

Libertarian Party of California



**Operating Procedures Manual
March 26, 2023**

**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 They are superseded only by the Bylaws and any applicable procedural rule prescribed by federal, state or local law, unless the rules in such documents specifically provide for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A special rule of order may be adopted, amended, rescinded or suspended.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 They are superseded only by the parliamentary authority, Special Rules of Order, Bylaws and any applicable procedural rule prescribed by federal, state or local law, unless the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A standing rule may be adopted, amended, rescinded or suspended.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

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(c) a majority of the entire membership of the Libertarian of California Central Committee.

- 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:

- “LPCA” 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, Area Coordinators, and At Large members elected by the Central Committee at the annual Conventions, as prescribed in the Party’s Bylaws

GENERAL LPCA PROVISIONS

LPCA Statement of Principles

The Libertarian Party of California endorses the Statement of Principles and Platform of the National Libertarian Party.

LPCA Vision

The vision of the LPCA shall be to create a freer California by: advancing the cause of liberty by electing a majority of libertarians in public office, successfully advocating for liberty through initiatives, referendums, legislative efforts, and changing the hearts and minds of the people of California.

Private Property

Anyone acting on behalf of the LPCA will leave privately owned property at the request of the owner or owner's agent.

Privacy/ Party Records

The LPCA respects the privacy of its members. Access to records shall be withheld in all circumstances, except in the context of a litigation or law enforcement inquiry in which a court orders the records disclosed.

Notwithstanding the foregoing, upon execution of a nondisclosure agreement approved by the Executive Committee, the following state Central Committee members may access the membership data stored in the LPCA’s customer relationship management database (the “Membership Data”) on the following terms:

1. Members of the State Executive Committee, the Membership Committee, and the Credentials Committee may have unrestricted access to the Membership Data.
2. Members of County Executive Committees, when acting in their capacity as holders of such office, may access the Membership Data relating to their specific county organizations.

SPECIAL RULES OF ORDER

Executive Committee Provisions

Indemnity

The LPCA 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.

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 LPCA. Further, no such Committee shall be exempt from this policy without prior approval of two-thirds of the entire Executive Committee.

Donor List

Limits on use: The LPCA donor list shall be kept confidential to the state organization unless three out of four LPCA Executive Committee officers agree to share the donor list with candidates, or initiative and referendum committees, upon their request.

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.

Maintaining and Distributing Resolutions:

- 1) The Secretary is instructed to research the records of the LPCA 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.

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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, which shall require approval by the Chair. This written approval (sign-off or signature on the invoice/expense report) shall act in concert with the present review by the Treasurer to assure the highest level of review for such expense reimbursements.

No member of the LPCA Executive Committee is permitted to authorize any expenses greater than the amount budgeted or be reimbursed for any expenses greater than the amount budgeted.

Conflict of Interest

Each member of the Executive Committee, LPCA employee or contractor shall disclose to the Executive Committee situations in which their personal, economic, or other interests, or duties to others, might conflict with the interests of the Party in the discharge of their 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. Mere membership in a Libertarian Party caucus, or prior employment by, or prior work for, a political candidate or campaign, does not alone rise to the level of an actual or potential conflict of interest for the purposes of this provision. No member of the Executive Committee Member, LPCA employee or contractor 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 the aforementioned persons. This register will be presented and distributed to all Executive Committee members at each Executive Committee meeting.

Executive Session

The Libertarian Party of California (LPCA)'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

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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 LPCA Executive Committee until such time as the LPCA Executive Committee, by two-thirds vote, incorporates such recordings and minutes into the public record. Nothing in this section shall require the LPCA Executive Committee to ever make these records public.

Any LPCA 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 publicly 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 LPCA 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.

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STANDING RULES

The rules appearing hereafter in this Manual shall constitute “Standing Rules,” within the definition of that term as set forth on page 1 hereof, and shall be subject to modification in accordance with such definition, except to the extent the treatment of a particular rule as a Standing Rule would conflict with a Special Rule of Order, the parliamentary authority or the Bylaws.

General Provisions

Caucuses

The LPCA 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 LPCA, and a statement of purpose that is consistent with the Libertarian Party Statement of Principles.
- 2) Each Caucus, with its contact information, shall be listed on the Party’s official website.

Newsletter

The newsletter shall actively promote email subscriptions to the LPCA 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 LPCA website. The LPCA shall delete regular mail subscriptions of those who subscribe online.

Candidate Endorsements

Any member of the Libertarian Party of California’s Central Committee may 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 by the LPCA.

The Executive Committee shall only endorse one candidate for each elected office.

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

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Prior to the Party's Annual Convention, all applicable Committee and Officer's reports shall be submitted to the Party's Secretary 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.

Executive Committee Provisions

Office

Main Office:

The Sacramento Office, located at 428 J Street, Suite 400, Sacramento, CA 95814 shall be retained as the LPCA main mailing address.

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.

Secretary

Membership Report:

The Secretary shall prepare, at the end of each month, a report listing the number of Central Committee members affiliated with each county, along with the number of Associate Members and/or all members (Central Committee members plus Associate Members) affiliated with each county, as of the end of that month, with corresponding statewide totals, and provide this report to the Executive Committee and to all county chairs by the 10th day of the following month.

Reports Reminder:

The Secretary shall send out, no later than 5 days before the reports are scheduled to be submitted, a reminder via email to the Executive Committee and other Special or Standing Committees required to submit reports before certain meetings indicated per the Bylaws or this Operating Procedures Manual.

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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.

Financial Information:

The Treasurer is directed to provide any member of the Executive Committee, upon request, detailed financial transaction reports (to include income and expenses without personally identifying information) via email or other electronic means.

Standing Committees

Duties and Responsibilities of Standing Committees

Affiliate Support Committee (ASC)

The Affiliate Support Committee shall consist of the three Area Coordinators and up to four members elected by the Executive Committee within the first three months after the Annual Convention. The Affiliate Support Committee members shall elect the Committee Chair. The Affiliate Support Committee serves at the pleasure of the Executive Committee.

Responsibilities Include:

- 1) Providing affiliate growth strategy and support.
- 2) Providing assistance drafting and amending affiliate bylaws.
- 3) Teaching affiliate Executive Committees *Robert's Rules of Order, Newly Revised* (RONR).
- 4) Providing assistance with resources, including but not limited to promotional flyer/pamphlet templates, website templates and/or website design.
- 5) Providing assistance with basic marketing and public relations instruction.

Updating and promoting the Affiliate Support Handbook (ASH) as necessary.

Awards Committee

The Awards Committee shall consist of up to five members elected by the Executive Committee within the first six months after the Annual Convention. The Awards Committee members shall elect the Committee Chair. The Awards Committee serves at the pleasure of the Executive Committee.

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Responsibilities Include:

- 1) Establishing the award(s) and the names of the award(s) to be given at the Convention presentation.
- 2) Setting and managing the nomination process.
- 3) Selecting the award winner(s) by Committee vote.
- 4) Securing the award(s).
- 5) Presenting the award(s) at the Convention.

Budget Committee

The Budget Committee shall consist of the Treasurer and up to four members elected by the Executive Committee within the first three months after the Annual Convention. The Budget Committee members shall elect the Committee Chair. The Budget Committee serves at the pleasure of the Executive Committee. The operations of the LPCA shall be governed by a budget adopted by the Budget Committee and approved by the Executive Committee. 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 two-thirds vote. The Treasurer shall present the Budget Report and the adopted budget at the Annual Convention.

Responsibilities Include:

- 1) To 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 by its final meeting of the fiscal year for ratification.

Candidate Support Committees

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

FPPC Candidate Support Committee (CSC)

The FPPC Candidate Support Committee shall consist of the Chair, a Treasurer appointed by the Chair and up to five members elected by the Executive Committee within the first three months after the Annual Convention. The Chair shall be the Chair of the FPPC Candidate Support Committee. The FPPC Candidate Support Committee serves at the pleasure of the Executive Committee.

The Libertarian Party of California FPPC Candidate Support Committee (LPCA 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.

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

Responsibilities Include:

- 1) Determining which non-federal candidates to support
- 2) Reviewing the unrestricted account records for accuracy and assisting the LPCA'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 (LPCA FEC CSC) shall be formed to raise money to support qualified Libertarian federal 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 LPCA FPPC CSC.

Responsibilities Include:

- 1) Determining which federal candidates to support
- 2) Reviewing the account records for accuracy and assisting the LPCA's Treasurer with timely filing of Federal Elections Commission (FEC) reports.

Communications and Media Committee (CMC)

The Communications and Media Committee shall consist of up to seven members elected by the Executive Committee within the first three months after the Annual Convention. The Communications and Media Committee members shall elect the Committee Chair. The Communications and Media Committee serves at the pleasure of the Executive Committee.

Responsibilities Include:

- 1) Working as the LPCA's public relations and internal communications department.
- 2) Writing and disseminating press releases, and highlighting the Party's activities and public positions in a constructive and inclusive manner through social media engagement, thoughtful political analysis, and at least quarterly newsletters.

Convention Committee

The Chair of the Convention Committee shall be elected by the Executive Committee within the first three months after the Annual Convention. The

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Committee Chair shall appoint as many members as deemed necessary. The Committee Chair shall have the authority to dismiss any members at their discretion. The Convention Committee Chair serves at the pleasure of the Executive Committee.

Responsibilities Include:

- 1) Planning all aspects of the LPCA Annual Convention.
- 2) Providing a written Convention report to the Executive Committee within 90 days of the close of Convention.

Credentials Committee

The Credentials Committee shall consist of the Secretary and up to six members elected by the Executive Committee within the first six months after the Annual Convention. The Credentials Committee members shall elect the Committee Chair, who shall not be the Secretary. The Credentials Committee serves at the pleasure of the Executive Committee.

Responsibilities Include:

- 1) Assisting the Secretary at the Annual Convention by retaining a list of all delegates in attendance, and providing periodic credentials reports to the Secretary during the Convention to be reported to the Chair and the delegates.

Financial Standards Committee (FSC)

The Financial Standards Committee shall consist of the Vice Chair and however many other members the Vice Chair deems necessary, elected by the Executive Committee within the first three months after the Annual Convention. The FSC members shall elect the Committee Chair. The FSC serves at the pleasure of the Executive Committee. The FSC shall obtain, no later than 30 days after the creation of the Committee, the financial records of the LPCA for the prior fiscal year ending December 31.

A written report shall be prepared as to the FSC's findings, to be submitted to the LPCA Secretary no later than two days prior to the commencement of the Annual Convention and included in the year-end report. Additional audits shall be performed upon request by the Executive Committee or the Operations Committee.

The FSC shall have access to all financial records required to perform the required audits.

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Responsibilities Include:

- 1) Review of all reports produced by an outside CPA, as permitted by the LPCA's budget, and incorporation of that review into their annual report to the Convention.
- 2) Review of the receipts and expenditures for authorization and proper coding according to the LPCA budget.
- 3) Verification of the existence and valuation of the assets and liabilities of the LPCA.
- 4) Review and evaluation of the system of internal controls and making recommendations as needed.
- 5) Review of the reports generated and providing an opinion as to their accuracy and adequacy.
- 6) Review and confirm compliance with reporting to all government financial reporting agencies.

Historical Preservation Committee (HPC)

The Historical Preservation Committee shall consist of up to five members elected by the Executive Committee within the first three months after the Annual Convention. The Historical Preservation Committee members shall elect the Committee Chair. The Historical Preservation Committee serves at the pleasure of the Executive Committee.

Responsibilities Include:

- 1) Directing the preservation and publication of Party historical documents and reporting its activities and decisions to the Executive Committee at each Executive Committee meeting it is asked to attend.

Legislative Committee

The Legislative Committee shall consist of up to seven members elected by the Executive Committee within the first three months after the Annual Convention. The Legislative Committee members shall elect the Committee Chair. The Legislative Committee serves at the pleasure of the Executive Committee.

Responsibilities Include:

- 1) Educating about, and advocating for, LPCA positions on California state legislation, in communications with Party affiliates, Party members, legislators, and the general public.

Membership Committee

The Membership Committee shall consist of the Chair, the three Area Coordinators and up to four members elected by the Executive Committee within the first three

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months after the Annual Convention. The Membership Committee members shall elect the Committee Chair. The Membership Committee serves at the pleasure of the Executive Committee.

Responsibilities Include:

- 1) Managing the LPCA's programs to maintain membership.
- 2) Developing and implementing programs and materials for membership upgrade, including but not limited to encouraging upgraded membership levels, getting national-only members to join as state members, getting state-only members to join as national members, contacting lapsed members, contacting members not on auto-renew, membership promotion literature, direct mail letters, advertisements, and in-person contact.
- 3) Developing and implementing programs and materials for membership retention, including but not limited to new member packets, renewal letters, renewal forms, and membership premiums.
- 4) Tracking, sharing information and analyzing membership progress and the results of membership programs.
- 5) Reviewing policies concerning membership qualifications and dues and report recommendations for improvements to the Executive Committee and/or Bylaws Committee for consideration.
- 6) Working with other LPCA committees and the newsletter editor as necessary to coordinate activities which involve solicitation of new memberships or dues.
- 7) The authority to establish membership categories and pricing for the LPCA.

Operations Committee

The Operations Committee shall justify any vote or action taken in writing within 24 hours of the respective vote or action taken.

Recruitment Committee

The Recruitment Committee shall consist of the Chair and up to seven other members elected by the Executive Committee within the first three months after the Annual Convention. Recruitment Committee members shall elect the Committee Chair. The Recruitment Committee serves at the pleasure of the Executive Committee.

Responsibilities Include:

- 1) Managing the LPCA's programs to recruit new members.
- 2) Prospecting new dues paying members.

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- 3) Developing and implementing programs and materials for membership recruitment, including but not limited to contacting registered Libertarians and other prospective members, promotion literature, membership application forms, direct mailers, advertisements, and in-person contacts.
- 4) Developing and implementing programs and materials for membership recruitment.
- 5) Tracking, sharing information and analyzing recruitment progress and the results of recruitment programs.
- 6) Working with other LPCA committees as necessary to coordinate activities which involve solicitation of new memberships or dues.

Strategic Planning Committee (SPC)

The Strategic Planning Committee shall consist of up to five members elected by the Executive Committee within the first three months after the Annual Convention. The Strategic Planning Committee members shall elect the Committee Chair. The Strategic Planning Committee serves at the pleasure of the Executive Committee.

Responsibilities Include:

- 1) Developing, and distributing to the membership, a strategic plan containing long-term and short-term strategies for expanding the influence and membership of the LPCA.
- 2) Monitoring and assisting with the implementation of the strategic plan on an ongoing basis.

Website and Information Technology Committee (WitCom)

The Website and Information Technology Committee shall consist of up to five members elected by the Executive Committee within the first three months after the Annual Convention. Website and Information Technology Committee members shall elect the Committee Chair. The Website and Information Technology Committee serves at the pleasure of the Executive Committee.

Responsibilities Include:

- 1) Maintaining and making modifications to the LPCA's website and information technology (IT) infrastructure.
- 2) Maintaining and working with contractors, volunteers and other personnel with the goal of maintaining and modifying the website and IT infrastructure.

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Committee Member Removal Provision

Except where otherwise indicated per the Bylaws, the Executive Committee shall have the authority to remove any member it elects to any Standing Committee with a two-thirds vote of the members present.

Standing Committee members shall serve from the moment of election until the election of the succeeding Committee. Standing Committee members shall assist the succeeding Committee members in the transition and onboarding process before or during their first meeting.

Standing Committees shall have all working information, documents, and applicable passwords relevant to their work on a cloud based service provided by the Party Chair, accessible to at least one other Party Officer. Any current working documents and passwords shall be transferred to the Party Chair.

Conventions

Audit / Profits

When a Convention contract includes remuneration as a percentage of the profit, the Executive Committee reserves the right to audit the books of the Convention to verify those profits.

Contracts

Treasurer

The treasurer is to receive a copy of all contracts.

The contract between the LPCA and the party engaged to organize the LPCA's Annual Convention shall be made available to the Chair of the Convention Committee, and to the other Convention Committee members upon request.

Reimbursement

All fees and expenses submitted by contractors for reimbursement must be receipt or document supported, whichever is appropriate.

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.

Contract Renewal

Contracts shall be for no longer than one year; negotiation of new contracts or renewal of existing contracts will be explored annually.

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Debt to Party

The LPCA shall withhold further monies from the hands of any person owing funds to the LPCA.

Contractors

Conflict of Interest: Any contractor who is a member of the Executive Committee may not vote on any appropriation affecting that contractor.

Contract Folder

All contracts binding upon the LPCA shall be made accessible to the Executive Committee in a designated folder available online.

Membership

Lapsed Members

Lapsed members shall be retained in the data base.

Monthly Pledge Members

Immediately begin membership renewal for credit card pledgers of \$10 or more.

Membership Dues Sharing

Inactive Counties

Dues revenue allocated to counties shall be paid to active counties on a semi-annual basis.

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.

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.

Active Counties

All contributions not called “dues” shall go to the organization which originated the solicitation or to any project designated by the sender.

Membership Database

All those receiving a copy of the LPCA database should agree to sign a contract citing the specific use granted to the person or organization by the LPCA, as further set forth in the foregoing “Privacy / Party Records” rule.
