

CONSTITUTION

Libertarian Party of Alameda County in California

an Affiliate of the Libertarian Party of California

Preamble

We, the members of the Libertarian Party of Alameda County hold that:

No person, group or government should have the authority or right to initiate physical force against anyone excepting situations involving an *actual* threat of imminent attack;

Every person has the right to live her/his life in any manner and involving any behavior that does not involve force, fraud, theft, property damage or negligent disregard for peoples' health or safety;

The only moral justification for government is to protect people's rights to life, liberty and property and people's pursuit of happiness;

The right to acquire wealth and property, *justly*, is a corollary to the right to life;

Using force to take wealth or property from one person for the benefit of another person is coerced sharing, not charity;

Free enterprise and voluntary economic transactions and relationships should be maximized and politically-driven preferences, laws and regulations should be minimized.

Article I. Identity

The name of this organization shall be the Libertarian Party of Alameda County in California. The Libertarian Party of Alameda County (LPAC) is a regional affiliate of the Libertarian Party of California (LPC). The LPAC membership shall consist of the members of the LPC within the county of Alameda, California.

Article II. Purpose

Section 1. Statement of Purpose. The purpose of the LPAC is to organize, coordinate and promote Libertarian Party activities within Alameda County and the Bay Area.

Section 2. Mission Statement. The Libertarian Party of Alameda County supports Libertarian candidates for public office and promotes Libertarian principles and positions.

Article III. Organization

Section 1. LPAC Membership.

- (a) To maintain good standing, a member must: 1) pledge to adhere to the Libertarian Party's non-initiation-of-force principle, 2) pay annual dues and 3) not have her/his membership suspended (as described in the LPAC Bylaws).
- (b) Any member with good standing with both the LPC and the LPAC:

- i. Has full voting rights with regard to election of LPAC Officers and other Executive Committee Members.
- ii. Is eligible to stand for election as an Officer or Executive Committee member as described in Section 2 of this Constitution.

Section 2. Officers and Other Executive Committee. The Executive Committee shall consist of four LPAC Officers – Chair, Vice-Chair, Secretary and Treasurer – and as many as three Other Executive Committee Members whose duties and responsibilities are described in Article III, Section 4 of the LPAC Bylaws.

Section 3. Term-of-Office. The term-of-office for all LPAC Officers and Other Executive Committee Members shall not exceed thirteen months. Any LPAC member in good standing is eligible to be an Officer or other Executive Committee Member.

Article IV. Normal Business Meetings and Annual Membership Meeting

Section 1. Business Meetings. The LPAC shall hold at least four Business Meetings annually – including three Normal Business Meetings and one Annual Membership Meeting. No more than ninety five days shall pass between such Business Meetings. All LPAC members in good standing may attend and participate in discussion and debate (as described in Article IV of LPAC Bylaws).

Section 2. Annual Membership Meeting. Once each year the LPAC will hold an Annual Membership Meeting during which all Executive Committee members (as described in Article III, Section 2 of the LPAC Constitution) will be elected. All LPAC members in good standing may attend and participate in election of Officers and other Executive Committee Members.

Article V. Bylaws

The Bylaws of the LPAC are subordinate to the Constitution and are hereby attached.

Article VI. Amendments

This Constitution may be amended by two-thirds vote of the LPAC Executive Committee at any Business Meeting, provided that 1) the amendment was proposed at a previous Business Meeting and 2) notification about the proposed amendment accompanies the notice for the Business Meeting at which the amendment is to be considered.

Article VII. Compliance

At such time as the LPC is or becomes qualified for ballot access in California, the Constitution and Bylaws of the LPAC shall be amended by the LPAC Executive Committee as necessary to conform to the provisions of the California Election Code.

BYLAWS

Libertarian Party of Alameda County in California

an Affiliate of the Libertarian Party of California

Article I. Purpose and Scope

The purpose of the Libertarian Party of Alameda County, California is to organize, coordinate and promote Libertarian Party activities within Alameda County, California and the Bay Area in a manner that is consistent with the: 1) Constitution and Bylaws of the Libertarian Party of California, 2) Constitution and Bylaws of the Libertarian Party of Alameda County, California and 3) Libertarian Party's non-initiation of force principle.

The Libertarian Party of California shall be referred to herein as the LPC. The Libertarian Party of Alameda County shall be referred to herein as the LPAC. The Constitution of the Libertarian Party of Alameda County, California shall be referred to herein as the Constitution. These Bylaws shall be referred to herein as LPAC Bylaws.

Article II. Membership

Section 1. Qualifying for LPAC Membership. Membership in the LPAC is open to any individual who fulfills the following requirements to be a member in good standing:

- (a) Affirm agreement with the following statement of principle regarding non-initiation-of-force: "I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals."
- (b) Status as an LPAC Member is not suspended by the LPC or by the LPAC Executive Committee (per LPAC Bylaws Article II, Section 2).
- (c) Annual membership dues are current (per LPAC Bylaws Article II, Section 4).

An individual LPAC member in good standing shall be referred to herein as Member. All Members of the LPAC shall be referred to collectively herein as Members.

Section 2. Member Suspension. Any Member may be suspended, for cause, by a two-thirds vote of a quorum of the LPAC Executive Committee. Cause for suspension may include:

- (a) Behavior that is inconsistent with the non-initiation-of-force principle.
- (b) Taking action or communicating on behalf of the LPAC without authorization from the LPAC Executive Committee.
- (c) Theft or otherwise unauthorized (by the LPAC Executive Committee) use of LPAC funds.
- (d) Participating in LPAC activities in a manner that is not: 1) constructive, 2) ethical or 3) respectful toward LPAC Executive Committee, LPAC Members, partner organizations and collaborators.

Section 3. Member Suspension Appeal. A suspended Member may be appealed to the LPAC Executive Committee within thirty days of his/her suspension via written notification of the LPAC Chair. The appeal will be adjudicated during the next scheduled Business Meeting. If the suspension

is not overturned by a two-thirds vote of a quorum of the LPAC Executive Committee during that meeting, then the suspension shall continue until such time as:

- (a) Two-thirds of a quorum of the LPAC Executive Committee votes to end the suspension.
- (b) The suspension is overturned by the LPC Executive Committee or Judicial Committee.

Section 4. Annual Membership Dues. Annual Membership Dues of \$25 per year will be collected from each Member. As stipulated by the LPC Bylaws, annual dues paid shall be allocated as follows:

- (a) New Member: 100% of dues paid for a new membership shall accrue to the LPAC.
- (b) Existing Member: dues paid for membership renewal shall accrue 60% to the LPAC and 40% to the LPC.

Article III. Executive Committee

Section 1. Officers and Other Executive Committee Members. The LPAC Executive Committee shall include four elected Officers – Chair, Vice-Chair, Secretary and Treasurer – and up to three non-officer Executive Committee members.

LPAC Officers shall hereinafter be referred to as Officers, and no-officer LPAC Executive Committee members shall be referred to hereinafter as Other Executive Committee Members. The LPAC Executive Committee shall be referred to hereinafter as Executive Committee.

Section 2. Qualifications. Any person who is a member in good standing (pursuant to LPAC Bylaws Article II, Sections 1 and 2) shall be eligible for election to the LPAC Executive Committee.

Section 3. Term-of-Office. Officers and Other Executive Committee Members shall serve a term-of-office not to exceed thirteen months (396 days); after which incumbents must stand for (re)election.

Section 4. Roles and Responsibilities. The primary roles and responsibilities of Executive Committee Members are as follow:

- (a) **Chair** – is the Chief Executive Officer of the LPAC and preside at all meetings of the LPAC Executive Committee.
- (b) **Vice-Chair** – assists the Chair in providing leadership to the LPAC; perform duties of the Chair in the event that s/he is unable or unavailable to do so.
- (c) **Secretary** – is the recording and reporting officer of the LPAC (per LPAC Bylaws Article IV, section 7); assist with LPAC documents/communications and provide reports to/coordinate with the LPC Secretary as needed.
- (d) **Treasurer** – is the LPAC’s fiduciary officer whose duties include managing the receipt, expenditure and accounting of funds, financial reporting and recordkeeping (per LPAC Bylaws Article 7); provide reports to/coordinate with the LPC Treasurer as needed.
- (e) **Other Executive Committee Members** – participate in all discussion, debate and vote on all LPAC business matters; perform other duties per the direction and discretion of the Executive Committee.

Section 5. Termination. An Executive Committee member may be terminated from office for cause including, but not limited to:

- (a) Failure to maintain status as a Member as described in LPAC Bylaws Article II, Section 1.

- (b) Behavior or activities that are inconsistent with provisions described in LPAC Bylaws Article II, Section 2.
- (c) Not attending two consecutive Business Meetings (as described in LPAC Bylaws Article IV) without prior notification of the Executive Committee or not attending three consecutive Business Meetings during the current term in office.

Termination requires a two-thirds vote of all Executive Committee Members who are not the subject of said termination. The position of a terminated Executive Committee Member shall be declared vacant.

Section 6. Replacing an Executive Committee Member. The Executive Committee shall, by a majority vote, appoint a replacement for a terminated Executive Committee Member to complete the current term-of-office. Such a replacement may stand for election at the next Annual Membership Meeting (as described in LPAC Bylaws Article IV, Section 3).

Article IV. LPAC Meetings

Section 1. The Chair shall preside at all meetings. At the Chair's discretion or if the Chair is absent the Vice Chair shall preside. No official LPAC business may be undertaken if neither the Chair nor the Vice Chair is present.

Section 2. Business Meetings.

- (a) The LPAC will hold at least four Business Meetings annually, to include:
 - i. At least three Normal Business Meetings.
 - ii. One Annual Membership Meeting (as described in LPAC Bylaws Article IV, Section 3).
- (b) No more than ninety five days shall pass between Business Meetings.
- (c) All Members may attend Business Meetings and may, at the discretion of the presiding Officer, participate in discussion or debate about specific topics.
- (d) Reasonable attempts to inform Members about the time and place of a Business Meeting shall be made at no less than 30 days in advance, ideally via email, website and Facebook.
- (e) Business Meetings will be held at a time and at a venue or in a manner specified by the LPAC Executive Committee. If said meeting is not held at a physical venue then the manner used to hold the meeting (e.g., phone conference) must enable participation by Members who want to be included.

Section 3. Annual Membership Meetings.

- (a) Each year the LPAC will hold an Annual Membership Meeting during which all Executive Committee members will be elected.
- (b) All LPAC Members in good standing may attend and vote during each Annual Membership Meeting.
- (c) Reasonable effort shall be made to inform Members about the time and place of an Annual Meeting no less than forty-five days in advance.
- (d) Annual Membership Meetings shall be held at a date, time and venue specified by the LPAC Executive Committee so as to best enable attendance by all interested members (i.e., the venue should be readily accessible and centrally located within Alameda County).

Section 4. Special Business Meetings.

- (a) From time-to-time it may be necessary to hold a Special Business Meeting to address urgent or time-sensitive LPAC business matters which require consideration prior to the next regularly scheduled Normal Business Meeting.
- (b) Special Business Meetings shall occur upon the request of one-third or more of the Executive Committee.
- (c) Reasonable effort shall be made to inform the Executive Committee and Members about the time, place and manner of a Special Business Meeting no less than 48 hours in advance.
- (d) If said meeting is not held at a physical location, reasonable effort shall be made to ensure that the manner used to conduct the meeting (e.g., phone conference) will accommodate participation of Members.

Section 5. Voting on LPAC Business Matters.

- (a) Votes regarding business matters and resolutions shall be cast by Executive Committee Members in person or via Remote Voting or Proxy Voting (as described in LPAC Bylaws Article IV, Section 6).
- (b) Members who are not on the Executive Committee must be present to vote.
- (c) Unless otherwise specified in these Bylaws, a simple majority of votes cast is required for approval or affirmation of all business matters excepting resolutions, letters-to-the editor and opinion/editorial articles.
- (d) A two-thirds vote of all Members in attendance is required for approval of resolutions, letters-to-the editor and opinion/editorial articles.
- (e) Votes cast may include yes, no or abstain.
- (f) Only votes of yes or no are counted for the purpose of determining whether the number of votes cast constitutes a majority.

Section 6. Remote and Proxy Voting.

Votes by Executive Committee members not in attendance at any LPAC Meeting may be cast/submitted via either of two methods:

- (a) Via phone during the meeting.
- (b) Proxy vote cast by an Executive Committee member who is in attendance, on behalf of the Executive Committee member who not in attendance, upon certification by the attending member that s/he is authorized by the member not in attendance to vote on his/her behalf.

Section 7. Recording and Reporting of Business Meetings, Votes Cast and Election Results.

- (a) All significant Business Meeting transactions shall be recorded and reported by the LPAC Secretary or his/her designee, including, but not limited to: decisions taken, action items, financial matters, election results and votes cast.
- (b) The LPAC Secretary shall make all reasonable effort to distribute a Draft Business Meeting Report to Executive Committee members within one week of the respective Meeting.
- (c) Executive Committee members shall propose revisions to or express approval of a Draft Business Meeting Report within one week of receiving the Draft.

- i. If revisions are proposed, the Chair will seek concurrence by a majority of Executive Committee members within one week of receiving proposed revisions.
 - ii. If no revisions are proposed, or if all proposed revisions are resolved and incorporated into the Draft Meeting Report, it shall become the Final Business Meeting Report.
 - iii. Proposed revisions not resolved shall be addressed at the next Business Meeting.
- (d) Approval of a Final Business Meeting Report requires concurrence by two-thirds of Executive Committee members in attendance.
- (e) Final Business Meeting Reports shall be electronically published and available to Members within one week following approval.

Section 8. Quorum.

- (a) A majority of the Executive Committee shall constitute a quorum for Business Meetings.
- (b) A quorum of Executive Committee members must be present at a Business Meeting during which voting will occur regarding any official LPAC business or financial matter.

Article V. Executive Committee Annual Election

Section 1. Annual Election. Executive Committee members shall be elected during the Annual Meeting which shall occur no less than one month prior to the end of Executive Committee members' term-of-office.

Section 2. Election Voting. A simple majority of votes cast by Members in attendance is required to elect all Executive Committee members. In the event that no candidate receives a majority of votes cast, there will be as many as two run-off votes between the two candidates receiving the most votes. If, after two run-off votes, no candidate receives a majority of votes cast then a coin flip shall be used to determine the winner.

Section 3. Speeches. Before voting occurs, each candidate and/or their designated representative(s) may speak for a total of three minutes.

Section 4. Unanimous Consent. Executive Committee Members as a group may be elected without voting for individual candidates upon unanimous consent of Members in attendance.

Article VI. Working Committees

Section 1. The Executive Committee may establish Working Committees as necessary and, for each such Working Committee, shall: a) appoint a Chair and b) provide necessary guidance regarding the scope, purpose timing, budget, expected results and products.

Section 2. Working Committees exist under the authority of and at the convenience of the Executive Committee.

Article VII. Finances and Accounting

Section 1. The fiscal term of the LPAC shall begin on the first day of each calendar year and end on the final day of each calendar year.

Section 2. All expenditures must be approved by a majority vote of a quorum of the Executive Committee.

Section 3. The Executive Committee shall establish and approve and the Treasurer shall implement a transparent and efficient system of accounting for and reporting of LPAC financial matters.

Article VIII. Amendments to these Bylaws

These Bylaws may be amended by a majority vote of Members in attendance during any Business Meeting, provided that: 1) the amendment was proposed at the previous Business Meeting or 2) notice about the nature and text of amendments proposed by an Executive Committee Member is provided to Members at least thirty days prior to the Business Meeting during which the amendments will be considered.

Article IX. Parliamentary Authority

Robert's Rules of Order as Newly Revised shall be the parliamentary authority for all matters of procedure not specifically covered by The Constitution and The Bylaws.

Article X. Delegates to Libertarian Party Conventions

Section 1. Any Member in good standing is eligible to represent the LPAC at the LPC Convention and the National Libertarian Party Convention.

Section 2. Each Officer and Other Executive Committee member shall be eligible to serve as a delegate to the LPC Convention. If the LPAC's convention delegate allocation is less than the number of members in the Executive Committee, then seniority – as an Executive Committee member – shall be used to determine which Executive Committee members will serve as delegates.

Section 3. Each Officer and Executive Committee member may appoint one delegate or alternate delegate to participate in the LPC Convention. If the LPAC's convention delegate allocation is less than the number of members in the Executive Committee, then seniority – as an Executive Committee member – shall be used to determine which Executive Committee members may appoint Delegates.

Section 4. LPAC's delegates and alternate delegates to the LPC convention, not including executive Committee members and their appointees (pursuant to Article X. Sections 2 and 3 of these Bylaws) shall be approved by a majority of a quorum of the Executive Committee.