costs with said funds, the manner in which the Convention is funded can raise significant issues of equity and fairness as to who is and who is not carrying the burden of funding the Convention, among both individual Party members and among the different state parties,

It is the finding of the National Committee that the Annual National Meeting Committee (ANCOM), in fulfilling its charge to organize the 2008 Convention has adopted a budget which relies almost exclusively on the registration fees paid primarily by Delegates and Alternates for the revenues needed to fund the Party's obligations incurred in staging the Convention,

It is the finding of the National Committee that this funding approach has raised issues of equity and fairness among some National Committee delegates and others, including that some among them advocate a funding approach that includes a fee for casting votes by proxy for the 2008 convention,

Given however that only a few weeks now remain before the Convention will begin, and that the ANCOM, the Finance Committee and the Steering Committee of the Green Party of the United States have concluded that it is to late to implement a fee for casting votes by proxy,

It is the finding of the National Committee the issue of requiring a fee for casting votes by proxy, along with other methods of collectively funding the Convention, must be considered in concert with approaches to the budget and Delegate apportionment for future Conventions, and therefore

It is the finding of the National Committee that in consultation with the ANCOM and the Finance Committee, the BRPP is instructed to bring forward a proposal, no later than the Annual National Meeting in 2010, for the National Committee to consider requiring a fee for casting votes by proxy at future Conventions

Section 7.

Given the differences of opinion among members of the National Committee regarding the Draft Presidential Nominating Convention Floor Rules, and given the limited time remaining before the 2008 Presidential Nominating Convention, it is:

Resolved, that the Committee on Bylaws, Rules, Policies and Procedures is instructed to receive input from members of the National Committee and other members of the Party, on recommended changes to the standing Rules of the Party related to the Presidential Nominating Convention; and to conduct hearings at the 2009 Annual National Meeting to take direct testimony; and shall report back its recommendations for amending such Rules to reflect the lessons of the 2008 Presidential Election cycle not later than February 15th, 2010.