

# Bylaws

## of the Libertarian Party of Santa Cruz County

*Adopted October 17, 2017*

# BYLAWS

## Table of Contents

|   |   |
|---|---|
| Article I — Purpose.....                      | 1 |
| Article II — Elected Officers.....            | 1 |
| Article III — Executive Committee.....        | 3 |
| Article IV — Judicial Committee.....          | 3 |
| Article V — Committees.....                   | 4 |
| Article VI — State Party Representation.....  | 4 |
| Article VII — Central Committee Meetings..... | 5 |
| Article VIII — Finances and Accounting.....   | 5 |
| Article IX — Endorsements.....                | 6 |
| Article X — Campaign Financing.....           | 7 |
| Article XI — Executive Appeal.....            | 7 |
| Article XII — Amendments.....                 | 8 |
| Article XIII — Parliamentary Authority.....   | 8 |

## Article I — Purpose

(Amendment by 2/3 majority)

The Party exists to uphold, promote, and disseminate the philosophy and principles of libertarianism. To that end, it shall proclaim and implement the Statement of Principles of the national Libertarian Party by engaging in political and informational activities in California. The Party shall do so by:

- A) Developing an on-going political strategy to identify, expose, combat, and defeat the opponents of liberty in the political arena;
- B) Engaging in political activity in all segments of the population;
- C) Identifying, persuading, and recruiting influential individuals and opinion leaders to become members of the Party;
- D) Identifying and developing coalitions with other organizations in order to realize the ideas of liberty as proclaimed in the Statement of Principles;

- E) Employing media experts, political tacticians, field workers and others, as needed;
- F) Preparing a statewide political environment to enhance the election of Party candidates pledged to the Statement of Principles for the singular purpose of abolishing statist law, and restoring civil and economic liberty and property rights as proclaimed in the Principles and defined in the Platform;
- G) Nominating, endorsing and promoting registered Libertarians who pledge to proclaim and implement the Statement of Principles of the Libertarian Party of California as candidates for public office in California; and
- H) Promoting, chartering, and coordinating County Central Committees throughout the state.

## **Article II — Elected Officers**

### **Section 1. Qualifications**

Only a person who is a member of the central committee and who has expressed a willingness to serve shall be eligible for election to any elected position of the Party.

### **Section 2. Suspension**

An officer may be suspended from office by a two-thirds vote of the Executive Committee. The office of a suspended officer shall be declared vacant unless the suspended officer appeals his or her suspension to the Judicial Committee within 3 days of notification of suspension.

### **Section 3. Appeal**

Upon appeal by the suspended officer, the Judicial Committee shall set the date of a hearing. Following the hearing, the Judicial Committee shall rule either to uphold the suspension, thereby vacating the office, or to restore the officer to full authority. A failure to rule shall be deemed as restoring the officer to full authority.

### **Section 4. Chair**

The Chair shall preside at all central committee meetings and at all meetings of the Executive Committee. If absent from such a meeting, the Vice-Chair will chair, and if both Vice-Chair and Chair are absent they shall assure that an officer is designated to chair the meeting in his or her absence. The Chair shall endeavor to assure that all officers positions are filled. The Chair shall be responsible to assure that an agenda is created prior to each central committee and Executive Committee meeting, and that such agenda is made known in advance to those who will attend the meeting. The Chair will utilize the agenda to preside over the meeting.

## **Section 5. Vice-Chair**

The Vice-Chair shall act as assistant to the Chair, and shall perform the duties of the Chair in the event the Chair is, for any reason, unable to.

## **Section 6. Secretary**

The Secretary shall be responsible for maintaining the Party membership list, for receiving or sending formal notifications as specified in these Bylaws , and shall be responsible for recording and promptly distributing minutes of Party proceedings. The Secretary shall be responsible for the maintenance of all Party records.

The Secretary shall cause the minutes of each Executive Committee meeting to appear on the Party website not more than thirty days after adoption. The Secretary shall email a summary of the results of the Executive Committee meetings, votes, and mail ballots to all county officers within ten days.

The Secretary shall cause the most recently adopted Bylaws on the Party to appear on the Party website not more than thirty days after adoption.

## **Section 7. Treasurer**

The Treasurer shall receive, expend, and account for the funds of the Party under the supervision and direction of the Executive Committee. The Treasurer shall prepare the annual budget. The Treasurer shall make monthly Treasurer's reports to the Executive Committee detailing the revenues and expenditures of the party. The Treasurer shall keep financial records, including documentation of expenses and revenues, for reference by any member of the central committee.

## **Section 8. Suspension**

An officer or Operations Committee member may be suspended from office by the Executive Committee. The office of the suspendee shall be declared vacant unless the suspendee appeals such suspension to the Judicial Committee in writing within ten days of notification of such suspension. Upon written appeal by the suspendee, the Judicial Committee shall rule within three days to either uphold the suspension, thereby vacating the office, or restore the suspended member to full authority. A failure to rule shall be deemed as restoring the suspended member to full authority.

## **Section 9. Appointment**

The Executive Committee shall appoint new officers, including the Chair, Executive Committee members or alternates, or Operations Committee members if vacancies occur. Such appointments shall be to complete the term of office vacated unless a Central Committee meets sooner, in which case a new election shall be held for any position so filled.

# Article III — Executive Committee

## Section 1.

The Executive Committee shall be responsible for the control and management of all of the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse any registered Libertarian candidate for public office, or it may rescind its endorsement of any candidate for public office.

The Executive Committee of the Party shall be composed of the following members of the Central Committee:

- A) The four elected officers of the Party;
- B) Up to five at-large members;
- C) Up to two alternates. There will be free substitution of alternates in ranked order at Executive Committee meetings.

## Section 2.

The Executive Committee shall have the primary duty of developing, funding, and implementing, either directly or through such committees as it shall appoint, a political strategy to elect Libertarians pledged to the Party Statement of Principles and to proclaim and implement those principles into public policy.

## Section 3.

The Executive Committee shall meet at such time and place as may be determined by action of the Executive Committee, by a call of the Chair, or by written request of one-third or more of the members of the Executive Committee. The Secretary shall mail a notice of the time and place of each meeting, not less than fourteen days prior to such meeting, to each member of the Executive Committee and to each county Chair.

## Section 4.

The Executive Committee may, without meeting together, transact business by mail by voting on questions submitted by the Secretary at the request of at least two members of the Executive Committee. Unless a secret ballot is requested when the question is moved, which will require either postal mail ballots or technical capabilities beyond standard e-mail, all such votes shall be counted and recorded by the Secretary as Roll Call votes. The Executive Committee will complete voting any time after forty-eight hours from the transmission time of the mail ballot:

- A) If the motion has received Yea votes from two-thirds of the Executive Committee members, or
- B) If the motion has received Nay votes from two-thirds of the Executive Committee members, or

C) After one hundred twenty hours in all other cases.

An alternate's vote will not be counted towards the two-thirds requirement unless it is definitely known that a corresponding voting member will not be participating. Members may change their vote up to the close of the voting period. If, at the expiration of the applicable period, a quorum of the Executive Committee has not voted, the measure being voted upon shall be deemed to have failed.

The Secretary shall preserve all such votes until the next meeting of the Executive Committee at which meeting the Executive Committee shall order the disposition of such votes.

## **Section 5.**

A majority of eligible Executive Committee members shall constitute a quorum.

## **Section 6.**

A two-thirds majority of the eligible positions on the Executive Committee shall be required to pass the following:

- A) Removal from office, censure, or suspension of a Party officer, Operations Committee member, Executive Committee member, Libertarian National Committee representative, or County or State Central Committee member, or reinstatement of a County Central Committee member.
- B) Endorsing or rescinding its endorsement of any candidate for public office.
- C) Endorsing or opposing any proposed ballot measure, but rescinding such action shall be considered a normal main motion.
- D) The annual budget, or any financial liability or contractual obligation lasting more than three months.
- E) Providing the Party mailing list to non-Libertarian groups or individuals, or to candidates for public office not endorsed by the Party.

## **Section 7.**

On all other matters, main motions shall require a simple majority of the eligible positions on the Executive Committee to pass.

## **Section 8.**

Failure of an Executive Committee member to attend two consecutive Executive Committee meetings shall be cause for removal.

# **Article IV — Judicial Committee**

## **Section 1.**

The Judicial Committee shall consist of five State Central Committee members elected at a convention of the Party by the attending delegates. The term of a Judicial Committee member shall begin at the close of each convention held in an even-numbered year and end at the close of the next convention held in an even-numbered year. The remaining Judicial Committee members shall by appointment fill any vacancy in the Judicial Committee until a successor shall be elected at the next convention.

## **Section 2.**

(2/3 required to amend)

A Judicial Committee member may not be a member of the Executive Committee, the Operations Committee, the Platform Committee, or the Program Committee. The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the Committee may be overturned by a three-quarters vote of a convention.

## **Section 3.**

The Judicial Committee review of a Party action or inaction shall be limited to the consistency of that action or inaction in accordance with the governing documents of the Party, including these Bylaws and documents to which they refer, with the only exceptions being Judicial Committee duties mandated by these Bylaws, and arbitration of Party contracts that explicitly call for arbitration by the Judicial Committee.

At least two Judicial Committee members shall agree to hold a hearing or to consider an appeal. The Judicial Committee may choose to hold hearings in person, by teleconference, or by videoconference.

## **Section 4.**

The Judicial Committee shall elect a Chair, who shall receive all appeals and petitions and schedule hearings so as to obtain a quorum of the Judicial Committee. When a hearing is requested, the Chair shall set a hearing date within seven days of receiving the request.

## **Section 5.**

The Judicial Committee shall provide at least ten days' notice to each of the parties to a hearing, unless an earlier date is agreed to by the Judicial Committee and the participants.

## **Section 6.**

The Judicial Committee shall hold a hearing within thirty days of receiving a request, unless otherwise specified.

## **Section 7.**

All parties to a hearing shall have the right to represent their own interests in the manner of their own choosing.

## **Section 8.**

The Judicial Committee shall provide a ruling within two days of the conclusion of the hearing, unless otherwise specified.

## **Section 9.**

With the consent of all parties, the Judicial Committee Chair may call for written arguments and mail ballot of the Judicial Committee, with a ruling to be provided to all parties and to the Executive Committee no later than thirty days following the date of the initial petition.

# **Article V — Committees**

## **Section 1. Operations Committees**

The Operations Committee shall consist of the Chair and four other State Central Committee members chosen by the Executive Committee.

The Operations Committee shall have the powers of the Executive Committee between meetings of the Executive Committee, except for the following:

- A) Establishing or modifying the Party budget, except that the Operations Committee shall have a budgeted discretionary amount of \$10,000 per quarter. At least four members shall approve any expenditure over \$2,000.
- B) Creating, modifying, or repealing standing resolutions.
- C) Incurring any non-budgeted expense or debt.
- D) Suspending or censuring any member of the State or County Central Committees.
- E) Overturning any Executive Committee action.

The Operations Committee, may, by unanimous vote, approve any other action that would require a two-thirds vote of the Executive Committee.

The Operations Committee may, by unanimous vote, fill any vacant Party officer or Operations Committee position on an interim basis until a meeting of the Executive Committee is held.

## **Section 2. Working Committees**

The Executive Committee shall establish such Working Committees as it deems appropriate and shall appoint a chair for each committee. Working Committees shall exist at the pleasure of the Executive Committee.

## **Article VI — State Party Representation**

The Executive Committee may appoint central committee members to fill those positions in the Libertarian Party of California which are to be selected by the Regional Organization. Such appointments shall be subject to ratification at the next central committee meeting. A meeting may fail to ratify an appointment only by electing a new member to fill the position for which the appointment was made.

## **Article VII — Central Committee Meetings**

### **Section 1.**

An Annual Central Committee meeting will be held each January to elect Party officers. Other Central Committee meetings may be called through the year by the Executive Committee as necessary.

### **Section 2.**

A quorum for a central committee meeting shall be made of those who chose to attend upon notification of the meeting. Meetings at which amendments to the Constitution, Bylaws, or Meeting rules are to be voted on require a majority of the Executive Committee to be present.

### **Section 3.**

The Executive committee shall be responsible for setting the time and place of all meetings. A minimum of one week's notice shall be provided to the central committee membership concerning any meeting.

### **Section 4.**

Officers elected at the Annual Meeting of the Central Committee held in January each year term begins the following February 1<sup>st</sup> and continues for one year.

## **Article VIII — Finances and Accounting**

### **Section 1.**

The fiscal term and year of the Party shall be February 1<sup>st</sup> to January 31<sup>st</sup>.

## **Section 2.**

The Executive Committee shall cause an efficient system of accounts to be installed and maintained. Periodically, and not less than annually, the Executive Committee shall appoint an auditor from among the central committee members (not including the Treasurer) to review the reports and records of the Treasurer and report to the Executive Committee.

## **Section 3.**

All disbursements shall be made solely by check, bank debit card, or electronic transfer. No disbursements shall be made without supporting documentation.

## **Section 4.**

The Executive Committee shall cause an annual budget to be projected at its final meeting for the fiscal year for ratification or modification the following year by the newly elected Executive Committee.

## **Section 5.**

The Treasurer may authorize expenditures for any item incorporated in the proposed budget until the Executive Committee has ratified the budget for the current year.

## **Section 6.**

Should the budget need to be revised during the year, it shall be revised by the same process that the annual budget is established.

## **Section 7.**

The Party shall not enter into any contract, incur any expense in a non-budgeted category, or incur any expense in a budgeted category for a budgeted item greater than the amount budgeted by more than 10% without a two-thirds vote of the entire Executive Committee. Anyone who incurs such financial liability without such approval shall be personally liable.

# **Article IX — Endorsements**

## **Section 1.**

Except as provided in Sections 2 and 3 below, the Party shall make endorsements, make recommendations, or otherwise take positions with respect to elections, nominations, measures, or other matters appearing on a public ballot only by a two-thirds vote of the central committee at a meeting the notice for which included a statement that such action would be considered. "Public ballot" includes any general, special, primary or other election conducted by any level of government.

## **Section 2.**

If, within 60 days of an election, (1) a new matter is added to the ballot, (2) a new candidate or other option is added to a matter already on the ballot, or (3) a candidate or option upon which the central committee has previously taken a position is removed from the ballot, the Executive Committee may, by a three-fourths vote, take a position on behalf of the Party with respect to the matter affected by the change.

## **Section 3.**

If a measure, other than a statewide measure, is placed on the ballot within 45 days of the deadline for submission of ballot arguments, the Executive Committee may, by a three-fourths vote, take a position on that measure on behalf of the Party in order to allow an argument to be submitted by the Party or by one or more Party officers using their Party titles. this position shall be effective only upon actual submission of such an argument to the appropriate election official prior to the deadline.

## **Section 4.**

No Party officer shall use his office or allow Party funds or other Party resources to be used to support or oppose any candidate or other option in any matter appearing on a public ballot, except in accordance with a position taken by the Party as provided in Sections 1, 2, or 3 of this Article.

## **Section 5.**

Nothing in this Article shall be construed to prohibit publication in the Party newsletter of factual material relating to matters appearing on a public ballot, or of signed opinion articles stating the personal opinions of their authors, as long as such opinions are clearly identified as not being official positions of the Party.

## **Section 6.**

Nothing in this Article shall be construed to prohibit use of Party resources for the recruitment or training as candidates or Party members who have not yet received an endorsement, as long as no position specifically opposing their candidacy has been taken by the Party.

# **Article X — Campaign Financing**

## **Section 1.**

The Executive Committee may choose to establish a Libertarian Party campaign fund from which funds may be allocated to local, county, state-wide or national candidates of the Libertarian Party. Such allocations among the various candidates will be determined at the discretion of the Executive Committee by majority vote. The campaign fund may also be used to support Libertarian Party campaign publicity not specifically promoting an individual candidacy.

## **Article XI — Executive Appeal**

### **Section 1.**

Any action taken by a Party Officer or the Executive Committee may be appealed to the Judicial Committee by the petition of 4 central committee members. A central committee member may only sign one such petition in any 3 month period.

### **Section 2.**

The Judicial Committee will hold a hearing to determine whether or not the action in question was within the scope of the Constitution and Bylaws of the Party. Should the committee rule that the action was not proper, then the Judicial Committee shall direct such corrective measures as it deems appropriate.

## **Article XII — Amendments**

These Bylaws may be amended by a majority vote at any meeting of the central committee provided that the amendment was proposed at the previous meeting, notification of the proposed amendment accompanied the notice for the meeting at which the amendment will be considered and a majority of the Executive Committee is present.

## **Article XIII — 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 or Bylaws of the Party.*