

Libertarian Party of California



**Operating Procedures Manual
2020**

**Libertarian Party of California
Operating Procedures Manual**

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POLICY MANUAL OVERVIEW AND INTRODUCTION

An organization is subject to public law and such other rules it adopts to govern its operation.

The rules governing the Libertarian Party of California Executive Committee are as follows and supersede each other in the order listed:

- **Bylaws:** Prescribe how the organization shall function. They may not be suspended, except for clauses that provide for their own suspension or clauses clearly in the nature of rules of order.
- **Special Rules of Order:** Relate to rules for orderly transaction of business that differ from those contained in the adopted parliamentary authority.

Special Rules of Order [previously referred to as Standing Resolutions (89)] are rules for orderly transaction of business (i.e. relating to parliamentary procedure) that differ from those contained in the adopted parliamentary authority. They are superseded only by the Bylaws and any applicable procedural rule prescribed by federal, state or local law, unless the rules in such documents specifically provide for their own suspension.

A special rule of order may be adopted, amended, rescinded or suspended. Adoption, amendment, or rescission requires either (a) a two-thirds vote with previous notice or (b) a vote of a majority of the entire membership of the Libertarian Party of California Central Committee.

- **Rules of Order:** Relate to orderly transaction of business. These are usually contained in the adopted parliamentary authority, which in this case is the latest edition of *Robert's Rules of Order, Newly Revised* (RONR).
- **Standing Rules:** Shall be limited to matters of policy and shall define the operating procedures of the Executive Committee.

Standing Rules [previously referred to as Advisory Resolutions (89)] relate to details of administration. They are superseded only by the parliamentary authority, Special Rules of Order, Bylaws and any applicable procedural rule prescribed by federal, state or local law, unless the rules in such documents specifically provide for their own suspension.

A standing rule may be adopted, amended, rescinded or suspended. Adoption requires a majority vote. Amendment or rescission requires either (a) a majority vote with previous notice or (b) without notice a two-thirds vote, or (c) a majority of the entire membership of the Libertarian of California Central Committee.

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- This Policy Manual is a compilation of the rules governing the Libertarian Party of California not already reflected in its bylaws or rules of order.

This is not a complete record of all Special Rules of Order or Standing Rules (formerly referred to as Standing and Advisory Resolutions) as the *Libertarian Party of California Standing and Advisory Resolutions*, which was last updated in March of 2000, was the most current version available in 2017 when this manual was initially updated. Being that not all Convention and Executive Committee Minutes were available to the then current Secretary, any resolutions adopted in the unavailable minutes are not reflected in the current document.

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TERMS AND DEFINITIONS

The following terms may be used throughout this document:

- “LPC” is the Libertarian party of California; also referred to as the *Party*
- “Central Committee Member” is a person who is eligible to vote on Party business consistent with the Bylaws and Convention Rules
- “Executive Committee” is Officers and At-Large members elected by the Central Committee at the annual Conventions, as prescribed in the Party’s Bylaws
- “Party Platform” or “Platform” is the Platform of the Libertarian Party of California

GENERAL LPC PROVISIONS

LPC Statement of Principles

The Libertarian Party of California endorses the Statement of Principles and Platform of the National Libertarian Party. (2-83-40.2)

LPC Vision

The vision of the LPC shall be: To elect to a majority of partisan offices, candidates who will implement our platform. (08/03/1996)

Private Property

Anyone acting on behalf of the LPC will leave privately owned property at the request of the owner or owner's agent. (5-79-5.5)

Privacy/ Party Records

The Libertarian Party respects the privacy of its members, therefore the Executive Committee instructs its officers to withhold access to Libertarian Party records except under court order as adjudicated. (1-89-05.1)

SPECIAL RULES OF ORDER

Executive Committee Provisions

Indemnity

The LPC and the Executive Committee indemnifies officers and Executive Committee members past and present from any and all liabilities imposed by any governmental agency incurred in the reasonable exercise of their official duties. (3-89-05.3)

Open Meetings

All Committees which exist at the pleasure of the Executive Committee, shall establish, maintain, and exercise an open door policy inclusive to members of the Executive Committee of the LPC. Further, no such Committee shall be exempt from this policy without prior approval of two-thirds of the entire Executive Committee. (5-84-76.5)

Donor List

Limits on use: The LPC donor list shall be kept confidential to the state organization, even to candidates, except LPC candidates for partisan office who are members of the state central committee. (2-94-4.2)

Document Maintenance

Secretary

Agenda Item on Resolutions:

There shall be a permanent agenda item for the evaluation of Standing Resolutions at each Executive Committee meeting. (11-89-11.1)

Maintaining and Distributing Resolutions:

- 1) The Secretary is instructed to research the records of the LPC and Prepare a list containing the complete text of all policy statements, resolutions and committee appointments made by the Executive Committee that are Currently relevant and in effect. The date of each item shall be included.
- 2) It shall be considered part of the Secretary's job to maintain the Compiled resolutions report and keep it up to date.
- 3) The Secretary shall provide copies of the report and of the minutes of the previous Executive Committee meeting for distribution to all new members of the Executive Committee at the first meeting held each year following Convention.
- 4) This motion shall be included in the report.(11-79)

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General Executive Committee

Payments to officers and employees of the Libertarian Party (other than payroll) shall be approved in writing by the Treasurer, except for payments to the Treasurer to be approved by the Chair. This written approval (sign-off or signature on the invoice/expense report) would act in concert with the present review by the Treasurer to assure the highest level of review for such expense reimbursements. (09/16/2000)

No member or officer of the LPC Executive Committee is permitted to authorize any expenses greater than the amount budgeted or be reimbursed for any expenses greater than the amount budgeted. (11/14/2016)

Conflict of Interest

Each Executive Committee Member and each Party officer or employee shall disclose to the Executive Committee situations in which such personal and economic or other interests, or duties to others, might conflict with the interests of the Party in the discharge of his/her duties. Any such disclosure shall be made at the earliest opportune moment, prior to the discharge of such duties and clearly set forth the details of the conflict of interest, in a written disclosure statement provided to the Secretary. No Executive Committee Member, Party officer or employee shall: (a) transact business with the Party unless the transaction is fair and equitable to the Party; or (b) use information gained in the discharge of Party duties to the disadvantage of the Party. The Secretary shall maintain a register of all declared potential conflicts of interest by Executive Committee members. This register will be presented and distributed to all Executive Committee members at each regular Executive Committee meeting. (09/08/2018)

Executive Session

The Libertarian Party of California (LPC)'s Executive Committee may enter into Executive Session only in compliance with this Special Rule of Order:

- The motion to enter into Executive Session must list all reasons for doing so; only items listed in the reasons for entering Executive Session shall be considered during Executive Session
- The motion to go into Executive Session shall require a two-thirds vote of the members of the Executive Committee present and voting
- No action can be taken while in Executive Session
- During Executive Session discussion of action which may be taken in Open Session can occur

Recordings shall be made, and minutes taken, during Executive Session. However, such recordings and minutes shall only be made available to the members of the LPC Executive Committee until such time as the LPC Executive Committee, by two-

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thirds vote, incorporates such recordings and minutes into the public record. Nothing in this section shall require the LPC Executive Committee to ever make these records public.

Any LPC Executive Committee member who is unwilling to commit to maintaining the confidentiality regarding any particular Executive Session is obligated to excuse themselves from the entire Executive Session, and to request that the Secretary note their absence from the Executive Session in the minutes of the meeting.

A participant in an Executive Session may publically disclose information discussed during the Executive session if the same information is publicly available from other sources, not as the result of a participant's misconduct, and the participant does not reveal that it was discussed in Executive Session, or if the LPC Executive Committee, and all participants in the Executive Session, first consent to its release.

All other aspects of Executive Session, not specifically addressed above, will be in conformance with the newest edition of Robert's Rules of Order, Newly Revised. (01/18/2020)

STANDING RULES

General Provisions

Bulk Mail Permit

Transfer or use by caucus: No Region shall on behalf of any caucus, use or transfer its right to the LPC bulk mailing permit. (8-79-13.8)

Caucuses

The LPC policy on Caucuses within the Party shall be:

- 1) For recognition as a caucus a group must provide to the Executive Committee, each year, a list of at least ten members who are members of the LPC, and a statement of purpose that is consistent with the Libertarian Party Statement of Principles.
- 2) Each Caucus with its address and telephone number, shall be listed at least twice a year on the Party's official website (revised 12/08/2018).
- 3) State convention organizers shall cooperate with caucuses to obtain caucus meeting rooms, to be paid for by the caucuses.
- 4) All caucus publications (e.g., pamphlets and newsletters) shall include the following disclaimer: "The views expressed in this publication do not necessarily reflect the official views of the Libertarian Party of California."
(11- 79-21.11)

Newsletter

Actively promote email subscriptions to the LPC Newsletter within each newsletter and send out to email subscribers a message alerting them to the publication of new issues with a link to the LPC Web Site. Delete regular mail subscriptions of those who subscribe online. (11-99)

Candidate Endorsements

Any member of the Libertarian Party of California's Central Committee can appear on the Party's Website, on a separate sub-page titled "Who's Running" as a candidate for office which will include only names and links to candidate websites. Inclusion on this page will not be construed as an Endorsement. (09/23/2017)

The Executive Committee shall only endorse one candidate for each elected office, with advance notice to the candidates that the endorsements will occur at the 4th Quarter Executive Committee Meeting; therefore allowing any candidate that is seeking endorsement to attend that meeting. (09/23/2017)

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Committee and Officer's Reports

Prior to each Executive Committee Meeting all Committee and Officer's reports shall be submitted to the Party's Chair and Secretary a minimum of 1 week before the meeting:

1. To be included in the Agenda
2. To be included in the appendices of the Meeting Minutes
3. For publication to the Executive Committee

Prior to the Party's Annual Convention all Committee and Officer's report shall be submitted to the Party's Secretary (unless a Committee meets just prior to the Convention, such as the Platform Committee) a minimum of 2 weeks before the Convention for publication to the full Executive Committee and the full Central Committee.

Additional commentary during the report, as well as questions and subsequent motions, need not be included in the submitted report and shall be included in the body of the meeting's minutes. (12/02/2017)

Executive Committee Provisions.

Office

Main Office:

The Sacramento Office, located at 770 L Street #950, Sacramento, CA 95814 shall be retained as the LPC main mailing address. (07/12/2017)

Officers of the Executive Committee and their Responsibilities

Chair

Endorsement:

The Chair shall have the responsibility of contacting organizations either opposing or backing statewide propositions, informing them of our support. (1-94-11.1)

Treasurer

Financial Statement:

Henceforth, as a matter of policy, the Treasurer shall distribute a statement of financial condition and sources and uses of funds to members of the Executive Committee, prior to or at each meeting of that body. (1-82-55.11)

Financial Information:

The Treasurer is directed to provide any member of the Executive Committee, upon request, detailed financial transaction reports (to include

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income and expenses without personally identifying information) via email or other electronic means. (02/26/2017)

Standing Committees

Duties and Responsibilities of Standing Committees

Operations Committee

The Operations Committee shall justify any vote or action taken in writing within 24 hours of the respective vote or action taken. (05/31/2015)

Financial Standards Committee

Purpose:

The Executive Committee shall appoint a Financial Standards Committee during the first three months after a convention. The Financial Standards Committee serves at the pleasure of the Executive Committee. Financial Standards Committee shall obtain, no later than 30 days after the creation of the Committee the financial records of the LPC for the fiscal year ending December 31. (Revised 09/23/2017)

A written report shall be prepared as to the Financial Standards Committee's findings, to be submitted to the LPC Secretary no later than two days prior to the commencement of the convention and included in the year-end report. (Revised 09/23/2017)

Additional audits shall be performed upon request by the Executive Committee or the Operations Committee.

The Financial Standards Committee shall have access to all financial records as required to perform the required audits. (Revised 09/23/2017)

Financial Standards Committee Responsibilities Include:

- 1) The Financial Standards Committee shall review the review of all books by the CPA, as budgeted in the LPC's budget, and incorporate that into their annual report to the convention. (01/18/2020)
- 2) Review the receipts and expenditures for authorization and proper coding according to the LPC budget.
- 3) Verify the existence and valuation of the assets and liabilities of the LPC.
- 4) Review and evaluate the system of internal controls and make recommendations as needed.
- 5) Review the reports generated and provide an opinion as to their accuracy and adequacy. (1-94-4.1)

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- 6) Review and confirm compliance with reporting to all Government financial reporting agencies. (09/23/2017)

Budget Committee

- 1) The operations of the LPC shall be governed by a budget adopted by the Budget Committee.
- 2) The Budget Committee shall consist of the Treasurer and four members elected by the Executive Committee at the first quarterly Executive Committee meeting following the convention. It will consider and construct a budget of income and expenditures for a period of January 1 through December 31 and distribute the budget to the Executive Committee at its final meeting of the fiscal year for ratification. (05/18/2019)
- 3) The Executive Committee may amend the budget by deletion at any time with a majority vote. Any other changes by the Executive Committee will require a 2/3 vote.
- 4) The Treasurer shall present the Budget Report and the adopted budget at the Party's annual convention. (05/18/2019)

Membership Committee

A Membership Committee, made up of five Central Committee Members, shall be appointed by the Chair to manage the LPC's programs to promote membership. The committee members shall select the Committee Chair. (05/18/2019)

- 1) Develop and implement programs and materials for membership recruitment and upgrade (i.e., prospecting for new members, increasing membership dues by encouraging upgraded membership levels from existing members, getting national-only members to join as state members, and getting state-only members to join as national members), including membership promotion literature, membership application forms, direct mail letters, advertisements, and in-person contact such as fair booths. (05/18/2019)
- 2) Develop and implement programs and material for membership retention, including new member packets, renewal letters, renewal forms, and membership premiums. (95) The committee should actively contact recently lapsed members to encourage them to renew. (05/18/2019)
- 3) Encourage membership recruitment by LPC County Central Committees. (05/18/2019)
- 4) Track, share information and analyze membership progress and the results of membership programs. (95)
- 5) Review policies concerning membership qualifications and dues and report recommendations for improvements to the Executive Committee and/or Bylaws Committee for consideration. (95)
- 6) Work with other LPC committees and the newsletter editor to coordinate

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activities which involve solicitation of new memberships or dues.
(05/18/2019)

- 7) The Membership Committee has the authority to establish membership categories and pricing for the Libertarian Party of California. (09/23/2017)
- 8) Membership Committee should attempt to contact Life Members to insure they are still active and engaged. (05/18/2019)

Credentials Committee

A Credentials Committee made up of five Central Committee Members shall be created to assist the Secretary at the Party's Annual Convention. Five members will be appointed to the Credentials Committee by the Executive Committee and the committee shall select the committee chair. The Credentials Committee is required to retain a list of all Delegates in attendance of the Convention and provide periodic credentials reports to the Secretary during the convention to be reported to the delegates. (05/18/2019)

Candidate Support Committees

Per Bylaw 16 the LPC shall establish at least one campaign fund which funds shall be allocated to candidates of the Libertarian Party.

FPPC Candidate Support Committee

The Libertarian Party of California FPPC Candidate Support Committee (LPC FPPC CSC) shall be formed to raise money to support qualified Libertarian candidates in California and/or support campaign publicity not specifically promoting an individual candidacy.

The Treasurer of this Committee shall not be an officer of the LPC, shall serve a term contemporaneous with the term of the Treasurer of the LPC, and shall be the Assistant Treasurer of the LPC FPPC Committee.

The members of the LPC CSC and the Treasurer shall be appointed by the Chair. The Candidate Support Committee shall consist of seven members.

The Candidate Support Committee shall be charged with:

- 1) Determining which non-federal candidates to support
- 2) Review the unrestricted account records for accuracy and assist the LPC's treasurer with timely filing of Fair Political Practice Commission (FPPC) reports.

FEC Candidate Support Committee

The Libertarian Party of California FEC Candidate Support Committee (LPC FEC CSC) shall be formed to raise money to support qualified Libertarian federal

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candidates in California and/or support campaign publicity not specifically promoting an individual candidacy.

The members of this committee shall be the same members as the LPC FPPC CSC.

The FEC Candidate Support Committee shall be charged with:

- 1) Determining which federal candidates to support
- 2) Review the account records for accuracy and assist the LPC's treasurer with timely filing of Federal Elections Commission (FEC) reports. (09/12/2020)

Historical Preservation Committee

The Chair shall appoint five members to a Historical Preservation Committee which shall be responsible for directing the preservation and publication of Party historical documents and shall report its activities and decisions to the Executive Committee at each Executive Committee meeting. (09/08/2018)

Affiliate Support Committee

This Committee shall be made up of seven members: the Vice Chair, the three Area Coordinators, and three members to be selected by the Chair, including one who is affiliated with a county in the Southern Area, one who is affiliated with a county in the Central Area, and one who is affiliated with a county in the Northern Area. This committee shall be responsible for providing the county central committees support in growing and developing a sustainable process and also in providing the appointed Chair Pro Tems support in organizing their county organizations, and the Area Coordinators support in finding suitable candidates to be appointed Chair Pro Tem. (04/15/2019)

Awards Committee

The Awards Committee shall consist of five Central Committee Members appointed by the Executive Committee whose task shall be to establish awards to be given at the convention, set and manage the nomination process, select the award winners by committee vote, secure the awards, and present the awards at the convention.

Executive Committee Veto Provision

Except where otherwise indicated per the Bylaws, the Executive Committee shall have the authority to remove any member appointed by the Party Chair to any Standing Committee with a 2/3 supermajority vote of all members of the Executive Committee. (04/17/2019)

Conventions

Contracts

Starting with 1995 convention, all convention contracts will include a requirement for a written convention report, to be submitted within 90 days of the close of the

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convention. (1-93-06.1)

Audit / Profits

When a convention contract includes remuneration as a percentage of the profit, the party reserves the right to audit the books of the convention to verify those profits. (2-93-06.2)

Contracts

Treasurer

The treasurer is to receive a copy of all contracts. (3,93-06.3)

The contract between the LPC and the party engaged to organize the LPC's annual convention shall be made available to the Chair of the Convention Oversight Committee, and to the other Convention oversight Committee members upon request. (Revised by ExCom March 17, 2001)

Reimbursement

All fees and expenses submitted by contractors for reimbursement must be receipt or document supported, whichever is appropriate. (2-84-72.2)

Budget allowances

Monthly budget allowances are to be construed as limiting the average monthly expense in a year, not as limiting the expenses in a month with a particularly heavy workload. (2-84-72.2)

Contract Renewal

Contracts shall be for no longer than one year; negotiation of new contracts or renewal of existing contracts will be explored annually. (2-84-72.2)

Debt to party

The LPC shall withhold further monies from the hands of any person owing funds to the LPC. (1 -90-11. 1)

Contractors

Conflict of Interest: Any contractor who is a member of the Executive Committee may not vote on any appropriation affecting that contractor. (2-84-72.2)

Membership

Lapsed Members

Lapsed members shall be retained in the data base. (3-89-08.3)

Out of State Members

Minimum dues for out of state membership shall be \$25 (07/04/2000)

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Monthly Pledge Members

Immediately begin membership renewal for credit card pledgers of \$10 or more.
(Passed by ExCom 12/16/2000)

Membership Dues Sharing

Inactive Counties

Dues revenue allocated to counties shall be paid to active counties on a semi-annual basis. (Revised 09/23/2017)

The Treasurer will have the discretion to consider checks which have not cleared the bank within no less than three months and no more than six months to be considered void and the money returned to the general fund. (Revised 09/08/2018).

An inactive region, upon becoming active, shall be given a lump sum equal to its current monthly dues allocation multiplied by the number of months it has been inactive, not to exceed 12 months. (97-03)

Active Counties

All contributions not called "dues" shall go to the organization which originated the solicitation or to any project designated by the sender. (8-89 second page-08.2; revised 07/01/2013)

Membership Database

Data Exchange:

The policy on handling of the membership database was amended to allow certain forms of transmission provided the information is encrypted. (4-2-95)

Database:

All those receiving a copy of the LPC database should agree to:

- A. sign a contract citing the specific use granted to the person or organization by the LPC;
- B. encrypt the LPC database when not in use to provide adequate security so that our database is not distributed to anyone else, especially to any government agencies;
- C. use the LPC database for a specified time;
- D. to return the original media (diskette, tape, etc.) to the LPC;
- E. remove all copies of the LPC database or any other databases created from it, from all computers used to process the data, via the use of a utility program that will ensure that the data cannot be un-erased from the computer. Symantec's Norton Utilities 'wipedisk' is one such program;

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- F. not transmit the LPC database via modem, LAN (Local Area Network), or the Internet, nor place it on any computer bulletin boards system (BBS).

The LPC shall remove membership records from copies of the LPC database for members who have specifically requested that their names not be sold or otherwise given to any outside organization or person. (1 -94-7. 1; revised 07/04/2000)

i Libertarian Party of California Operating Procedure Manual reformatted by LPC Secretary, Honor Robson, September 23, 2017