

Bylaws of the Libertarian Party of Massachusetts

Article I. The State Committee

The State Committee carries on the Party's business between State Conventions. The purpose of the State Committee is to do work toward the Party's political objectives by providing an organizational structure that will:

1. Recruit candidates and help libertarians to run for office;
2. Organize and support local and topical libertarian groups;
3. Perform non-electoral political acts, e.g., referenda, lobbying, and litigation;
4. Recruit members, helping them to do politics;
5. Educate the public on libertarian political directions;
6. Create circumstances favorable to attaining the Party's Objective, as by creating politically-effective legally-independent PACs, 527 organizations, and nonprofit or for-profit organizations;
7. Raise and spend money to do its work; and
8. Perform needed internal operations.

Article II. Responsibilities of State Committee Members

- 1) Members of the State Committee are elected at the annual State Convention, to hold office until the end of the next annual State Convention. Between State Conventions, the State Committee may elect additional members to fill vacancies or to expand its size.
- 2) Each Member of the State Committee has one vote on all motions before the State Committee, except as specified under the Section on the Audit and Compensation Working Group.
- 3) Each Member of the State Committee shall diligently seek to attend all State Committee meetings.
- 4) Each Member of the State Committee will work diligently with all other Members to advance the interests of the Libertarian Party of Massachusetts. Each Member as a condition of continued Committee membership agrees to be an active member of at least two Working Groups.
- 5) Each Member of the State Committee shall disclose in writing to the full State Committee any and all conflicts of interest.
- 6) Members who fail to perform their responsibilities as specified in this Article may be sanctioned by the State Committee. By 2/3 vote, the State Committee may expel one of its own members from the State Committee.
- 7) No State Committee member shall endorse or support a candidate of another party in a Libertarian party primary, or in a partisan race in which a Libertarian Party member is a candidate. This Bylaw does not apply to the immediate family or significant others of state committee members. This Bylaw does not apply to State Committee members supplying commercial services as part of and during the course of their usual and regular business.

Article III. Restrictions on the State Committee

1. State Committee funds may only be spent after authorization by the State Committee. Authorizations are by majority vote of the Committee. The State Committee uses the calendar year as its fiscal year.
2. Obligations. To make a contract that persists more than three months beyond the next Regular State Convention, the State Committee must sequester enough money from its current Treasury to pay the full cost of the contract. The State Committee may not vote to sequester in total more than 15% of the State Committee's funds to pay contracts. While, as a result of changes in fund balances, more than 15% of the State Committee's funds are sequestered, the sequestered funds remain sequestered, but no additional funds may be sequestered. If money has been raised to pay for a project, and is sequestered to pay for that project, that money when sequestered does not count against the 15% limit.
3. Rules of Order. All State Committee Meetings are run under Roberts' Rules of Order unless specifically otherwise provided.
4. Neutrality. State Committee funds and employees may not be used to support candidates for election to the State Committee.
5. Employment. State Committee Members may not be paid for their work for the State Committee. They may be reimbursed for reasonable expenses if the State Committee approves funds for the purpose. Firms owned by State Committee Members may do business with the State Committee, but the State Committee or its designees shall demonstrate to the Membership that the State Committee is paying no more than normal commercial rates.
6. Suspension. The State Committee may not vote to suspend the By-Laws.

Article IV. State Committee Officers

A. Officers Defined

The Officers of the State Committee are the Chair, Political Facilitator, Operations Facilitator, Treasurer, Recording Secretary, Membership Secretary, Editor, and Webmaster. The Officers of the State Committee are elected by majority vote of the voting members of the State Committee. The State Committee may remove an Officer from office by a simple majority vote.

Only Voting Members of the State Committee may serve as Chair, Political Facilitator, Operations Facilitator, or Treasurer. All other Offices may be held by any member of the State Party. Officers who are not Voting Members of the State Committee may speak in State Committee debates involving their areas of responsibility on the same basis as Voting members.

No person may concurrently serve as more than one of Political Facilitator, Operations Facilitator, or Treasurer. The Chair may not serve as Treasurer.

B. Duties of Officers

1. The Chair:

- a) presides at all State Committee meetings at which he is present, unless he recuses himself.
- b) proposes the agenda for all State Committee meetings.
- c) is the honorary spokesman for the State Party.
- d) assists and inspires LPMA Members and Chapters to work to achieve our political goals.
- e) is primary signatory on State Party bank accounts.
- f) The term of office of the State Chair ends on December 29 of the year prior to a year in which a Presidential Primary or election is held.

2) The Political Facilitator:

- a) oversees and supports candidate recruitment, candidate support, public education, membership outreach, and other political activities.
- b) reports monthly to the State Committee.
- c) presides at State Committee meetings if the Chair is absent.
- d) performs the duties of Chair if the post is vacant.

3) The Operations Facilitator:

- a) conducts fundraising.
- b) oversees and supports the non-political activities of the State Committee.
- c) reports monthly to the State Committee.

4) The Treasurer:

- a) maintains the Party's financial records.
- b) manages the party's financial accounts and donation systems.
- c) files Federal, State and other financial reports as required by Federal or State law or regulation.
- d) is a co-signatory on State Party bank accounts.
- e) provides a financial report monthly to the State Committee.
- f) serves as comptroller, ensuring that funds are received, spent, and reported in compliance with Law and Party By-Laws and State Committee actions.

5) The Recording Secretary:

- a) takes minutes of all State Committee meetings.
- b) circulates State Committee minutes to the Membership via the State Party Newsletter, web pages, and other means generally accessible to members.
- c) maintains the electronic archival record of state committee minutes in a form and location generally accessible to members.

6) The Membership Secretary:

- a) maintains the membership and mailing list records of the party. Records include but are not limited to records of current and past members, people who contacted LPMA, donors, and volunteers, including names, addresses, other contact information, and volunteer tasks.
- b) notifies members that their memberships have or will expire.
- c) supplies membership and other information, for the good of the party, consistent with State Committee policy.

d) reports monthly to the State Committee on new memberships, membership renewals, expirations, and current membership numbers.

7) Editor. The Editor may recruit assistants. The State Committee may direct that certain content be carried or not be carried in the Newsletter. The Editor is responsible for publishing the monthly LPMA newsletter, including print or electronic editions.

8) The Webmaster:

a) maintains the party web site and other electronic sites.

b) ensures that party electronic sites are appropriately owned or registered by the state party, and that multiple officers have an archival record of electronic site passwords and other needful ownership data.

c) reports monthly to the State Committee.

C. Officer Committees

Each officer may form a committee of party members and other volunteers to help perform his duties, but the officer remains entirely responsible for seeing that those duties are performed.

D. Spending

1) No officer may spend or commit the spending of Party funds unless those funds have first been appropriated by the State Committee. The State Committee may appropriate contingency funds for an officer or officers, to be spent as the officer or officers specify, subject to State Committee rules on documentation of expenditures. The State Committee may authorize the payment of regularly recurring bills without separate appropriations.

2) The State Committee will at all times have a Standing Rule specifying which officers must sign checks or make withdrawals from party accounts. For transactions involving more than one thousand dollars, the Standing Rule must specify that two or more officers must co-sign each transaction. The Treasurer may not serve as the sole signatory on checks or withdrawals, unless no other current officer is a signatory.

Article V. Working Groups

Section A. Purpose and Structure

1. Working Groups. Working Groups exist to do work for the Libertarian Party of Massachusetts.

2. Permanent Working Groups.

a) The State Committee will identify State Committee members to belong to each working group. Other libertarians who volunteer and contribute in a positive way are welcome to join working groups.

b) Recognizing the current small size of the LPMA, working groups may well contain only a single member.

3. Officers.

- a) Each Working Group has a Facilitator. The Facilitator seeks to ensure that her or his Working Group performs its duties.
 - b) Facilitators chair meetings of their Working Groups. Facilitators report monthly on Working Group activities to the State Committee, and as appropriate to the Web Support and Newsletter Working Groups and to LPMA members.
 - c) Facilitators have no executive decision-making authority independent from their working group.
 - d) Except as otherwise specified, each Working Group chooses its own facilitator.
4. Working Groups are expected to perform many activities without staging formal meetings under parliamentary procedure.
5. The State Committee may by majority vote remove a person as a member or Facilitator of a Working Group.

Section B. Permanent Working Groups

1. There shall be permanent working groups for Local Organization, Elections, Political Action, Newsletter, Web Support, Outreach, Membership, Fundraising, Convention, Budget and Finance, and Audit and Compensation.
2. Local Organization.
 - a) The Local Organization Working Group helps local and topical libertarian organizations. It encourages libertarians to act as local organizers, helps them to organize local and topical groups, and supplies them with information on potential group members. It supports, assists, and publicizes local and topical groups and advises them on possible activities. It develops resources to benefit local and topical groups.
 - b) The Membership Secretary works with the Local Organization Working Group to develop policies and procedures to provide appropriate local and topical groups with appropriate access to State Party database information needed to promote their groups.
 - c) The Political Facilitator is an ex-officio member.
3. Elections.
 - a) The Elections Working Group helps libertarians win elections. It recruits and trains candidates and volunteers, supports ballot access drives, assists candidates with publications, fundraising, and Get Out The Vote efforts, and collects and distributes useful information to candidates.
 - b) It works to maintain the honesty of the election process.
 - c) The Political Facilitator is an ex-officio member.
4. Political Action.
 - a) The Political Action Working Group supports substantive political activities, other than electioneering for elective office. It assists with Referenda and Public Policy Questions, and aids OPH booths, rallies, demonstrations, protests, letter writing campaigns, litigation, and peaceful petitions for redress of grievances.
 - b) The Political Facilitator is an ex-officio member.
5. Newsletter.
 - a) The Newsletter Working Group helps the Editor edit and publish the Newsletter.

b) The Editor is the facilitator ex-officio.

6. Web Support.

a) The Web Support Working Group operates or supports Liberty for Massachusetts Web and Wiki Pages, if any.

b) It seeks to operate State Committee email lists, including a periodical announcements list, a moderated Activists list, and an unmoderated General list.

c) Moderation of the Activist list, or other online activities shall not be used to forward the internal political agenda of the moderator(s). Whenever a message other than obvious commercial spam is rejected for the Activist List, the rejected message and the reason for the rejection shall be sent to the message's author and to the State Committee.

d) The State Committee may adopt a standing rule specifying an alternate mechanism to achieve the objectives of part c.

e) The Webmaster is the facilitator ex-officio.

7. Outreach.

a) The Outreach Working Group strives to inform the public about the libertarian direction. It develops and supports publicity and advertising drives, prepares press releases, responds to press inquiries, assists members with letter-writing drives, and produces and distributes outreach material.

b) The Outreach Working Group includes as ex officio members the Political Facilitator, the Editor, and the Webmaster.

8. Membership.

a) The Membership Working Group recruits and retains LPMA Members. It contacts new members to welcome them. It contacts inquirers and invites them to join. It encourages social events, public lectures, and other activities for prospective and current Members. It contacts persons who have ceased to be Members to determine why they left and to invite them to renew.

b) The Membership Working Group includes as ex officio members the Membership Secretary and the Political Facilitator.

9. Fund Raising.

a) The Fund Raising Working Group raises money for the State Committee and its Working Groups, PACs, and 527 and other organizations. It cultivates individual donors, and conducts periodic large scale fund raising campaigns. It is scrupulous in promising donors how their money will be spent, and prompt and accurate in reporting to them and to the membership on how their money was actually spent.

b) The Fund Raising Working Group has as ex officio members the Political Facilitator, Operations Facilitator, and Treasurer.

10. Convention.

a) The Convention Working Group organizes and conducts the LPMA's Annual State Convention.

b) The Convention Working Group has as an ex officio member the Operations Facilitator.

11. Budget and Finance

a) The Budget and Finance Working Group monitors the Parties funds and proposes an annual budget.

- b) If the State Committee experiences unanticipated income or needs of spending, the Budget and Finance Working Group proposes appropriate budget adjustments.
- c) The Budget and Finance Working Group has as ex officio members the Treasurer and Operations Facilitator.

11. Audit and Compensation.

- a. The Audit and Compensation Working Group annually and in addition on request of the State Committee reviews the State Committee's financial records, and the financial records of the Working Groups, to ensure that they are complete, accurate, and properly reported to the Membership.
- b) It determines if moneys have been received and spent in accord with LPMA By-Laws, State Committee actions, legal requirements, and fundamental ethical standards.
- c) It reports to the Membership and to the State Committee on irregularities, deficiencies, and deviations, and their causes, and recommends corrective measures.
- d) The Audit and Compensation Working Group is elected by and from the State Committee members who are not signatories to any State Committee bank or other financial accounts.
- e) The Treasurer reports to the Audit and Compensation Working Group, but may not be a member of it.
- f) If, in the opinion of the Audit and Compensation Working Group, it is appropriate to employ an outside auditing entity, they shall propose this to the State Committee, which shall vote on the proposal. In such a vote, the Treasurer and all signatories to any State Committee bank or other financial accounts are ineligible to vote.

Section C. Ad Hoc Working Groups

The State Committee may form ad hoc working groups to perform tasks of limited, fixed duration.

Article VI: State Convention

1. The State Committee shall hold a state convention in October of each year. The State Committee is responsible for scheduling, organizing, and publicizing the convention. It may delegate tasks to such persons as it chooses, but remains responsible for the State Convention's conduct.
2. Only persons who are members of the State Party whose dues are current, and who joined the state party at least one month prior to the date of the state convention, are eligible to vote or participate in the business meeting at the state convention. Persons who were dues-paying members of the State Party, or Sustaining Members of the National Party, within the past three years, but whose dues are not current, may renew their membership at the state convention by paying their yearly dues. They may then participate in the business meeting at the State Convention.

3. It shall be out of order to adjourn the State Convention (i) before the new State Committee is elected, (ii) if the national Convention occurs prior to the next State Convention, before at least one delegate to the next National Convention is elected. The State Convention agenda shall include at least fifteen minutes for presentation of Amendments to the Constitution and Bylaws. All amendments must be presented to the Corresponding Secretary, by paper or electronic mail, at least 14 days prior to the day of the State Convention, must be posted by the Secretary in a publicly-accessible LPMA-controlled electronic forum at least seven days before the day of the state convention, and must be seconded from the convention floor, before they may be considered. Amendments to amendments made from the convention floor must be germane.

4. To elect the new State Committee, the chair asks for nominations from the floor. Self nominations are allowed. Seconds are not required for nominations. Each nominee must accept nomination, or must have submitted to the Recording Secretary a written statement stating that their nomination will be accepted, before their nomination is valid. Nominations for persons ineligible to serve are invalid. When no more nominations are forthcoming from the floor, the Chair invites nominees to speak. Each nominee is allowed up to two minutes to speak. If a nominee is absent, he or she may designate a substitute to speak for them for up to two minutes. Persons eligible to vote are then given one hour to cast their votes. The Convention may recess or engage in other business during this time. If a recess is taken, the time counts toward the hour, but the convention must be back in session at least ten minutes prior to the close of voting. A ballot collector or collectors and location must be specified, and must remain supervised through the voting period. Each person present and eligible to vote at the State Convention may cast a ballot listing up to, but not more than, nine nominees.

5. Votes may also be cast for None of the Above (NOTA). However, a ballot for NOTA may only contain the vote for NOTA, and any names listed on the ballot other than NOTA shall not be counted. Votes for persons other than nominees are not valid. No nominee receiving fewer votes than NOTA shall be elected.

6. The nominees who receive the most votes, and more votes than NOTA, are elected as the new State Committee. If no nominees are elected, the Chair shall invite fresh nominations, and a fresh vote shall be taken, repeating until at least one person is elected to the State Committee. If the number of nominees for State Committee is no greater than the number to be elected, when all nominees or their designates have spoken, and prior to balloting, the chair shall ask for a vote Yes or No to elect the candidates as a group. If the Ayes carry, no further balloting is performed.

7. Proxy votes are not allowed at the State Convention. However, a person who is in attendance at the State Convention, and who is eligible to vote, may cast a ballot for state committee at any time prior to the close of voting, even if nominations have not yet been completed.

8. Special State Conventions

(a) The State Committee may by two-thirds vote call a Special State Convention to resolve questions that in its judgement require a decision of the membership. The State Committee shall give thirty days notice to all members eligible to vote at the Special State Convention that there is a Special State Convention, including time and place. To be eligible to vote at a Special State

Convention, a person must have been a member in good standing of the Libertarian Party of Massachusetts on the date of mailing of the call to the Special State Convention.

(b) The Agenda of the Special State Convention, including necessary Rules of Business, shall be transmitted by the State Committee to all members with the call to the convention. The Agenda may not be amended by the insertion of topics or issues not germane to the issues proposed in the original agenda.

Article VII. Delegates to National Conventions

A. Election at State Convention

Delegates to the Libertarian Party National Convention shall be chosen at the State Convention held immediately prior to the national convention. If elections for State Committee and Convention Delegate happen at the same State Convention, the State Committee is elected first. Persons who will be members of the State Committee at the time of the National Convention are entitled ex officio to be named as delegates or alternates, but must so request prior to the election of delegates and alternates.

B. Notification

At least thirty days before a State Convention for election of National Convention delegates is held, the State Committee will notify all State Party Members whose dues are current of the date, location, and time of the State and National Conventions. If the timing of the announcement of the national convention makes this schedule impossible, the State Committee will proceed as rapidly as possible to make this notification.

C) Eligibility

1) To be eligible to be elected as a Massachusetts delegate to the National Convention, a person must be:

- a) a legal resident of Massachusetts, and
- b) a member in good standing of the Massachusetts Party.

2) A person who had been a member in good standing of the LPMA, within the past three years from the date of the State Convention, but whose membership has expired, may restore their active membership by paying dues prior to being elected.

D. Election of Delegates and Alternates at State Convention:

Delegates are nominated from the floor of the convention. Any person eligible to vote at the State Convention may make up to two nominations. Any person eligible to serve may rise and state that they volunteer to serve as a delegate; volunteering counts as a nomination. Nominations do not require seconds.

Before any votes are taken, each nominee may speak to, and be questioned by the delegates. The time allotted to each delegates for statements and questions shall be set by the chair, to be the

same for all delegates and strictly enforced, but not to be less than one minute. After each nominee has spoken, nominations are declared closed. The time between which nominations are closed and ballots are accepted shall be at least two hours.

Election of National Convention delegates is made by approval voting. Each person in attendance at the State Convention and eligible to vote may cast votes for as many persons as Massachusetts is entitled to send delegates. The nominees who receive the most votes, up to the number of delegates that Massachusetts is entitled to send to the National Convention, are elected. Remaining nominees, up to a number equal to the number of delegates that Massachusetts is entitled to send to the National Convention, are elected as alternates.

The persons elected as Delegates or Alternates to the National Convention comprise the State Delegation.

E. Election of Delegates and Alternates Following the State Convention

Between the close of the most recent State Convention and the National Convention, the State Committee may by majority vote elect additional delegates or alternates to the National Convention as needed to complete the delegation. Within one week before the National Convention, the State Delegation may meet at the convention site and by two-thirds vote elect additional delegates or alternates to the National Convention as needed to complete the delegation. In the event that the number of delegates and alternates at the National Convention exceeds the number of delegates to which Massachusetts is entitled, delegates and alternates elected at the state convention shall be seated before delegates and alternates elected by the state committee, with delegates elected by the State Delegation being seated only after all other delegates are seated. To be elected as a Massachusetts Delegate by the State Committee or by the State Delegation, a person must have been eligible to be elected by the State Convention as a delegate.

F. Pledging of Delegates

A delegate may promise their vote for or against a candidate, but such promises are not enforceable except by the delegate's conscience.

G. Seating Order of Delegates

- 1) In the event that more persons are present at the National Convention, wishing to be seated as delegates, than there are available seats, delegates shall be seated in the following order.
 - a. Current State Committee Members who exercised their right to be named as delegates ex-officio at the State Convention.
 - b. All other persons elected as delegates at the State Convention.
 - c. All persons elected as alternates at the State Convention.
 - d. Other State Committee Members.
 - e. Any person elected as a delegate by the State Committee after the State Convention, but before the National Convention.
 - f. Any person elected as an alternate by the State Committee after the State Convention, but before the National Convention.
 - g. Any person elected as a delegate by the State Delegation at the National convention.
 - h. Any person elected as an alternate by the State Delegation at the National convention.

- 2) With each of the above classes of person, the order of seating shall be:
- a) State Committee members-in order of total votes received for their own election
 - b) Persons elected by the convention-in order of total votes received
 - c) Persons elected by the State Committee or the State Delegation-in chronological order of election.

3) Any conflict in seating remaining, after the above priorities have been applied, shall be resolved by the Chair of the State Delegation or his designee using a draw of playing cards or other agreeable method of random selection.

Article VIII. Suspensions.

The State Committee may for cause by 2/3 secret ballot vote of the entire State Committee expel a person from membership in the Libertarian Party of Massachusetts; an expelled person must receive a 2/3 secret ballot favorable vote from the State Committee to rejoin.

Article IX. Memberships and Subscriptions

1. a. The State Committee may by majority vote set the dues for any category of membership or subscription.

b. To join as a member, a person must be an American citizen or a person lawfully admitted for permanent residence in the United States, must reside in Massachusetts, and must provide the state committee with their valid mailing address in Massachusetts.

c. Persons who reside outside Massachusetts may not be members, but may subscribe to the newsletter.

d. All memberships expire on the last day of a calendar month.

2. The categories of membership, their annual dues, and the services provided to members in that category are defined below. All members, regardless of category, are equally members in the sense of the Party Constitution, Article I.

a. Dues for a Paper Mail member are \$25 per year. A Paper Mail member is sent a printed copy of each issue of the newsletter by US Mail.

b. Dues for an Electronic Mail member are \$15 per year. An Electronic Member is sent a copy of each issue of the newsletter via electronic mail in PDF (Portable Document Format). To qualify for electronic mail membership, the member must supply an email address that is capable of receiving the newsletter.

c. Dues for each Additional Household Members are \$5 per year. An Additional Household Member must at the time of joining live at the same address as a current Paper or Electronic Mail member. Additional Household Members are not sent the newsletter in paper or electronic form.

The expiration date for the Additional Household Member is the same as it is for the associated Paper or Electronic Mail member.

d. There shall be no category of non-dues-paying membership.

3. The State Party may from time to time send additional notices or items to some or all members. In doing so, it may use any transmission medium appropriate to the notice or item. In cases of exigency, the State Committee may by majority vote authorize alternative delivery methods to deliver the newsletter.

4. All members shall be sent a timely individual notice of each State Convention.

5. Non-member subscriptions to the state newsletter may be purchased for \$25 per year for paper-mailed subscriptions or \$15 per year for electronic subscriptions. Non-member subscribers are not members.

6. Members may at their request be transferred between categories of membership.

a. Paper membership to Electronic membership - The member's Expiration Date shall be extended by 1/2 the number of months remaining in the current membership, rounding down.

b. Electronic membership to Paper membership - The member's Expiration Date shall be reduced by 1/2 the number of months remaining in the current membership, rounding up, but in every case the member will be sent at least one paper issue of the newsletter.

c. Additional Household membership to paper membership: The Member receives a full year membership, but pays only \$20 for the first year's dues.

d. Additional Household membership to electronic membership: The Member receives a full year membership, but pays only \$10 for the first year's dues.

e. Combining individual memberships to Individual plus additional household: (i). If needed, convert each membership to the one type desired (Electronic or Paper mail) as specified above. (ii). Add the remaining lengths of the two memberships together to determine the new expiration date of the combined membership.

7. Members are responsible for informing the Membership Secretary of address changes in a timely way.

8. The State Party interprets the phrase "member of the National Libertarian Party, as defined by the Libertarian National Committee charter and bylaws," to mean that the person has signed the membership pledge of the National Party, in the form extant on the date of adoption of the State Party Constitution.

9. Donation extensions to membership: Each person donating \$100 or more shall be given a one year extension of their membership, with an additional one year extension for every \$100 donated, with the upper limit that a membership shall not extend more than 5 years into the

future. Persons making a monthly pledge contribution to the state party of \$10 or more shall be given a one month extension of membership for each month of contributions.

Article X. External Relations. The Libertarian Party of Massachusetts may accept or exchange affiliation with libertarian-minded groups outside Massachusetts. The Libertarian Party of Massachusetts may send representatives or delegates to libertarian-minded organizations or associations of libertarian-minded organizations outside Massachusetts. The Libertarian Party of Massachusetts may form, participate in forming, or participate in national or international associations of libertarian-minded organizations.

STANDING RULES

1. In setting dues for each category of membership or subscription, the State Committee shall regularly confirm that the amount paid more than covers the marginal cost of the membership or subscription.