

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

DEC 28 10 18 AM '95

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
Kurt Lybarger  
78 Patti Lybarger  
Houston, Texas 77024  
DEC 29 10 08 AM '95

December 27, 1995

Via Airborne Express

Mr. Bradley Litchfield  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

AOR 1995-49

Re: State Committee Status of the Natural Law Party of Texas  
Identification Number; C00308817

Dear Mr. Litchfield:

The purpose of this letter is to request an Advisory Opinion from the Federal Election Commission that the Natural Law Party of Texas is an official state party committee of the Natural Law Party, and is in response to a letter I received from Mr. Vincent R. Tallman of your Reports Analysis Division.

In Advisory Opinion 1992-30 the Commission confirmed that the Natural Law Party of the United States of America was a national committee of a political party. In that same Opinion the Commission confirmed that several state affiliates of the Natural Law Party qualify as state committees. There was no state committee in Texas at that time as the Natural Law Party was established too late in the campaign season of 1992 to establish a state party under Texas law. On October 14, 1995, the Natural Law Party of Texas was established at a state meeting in Austin, Texas. At that time party rules were adopted, which are the equivalent of bylaws under the Texas Election Code. A copy of those rules is enclosed with this letter. Article II sets out the purpose of the Natural Law Party of Texas, stating that it is an affiliate of the Natural Law Party of the United States of America, and is established to conduct the affairs of the Natural Law Party at the Texas level.

These rules have been filed with the Secretary of the State of Texas, along with a form promulgated by the Secretary of State which must be filed by all political parties. The Natural Law Party is presently accepting and has received applications for nominations at its convention for both federal and state offices, including a candidate for federal senate, candidates for federal congressional seats, candidate for state legislative and senatorial seats, and a candidate for State Railroad Commission.

**RULES FOR THE  
NATURAL LAW PARTY IN TEXAS**

This document constitutes the rules of the Natural Law Party in Texas as required by the Texas Election Code. All portions of the Texas Election Code which prescribe methods, standards or actions for political parties are incorporated herein, to the extent they are applicable. If any provision of these rules is determined to violate any state or federal law, that state or federal law shall take precedence to the extent of the violation.

**ARTICLE I:        NAME**

The name of the political party to be printed on the ballot for an election shall be "Natural Law Party." For purposes of acting as a state committee under federal election laws and the rules and regulations of the Federal Election Commission, the committee shall be known as the Natural Law Party of Texas.

**ARTICLE II:      PURPOSE**

This organization shall be a state affiliate of the Natural Law Party of the United States of America. Recognizing the fundamental principles of the Natural Law Party as reflected in the national platform, the primary purpose of this organization shall be to elect Natural Law Party candidates to office, to achieve the objectives of the Natural Law Party at the national and state levels, and to perform the functions set forth in the election laws of the State of Texas.

**ARTICLE III:    AUTHORITY TO BIND**

No one, including any affiliated district, county, or precinct organization, auxiliary or group authorized to use the name Natural Law Party, has authority to bind in any manner the Natural Law Party of Texas unless prior written authorization from the State Party Chair of the Executive Committee of the Natural Law Party of Texas or the chair's designee is given. No transaction that involves an expenditure, transfer of funds or property, or loan shall be transacted in the name of the Natural Law Party of Texas unless it is approved by the Executive Committee, and its legality has been approved by the Treasurer or an Assistant Treasurer designated by the Treasurer. No expenditure shall be made nor any reimbursement for any expenditure shall be made without written documentation showing the date, amounts, and subject of the expenditure.

**ARTICLE IV:    EXECUTIVE COMMITTEE**

**A.    Membership**

The members of the Executive Committee shall consist of the State Party Chair, State Party Treasurer and State Party Secretary, and at least four other persons. As the strength of the party in

be assigned from time to time by the State Party Chair or the by the Executive Committed. In addition, the State Party Secretary shall facilitate communication within the party.

**E. Term of Office**

The officers and members of the Executive Committee shall be appointed for two year terms commencing on January 1 in odd-numbered years, with the first officers and members of the Executive Committee to be appointed immediately, and to serve until January 1, 1997.

**F. Responsibilities**

The Executive Committee shall make all executive decisions for the Natural Law Party of Texas, seeking advice and approval from the National Executive Committee where applicable. The Executive Committee will endeavor to support all Natural Law Party candidates which it endorses or which have been nominated by the Natural Law Party and affiliated Natural Law Party organizations in the state by:

1. Determining plans for the state party, structuring campaign strategies, and raising and dispersing funds;
2. Securing such candidates for all races in each election;
3. Supporting and educating such candidates concerning ballot access, legal requirements, candidate regulations and/or fees, and campaign strategy;
4. Facilitating communication between each such candidate and the National Executive Committee for candidate approvals and national support;
5. Providing information to the Treasurer of such candidate's campaign committee, and encouraging direct communication between State Party Treasurer and the National Executive Committee when needed;
6. Providing each such candidate with a list of those individuals in the candidate's local area who have expressed interest in the National Law Party and referring all appropriate inquiries from potential volunteers and donors to the candidate's campaign manager;
7. Communicating advice concerning public relations and media issues for each such candidate;
8. Assisting and supporting such candidate's fund-raising efforts;

**ARTICLE V: STANDING COMMITTEES**

A. The standing committees shall be Rules, Finance/Fund-Raising, Public Relations/Media, Special Events, Legislative Affairs, and Campaign Strategies, as well as any other committees deemed necessary by the Executive Committee.

B. The members and chair of each standing committee shall be selected by the Executive Committee. Each committee shall report to the Executive Committee as instructed by the Executive Committee. No standing committee has authority to act for, or bind the Natural Law Party of Texas.

C. The responsibilities of the standing committees shall be determined by the Executive Committee.

**ARTICLE VI: PARLIAMENTARY PROCEDURE**

All meetings and conventions of the Natural Law Party of Texas shall be conducted in accordance with the then most current edition of Robert's Rules of Order, except as otherwise provided in these rules. However, the failure of any meeting or convention to comply with the preceding sentence shall not in any way invalidate any action of that meeting or convention unless an objection is made at the time the action is being taken by a person who is qualified to vote at the meeting or convention. If such an objection is made, the chair of the meeting or convention shall have final authority to interpret the proper parliamentary procedure, and any action taken under such an interpretation will be valid and of full force and effect.

**ARTICLE VII: PARTY ORGANIZATION**

In each county in which a county convention will be held, the State Executive Committee shall appoint three persons who are registered voters and residents of that county as the Executive Committee for that county. The State Executive Committee shall designate one person of those three to be the chairman of the County Executive Committee. Each County Executive Committee shall appoint a precinct chairman for each election precinct in which the party will hold a precinct convention. The precinct chairman must be a registered voter and resident of the precinct.

**ARTICLE VIII: FILING DEADLINE FOR APPLICATIONS FOR NOMINATION BY CONVENTION**

The filing deadline for applications for nomination for an office for which a candidate who has made an application withdraws, dies, or is declared ineligible shall be extended for a period of thirty days from the date of the withdrawal, death, or ineligibility or until five days before the precinct convention, whichever period is shorter.

be a ballot, on which the state delegate may vote for delegates to the national convention by marking (in accordance with the instructions on the ballot) the names of nominees up to and including the total number of delegates that will be allowed to go to the national convention. The chairman of the state convention or the chair's designee will determine the number of votes cast for each national delegate nominee. Those nominees receiving the largest number of votes shall be designated as delegates to the national convention up to the maximum number of national delegates allowed to attend the Natural Law Party convention. The five national delegate nominees receiving the next highest number of votes shall be designated as alternates.

#### **B. County Convention**

Delegates to the county convention shall consist of one person elected from each precinct convention. In addition, each precinct convention may elect an alternate delegate. If the duly elected delegate does not appear at the first day of the county convention, the alternate delegate will become the delegate from that precinct. The quorum for the county convention shall consist of a simple majority of those delegates elected by a precinct convention. Once the quorum is achieved, the departure of delegates shall not cause an adjournment.

The county convention shall nominate candidates for the general election for which it is entitled to make nominations by taking a vote on which nominee is preferred for each office for which there are proper and qualified applicants.

The chair of the County Executive Committee shall be the chair of the county convention. The first order of business shall be the consideration of any motions which have been properly brought before the convention as provided herein. The next order of business will be the nomination of candidates for the general election. The next order of business shall be the selection of a delegate to the state convention. The last order of business of the county convention shall be any other matter which the chair of the convention in the chair's sole discretion deems to be necessary to complete the work of the convention.

#### **C. District Convention**

Delegates to the district convention shall consist of one person elected from each county convention in its district. In addition, each county convention may elect an alternate delegate. If the duly elected delegate does not appear at the first day of the county convention, the alternate delegate will become the delegate from that county. The quorum for the district convention shall consist of a simple majority of those delegates elected by a county convention. Once the quorum is achieved, the departure of delegates shall not cause an adjournment.

**ARTICLE XII: REQUIRED RULES UNDER ELECTION CODE §163.002**

A. Quorums shall be as set out herein.

B. All votes at all conventions, except votes for delegates to the national convention, taken at the state convention may be by voice vote, the majority to be determined by the chair. Should any delegate request a roll call vote, the roll call shall be taken and each delegate shall cast their vote or abstention. All votes in a roll call will be counted by the chair.

C. All convention committees deemed necessary to fulfill the functions of the convention, shall be appointed by the convention chair. The convention chair will then appoint one member of each committee to act as its chairman. The duties of such committee shall be as prescribed by the chairman of the convention.

D. The State Party Chair shall act as the chair of the state convention. Each county chair shall act as the chairman of the county convention. The precinct chairman shall act as the chairman of the precinct convention. If under Texas law, a chairman of a convention is required to be elected by the delegates, then the acting chairman of that convention will, prior to the enactment of any of the business of the convention as outlined in these rules, call for nominations from the floor for chairman of the convention. Upon the closing of nominations, a vote will be taken and the person receiving a majority of the votes shall become the chairman of the convention.

E. The party's presidential elector candidates shall be appointed by the State Executive Committee with the advice of the National Executive Committee.

F. It will be the responsibility of the State Executive Committee to arrange for the duplication of the party rules so that they will be available to members of the general public who request them. The Executive Committee will determine whether or not and how much a fee should be charged for providing such copies, which fee will in no event exceed the cost of reproduction and handling. Any delegate of any convention held for the purposes of Chapter 181 of the Texas Election Code shall be entitled to a copy of these rules without charge upon request. A copy of these rules will be available for inspection at places designated by the state chair, without charge.

**ARTICLE XIII: AMENDMENTS AND NEW RULES**

Should it be determined that any of these rules violate any law, or that any rule needs to be enacted in order to comply with law, the Executive Committee will take immediate steps to pass such rule or amendment necessary to comply with law. The Executive Committee may make such other rules and amendments as it sees fit