

**Rules and Procedures of the Green Party of the United States: Article VIII.  
Allocation of Delegates to the National Committee <https://gpus.org/rules-procedures/#08>**

**Article 8-1.1** The National Committee shall consist of 150 +/- 2 delegates, when including all delegates from all state parties accredited and active at the time of bi-annual apportionment, as described in 8-1.3.

**Committee Decision:** Beginning in this section and throughout subsequent sections in 8-1 the ATC agrees that the intent of the apportionment is that only accredited and active state parties are to be included in the calculation for the National Committee. Data can be gathered for non-accredited and inactive parties; however, this will not be used in the calculation. The Credentialing Committee and delegates directory can be consulted for active list of accredited parties.

**Article 8-2.1(b)** Apply the criteria contained in the Delegate Apportionment Categories, as interpreted by the committee and based upon official election results, voter registration totals and other such information where available;

**Committee Decision:** ATC agrees that this section permits the committee to interpret the intent of the criteria in the Delegate Apportionment Categories.

**Article 8-5.1(a)** Throughout the Delegate Apportionment Categories, when a reference is made to “a state party’s proportion”, the intention is to take the state party’s count in a given category and divide by the sum total of all such counts for all accredited and active state parties.

**Committee Decision:** ATC interpretes that counts in a given category rather than the percents are used in the summation, percentages, and normalizations in the category.

**Article 8-5.2(a)** Membership Strength shall be defined as the normalized percent of the state party maximum of: (i) Green Party registration in partisan registration states; or (ii) One-thousandth (0.1 percent) of the United States Census Bureau’s most recent state population estimate.

**Committee Decision:** It is unclear if this section requires states permitting registration to use only registration numbers. A question is present whether the states or ATC can choose to use the higher of the two. The ATC feels that the intent is that registration must be used if it exists. Because some SOSs may require payment for the information, the ATC will use registration data where it exists and does not require ATC to purchase data from SOS since ATC has no budgeted appropriated to do so. However, Article 8-5 directs ATC to use the method in each category that gives each state party its highest possible percentage of delegates on the National Committee. The ATC recognizes that in many situations the population will provide a greater strength result than registration.

**Article 8-5.3(b)** For the purposes of this category, Green Party office holders and candidates are defined as any Green Party member who runs for public office, who is not also a member of the Republican or Democratic Party; and who has not run solely on the ballot line of another statewide or national political party. Green Party office holders and candidates who ran in an election where fewer than 300 ballots were cast shall count as half. Office holders and candidates at the precinct level shall not be counted in any of the calculations.

**Committee Decision:** The ATC agrees that this section is difficult to interpret and the committee will rely on state parties to verify information in the GPUS elections database. State parties should be notified that the database will be used as is unless information is otherwise provided for verification. The category will not address states where party registration is restricted.

**Article 8-5.4** State Voting Strength - see whole section

**Committee decision:** The ATC agrees that this whole section is difficult to interpret. Particularly, subsection 8-5.4(c) with its reference back to 8-5.4(a) [*mistakenly written as 8-5.2(a)(ii) in the rule text*]. Further the ATC agrees that the information in the GPUS election database does not contain sufficient information to interpret whether elections were contested by both R/D and Green or just R or D vs Green. The ATC will rely on the information in the GPUS election database as is and assume the races were contested by all parties if no clarifying information is available. The ATC recognizes that the voting strength criteria does not adequately describe how to handle elections that are rank choice vote (which ballot represents the total vote) or vote for more than one candidate (observed to increase votes compared to other types of elections).

**Article 8-6.3** If the percentage is less than the minimum percentage threshold of delegates allocated to each state, then two delegates will be allocated to that state party. The minimum percentage threshold is  $\{2 / [150 - (\text{number of accredited caucuses})]\} \times 100\%$ .

And

**Article 8-6.5(c)** Repeat the steps in 8-6.5(a) and 8-6.5(b) until the total percentage of delegates allotted to all states  $(150 - (\text{number of accredited caucuses}))$  equals approximately 100% (will usually take 3 to 4 iterations). The number of delegates allocated to each state is calculated by multiplying the normalized percentage of each state by  $[150 - (\text{number of accredited caucuses})]$  and rounding off to the nearest integer.

**Committee Decision:** Why {in the two sections above} are the accredited caucuses subtracted from 150 when they were explicitly removed from the calculation in section 8-1.2? Proposal 871 clearly revised the rules requiring that the delegates apportioned to caucuses are in addition to the total size of the National Committee delegation. ATC interpreted the rules as relic from the last rules change and assume that the intent is the caucuses should not be subtracted out from the 150 since they are not to be included in the calculations per 8-1.2.

**Article 8-6.5(d)** Cap the total number of delegates allowed for a single state at 21% of the target National Committee size in 8-1.1.

**Committee Decision:** It is noticed that the rules do not describe when this step should be performed in the calculation. ATC will revise the formula, so it applies the cap and threshold earlier in the processes rather than at the end of the process which was done previously. There is no ideal time to determine when the cap should be implemented because a very early application may result in a capped state then losing delegates. A very late application may result in missing the reapportionment of a capped state delegate.

## Rules of the Presidential Nominating Convention of the Green Party of the United States <https://gpus.org/convention-rules/#03>

**Article 3-1.1** The Presidential Nominating Convention shall consist of 400 +/- 2 Delegates, to be allocated as follows: a) four (4) Delegates from each of the states where there is not an accredited state party, or where there is an accredited state party which is considered inactive under GPUS rules; b) two (2) Delegates from each of the unincorporated organized United States territories of Puerto Rico, Guam, Northern Mariana Islands, and United States Virgin Islands; c) 2 four (4) Delegates selected by and from the ranks of each accredited GPUS caucus; d) the remaining number of Delegates from states with an accredited and active state party, to be allocated based upon the formula delineated in Section 3-2; and that Rules and Procedures 8-1.7 shall be amended to remove “Identity caucuses shall automatically be apportioned four delegates and two alternates to the Presidential Nominating Convention.”

**Committee Decision:** the 2 highlighted above appears to be an error. ATC will interpret this as an error and the item should be passed onto ARC for a later update to the rules.

**Article 3-2.3** The tabulation method to determine the allocation of delegates to the National Committee, as outlined in Article 8, Section 6 of the GPUS Rules and Procedures, shall be used to allocate the number of Presidential Nominating Convention delegates to the various states with accredited and active state parties, except that: a) the number of delegates to be allocated (D) shall be 400 minus the number of delegates assigned to caucuses, territories, and states without affiliated and active state parties; b) the minimum percentage threshold shall be  $\{4 / (D)\} * 100\%$ .

**Committee Decision:** Based on proposal 871 the calculation in item (D) should not include the subtraction of caucus delegates.

**Article 3-3.3** The National Committee, upon approval of the Apportionment Tabulation Committee report, shall also be approving the final delegate allocation for the succeeding Presidential Nominating Convention.”

**Committee Decision:** the highlighted “ can be deleted.