

From: energetic@windstream.net
Subject: Kentucky Delegate application form
Date: May 29, 2012 11:45:29 AM PDT
To: delapp@gp.org
Cc: rogersnyder@pobox.com

From: KENTUCKY GREEN PARTY

May 29, 2012

Via email and original & copy via snail mail – Response to Question 6 below

Dear David McCorquodale and the Credential Committee,

This letter is to certify the authenticity of the decision that the Kentucky Green Party (KGP) reached in naming the following four delegates to the 2012 national convention. Our decision-making process was conducted by email during the period from May 19 through May 27, 2012. It involved the KGP Executive Committee and several other Greens who have expressed interest in the decisions and discussions of the KGP Executive Committee. The decision to name these four delegates was made without objection and therefore represents a consensus decision of the KGP Executive Committee, made in a manner consistent with the KGP bylaws. We do not have state officers yet.

Yours in Peace,
Geoffrey M. Young,
Member, KGP Executive Committee

(PS: Roger, thanks for the reminders!)

Green Party of the United States
2012 Presidential Nomination Convention
Delegate Credential Application Form

Please provide the answers to question #1 below in the attached spreadsheet in your email response, and with a hard copy in your postal mail response. If you don't have Excel for the spreadsheet, you may use OpenOffice or any other open source spreadsheet software.

(addresses omitted for web version)

- 1) Please provide for each delegate and/or alternate:
 - a. Name ? Joshua Robinson
states where this is possible) ? Green Party

1) Please provide for each delegate and/or alternate:
states where this is possible) - Green Party

1) Please provide for each delegate and/or alternate:
a. Name – Geoffrey Young

1) Please provide for each delegate and/or alternate:
a. Name – Michael Fogler

2) Please answer question #2 below yes or no

a. Is your state party an accredited member state Green Party of the
Green Party of the United States (GPUS)?
- No

If not, has your party submitted an application to the Accreditation Committee,
which demonstrates its eligibility for membership?

We submitted an application in 2011, but it was deferred because we didn't have
enough of a statewide presence at that time. We have not yet submitted an
updated application.

b. Is your caucus accredited and eligible for representation on the
National Committee of the GPUS? If not, is it planning on doing so
before the Presidential Nominating Convention?
- NA

For questions #3 - #5, please attach either an .rtf or .pdf document
and/or web link to the appropriate document in your email response,
and a hard copy included in your postal mail response.

3) Please provide copies of all portions of your state's election law,
which are relevant to the selection of delegates to a national
convention, whether by primary, caucus, or petitions for national candidates.

KRS 118.325 Nomination by parties by convention or primary election.

<http://www.lrc.ky.gov/KRS/118-00/325.PDF>

(1) Any political organization not constituting a political party within the
meaning of KRS 118.015 but whose candidate received two percent (2%) of the
vote

of the state at the last preceding election for presidential electors may
nominate, by a convention or primary election held by the party in accordance
with its constitution and bylaws, candidates for any offices to be voted for at
any regular election, except the office of member of a board of education, for

which nominations shall be made as provided in KRS 160.220. Any political party, as defined in KRS 118.015, and any political organization not constituting such a political party but whose candidate received two percent (2%) of the vote of the state at the last preceding election for presidential electors, may nominate, by a convention or primary election held by the party or organization in accordance with its constitution and bylaws, as many electors of President and Vice President of the United States as this state is entitled to elect.

(2) The certificate of nomination by such a convention or primary election shall

be in writing, shall contain the name of each person nominated, his residence and the office to which he is nominated, and shall designate a title for the party or principle that such convention or primary election represents, together with any simple figure or device by which its list of candidates may be designated on the voting machines. The certificate shall be signed by the presiding officer and secretary of the convention, or by the chairman and secretary of the county, city, or district committee, who shall add to their signatures their respective places of residence, and acknowledge the same before

an officer duly authorized to administer oaths. A certificate of the acknowledgment shall be appended to the certificate of nomination. In the case of electors of President and Vice President of the United States the certificate of nomination shall state the names of the candidates of the party for President and Vice President.

(3) Any person desiring to become a candidate for an office, the nomination to which is to be made by a convention pursuant to subsections (1) and (2) of this section, except for the office of elector of President and Vice President of the United States, shall file a statement with the official designated in KRS 118.165 with whom notification and declaration forms are filed for the office. The form of the statement shall be prescribed by the State Board of Elections. Such statement shall be filed as prescribed by KRS 118.365.

(4) If the certificate of nomination of any state convention requests that the figure or device selected by such convention be used to designate the candidates

of such party on the voting machines for all elections throughout the state, that figure or device shall be used until changed by request of a subsequent state convention of the same party. The device may be any appropriate symbol other than the coat of arms or seal of this state or of the United States, the national flag, or any other emblem common to the people at large.

(5) In case of death, resignation, or removal of any such candidate subsequent

to nomination and before the certification of candidates for the regular election made under KRS 118.215, the chairman of the state, county, or city district committee shall fill the vacancy, unless a supplemental certificate or

petition of nomination is filed. In the case of electors of President and Vice President of the United States, a vacancy may be filled by the chairman of the state committee at any time before the meeting of the electors, whether the vacancy occurs before or after the election.

(6) If any political party entitled to nominate by convention fails to do so, the names of all nominees by petition for any office who are designated in their petition as members and candidates of that party shall be printed under the device and title on the voting machines as if nominated by a convention. If two (2) or more persons who have filed certificates of nomination under this section claim to be the nominee of the same political party, the governing authority of that party shall designate to the Secretary of State and county clerk, in writing, which of the candidates is entitled to the party emblem. If there are two (2) or more contending executive committees of the same party in the county or district, the county or district executive committee that is recognized by the state governing authority of the party, by the written certificate of its chairman, shall be recognized by the Secretary of State and county clerk.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 2, sec. 6, effective July 15, 1998. -- Amended 1990 Ky. Acts ch. 48, sec. 46, effective July 13, 1990. -- Amended 1988

Ky. Acts ch. 17, sec. 12, effective July 15, 1988. -- Amended 1984 Ky. Acts ch. 185, sec. 18, effective January 1, 1985. -- Created 1974 Ky. Acts ch. 130, sec. 118, effective June 21, 1974.

KRS 118.555 Methods by which to determine a political party's delegate votes for presidential candidates.

<http://www.lrc.ky.gov/KRS/118-00/555.PDF>

(1) The state executive committee of each political party shall, pursuant to its party's rules, determine whether to distribute its party's authorized delegate votes for presidential candidates at its party's national convention based on the results of a party caucus, a presidential preference primary, or a combination of the two (2) methods. Each state executive committee shall notify the State Board of Elections of its decision not later than the December 31 preceding the day for conducting a presidential preference primary as set by KRS 118.561.

(2) If a state executive committee determines that its party's authorized delegate votes for presidential candidates at its party's national convention shall be distributed based on the results of a party caucus, a presidential preference primary shall not be conducted for that political party, and the provisions of KRS 118.561 to 118.651 shall not apply. The distribution of delegates among the presidential candidates shall be determined by party rule.

(3) If a state executive committee determines that its party's authorized delegate votes for presidential candidates at its party's national convention shall be distributed based on the results of both a party caucus and a

presidential preference primary, the formula for distribution of authorized delegate votes based on the results of a party caucus shall be determined by party rule. The distribution of delegates based on the results of a presidential preference primary shall be in accordance with the provisions of KRS 118.641(1). Regardless of the method by which the authorized delegate votes are distributed, the casting of votes on the first ballot at each party's national convention shall be in accordance with the provisions of KRS 118.641(2).

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 296, sec. 14, effective July 14, 1992. -- Created 1990 Ky. Acts ch. 431, sec. 2, effective July 13, 1990.

KRS 118.591 Nomination of candidate by petition -- Qualification of candidate through filing of notice of candidacy.

<http://www.lrc.ky.gov/KRS/118-00/591.PDF>

(1) Any person seeking the endorsement by a political party for the office of President of the United States, or any group organized in this state on behalf of, and with the consent of, the person, may file with the Secretary of State certified petitions signed by five thousand (5,000) persons who, at the time they sign, are registered and qualified voters in the Commonwealth and are affiliated, by registration, with the same political party as the candidate for whom petitions are filed.

(2) The petitions shall be filed by the petitioners with the Secretary of State no later than the last Tuesday in January preceding a presidential preference primary.

(3) The petitions shall state:

(a) The name of the candidate for nomination and the party of which he is a member; and

(b) The name and address of the chairman of the group circulating such petition.

(4) The Secretary of State shall determine the sufficiency of petitions filed with him and shall immediately communicate his determination to the chairman of the group which has filed the petitions.

(5) In lieu of the petition requirements of subsections (1) to (4) of this section, a candidate may qualify to appear on the presidential preference primary ballot of his political party by filing with the Secretary of State, no later than the last Tuesday in January preceding a presidential preference primary, a notice of candidacy signed by the candidate and either of the following:

(a) A certification by the Federal Election Commission that, by the filing deadline, the candidate has qualified for matching federal campaign funds; or

(b) Evidence that, by the filing deadline, the candidate's name is qualified to appear on the presidential preference primary ballot of his political party in at least twenty (20) other states.

(6) The Secretary of State shall determine the sufficiency of the documentation

provided pursuant to subsection (5) of this section and shall immediately communicate his determination to the candidate or his agent.

Effective: January 29, 1996

History: Amended 1996 Ky. Acts ch. 3, sec. 1, effective January 29, 1996. -- Amended 1992 Ky. Acts ch. 296, sec. 16, effective July 14, 1992. -- Amended 1990

Ky. Acts ch. 48, sec. 53, effective July 13, 1990; and ch. 431, sec. 5, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 470, sec. 21, effective July 15, 1986. -- Created 1986 Ky. Acts ch. 29, sec. 5, effective July 15, 1986.

KRS 118.641 Distribution of authorized delegate vote among party candidates.

<http://www.lrc.ky.gov/KRS/118-00/641.PDF>

(1) The political parties in distributing authorized delegate votes among party candidates shall select one (1) of the following methods of distribution:

(a) The candidates receiving the highest number of votes, provided each candidate receives at least fifteen percent (15%) of the total vote cast by his political party, shall be awarded a pro rata portion of the authorized delegate vote of his political party as follows:

1. The total vote received by the candidates qualifying under the provisions of

KRS 118.551 to 118.651 and subsections herein shall, when combined, be equal to

one hundred percent (100%);

2. Each such candidate shall share in the total percentage in direct proportion

to the total vote received by him mathematically determined to be the percentage of the aggregate vote which represents one hundred percent (100%);

3. Each political party shall appropriate such percentage, as is determined by this section, to the total number of delegate votes as are allotted by the national committee of each party; or

(b) The candidate receiving the highest number of votes cast by his political party shall be awarded a pro rata portion of the authorized delegate vote of his political party in compliance with the state party rules for that party.

(2) Each political party shall, on the first ballot at its national convention, cast this Commonwealth's vote for the candidates as determined by the primary or

party caucus and calculated under this section or under party rules, whichever is applicable. Provided, however, that in the event of the death or withdrawal of a candidate receiving votes under this section prior to the tabulation of the first ballot, any delegate votes allocated to such candidate shall be considered uncommitted. Withdrawal shall mean notice in writing by the candidate to the chairman of the Kentucky delegation prior to the first ballot.

Effective: July 13, 1990

History: Amended 1990 Ky. Acts ch. 431, sec. 8, effective July 13, 1990. --

Created 1986 Ky. Acts ch. 29, sec. 10, effective July 15, 1986.

KRS 118.651 Notice to political party's national committee.

<http://www.lrc.ky.gov/KRS/118-00/651.PDF>

It shall be the responsibility of the state chairman of each political party to notify his party's national committee, no later than January 30 of each year in which such presidential primary shall be conducted, of the provisions contained herein relating to the automatic vote on the first ballot as required under KRS 118.551 to 118.641.

Effective: July 15, 1986 History: Created 1986 Ky. Acts ch. 29, sec. 11, effective July 15, 1986.

- 4) Please provide the policy of your state party/caucus regarding support for the Presidential Slate nominated at the Presidential Nominating Convention, specifically:
 - a. Support of the Presidential Slate nominated by the Presidential Nominating Convention through the provision of its presidential ballot line where it exists; or, through the qualification of such nominated candidates as write-in candidates, if such is possible under the election laws of their state; and/or,

The following portion of the Ky. Green Party's bylaws imply that all local groups that form in Ky. should work to support the national candidates selected by the Green Party of the United States:

"6.0 LOCAL GROUPS

Members of the Party living in the same part of Kentucky may form an accredited local group by applying to the EC for accreditation. The EC shall use criteria for accrediting local groups that reflect the criteria the Green Party of the United States uses to accredit state chapters. These criteria shall include but not be limited to the following:

- 6.1 Acceptance of the four pillars of the international Green Party movement [ecological wisdom, social justice, grassroots democracy, non-violence] and the ten key values [see Section 1 of these bylaws] as guiding principles.
- 6.2 Organized and run in accordance with these values.
- 6.3 Agrees to support national candidates selected by the Green Party of the United States.
- 6.4 ... "

- b. Support of the Presidential Slate nominated by the Presidential Nominating Convention by its Presidential Nominating Convention delegates and/or its Presidential electors; and/or,

- See (a) above.

c. Any prohibition to the opposition of the Presidential Slate nominated by the Presidential Nominating Convention by its Presidential Nominating Convention delegates and/or its Presidential electors and/or Presidential Nominating Convention delegates; and/or,
- NA

d. Any other policy of the state party regarding its post-convention relationship to the Presidential Slate nominated by the Presidential Nominating Convention;
- NA

e. If there is no current policy on these subjects, the application shall state that the state Green Party has not adopted a policy on these subjects.

The Ky. Green Party has not adopted any policies on these subjects other than the bylaw cited in (a) above.

5) Please include a copy of the approved minutes of your state convention, or other body authorized to name the delegation, which documents the delegates' selection. If approved minutes are not available, the Application shall include other documentation of the delegates' selection.

- The Executive Committee of the Kentucky Green Party held a vote by email to select the names of the four delegates listed above. This vote was finalized on May 27, 2012.

For Question #6 please attach a scanned copy of your signed document (if possible) in your email response, and a signed hard copy in your postal mail response. If you cannot provide a scanned copy in your email response, please provide an electronic document that includes the names of the signers, even if it does not have their signatures.

6) Please submit a letter bearing the signature of your state party or caucus officers certifying the authenticity of the minutes.
- See cover letter above.

By signing this application, your state or caucus officers certify that the delegates included in the minutes are the duly chosen delegates to the convention as provided for in the rules of the caucus or state Green Party (or grouping of Greens where there is no state party.)

- The Ky. Green Party does not have state officers yet.

7) What paperwork do you need to submit to your Secretary of State (or other Government Agency) to ensure that the presidential and vice-presidential nominees will be on your ballot line? Often this paperwork needs to be signed by the nominees themselves and/or by a representative of the national party. Please bring any such paperwork with you to Baltimore to the PNC and we will try to get it signed and notarized. Please contact Holly Hart of the Ballot Access Committee – hhart@avalon.net – with any questions you have about this request.

The following text is from page 1 of the 2-page form available online from the Ky. Board of Elections. (Page 2 – multiple copies – are the petitions Kentucky voters sign to get the GP nominees onto the ballot.)

NOMINATING PETITION

(Independent candidates or candidates of political groups/organizations filing for President/Vice President under the provisions of KRS 118.315)

TO: Secretary of State 700 Capitol Ave Rm 150
Capitol Building Frankfort KY 40601-3410

We, the undersigned petitioners, being voters of the same district or jurisdiction from which the candidates seek nomination, and being at least 5000 in number, hereby petition you, as Secretary of State, to cause to be printed on the official ballot of the Commonwealth of Kentucky, to be used at the general election to be held on

November _____, 20_____, the names of the following candidates of the political group/organization known (Day)

as _____ or as an

independent candidate for the offices hereinafter designated, the names of said persons and their respective residences being as follows:

FOR PRESIDENT OF THE UNITED STATES

(Name of Candidate for President – Please Type or Print) (Residential Address)

(City, State, Zip)

FOR VICE PRESIDENT OF THE UNITED STATES

(Name of Candidate for Vice President– Please Type or Print) (Residential Address) (City, State, Zip)

We,

_____ and (Name of Candidate in full as desired on ballot – Please Type or Print)

_____ hereby declare that we (Name of Candidate in full as desired on ballot – Please Type or Print) possess all the constitutional and statutory requirements of the offices for which we have filed.

_____ (Signature of Candidate for

President) (Signature of Candidate for Vice President)

Petitioners desire that the above candidates be designated on the ballot under the following attached figure or device:

Petitioners further place in nomination the following named persons as candidates for Presidential Electors for the above-named candidates for President and Vice President, whose names and residential addresses are as follows:

DATE

PRINTED NAME OF ELECTOR

SIGNATURE OF ELECTOR

RESIDENTIAL ADDRESS

CITY & ZIP

(Note: There are eight blanks for the names of electors.)

White copy: Canary copy: SBE 64 (04/05) Pink copy:

Filing officer State Board of Elections Candidate

(Page 1 of 2)

- End of GPUS Delegate Credential Application Form -

Please return your response to this application according to the deadlines specified in the GPUS Presidential Nominating Convention Rules – via email as soon as possible to delapp@gp.org by 11:50 Pacific Standard Time, Wednesday, May 30th, and also – via U.S. mail, with an original plus a copy, postmarked no later than Wednesday, May 30th, to David McCorquodale, 1235 Ipswich Dr., Wilmington, DE 19808, and in both cases – no later than thirty days after your delegation has been named.

Delegate Credential Applications must be submitted prior to the application deadline, unless granted an extension by the Credential Committee. Accredited Caucuses or state Green Parties that anticipate

submitting their Delegate Credential Application after the deadline are encouraged to seek an extension before the deadline and as early as possible. The deadline for postmarking a credentials application to be considered prior to the convention shall be forty-five days prior to the convening of the Presidential Nominating Convention, and not later than thirty days later than the delegation has been named.

* See the end of this document for the text of the rules that apply to deadlines and extensions.*

Additional info:

[From Rules of the Presidential Nominating Convention of the Green Party of the United States](#)

4-3.2 Each Accredited Caucus or state Green Party (or grouping of Greens where there is no state party) that desires to credential a delegation to the Presidential Nominating Convention shall submit both an original and duplicate hard copy of their Delegate Credential Application by U.S. Mail, as well as an electronic application by email. No application shall be accepted unless both original and duplicate and electronic versions are submitted.

4-3.3 Delegate Credential Applications must be submitted prior to the application deadline, unless granted an extension by the Credential Committee. Accredited Caucuses or state Green Parties that anticipate submitting their Delegate Credential Application after the deadline are encouraged to seek an extension before the deadline and as early as possible.

4-3.4 The deadline for postmarking a credentials application to be considered prior to the convention shall be forty-five days prior to the convening of the Presidential Nominating Convention, and not later than thirty days later than the delegation has been named.

And

Section 4-4 Delegate Credential Applications - Process for Consideration of Late Filings

4-4.1 Any application which is not submitted by the filing deadline may be considered by the Credentials Committee if:

4-4.1(a) before the filing deadline, a majority of the active Committee members voting find that the applicant has demonstrated that the functioning of the applicant's state law operates to make meeting that deadline and serving the internal democracy of the party mutually exclusive, and has agreed to grant an extension of the filing deadline by their vote; or,

4-4.1(b) either before or after the deadline, a two-thirds majority of

the active Committee members voting find that the applicant has demonstrated that justice in the credentialing process would be served by granting the application, and has agreed to grant an extension of the filing deadline by their vote.