

LIBERTARIAN PARTY OF PENNSYLVANIA

# BYLAWS

Revised March, 2006

## ARTICLE I. PURPOSE AND SCOPE

### Section 1 – Purpose

The purpose of the Party is to conduct the following activities consistent with the Statement of Principles of the National Libertarian Party:

- Disseminating Libertarian political philosophy by entering into political information activities.
- Nominating candidates for statewide political office and for offices of the Commonwealth.
- Supporting local and county Libertarian Party candidates.

### Section 2 – Scope

- The Party shall conduct its activities primarily within the Commonwealth of Pennsylvania.

## ARTICLE II. MEMBERSHIP

### Section 1 - Establishing a Membership

A person shall become a member of the Party by fulfilling all of the following qualifications:

- Making application.
- Paying such dues as prescribed by the Board of Directors.
- Explicit agreement with the following statement, either by signature or electronic means: "I hereby certify that I do not believe in or advocate the initiation of force or fraud as a means of achieving political or social goals."

### Section 2 - Dues

The Board of Directors may from time to time determine the amount of dues necessary for membership in the Party, and may

establish one or more classes of membership with different amounts of dues for each.

### Section 3 - Suspension of Membership

The Board of Directors shall have the power to suspend a member for failure to maintain all of the qualifications of membership established in Article II Section 1 or for cause by a two-thirds vote of the entire Board of Directors. A member may be suspended by the Board for cause for misrepresenting the principles of the Party; endorsing or campaigning, in the name of the Party, for a candidate for public office in opposition to one nominated by the Party; or for running for office purporting to have been nominated or endorsed by the Party without having received such nomination or endorsement; or for other reasonable cause. Notification of suspension shall be made in writing, and is subject to written appeal as described in Article II Section 4 within fifteen days of notification. Failure to appeal shall result in termination of membership.

### Section 4 - Membership Appeal

Upon appeal by the member, the Judicial Committee shall hold a hearing within 30 days concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to continue the membership in good standing. Should the Judicial Committee fail to rule, the membership shall be continued in good standing.

## **ARTICLE III. COUNTY AND REGIONAL COMMITTEES**

### Section 1 - Definition of County Committee

Any group of two or more members in good standing residing in the same county, shall, upon their request to the Party be recognized by the Board of Directors as a "County Committee". The county committee must select an executive board consisting of two or more people, and they must choose as their Parliamentary Source any version of Robert's Rules.

Recognized county committees from adjoining counties without sufficient members to qualify for individual voting representatives to the Board of Directors may elect one joint voting representative, provided that the total number of members in good standing among the adjacent counties exceeds the minimum of twelve prescribed in the bylaws for single county representation. These multi-county entities shall be called "Regional Committees".

A county or regional committee which fails to hold a regular meeting in any four month period shall cease to be in good standing. County committees shall be responsible for the nomination and campaign of Libertarian Party candidates for county and local offices.

County and regional committees are required to elect their local board and their state Board of Directors representative yearly, and they must provide a rank ordered list of alternate representatives to the board.

#### Section 2 - Purpose and Scope of County and Regional Committees

County and regional committees shall conduct activities consistent with the Constitution, Bylaws, and Rules of the Party.

#### Section 3 - County Committee Representation on the Board of Directors

Any member of a county committee who presents a petition to the Board of Directors from the majority of the members of his or her county committee who are members in good standing of the Party (provided that the majority is at least twelve members) shall become the County Committee Representative.

Any member of a regional committee who presents a petition to the Board of Directors from the majority of the members of his or her regional committee who are members in good standing of the Party (provided that the majority is at least twelve members) shall become the Regional Committee Representative.

If at any time such county or regional committee shall have fewer than twelve members in good standing of the Party, or upon a challenge from at least three members in good standing of both the Party and such county committee, such person shall cease to be the County Committee Representative. Absent such challenge, any duly elected successor board representative of such county or regional committee shall automatically be seated as a member of the Board of Directors.

#### Section 4 - FEC Compliance

Before engaging in federal election activities, County Committees must ensure they are knowledgeable in the applicable rules and regulations. County Committees shall not contribute

or expend funds on federal election activities without the prior written approval of the Board of Directors.

#### **ARTICLE IV. OFFICERS**

##### Section 1 - Chair

The Chair shall preside at all Party conventions and at all meetings of the Board of Directors. He or she shall be the chief executive officer of the Party.

##### Section 2 - Vice Chairs

Two Vice Chairs, one each from the eastern and western portions of Pennsylvania, shall act as assistants to the Chair, with specific emphasis on the founding, development, and growth of county and local organizations.

##### Section 3 - Secretary

The Secretary shall take and keep minutes of all Party conventions and all meetings of the Board of Directors, and shall maintain a current list of all members of the Party.

##### Section 4 - Treasurer

The Treasurer shall be responsible for the management of the receipt, disbursement, and accounting of the funds of the Party under the procedures set forth in the Policy Manual (see Article XIII). The Treasurer shall not allow the obligations of the Party to be in excess of the available funds. No member or officer of the Party may create an obligation in the name of the Party without first informing the Treasurer. The Treasurer shall file all required reports on behalf of the Party with government agencies.

##### Section 5 - Suspension

An officer may be suspended from office by a two-thirds vote of the Board of Directors for reasons described in Article II Section 3, for failure to fulfill the duties of the office held, or for other reasonable cause. The office of a suspended officer shall be declared vacant unless the suspended officer appeals suspension to the Judicial Committee within ten days of notification of suspension.

##### Section 6 - Appeal

Upon written appeal by the suspended officer, the Judicial Committee shall set the date of a hearing. Following the hearing, the Judicial Committee shall rule within three days to either uphold the suspension (thereby vacating the office) or to restore the officer to full authority. Should the Judicial Committee fail to rule, the officer shall be restored to full authority.

#### Section 7 - Vacancies

The Board of Directors shall appoint new officers if vacancies or suspensions occur, such officers to complete the term of office vacated.

### **ARTICLE V. BOARD OF DIRECTORS**

#### Section 1 - Meeting Notification

The Board of Directors shall meet at such time and place as may be determined by a call of the Chair, or by the request of one third or more of the members of the Board of Directors. Notice of the time and place of the meeting shall be communicated to each member of the Board of Directors not less than fourteen days prior to said meeting, unless an earlier date is agreed to by a majority of the Board of Directors. If no meeting of the Board of Directors has been held during a calendar quarter, a meeting shall be held on the last Sunday of said quarter.

#### Section 2 - Transaction of Business

The Board of Directors may, without meeting together, transact business by mail or telephone, by voting on questions submitted to them by or with the approval of the Chair. Fifteen days shall be allowed for the return of votes thereon by mail to the Secretary. If at the expiration of said fifteen days a quorum of the Board of Directors has not returned a vote, the measure being voted upon shall be deemed to have failed; in all other cases a majority of the votes returned shall carry the measure except where a higher vote is required by the Bylaws or Constitution. The Secretary must preserve all such votes until the next meeting of the Board of Directors, at which meeting the Board of Directors shall order disposition of such votes.

#### Section 3 - Quorum

An Executive Committee of the Board of Directors shall consist of the officers as defined in Article IV. A quorum of the Board

of Directors shall be three fifths of the Executive Committee or a majority of the Board of Directors.

#### Section 4 - Immediate Past Chair

The Immediate Past Chair will be the person who most recently served as Chair of the Party. If such person serves in that position for more than one consecutive term, the position of Immediate Past Chair on the Board of Directors will be vacant during the second and succeeding terms.

#### Section 5 - Transaction of business over the Internet

Any business of the Board of Directors can be conducted over the Internet in the same manner as via mail or telephone, except that multiple motions may be on the floor simultaneously provided they do not overlap or conflict with one another. If any members of the Board of Directors do not wish to transact Board business over the Internet, when a vote is required the Secretary will forward to them via mail or phone sufficient information regarding the business at hand to allow them to vote knowledgeably.

### **ARTICLE VI. EXECUTIVE DIRECTOR**

The Board of Directors shall have the power to hire an Executive Director to assist the Chair in administering the operation of the Party. The Executive Director shall be subject to the same qualifications as a member of the Board of Directors.

Salary for the Executive Director shall be exclusively from special project fundraising earmarked for that purpose and/or commissions from the profits of fundraising and membership prospecting conducted by the Executive Director. Money from the general fund shall never be used to pay the Executive Director's salary.

### **ARTICLE VII. THE JUDICIAL COMMITTEE**

#### Section 1 - Organization

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 be allowed three days to set the date of the hearing.

## Section 2 - Notice

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

## Section 3 - Limit

Hearings must be held within thirty days from the time the request is received by the Judicial Committee.

## Section 4 - Representation

Each party to a hearing shall have the right to represent his or her interests in the manner of his choosing.

## Section 5 - Rulings

The Judicial Committee must provide a ruling within three days of the conclusion of a hearing.

## Section 6 - Vacancies

The Judicial Committee shall appoint new members if vacancies or suspensions occur, such members to complete the term of office vacated.

## **ARTICLE VIII. COMMITTEES**

### Section 1 - Standing Committees

The standing committees of the Party shall be Membership Committee, Research Committee, Election (Ballot Access) Committee, Legal Action, Legislative Action, and Fundraising(Finance) Committee. The duties, composition, and reporting requirements shall be determined from time to time by the Board of Directors.

### Section 2 - Working Committees

There shall be such working committees appointed by the Chair as the Board of Directors deems appropriate. Working committees shall exist at the discretion of the Board of Directors.

## **ARTICLE IX. CONVENTION**

### Section 1 - Arrangements

It shall be the responsibility of the Board of Directors to set the time, place, and schedule of events of the convention. At least fifty days notice must be provided to the membership concerning these arrangements.

## Section 2 - Delegates

Every member in good standing of the Party, as of 180 days before the convention, shall be entitled to be a delegate at such convention by attending in person. However, every attending member in good standing at the time of the convention may be a delegate if two thirds of the delegates present, in person, who meet the aforesaid 180 day requirement, vote to waive said requirement. Delegates must be registered Libertarian in Pennsylvania unless prohibited by law. If a member is in good standing at the time of the convention and the member had been in good standing at any time during the immediate year (12 months) before the convention, then such member is also entitled to be a delegate to the convention.

## **ARTICLE X. NOMINATIONS OF CANDIDATES FOR OFFICE**

Only the Libertarian Party of Pennsylvania shall have the power to nominate candidates for Pennsylvania state offices under the "Libertarian Party" label. Candidates for county and local office shall be nominated by recognized county committees in good standing. Congressional and state legislative candidates shall be selected by a regional caucus of the recognized county committees in the district. In the absence of a recognized county committee, the Board of Directors shall have the power to nominate candidates for congressional, state legislative, county, and local office with the advice of members in that county. In the absence of a Convention resolution not to run any candidate for an office, the Board of Directors shall have the power to nominate candidates for offices not filled in Convention. The Board of Directors shall have the power to nominate candidates for special elections, nominate substitute candidates as provided in the state election code, and select individuals whose names are to appear on statewide nominating petitions as proxies for candidates nominated in Convention. The Board of Directors shall have the power to withdraw the Party's endorsement of candidates for cause.

## **ARTICLE XI. STATEMENT OF PRINCIPLES AND PLATFORM**

### Section 1 - Statement of Principles



The Statement of Principles affirms that philosophy upon which the Libertarian Party is founded, by which it shall be sustained, and through which liberty shall prevail.

#### Section 2 - Platform

The Party Platform shall include the Statement of Principles and the implementation of those principles in the form of planks.

#### Section 3 - Amendments

The current Platform shall serve as the basis of all future platforms. At Conventions, the existing Platform may be amended. Additional planks, or changes to planks, must be submitted by the deadline and approved by 2/3 vote. A platform plank may be deleted by majority vote. The enduring importance of the Statement of Principles requires that it may be amended only by a vote of 3/4 of all registered delegates at the Party convention.

#### Section 4 - Deadline

All proposed amendments to the Platform must be submitted in writing to the Party Secretary at least sixty days prior to the convention.

### **ARTICLE XII. AMENDMENTS**

These Bylaws may be amended by a majority of all the registered delegates at the Party convention. All proposed amendments to the Bylaws must be submitted in writing to the Party Secretary at least thirty days prior to the convention.

### **ARTICLE XIII. PARLIAMENTARY AUTHORITY**

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

### **ARTICLE XIX. POLICIES AND PROCEDURES**

All the policies and procedures adopted by the Board of Directors shall be incorporated into the Policy Manual of the Libertarian Party of Pennsylvania.