

Constitution and Bylaws

(Version 1.0 October 13, 2020)

PREAMBLE

We recognize the inherent, inalienable, natural rights of individuals to govern their own lives, to enjoy full freedom of thought and expression, to freely associate with one another, and to form voluntary personal and economic bonds on the basis of consent. We reject violence and coercion as a means to political ends. As such, we freely associate to form this Libertarian Party of the Eastern Panhandle for the express purpose of upholding and advancing these values.

ARTICLE I. NAME AND SCOPE

SECTION 1. The name of this organization shall be the Libertarian Party of the Eastern Panhandle (LPEP)

SECTION 2. LPEP shall encompass Berkeley, Jefferson and Morgan Counties.

ARTICLE II. MEMBERSHIP

SECTION 1. Members of LPEP must be either (a) sustaining or lifetime members of the national Libertarian Party, or (b) the Libertarian Party of West Virginia.

SECTION 2. Members of LPEP must reside in Berkeley, Jefferson or Morgan Counties.

SECTION 3. Any individual meeting the criteria laid out in Sections 1 and 2 of this Article, and who has neither voluntarily withdrawn nor been expelled from LPEP in accordance with the Bylaws is considered a Member of LPEP.

ARTICLE III. ORGANIZATION

SECTION 1. LPEP shall be governed by an Executive Board.

SECTION 2. The Executive Board shall be comprised of five voting members: one Chair, one Vice Chair, one Treasurer, one Secretary, and one At-Large member.

SECTION 3. Each Executive Board member's term of office shall be deemed to end at the end of the LPEP convention immediately subsequent to the convention at which they were elected. No single term of office shall extend longer than fifteen (15) months.

SECTION 4. Any vacancy on the Executive Board is to be filled by majority vote of the remaining Executive Board members.

SECTION 5. The Executive Board shall be empowered to (a) authorize the expenditure of LPEP funds, (b) refer candidates for endorsement by the Libertarian Party of West Virginia, (c) oversee the day-to-day operation of LPEP, and (d) organize meetings and conventions as set forth in these constitution and bylaws.

ARTICLE IV. CONVENTIONS

SECTION 1. A convention shall be convened by the Executive Board no later than fifteen (15) months after the most recent LPEP convention, or within forty-five (45) days of receipt of a petition of one-fifth of total LPEP membership or fifteen (15) LPEP members, whichever is greater, calling for a convention to be held.

SECTION 2. All LPEP members for whom either a mailing or email address is available shall receive written or electronic notification of the time and place the convention is to be held no less than thirty (30) days prior to the convention taking place.

SECTION 3. The convention shall be conducted in accordance with Robert's Rules of Order.

SECTION 4. All LPEP Members, as defined in Article II, present at the convention shall be the voting members of the convention.

SECTION 5. Executive Board officers shall be elected by a majority of voting members of the convention. Specific voting practices and procedures may be defined further in the Bylaws or adopted by the voting members of the convention.

“None of the above” (NOTA) shall appear as a candidate on every ballot, and in every round of voting.

SECTION 6. The Constitution may be amended during convention by a vote of four-fifths of the voting members of the convention.

SECTION 7. Bylaws to the Constitution may be adopted, repealed, or amended during convention by a vote of two-thirds of the voting members of the convention.

ARTICLE V. ADOPTION AND AFFILIATION

SECTION 1. This Constitution shall take effect upon adoption by a four-fifths vote at the initial LPEP convention held on January 18th, 2020.

SECTION 2. LPEP shall petition the Libertarian Party of West Virginia (LPWV) for official recognition in accordance with the Bylaws of the LPWV Executive Committee.

SECTION 3. Upon recognition by LPWV, LPEP shall be subject to and operate in accordance with the Bylaws of the Libertarian Party of West Virginia.

SECTION 4. We understand this Constitution predates bylaws by LPWV regarding affiliates, where LPWV bylaws and LPEP Constitution/Bylaws differ deference will be given to the LPWV bylaw as controlling authority.

BYLAWS

CHAPTER 1. EXECUTIVE BOARD ROLES

1.0 The roles and responsibilities of the Executive Board members shall be as follows:

1.1 The Chair shall (a) set the agenda and preside over meetings of the LPEP Executive Board, (b) see to the day-to-day operation of LPEP, and (c) take action to implement the decisions of the Executive Board.

1.2 The Vice Chair shall (a) preside over meetings of the LPEP Executive Board in the absence of the Chair, and, (b) assume the full role and responsibilities of the Chair should the position become vacant.

1.3 The Secretary shall (a) maintain a record of the minutes of each LPEP Executive Board meeting, and

(b) provide to the Chair an electronic copy of the minutes from the previous meeting at least 10 days prior to the subsequent meeting.

1.4 The Treasurer shall (a) establish and maintain bank accounts for funds owned by LPEP, (b) keep receipts and financial records, (c) make disbursements at the direction of the Executive Board, and (d) file reports as required by local, state and federal law.

1.5 The At-Large member shall (a) advance the interests of the wider membership of the LPEP and (b) adopt additional responsibilities as determined by the Executive Board.

CHAPTER 2. COMMITTEES

2.0 The Executive Board may establish, populate, and dissolve ad hoc committees as it deems appropriate.

2.1 The term of any appointed committee member shall expire at the start of the next LPEP convention following their appointment.

CHAPTER 3. MEETINGS

3.0 In-person meetings of the LPEP Executive Board shall be held at a minimum every ninety (90) days. Required meetings may be supplemented by additional in-person or electronic meetings as deemed appropriate by the Executive Board.

3.1 All in-person meetings of the LPEP Executive Board shall be open to LPEP members. Records of electronic meetings shall be kept by the Secretary and provided to any LPEP member upon request.

3.2 The LPEP Executive Board shall not conduct any business without the presence of a quorum of three fifths of the sitting members of the Executive Board.

3.3 The Chair shall provide members of the Executive Board with not less than ten (10) days notice of the date, time and location of each Executive Board meeting.

3.4 LPEP Executive Board meetings shall be conducted in accordance with Robert's Rules of Order.

CHAPTER 4. FINANCIAL ACCOUNTS

4.0 The Executive Board may at its discretion and with a majority vote direct the Treasurer as to the specific nature and disposition of LPEP's financial accounts.

CHAPTER 5. ELECTIONS

5.0 LPEP Executive Board members shall be elected at a convention as described by Article IV of the LPEP Constitution.

5.1 If the LPEP convention fails to nominate a member of LPEP for one of the five Executive Board positions, or fails to elect a member of LPEP to one of these positions, then the convention Chair may seek nominations for that Executive Board position from attendees at the convention who meet the criteria of Article II, Section 1 and who reside in the State of West Virginia.

5.2 In the event of a dispute regarding a voting member's eligibility, said member may be required to provide proof that they meet the qualifications set forth in Article II.

5.3 Voting shall be conducted by secret ballot, or by such alternative method as is adopted by two thirds of voting members of the convention.

5.4 Each member of the Executive Board shall be elected by majority vote of the voting members at convention as described in Article IV, Section 5 of the LPEP Constitution. Should no candidate receive a majority of votes, additional rounds of balloting shall take place with the candidate receiving the lowest total of votes in each round being removed from subsequent ballots until such a time as one candidate receives a majority of votes. "None of the above" (NOTA) shall not be removed from any ballot. In the event of a tie ballot where only two candidates (other than NOTA) remain, additional rounds of balloting will occur until the tie is broken.

CHAPTER 6. RESIGNATION AND REMOVAL

6.0 An Executive Board member shall be considered to have resigned their position effective immediately upon receipt of a written letter of resignation by the Chair. The Chair shall be considered to have resigned their position effective immediately upon receipt of a written letter of resignation by the Vice Chair.

6.1 If a member of the Executive Board is absent from three (3) consecutive in-person meetings, the present members of the Executive Board may remove said member with a two-thirds vote, and take whatever actions deemed appropriate to fill the vacancy thereby created. Removal for any other cause shall require two-thirds vote of the full Executive Board at a special meeting preceded by not less than fifteen (15) days notice to all Executive Board members. An Executive Board member so removed retains their membership in LPEP.

6.2 A member of LPEP shall be considered to have resigned their membership in LPEP effective immediately upon receipt of a written letter of resignation by the Chair.

6.3 The Executive Board of LPEP may expel from LPEP with cause any member on a vote of two thirds of the full Executive Board at a special meeting preceded by not less than fifteen (15) days notice to said member and all Executive Board members. If cause is for threatened violence, the meeting may be held electronically.