



## GPUT CONSTITUTION

### I. Name

- A. The name of this organization shall be Green Party of Utah, also hereinafter referred to as “GPUT” or “Green Party”.

### II. Purpose

- A. The GPUT commits to building an inclusive political party through promoting candidates and causes that align with the Green Party's ten key values and the four pillars of social justice, ecology, non-violence, and grassroots democracy.

### III. Membership

#### A. Individuals

1. Membership shall be extended to all residents of the State of Utah who are registered to vote and whose registration is affiliated with the GPUT.
2. The group of all members of GPUT shall be known in the bylaws as the ‘General Membership’.
  - a) All present at the moment of the adoption of this Constitution and bylaws, or who have attended any of the Organization meetings previously held, shall be considered Members of GPUT for all purposes herein until registration as affiliated with the GPUT is available through voter registration in the State of Utah.

**(1)** Membership of any individual may be revoked by a  $\frac{3}{4}$  vote of the Coordinating Committee.

**B.** Participation in party process

- 1.** Non-members may attend meetings but may not nominate or vote prior to registering as Green unless the GPUT does not have ballot access in which case the Secretaries shall keep a list of Utah residents who have submitted a membership form to them or have been previously registered as Green and they shall be considered members for purposes of these bylaws until GPUT has ballot access.

**C.** Locals

**1.** Definitions:

- a)** “Locals” and “Caucuses” refer to any grouping of Utah Greens wishing to organize, based on County, Municipal, Regional, identity or issue to carry out the work of the GPUT and are known in these bylaws collectively as “Locals”.

**2.** Requirement for forming a Local:

- a)** Locals will file an application for Local Organization along with a copy of their proposed charter with the Secretaries.
- b)** Charters must show a commitment to values espoused by the GPUT as well as the Ten Key Values of GPUS.

**(1)** Each Local’s charter must provide for its leadership structure, including a Delegate to the GPUT Coordinating Committee. (Providing autonomy for a Local’s leadership structure is in alignment with the key value of decentralization.)

- c)** The charter will be reviewed and the application either approved or rejected by a supermajority vote (67%) of the Coordinating Committee.

d) Identity/Issue-based Caucuses formed prior to the acceptance of these bylaws\* amendments shall be grandfathered in to the GPUT and will submit required documents within one year of the approval of these bylaws amendments.

(1) \*Those Caucuses include:

Young Greens Youth Caucus

Green Women Rising Women's Caucus

Disability Caucus

#### **IV. Leadership**

A. It is the policy of GPUT that all Party Officers, elected or appointed, will serve on a volunteer basis. No compensation will be offered for any position within the party. Any such offer, along with the acceptance of such an offer may be grounds for removal from Office and/or revocation of membership in the GPUT on grounds of ethics violations.

#### **B. Co-Chairs**

1. The State Party shall be chaired by two Co-Chairs.

#### **C. Executive Council**

1. The Executive Council shall comprise the Co-Chairs, Secretaries and Treasurers.

2. The Executive Council will be responsible for ensuring GPUT complies with all federal and state laws, and may create ad-hoc committees or other working groups when needed.

#### **V. Officers' Positions and duties**

A. No officer of the Green Party may serve in more than one position, elected or appointed, except:

1. For the sole purpose of restrictions on officer's holding other party offices, Grassroots Coordinators are considered to be neither elected nor appointed

2. Service on a committee will be understood to include service on any subcommittees or working groups that may be formed from the membership of that committee (e.g, a member of the Budget Committee may serve on a Budget Subcommittee or Working group. This would count as service on one committee).
3. Grassroots Coordinators may also serve on up to two committees concurrently.
4. Members serving solely on a committee other than the Coordinating Committee who hold no elected office may serve on one additional committee.
5. Members serving on the Coordinating Committee as representative of another Standing Committee may hold no other office, elected or appointed.
6. The Coordinating Committee, by  $\frac{2}{3}$  vote, may on the basis of Party need due to limited membership, grant a temporary waiver allowing a Party Officer to serve in more than one appointed position OR one elected position and one appointed position. The waiver will expire when the term of either office held ends.
  - a) No such waiver may cover more than one officer or more than one committee assignment. Waivers must be granted one at a time. No officer may be granted more than two concurrent waivers, and members of the Executive Council may not be granted more than one waiver concurrently.

**B. Co-Chairs**

1. Every effort shall be made to have gender equality in the positions of Co-Chairs of the GPUT.
2. Preside over meetings, bring participants together, review agenda items, and any other items as needed.

- a) If one Co-chair is unavailable to perform duties or is absent from a meeting the other Co-chair will assume all duties. If both Co-Chairs are present they will alternate the duties of the chair.
3. Monitor that official filings required by the Secretary, Treasurer, or other designated officers are made in a timely manner.
4. Co-chair shall be the main public spokesperson but may delegate the position of spokesperson by majority vote of general membership.
5. Co-Chairs are ex-officio members of the Executive Council.

**C. Secretaries**

1. Green Party shall have two secretaries.
  - a) Responsible for receiving and filing necessary paperwork related to candidate nominations as required by state law.
  - b) Files documents necessary to endorse candidates and ballot initiatives supported by GPUT.
  - c) Keep accurate meeting minutes of state meetings.
  - d) Responsible for all records and distributing minutes of all membership and Executive committee meetings.
  - e) Updating bylaws, procedures, and guidelines as required by state law.
  - f) Maintaining party's official e-mail, phone service, and processing applications for chapters.
  - g) Announcing annual Meeting of the General Membership and state meetings to elect officers in a newspaper of statewide circulation as required by state law.
  - h) Secretaries are officers of record, and an ex-officio member of the Executive Council

**D. Treasurers**

1. Green Party will have two Treasurers

- a) Maintain all party financial records and ensure compliance with all campaign and finance laws.
- b) Reporting finances at party membership meetings
- c) Submit financial records of party operations to the state and federal election committee as required by law.
- d) Distribute and manage funds based on direction of membership or Co-Chairs.
- e) Ensure legally required records are maintained for all funds collected and disbursed.
- f) Treasurers are officers of record and ex-officio members of the Executive Council.
- g) Treasurers are ex-officio members of the Budget Committee.

**E. Grassroots Coordinators**

1. Grassroots coordinators are members of the Coordinating Committee. They are responsible for communicating the issues, views and concerns of the general membership to the Coordinating Committee. Their duties are as follows:
  - a) Communicate with general membership via social media, participating in party outreach events, or networking with people in the community to determine what issues are important to them.
  - b) Report to the CC all general membership concerns so that they can be discussed, voted on, and referred to the appropriate individuals, committees, or locals to be addressed
  - c) Grassroots Coordinators are ex-officio members of the Outreach Committee.
2. GC's shall file an application for membership on the Coordinating committee with the Secretary no less than 60 days prior to the next meeting of the General Membership of GPUT

3. The applicant will be allowed not more than five (5) minutes to speak to the General Membership, at which time General Membership will vote to approve or deny the application.
  - a) This vote will be yes or no vote
    - (1) If a majority of the General Membership in attendance votes in favor of the applicant, they shall be immediately considered a member of the Coordinating Committee, and shall hold the title of Grassroots Coordinator.
4. Grassroots Coordinators will be considered a member of the Coordinating Committee until the Coordinator:
  - a) Resigns; or
  - b) Is removed by a majority vote of the General Membership, to take place each year at the annual Meeting of the General Membership

**F. GNC (Green National Committee) Delegates**

1. Green Party will have two GNC Delegates and one alternate as per GPUS policy.
  - a) Until elections are held at the 2017 GPUT Annual Meeting, the two co-chairs shall serve in these positions.
2. Delegate duties include:
  - a) Serving on the National Committee of the Green Party, hereafter known as the GNC.
    - (1) Delegates are to represent the views and interests of GPUT on the National Committee.
  - b) Report back to the Coordinating Committee on any votes taken at each meeting of the Coordinating Committee.
  - c) Delegates are ex-officio members of the Coordinating Committee.
  - d) The Alternate is responsible for staying informed of proposals of the GNC. The Alternate will substitute for a delegate in the event the delegate is unable to fulfill their voting duties.

e) Delegates are ex-officio members of the Coordinating Committee.

**G. Local Delegates (See Definition of “Local” in III. Membership)**

1. Green Party of Utah will have one Delegate for each Local.
2. Local Delegate duties include:
  - a) Serving on the Coordinating Committee of the GPUT.
  - b) Delegates are to represent the views and interests of GPUT Locals on the Coordinating Committee.
  - c) Locals Delegates are ex-officio members of the Coordinating Committee

**VI. Officer’s Qualifications**

- A. Must be registered as Green 1 year prior to nomination except when GPUT does not have ballot access in which case any official party member at the time may qualify to serve as an officer.
  1. The one year restriction shall take effect one year after ballot access has been established.
- B. If GPUT does not have official status, officers must be registered to vote and have applied for membership at least 30 days prior to nomination.

**VII. Process to nominate and elect party officers**

- A. Advertisement for open leadership positions will be transparent to all members.
  1. Announcement of meetings where nominations will be taken and the dates and times of when voting will take place will be published on the GPUT website.
- B. In regards to nominations and elections there will be no discrimination on the basis of any legally protected status.
- C. Floor nominations will be taken in a scheduled meeting subsequent to an announcement of open positions.
- D. Members of GPUT may nominate themselves to a position. All nominations must be seconded by a GPUT member in attendance.
- E. Election will be set within 30 days of nominations.



**F.** Voting will be on the basis of Range Voting, hereafter defined. Nominees will not be required to leave the room during the voting process.

**1.** Definition of Range Voting

- a)** Each voter will score each candidate on a 0-9 scale.
- b)** Points from all ballots will then be totalled.
- c)** Candidate receiving the highest cumulative vote score will be declared the winner of the election.
- d)** If there is a tie, a traditional vote will be held between the tied candidates. The candidate receiving a plurality of the votes will be declared the winner of the election.

**G.** For initial elections taking place at the annual meeting of the General Membership in 2017, elected officials shall take office immediately, and shall serve an initial term consisting of the balance of 2017 and all of 2018. This term will be considered a term of one year for the purposes of determining the limits of their terms.

**H.** Beginning with the GPUT Fall 2018 State Convention, elections for new officers will take place.

- 1.** Officers elected at the GPUT Fall 2018 State Convention will assume office January 1, 2019.

**I.** Officials who are elected at the annual meeting of the General Membership shall take office on January 1 of the following year.

**VIII. Terms of Party Officers**

- A.** Co-Chairs shall serve for a maximum of two consecutive two-year terms and may not serve again for two years. Terms will be staggered beginning with the next election from the passage of this bylaw amendment.
- B.** Secretaries may serve for a maximum of two consecutive two-year terms and may not serve again for two years.
- C.** Treasurers may serve for a maximum of two consecutive two-year terms and may not serve again for two years.

- D. Grassroots Coordinators may serve for a maximum of two two-year terms and may not serve again for two years.
- E. Standing Committee membership may be reassessed as called for by a  $\frac{2}{3}$  vote of the Coordinating Committee, process as follows:
  - 1. Upon a successful vote for reassessment, the committee in question will be disbanded for the duration of the meeting until new membership has been established as otherwise provided for in these bylaws, at which point the committee will be reformed.
  - 2. If the Coordinating Committee adjourns meeting and all standing committees have not been reformed, they will be automatically reformed with membership as established prior to the meeting.
- F. National Committee Delegates may serve for a maximum of four two-year terms and may not serve again for four years. Terms will be staggered beginning with the next election from the passage of this amendment
  - 1. There are no term limits for the alternate position.

**IX. Selection of Candidates for Elected Office**

- A. All Candidates wishing to run as a Green Party candidate must:
  - 1. Be registered to vote as a Green in the state of Utah;
  - 2. Be willing to sign a pledge to not accept corporate donations.
  - 3. Be willing to sign a pledge to only accept PAC donations approved by the GPUT Coordinating Council.
  - 4. Be formally approved through one of these two methods:
    - a) Be nominated through the State Convention
    - b) Collect petition signatures as required by State Law for that office.
  - 5. Be nominated through the State Convention; OR
  - 6. Collect petition signatures as required by State Law for that office.
  - 7. Candidates for Governor and Lieutenant Governor must run as a single ticket.

- B. No more than fifteen (15) days after the meeting of the General Membership, the Secretaries will ensure that names of candidates and delegates selected at the meeting are posted on the GPUT website.

**X. Selection of presidential electors.**

- A. Presidential electors and alternates shall be elected by the General Membership meeting when they elect party officers and shall be considered special officers of GPUT for the duration of their responsibilities and are subject to the same removal and vacancy procedures as any other officer except as provided for in the Party Constitution and Bylaws.
  - 1. Presidential Electors and Alternates must be registered to vote in Utah and support the principles of the GPUT
  - 2. Any member may run for presidential elector and preference shall not be given to any current office holder or party official on the ballot.
  - 3. The Presidential Electors and Alternates shall pledge to vote for the candidates endorsed by the national Green Party.
  - 4. If a Presidential Elector is not able to fulfill their duties at their meeting, the remaining electors shall appoint a replacement from a list of Alternates that was elected at the General Membership Meeting. If no alternate is available the remaining Electors may choose any Green Party member registered to vote in Utah and who supports the principles of the GPUT to serve.
  - 5. A member of the State Party Executive Council may not serve as a presidential elector during their term but may run for both offices in the same meeting.
  - 6. If they are elected to both offices they must resign from, at least, one during that meeting and the Chair of the meeting shall then announce the selection of a replacement based on who received the next highest vote total.

- B.** The State Co-Chairs are individually and jointly responsible for ensuring that the names and addresses of the persons selected by the Party as presidential electors and alternates are submitted/certified to the Lieutenant Governor by August 31 or as provided for under Utah law.

## **XI. Committees**

### **A. Standing Committees**

#### **1. Media Committee**

- a)** Purpose - Oversee all media coverage including press releases, statements, articles, social media, website.
- b)** Publish press releases, statements and articles (drafted by the Media Committee and approved by Coordinating Committee members) to the following:
  - (1)** Email blasts via the Party website
  - (2)** Posts to Party website blog
  - (3)** News outlets (including local and GPUS)
  - (4)** Social Media
  - (5)** Social Media
  - (6)** Website
  - (7)** Email blasts to email list
  - (8)** Party blog
- c)** The Media Committee will report to the Coordinating Committee at least once per quarter at a Coordinating Committee meeting
- d)** Coordinates with GPUT Locals and Caucus liaisons, and GPUS Media Committee where appropriate, in achieving maximum state Green Party coverage.
- e)** Membership
  - (1)** Upon approval of this amendment, a minimum of two Coordinating Committee members shall be appointed to meet to establish rules and procedures for effective

operation of the Media Committee to present to the Coordinating Committee for approval and adoption.

**(2)** A maximum of 5 people members will serve on the Media Committee, self-nominated or nominated by Coordinating Committee members, and approved by the Coordinating Committee.

**(3)** Membership Roles - Members will represent these media functions:

**(a)** Party press releases and statements

## **B.** Coordinating Committee

**1.** It shall be the duty of the Coordinating Committee to:

**a)** Set legislative and platform priorities

**b)** Approve budgets submitted by the Budget Committee

**c)** Hold at least one meeting monthly, normally scheduled on the fourth Thursday of the month at 6pm, at place to be determined no less than two weeks prior to the meeting.

**(1)** If the Committee needs to hold additional meetings, they shall advise party members via Secretaries at least one week in advance of the meeting

**d)** The Coordinating Committee shall comprise:

**(1)** Co-Chairs.

**(2)** One designee from each Standing Committee, to serve as liaison between their Committee and the Coordinating Committee.

**(3)** Grassroots Coordinators as elected by the general membership.

**e)** At each Coordinating Committee meeting, the Secretaries or one member of the committee shall be designated by the Secretaries to record minutes for the meeting.

- f) After the enacting of these bylaws and before elections shall be held at the annual meeting of the General Membership, those present either in person or by electronic means shall be granted authority to execute the duties of the Coordinating Committee.

### C. Voter Outreach

#### 1. Duties

- a) It shall be the duty of the Voter Outreach Committee to speak with voters regarding local and community issues, recruit new party members and conduct campaign activities in support of Green Party candidates by participating and local and state events on behalf of GPUT and/or our party candidates.

#### 2. Membership

- a) The Voter Outreach Committee shall comprise of Grassroots Coordinators and 2 to 5 additional members who shall be self nominated or selected by the Co-Chairs, with the approval of the Coordinating Committee.

- 3. The Voter Outreach Committee shall report to the Coordinating Committee at least once per quarter at a Coordinating Committee Meeting.

- 4. They will also be responsible for scheduling GPUT at local events (reserving booth space etc) and scheduling volunteers to work at the events.

### D. Government Liaison

#### 1. Duties

- a) It shall be the duty of the Government Liaison Committee to reach out to members of Utah State Government to include the Governor, Lieutenant Governor, members of the Legislature, and County and Municipal officials as needed or required by State Law.

- b) Liaison Officer

**(1)** The Government Liaison Committee shall designate one of its members to serve as liaison with the Lieutenant Governor and each county legislative body, as required in Utah Code Section (20A-8-401)

- c)** The Government Liaison Committee shall report to the Coordinating Committee at least once per quarter at a Coordinating Committee Meeting
- d)** Co-Chairs shall have two designated seats on the Government Liaison Committee. Additional members of the Government Liaison Committee shall be nominated by the Co-Chairs with the approval of the Coordinating Committee.

**E. Budget**

**1. Duties**

- a)** The Budget Committee shall establish written financial policies to document internal controls, make provisions for an annual audit of the Party's financial statements and all accounts, and create and propose a budget to the Coordinating Committee for review and approval.

**2. Membership**

- a)** The Budget Committee shall consist of the two Co-Treasurers, and up to an additional three members, who shall be nominated and approved by the Coordinating Committee.
- b)** The Budget Committee shall report to the Coordinating Committee at least once per quarter at a Coordinating Committee Meeting.

**(1)** Part of the Budget Committees Quarterly Report shall be to propose a budget for the following quarter, which shall be debated and approved by the Coordinating Committee.

**F. Ethics and Grievance Committee**

1. The Ethics and Grievance Committee, also referred to in these bylaws as the E&G Committee, will be a Standing Committee as outlined in the Section of these bylaws dealing with "Settling of Grievances and Conflicts, Removal of Officers."

**G. General Membership**

1. The General Membership shall consist of all members of the GPUT.
  - a) General membership meetings will be held at least once yearly to discuss the last election and discuss plans for the future.
  - b) The General Membership shall elect all officers who are members of the Executive Council.

**H. Committee Meeting Guidelines**

**1. Meeting Frequency**

- a) Standing Committees shall hold at least one meeting each quarter.
  - (1) Standing Committees may hold more frequent meetings as needed in order to fulfill their duties.
  - (2) The general principle that Committees should attempt to follow, whenever reasonable, in determining frequency and nature of Committee meetings is that their primary activities should consist of actions, not meetings
  - (3) Regular Standing Committee meetings shall take place at the following dates/times:
    - (a) The Budget Committee will meet at least once per quarter, on the second Saturday of January, April, July, and October at 4pm.
    - (b) The Voter Outreach Committee will meet at least once per quarter, on the third Saturday of February, May, August, and November at 4pm.



- (c)** The Government Liaison Committee will meet at least once per quarter on the first Wednesday of March, June, September, and December at 6:30pm.
- (d)** The Coordinating Committee will meet monthly on the last Saturday of each month from 2-5pm.
- (e)** Locations for each meeting will be announced to the membership of GPUT at least two weeks in advance of the date the meeting is to take place.
- (f)** If there is to be any change to the date, time or place of a meeting, the membership of the party must be notified at least two weeks in advance of the meeting.

- b)** Each ad-hoc committee shall hold meetings in accordance with guidelines to be established at the time of formation, as well as other guidelines established in these bylaws.

## **2. Quorums**

- a)** A quorum shall consist of more than 50% of the members of any given committee.
  - (1)** 50% of the committee shall be sufficient to form a quorum of the committee, only when at least one party co-chair or member of the Coordinating Committee shall be present.
  - (2)** In the case of a committee that comprises only three members, all three members must be present to form a quorum of the committee.

## **3. Records/Minutes**

- a)** At each committee meeting, one member of the committee shall be designated to record minutes for the meeting.
- b)** Minutes must be filed with the Secretary no later than fourteen (14) days following the date of the meeting.

- c) Minutes for any committee meeting held by a GPUT committee, standing or ad-hoc, shall be made available upon request in a timely manner to any GPUT member.

**4. Storage of Records:**

- a) All documentation regarding each Local shall be kept and archived by the Secretaries for as long as the Local has an active charter with GPUT.

- (1) All minutes of meetings and election records will be kept and archived by the Secretaries indefinitely.

- (2) Membership applications will be kept and archived by the Secretaries at least until GPUT obtains official status.

**XII. Legislative Policy**

**A.** Legislative Policy priorities will be set by the Coordinating Committee, and should reflect both the priorities of the General Membership and the GPUS Ten Key Values.

**B.** A policy platform will be drafted in every even numbered year by the Policy Committee.

- 1.** The Policy Committee will be reformed in each even numbered year, and will consist of five GPUT members chosen from amongst the General Membership as nominated and confirmed by majority vote of the Coordinating Committee.

**C.** A request for official party endorsement of a bill may be submitted by any member of any standing committee

- 1.** Request for endorsement will be reviewed at the next scheduled Coordinating Committee meeting

- 2.** A bill will receive GPUT endorsement if approved by a 2/3rd vote of the Coordinating Committee and Executive Council.

**XIII. Budget**

- A. Budgets shall be created by the Budget Committee, advised by the Coordinating Committee, and shall reflect priorities of the GPUT and the Ten Key Values of the National Party.
- B. Budget reports will be submitted to the Coordinating Committee quarterly. The Coordinating Committee shall be responsible for approval of the budget after ample time has been given for debate and revision.
- C. All budgetary records shall be kept and archived by the Secretaries including a main budget document and any records of money actually spent by the GPUT and its officers.
- D. Budget documents shall be made available in a timely manner upon request to any member of the GPUT.

**XIV. Settling of Grievances and Conflicts, Removal of Officers**

**A. Settling of Grievances and Conflicts**

**1. Settling of Grievances**

- a) The Ethics and Grievance Committee (E&G Committee) is a standing committee that is established for the purposes of reviewing all complaints regarding violations of ethics or other grievances prior to being heard by the State Party's Coordinating Committee. The E&G Committee is formed to act as an auxiliary of the Coordinating Committee and its purpose is to assist the Coordinating Committee in the performance of its oversight and governance of the GPUT through an established system for hearing all grievances.
- b) The Co-Chairs of the E&G Committee are elected by the membership at the annual General Membership meeting or as otherwise provided for in these bylaws and are subject to the same procedures for removal from Party office as outlined in these bylaws. Co-Chairs of the E&G Committee serve one year terms.

- c) All other members of the E&G Committee are appointed by the E&G Committee Co-Chairs and are subject to the same procedures for removal from a Committee as outlined in these bylaws. E&G Committee members serve for a 6 month term.
- d) For purposes of review and action by the E&G Committee, a grievance is any complaint filed with the E&G Committee by a member, local, chapter, county party or other affiliated organization of the GPUT against another member, local, chapter, county party or affiliated organization except nationally or regionally affiliated bodies that are not subject to the decisions of the GPUT.
- e) The State Party's E&G Committee will not hear complaints which are the jurisdiction of a specific local, county party, chapter or other affiliated organization except as provided for below. The scope of authority of the E&G Committee shall include grievances against:
  - (1) any State Party Officials, either elected or appointed.
  - (2) Members of the Coordinating Committee
  - (3) Members of all Standing Committees, Ad-hoc Committees, Working Groups of the State Party or other State Party organizations or bodies established under these bylaws or other Rules of the GPUT
  - (4) Grievances occurring between one or more locals, chapters, county parties or other affiliated organizations that those organizations are unable to resolve among themselves
  - (5) Any Green Party candidate for statewide office or other candidate on the Green Party ballot in Utah whose electoral district covers more than one locality, county or

other organizational level of the State and it is unknown which party body has the authority over that candidate

- (6)** Grievances entirely within a locals, chapters or county party's jurisdiction that the petitioner can demonstrate would not be able to be satisfactorily resolved by the local, chapter or county party with jurisdiction.
- f)** The E&G Committee is subject to the GPUT. Its decisions and reports are non-binding upon party officers, Executive Council or the Coordinating Committee unless approved by the Coordinating Committee according to the bylaws or rules of the GPUT.
- g)** Internal decisions such as which complaints to hear or other internal committee matters shall not be subject to the Coordinating Committee, State Co-Chairs or Executive Council and the Committee has discretion in how to conduct itself consistent with these bylaws.

  - (1)** The Coordinating Committee may only decide to hear an ethics or grievance complaint directly when an appeal, of any party, of the decision of the E&G Committee to not hear a grievance is officially submitted to the Coordinating Committee Co-Chairs.
- h)** All E&G Committee hearings are privileged proceedings and all parties involved will agree to keep the hearing confidential and not discuss what took place in a hearing outside the proceedings. Violating confidentiality is a breach of trust under these bylaws and may result in further action for breach of confidentiality.

  - (1)** The Ethics and Grievance Committee may choose to require all parties to sign a written agreement of confidentiality if it feels it's necessary to preserve the rights of all parties and to maintain the trust of the members.

- i) All complaints submitted to the E&G Committee must contain one or more of the following before being heard by the Committee:
- (1)** a list of specific actions which either represents the misuse of power or other trust granted by the GPUT to any member, local, chapter, county party or other affiliated organization
  - (2)** a list of actions which misrepresents Green beliefs or the positions of the GPUT or could result in negative consequences for the State Party, members or affiliated organizations of the GPUT
  - (3)** a list of prior actions taken by the petitioner or others to resolve the issue prior to the complaint being submitted to the E&G Committee. Examples of this could include, but not exclusively, meetings or mediation by the parties.
    - (a)** The petitioner shall demonstrate that they have pursued all reasonable solutions before filing a complaint with the Committee.
    - (b)** The Committee shall not hear any complaint that has not had any prior efforts taken to provide appropriate redress except in the exceptional circumstances of theft or other fiduciary responsibilities.
  - (4)** any recommended actions suitable to the petitioner or aggrieved party, if available or desirable by petitioner, should be included in the written complaint along with an explanation of how the action(s) will provide suitable redress to the petitioner, other parties, the State Party or the membership.

j) The GPUT encourages all affiliated organizations within Utah to establish a system to resolve all disputes among the members, officers and Green Party candidates within their local jurisdiction.

**(1)** The State Party does not require any affiliated organizations to have a system to resolve disputes or redress grievances nor does GPUT mandate any specific form for grievance resolution. Yet, the GPUT strongly urges affiliates to have such a system in their Bylaws or rules.

**(2)** The State Party recognizes the right of all affiliated organizations to cooperate with each other in resolving grievances within or among their various jurisdictions including creating Committees with other locals or affiliated organizations with the exception that no one who is a member or officer of the GPUT shall be subject to the authority of any Committee that includes organizations or individuals outside of the GPUT or affiliated organizations when it comes to their membership, rights, power or trust within the GPUT or any affiliates.

**(3)** Any committee or organization with authority to redress grievances must consist only of members or organizations of the GPUT.

k) All complaints must be submitted to a Co-Chair of the E&G Committee with the exception of when a complaint is against a Co-Chair of the E&G Committee. In that case, the petitioner may submit a complaint to one or more member of the Committee to be brought before the whole Committee by the Committee member. The Committee shall then have the authority to decide if it will be heard and to randomly select the members to act as a

review panel to hear the complaint. Consensus or 2/3rds majority is required for the Committee to establish a review panel.

- l)** The Co-Chairs, individually or collectively, shall have authority to determine if complaints submitted to them will be heard by a review panel consisting of selected Committee members.

Agreement of the Co-Chairs is not necessary to have the complaint heard. One Co-Chair is sufficient for the complaint to be passed to a review panel for review.

- (1)** If the Co-Chairs choose to remove themselves from consideration of that decision they may create a working group, of 3 randomly selected members, from the members of the Committee to decide if the complaint will be passed to committee for consideration.

- m)** If the committee is to hear the complaint the Co-Chairs shall randomly select up to 6, but not less than 3, Committee members to act as a special panel to hear the complaint.

- (1)** No member of the Committee is obligated to review a complaint and may recuse themselves from serving on any review panel considering it.

- (2)** A Committee member is obligated to state any potential conflict of interest at the time of selection if they don't recuse themselves.

- (3)** If such conflict is not acceptable to either the Co-Chairs or the parties they can request that the full E&G Committee vote to remove that member from hearing the complaint.

- n)** If the Committee decides to hear the complaint the Co-Chairs shall be responsible for:

- (1)** informing all parties of the decision to hear the complaint



- (2)** setting a hearing date that is both within 60 days of the decision to hear the complaint and convenient for all the parties. Hearing must take place at a convenient location for all parties
  - (3)** providing the list of Committee members serving on the panel hearing the complaint to all parties
  - (4)** providing sufficient opportunity for the parties to object to committee members prior to the hearing.
  - (5)** The Committee Co-Chairs shall replace any committee member at request of one or more of the parties and may do so up to 3 times before the decision of committee members is final.
- o)** Decisions on any complaints before a review panel of the E&G Committee are decided on “consensus” which means that whenever possible all members hearing the complaint will seek to reach a consensus before taking action.
  - (1)** If consensus is not able to be reached by the the panel hearing a complaint a 2/3rds vote will be sufficient.
  - (2)** If members of a panel are not able to reach a consensus those dissenting may submit a written statement of why they disagreed with the action of the panel to be included in the final report by the panel.
- p)** The E&G Committee shall submit an official report including any and all recommended actions to the State Party Co-Chairs within 7 days of any hearing.
  - (1)** Failure to submit such reports to the State Party Co-Chairs may subject the Committee Co-Chairs or Committee members to action by the State Party Coordinating Committee or Party membership.

- (2)** The Committee shall also make available to the State Party Co-Chairs or Coordinating Committee any records or files of Committee proceedings, in addition to a report, upon request.
  - (3)** Parties shall also be provided with copies of this report and should contact the State Party Co-Chairs to contest the recommendations by the Committee prior to the Coordinating Committee taking action.
  - (4)** The Co-Chairs shall include any statements they receive from the parties as part of the report to be made to the Coordinating Committee.
  - (5)** The Co-Chairs and parties to the hearing shall not discuss the matter prior to the Coordinating Committee meeting except to send an official statement to the Coordinating Committee. Nor shall any party to the complaint or party officer make a report or recommendations public.
- q)** Upon receipt of a report from the Ethics and Grievance Committee the State Party Co-Chairs shall schedule the report for consideration at the next regularly scheduled meeting of the Coordinating Committee.
- (1)** The Coordinating Committee shall enter a closed door meeting to consider and discuss any Ethics and Grievance complaint.
  - (2)** Decisions of the Committee will be made in a public portion of the same Coordinating Committee meeting including any votes if a consensus was not reached in the nonpublic portion of the Coordinating Committee meeting.
  - (3)** Action of the Coordinating Committee are final except as provided for under these bylaws.

## **B. Removal of Officers**

- 1. Officers of GPUT may be removed from office by the Coordinating Committee only for the following reasons:**
  - a) Gross negligence of Duties. This shall be defined as any of the following:**
    - (1) Any member of a Committee failing to appear at (3) committee meetings within a 12 month period without notice or reason**
    - (2) Any member of a committee failing to appear at one-half of that committee's meetings over a 12 month period.**
  - b) Other serious failure to perform the duties of the position held as defined by these bylaws and as voted upon by a  $\frac{2}{3}$  majority of the Coordinating Committee.**
  - c) Serious violation of ethical standards or official misconduct, defined as any of the following:**
    - (1) Any theft of funds or property from the GPUT**
    - (2) Significant criminal actions, charges, and/or convictions, as voted upon by a  $\frac{2}{3}$  majority of the Coordinating Committee.**
    - (3) Other unethical behavior as determined by the Coordinating Committee.**
  - d) Registering as affiliated with another political party who is established in the State of Utah.**
- 2. Process for Removal**
  - a) Removal of a party officer from their office shall require a  $\frac{2}{3}$  vote by the Coordinating Committee.**
  - b) In any meeting where a motion is made and adopted to remove an officer of the party:**
    - (1) If the officer is present, the same shall be offered no more than 3 minutes to speak to the Coordinating Committee in**

their own defense immediately following the adoption of the motion to remove.

- (2)** If the officer is not present, the Co-Chairs may, at their discretion, offer no more than 3 minutes to any other member of the Coordinating Committee, who may then speak in defense of the officer in question.
  - (3)** If no member of the Coordinating Committee wishes to speak on behalf of the officer in question, then no statement need be made on the officer's behalf.
- c)** A vote will then be taken by secret ballot. The Co-Chairs shall count the votes, and if a  $\frac{2}{3}$  majority vote in favor of removal, the officer shall be removed from the office effective upon announcement of the vote by the Co-Chairs.
- (1)** If the officer in question is one of the Co-Chairs, the vote count may be performed by the Secretary and Treasurer.
  - (2)** Should one or both of the Secretary and Treasurer be absent, any member of the Coordinating Committee may assist in the vote counting upon a majority vote of the Coordinating Committee.
- d)** Any person who has been removed from office for Violation of Ethical Standards or official misconduct as defined in these bylaws shall be permanently ineligible to hold office in the GPUT. Such privilege may be restored by a  $\frac{2}{3}$  vote of the Coordinating Committee.
- e)** Any person who has been removed from office for actions in violation of Local, State, or Federal law or for Theft of party funds shall be ineligible to hold office in the GPUT unless such privilege shall be restored to them by a  $\frac{2}{3}$  vote of the General Membership.

**XV. Procedures for Replacement of Party Officers and Elected Officials or Candidates for Elected Office**

- A.** Procedures and guidelines for filling an internal vacancy due to removal, inability to serve or death.
  - 1.** Party will post any vacancy and/or officer selection on the GPUT Website shortly after they are selected.
  - 2.** Interim officers shall be selected by the Executive Council, this selection must be confirmed by the Coordinating Committee within several months of selection.
  - 3.** Interim officers may run for an elected office; however the time spent in an interim office will count towards the terms they may serve.
  - 4.** Incumbent preference must be avoided when selecting interim officers.
- B.** Procedures for replacing a party candidate due to death, disability that prevents them from continuing their candidacy, or who are disqualified before a primary or regular election.
  - 1.** If time permits, the same process that was used to nominate the original candidate should be used to select the candidate that will replace them i.e. collecting signatures.
  - 2.** If time is limited, individuals will submit paperwork showing interest in the position to the Coordinating Committee. The Coordinating committee will nominate candidates per interest forms submitted.
  - 3.** Information will then be submitted to Representatives in any applicable counties and the County representatives will lead elections in their respective counties and submit the results to the Coordinating Committee for a count. The candidate with the highest number of votes will replace the prior candidate.

**XVI. Amending the bylaws**

- A.** These bylaws may be amended at any time, through one of the following processes:

## 1. General Membership

- a) Written amendments may be submitted to the State Party Secretary by any member or the Coordinating Committee and the Secretary shall place that amendment on the agenda for consideration at the next General Membership Meeting. Unwritten amendment proposals may be submitted at a General Membership meeting by any member.
- b) The General Membership meeting may take one of the following actions on a written amendment to these bylaws:
  - (1) Submit the Bylaw amendment to a bylaws working group which be tasked with reviewing and making a recommendation on the proposed amendment at the next regularly scheduled General Membership meeting where action on the amendment must occur. The decision to refer to a Bylaws Working Group may be reached by a 51% vote of the General Membership present.
  - (2) Take an immediate vote on the amendment, a 7/10th vote (70%) majority is necessary to amend these bylaws without review by a Bylaws Working Group.
- c) The General Membership meeting may take the following action on unwritten amendment proposals:
  - (1) Submit the concept and the general consensus of the General Membership to an ad hoc Bylaws Review Committee established by the Coordinating Committee immediately following the General Membership meeting. This decision shall be by a 51% vote of the General Membership present.
  - (2) This Bylaws Review Committee shall draft one or more proposed amendments consistent with the amendment

proposal referred to them by the General Membership and submit the proposed amendments to the General Membership at the next regularly scheduled membership meeting for further action including a vote.

- (3)** The original person who proposed the amendment may serve as a non-voting advisor to the Bylaws Review Committee to ensure that they understand the purpose of the proposal. If unable to serve as an advisor the person who made the proposal may select someone to serve in that capacity on their behalf.
- d)** The General Membership may take the following actions on a Bylaws Working Group report on a written amendment:
- (1)** refer it back to a Bylaws Working Group by a 3/4ths vote (75%) for further review.
  - (2)** approve the reported amendment by a 2/3rds vote (66%).
- e)** The General Membership may take the following actions on a Bylaws Review Committee proposed amendments:
- (1)** Vote on each proposed amendment separately. A 2/3rds vote (66%) is necessary on amendments in a Bylaws Review Committee report.
  - (2)** Refer it back to a Bylaws Review Committee for further drafting with additional instructions by a 7/10th vote (70%).
  - (3)** If the membership votes against or refuses to take action upon proposed amendments submitted to them by a Bylaws Review Committee any member may submit the same written amendment at the same or future General Membership meetings.

**(a)** The same process is followed as if it were an original written amendment (i.e. submitting it to a bylaws working group by a 51% vote or approving the amendment by a 70% vote).

## **2.** Coordinating Committee

**a)** Written amendments may be submitted by any Coordinating Committee member or Party member at any Coordinating Committee meeting.

**b)** The Coordinating Committee may take one of the following actions:

**(1)** refer the amendment to a Bylaws Working Group by a vote of 51% or more of the Coordinating Committee members present.

**(2)** refer the amendment for a vote by the membership at the next regularly scheduled General Membership meeting by a vote of 3/4ths (75%) of all Coordinating Committee members.

## **3.** By-Laws Working Group

**a)** A Bylaws Working Group may be tasked by either the General Membership Meeting or Coordinating Committee as provided for in these bylaws for the sole purpose of reviewing specific written amendments proposed by any member or Coordinating Committee member. Membership on the Bylaws Working Group is limited to the time necessary to fulfill the directive or mandate given to the Working Group by the General Membership or Coordinating Committee.

**b)** The Coordinating Committee is responsible for appointing a bylaws working group when either the Coordinating Committee or



General Membership refers a written amendment to a Bylaws Working Group.

- c) The Working Group shall be provided with specific instructions and statements of intent for each sections to be amended.

**4. Bylaws Review subcommittee**

- a) The Coordinating Committee may from time to time establish a Bylaws Review subcommittee which it may task with reviewing one or more sections of the Party Bylaws and proposing amendments. The Bylaws Review subcommittee reports to the Coordinating Committee who then follows the procedures for the Coordinating Committee proposing amendments to the Bylaws
- b) This Bylaws Review subcommittee created by the Coordinating Committee shall consist of members designated by the Coordinating Committee. It's reports to the Coordinating Committee and is different in purpose and authority from the Bylaws Review Committee tasked by the General Membership Meeting which does not report to the Coordinating Council.
- c) The Review Committee shall be provided with specific instructions and statements of intent for each sections to be amended.

- B.** The Coordinating Committee shall have authority to establish Party rules which are not inconsistent with or do not fall outside the scope of these bylaws without a Bylaws amendment. These rules shall not have the same effect as the bylaws.