

# The Lincoln Party of America



## Provisional Constitution January 20, 2017

### Introduction

The Lincoln Party is based upon the principles of direct democracy of the membership. Open nominations solely by the Party membership. Party elections conducted by a non-partisan, independent officer and clear accountability of the leadership to the members. The general principles of National policy that the Party supports will be defined later. The recognition that there will be another National American political party organized the same as the Lincoln party.

### Name

**1.0** This party shall be registered and known as the Lincoln Party of America.

### Membership

**2.0** Membership in the Party is open to any citizen of the United States who is or becomes 15 years old in the year they join the Party.

**2.1** Terms and dues of membership in the Party shall be set in a Membership by-law of the Party passed solely by a two thirds majority of the National Assembly.

**2.2** The National Assembly can by a two-thirds majority vote suspend the membership of any member of the Party and by a three-quarters majority vote expel any member. Each State Assembly can by a three-quarters majority vote suspend the membership of a member in it's state. These suspensions are for 1 year terms. While suspended a member may not seek election for the Party's presidential nomination or nominations for the US Congress. They also may not run for or hold any Party office. Expelled former members can not rejoin the Party.

## **National Assembly**

**3.0** The National Assembly members are those members of the Party who are registered to vote in Assembly elections. This registration is covered by the Membership by-law.

**3.1** The votes of the Assembly are in two classes, the National vote, and the State vote of the Assembly. The National vote is one member, one vote. The State vote is 100 state votes per state with that vote being proportional to the membership vote in that state. Passage of motions and resolutions through the Assembly requires approval in both classes of votes.

**3.2** Elections of the Assembly shall be regulated as provided in the Federal Election by-law.

**3.3** The Assembly shall organize itself through Standing Orders passed by a two-thirds majority vote with a quorum of 50%.

**3.4** The National Assembly shall hold its regular votes on the last 3 days of the months of February and August. By the 15<sup>th</sup> the President or Chairman of the Party can call a special vote for the last 3 days of any month.

**3.5** National by-laws and resolutions of the Party require the approval of the Assembly. Resolutions, by-laws and motions require a majority in favour and a quorum of one third of the membership to be passed by the Assembly.

**3.6** It shall take a minimum of 250 members voting in the Assembly to exercise its authority.

## **National Congress**

**4.0** The membership of the National Congress are of two classes, the District delegates, and the State delegates. Hence the Congress shall have two types of votes, the District vote, and the State vote of the Congress. Passage of motions and resolutions through the Congress requires the approval in both types of votes.

**4.1** The District delegates of the National Congress are the top two candidates for the Party nomination for the House of Representatives in each congressional district in the last nomination election. This includes the 6 territorial non-voting districts. Hence the full district membership of the National Congress is 882 delegates from 441 districts. If no nomination election was held in a district then the Congressional delegates from that district in order of precedence are the candidate, district chairman, district vice chairman, and registered members in order of seniority.

**4.2** The State delegates of the National Congress are the top two candidates for the Party nomination for the Senate of the United States in each State in the last nomination election for each senate seat. Hence the full state membership of the National Congress is 200 delegates from 2 senate seats per state. If no nomination election was held for a senate seat then the Congressional delegates from that senate seat in order of precedence are the candidate, state chairman, state vice chairman, and registered members in order of seniority.

**4.3** In regular session of the Congress each member shall have one vote. In legislative session members shall have a number of votes determined as follows. If the candidate won the nomination by a majority vote the split is 3 votes for the candidate and 2 votes for the runner up. If the nomination was won by a two-thirds majority vote the split is 4 votes to 1 vote. If there was no nomination election and there are two members then each shall have two votes. If there is just one member then that member shall have but 3 votes. The votes in both sessions are open votes unless stated otherwise.

**4.4** Elections of the Congress shall be regulated as provided in the Federal Election by-law.

**4.5** The Congress shall organize itself through Standing Orders passed by an absolute two-thirds majority in regular session.

**4.6** The National Congress shall hold regular votes for both sessions concurrently with the votes of the National Assembly. The President, Vice president, or Chairman of the Party with 7 days notice can call special votes of the Congress with a 48-hour voting period.

**4.7** National by-laws of the Party require the approval of the Congress in regular session unless passed by a two-thirds majority by the Assembly. Policy resolutions require the approval of the Congress in legislative session. By-laws, motions and resolutions require a majority to pass the Congress. Quorum of the Congress is a majority of the membership in both classes.

**4.8** The Congress in regular session can suspend the membership of any member by an absolute two-thirds majority vote and by an absolute three-quarters majority vote expel any member.

**4.9** The Congress in regular session by an absolute three-quarters majority vote can bar a party member from being a candidate for the Party nomination for the House of Representatives, US Senate, or President of the United States. The Congress by an absolute two-thirds majority vote can rescind the Candidacy of a member after they have won the nomination election. This is to be done within 90 days of the nomination.

**4.10** Until the Congress has 441 district delegates and 100 state delegates it's approval is not required for any resolution or by-law.

## **Federal Council**

**5.0** Members of the Federal council are the President of the Party, the Vice president, House and Senate leaders and deputy leaders, all the candidates in the last two presidential elections, members of the National policy committee, and appointed members.

**5.1** All presidential candidates will serve on the Council until the second presidential nomination vote after they ran. The President-elect and runner-up serve for life on the Council.

**5.2** The appointed members are voted on in the August session of the Congress.

**5.3** The appointed members of the Council are nominated by the candidates in the last presidential nomination with a motion of appointment before the National Congress in legislative session. Appointments need a confirmation vote passed by 1/3 +1 for a term of 4 years. If the appointment is approved by a majority vote the member's term on the Council is 6 years, if approved by 60% the term is for 8 years, and by a two-thirds majority for an 12 year term. Each candidate may nominate as follows, President 8 members, Vice president 4 members, and the other four candidates 1 member each to be nominated before the Congress.

**5.4** The Federal council shall organize itself through Standing Orders passed by an absolute two-thirds majority.

**5.5** The Federal council shall have a National policy committee which is the Roosevelt Party's administration-in-waiting. Members of the committee are the President, Vice president, and those appointed by the President. These appointments require conformation by the Congress in legislative session in it's next scheduled vote. Membership of the committee shall be at least 16 members and no more then 24 members. The President may dismiss from the committee any member except the Vice president with the concurrence of a majority of the Federal council. The President without the consent of the Federal council can dismiss one member every 30 days.

**5.6** All binding and key resolutions must pass the National policy committee as well as the Federal Council. The President can rescind the adoption of any resolution by the committee unless the committee passed it by an absolute two-thirds majority.

**5.7** After a presidential nomination the Party's presidential nominee can for 30 days remove any appointed committee member without the approval of the Federal Council.

**5.8** By a 2/3 majority vote in the National Assembly or an absolute 2/3 majority vote in the National Congress in regular session any member may be suspended or dismissed from the Federal council. This can also dismiss or suspend the President of the party or it's Vice president.

**5.9** The Federal council and National policy committee shall concurrently hold their votes on the last 2 days of each month. The President, Vice president, Chairman, or Deputy chairman of the Party with a 3 days notice can call special votes of the Council with a 24-hour voting period.

**5.10** National by-laws of the Party require the approval of the Federal council unless passed by a 60% vote by the Assembly and Congress or a two-thirds majority of the Assembly. All binding and key resolutions require the approval of the Federal Council but regular resolutions do not. By-laws, resolutions, and motions require an absolute majority to pass the Federal Council.

**5.11** The National policy committee needs 8 members to exercise its authority and the Federal Council shall require 16 members.

## **National Executive**

**6.0** The National Executive shall make all administrative decisions to organize and operate the Party on a day-to-day basis under the by-laws passed by the Party.

**6.1** The Executive shall have 984 members. The National Chairman & Deputy chairman of the Party, the chairman & deputy chairman of each state association, and the chairman & deputy chairman for each district association. There are two classes of votes on the Executive, the district vote of the 882 district members, and the state vote of the 100 state members. The Chairman and Deputy chairman of the party can motion but have no vote.

**6.2** All motions unless stated otherwise require approval in both classes of votes.

**6.3** It is the National Assembly in the August vote in mid-term election years that elects the Chairman and Deputy chairman of the Party. It is by a district vote with the winner becoming National Chairman and the runner up National Deputy chairman for a 4 year term.

**6.4** The National Executive shall organize itself through Standing Orders passed by an absolute two-thirds majority.

**6.5** Executive Orders decreed by the National Executive need a majority vote if moved by the Chairman, a 60% majority vote if motioned by the Deputy chairman, and a 2/3 majority vote if made by 18 district members and 2 state members.

**6.6** All senior and junior Officers of the Party are appointed by order of the Executive. Executive Officers and terms of the Officers shall be set in a National officers by-law.

**6.7** Three months before a joint vote of the Assembly and Congress the National executive can introduce any National by-law for a vote.

**6.8** Any member of the National Executive can be suspended or expelled by a two-thirds majority vote in the National Assembly. The National Congress in regular session by a two-thirds majority vote can only suspend a member.

## **Federal Tribunal**

**7.0** There shall be a Federal tribunal for the resolution of all conflicts concerning the application of the by-laws and orders of the Party's institutions and councils. The Federal tribunal shall also insure that the Party's Constitution and the State Charters are not contravened by any by-law or order in the Party structure.

**7.1** The Tribunal shall consist of 12 members with terms of 12 years with one seat on the Tribunal becoming vacant each year. The terms begin and end on January first.

**7.2** The National Congress by secret ballot and a two-thirds majority vote in regular session shall elect the members of the Tribunal with a confirming majority vote in the National Assembly. The National Assembly and the National Congress in regular session can suspend or expel a member from the Federal tribunal by a two-thirds majority vote.

**7.3** The Tribunal shall elect a chairman and vice-chairman. The Tribunal shall by a vote of 9 members issue Standing Orders to govern the Tribunal. All decisions of the Tribunal require at least 7 votes of the membership.

**7.4** The decisions of the Federal tribunal can be over-ruled by a vote of the National Assembly and Congress in regular session. A vote of 7 on the Tribunal requires majority votes of the Assembly and Congress to over-rule the Tribunal. A decision of 8 votes shall require sixty percent votes in the Assembly and Congress to over-rule. A decision by 9 or more votes requires a two-thirds majority vote in the Assembly and Congress to over-rule the Tribunal.

## **State Associations**

**8.0** The membership in each state can apply to the National executive to form a State Association. Such an application must include the nomination of 4 association officers, the signatures of 50 registered members, and an Association charter.

**8.1** Each State association shall have a General Assembly that is the members of the National Assembly in that State. Amending a Charter shall require a two-thirds majority vote of the State Assembly.

**8.2** The State charter shall conform to the Party's constitution. No Federal by-law or order shall over-rule any State charter.

**8.3** Each State Association shall appoint and remove its own officers and administer its own funds.

**8.4** Any State Association can be dissolved by a two third majority vote in the National Assembly and the National Congress in regular session.

## **District Associations**

**9.0** The membership in each district can apply to the National executive to form a District Association. Such an Application must include the nomination of a district chairman and deputy chairman, the signatures of 50 registered members, and a copy of the District By-laws.

**9.1** All District Associations shall have a General Assembly of the registered membership in that district and an Executive comprising of the district chairman and deputy chairman. Amending the By-laws shall require a two-thirds majority vote of the District Assembly.

**9.2** All District By-laws shall conform to the Party Constitution and the State Charter of the state in which the district exists. No Federal or State by-law or order shall over-rule any District By-laws.

**9.3** Each District Association shall appoint and remove its own officers and administer its own funds.

**9.4** Any District Association can be dissolved by a two third majority vote in the National Assembly and the National Congress in regular session.

**9.5** If there is no Association in a district then the State Executive shall appoint an Administrator for the district. If there is no State Association then the National Executive can appoint the Administrator.

## **Elections**

**10.0** Online voting shall be used for the elections of the National, State, and District Assemblies and for the National Congress.

**10.1** There shall be regular Assembly votes for the jurisdictions as follows. National Assembly regular votes are scheduled for the last three days of the months of February and August. State Assembly regular votes are to be held on the last three days of the month of May. District Assembly votes are to be held on the last three days of the month of November.

**10.2** The National Assembly and the National Congress in regular session by two-thirds majority votes shall pass a Federal Election by-law to govern all national and nomination elections of the Party.

**10.3** Each State by a two-thirds majority vote in their State Assembly shall pass a State Election by-law to govern all state elections in that state.

**10.4** Each District association by a two-thirds majority vote in their Assembly shall pass District By-laws to govern that Association's elections.

**10.5** There shall be a Federal Election Officer (FEO). This officer shall be responsible for the conduct of all national and nomination elections and the administration of the Party's voters list.

**10.6** The Federal Election Officer is elected by a two-thirds majority vote of the National Congress in regular session with a concurring two-thirds majority vote of the National Assembly. This officer can be removed by the same vote in the Assembly and Congress. The term of office shall be for 12 years.

## **Leadership & Caucus**

**11.0** The Party shall hold a presidential nomination election every 4 years to select it's nominee for President of the United States. The winner is elected President of the Party and the runner-up as the Vice president.

**11.1** A person may serve at most 3 terms as President of the Party. This doesn't include serving the remainder of a vacated term.

**11.2** In the event of vacancy of the President the Vice president shall become acting President or the most senior member of the Federal Council. The National Congress in legislative session shall within 30 days of the Presidency going vacant and no earlier then 15 days elect a President to serve for the remainder of the President's term. This vote is by secret ballot. In the event of vacancy of the Vice president the most senior member of the Federal Council who accepts shall become Vice president with a confirmation vote of the Federal Council.

**11.3** The House caucus shall consist of all Party members who are members of the House of Representatives. The caucus by an absolute two-thirds majority vote can suspend a Representative from caucus. The Senate caucus shall be the same as the House caucus with the two making the Congressional caucus.

**11.4** The House leader shall be elected by a secret vote of the House caucus. The runner-up in such a vote becomes deputy House leader. These two officers are members of the Federal council. The Party caucus in the Senate shall do the same.

## **Position, Policy & Platform**

**12.0** All National resolutions passed by the Party shall be collected and organized into the Red Book. All resolutions add to, amend, or delete from the Red Book. The Party shall issue for each federal election a manifesto of the party platform. The major planks are the key resolutions and the minor planks the binding resolutions. The next Party platform will be Manifesto 2018 issued for the 2018 mid term elections and applicable only for the Congress elected in that election.

**12.1** Non-binding resolutions or regular resolutions are passed by a majority vote through the National Assembly and National Congress. Such resolutions are motioned in the National Assembly. These resolutions are the National position of the Party on that issue. If passed by a majority through both the Assembly and Congress the resolution stays listed in the Red Book for 4 years. If passed by a 60% vote through both it's listed for 6 years, 8 years with a 2/3 majority, and listed for 12 years with a 3/4 majority vote in the Assembly and Congress.

**12.2** Binding Resolutions need the approval by two-thirds majorities of the National Assembly and National Congress with majority votes in the Federal Council and National policy committee. Binding Resolutions form a part of the National platform of the Party and are binding on any Lincoln administration. Binding resolutions are motioned in the Federal Council.

**12.3** Key resolutions need three-quarter majorities to be passed in the National Assembly and National Congress and two-third majorities through the Federal council and National policy committee. Key resolutions are motioned in the National policy committee. These resolutions are in the National Party Platform and are binding upon a Lincoln administration and all Party Representatives and Senators.

**12.4** Each Party Representative can vote as they choose in the House of Representatives. They may vote against key resolutions without penalty a number of times in each Congress equal to half round down the number of times they have been elected to Congress. The first penalty is suspension from caucus for 3 months. The second penalty is suspension from caucus and Congress for 6 months. The third penalty is suspension of Party membership for 1 year. The last penalty is the automatic and immediate termination of membership in the Party.

**12.5** Each Senator can vote as they choose in the Senate. They may vote against key resolutions without penalty a number of times in each Congress equal to the number of Congresses they have served in. The first penalty is suspension from caucus for 3 months. The second penalty is suspension from caucus and Congress for 6 months. The third penalty is suspension of Party membership for 1 year. The last penalty is the automatic and immediate termination of membership in the Party.

## **Amendments**

**13.0** Amendments to the Constitution of the Lincoln Party of America shall be voted on and passed solely by the National Assembly of the Party.

**13.1** Amendments to this provisional constitution shall require a 60% majority vote by the National Assembly with a quorum of fifty percent with at least 250 members voting.

**13.2** The adoption by the Assembly of a permanent constitution for the Party shall take a two-thirds majority vote with quorum and at least 2500 members voting.

**13.3** The first President and Vice president of the Party shall be barred from running for the Party's presidential nomination in 2020.

**13.4** The Lincoln party of America may merge with another party only by a vote the same as passing a constitutional amendment. This resolution to merge the two parties shall state the name and constitution of the merged Party.

## **Founders**