

# BYLAWS OF THE LIBERTARIAN PARTY OF CALIFORNIA

As amended in Convention, March 2004

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# BYLAWS OF THE LIBERTARIAN PARTY OF CALIFORNIA

As amended in Convention, March 2004

## BYLAWS

### Bylaw 1: NAME

The name of the organization shall be the *Libertarian Party of California*, hereinafter referred to as the Party.

### Bylaw 2: PURPOSE (2/3 required to amend)

The Party exists to uphold, promote, and disseminate the philosophy and principles of libertarianism. To that end, it will proclaim and implement the Statement of Principles of the national Libertarian Party by engaging in political and informational activities in California.

The Party shall do so by:

- A. Developing an on-going political strategy to identify, expose, combat, and defeat the opponents of liberty in the political arena.
- B. Engaging in political activity in all segments of the population.
- C. Identifying, persuading, and recruiting influential individuals and opinion leaders to become members of the Party.
- D. Identifying and developing coalitions with other organizations in order to realize the ideas of liberty as proclaimed in the Statement of Principles.
- E. Employing media experts, political tacticians, field workers and others, as needed.
- F. Preparing a statewide political environment to enhance the election of Party candidates pledged to the Principles for the singular purpose of abolishing statist law, and restoring civil and economic liberty and property rights as proclaimed in the Principles and defined in the Platform.
- G. Nominating, endorsing and promoting registered Libertarians who pledge to proclaim and implement the Statement of Principles of the Libertarian Party of California as candidates for public office in California.
- H. Promoting, chartering, and coordinating county central committees throughout the state.

### Bylaw 3: MEMBERSHIP

Section 1.

Definitions:

- A. Registered Libertarian: A person registered as Libertarian per the California Elections Code.
- B. Central committee member: A person eligible to vote on Party business consistent with these Bylaws and Convention Rules.

## Section 2.

All Party candidates for public office, officers, county and regional chairs, Libertarian National Committee representatives and judicial committee members shall be registered in the Libertarian Party in California if eligible.

## Section 3.

Individuals may become members of a county central committee either by:

- A. Election to the committee by Libertarian voters in a primary election pursuant to the relevant parts of the election code, provided they have signed the statement described in item C below,
- B. Becoming a holder of public office that is subject to election other than county central committee, provided they have signed the statement described in item C below, or
- C. Making application, paying such dues as prescribed by the Executive Committee and signing the following statement: "I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals." The Executive Committee may authorize participation in a joint membership arrangement with the national Libertarian Party for the purpose of satisfying the dues requirement.

No county central committee member shall be a registrant of or hold office in any political party other than the Libertarian Party.

## Section 4.

Membership in any county central committee confers membership in the Libertarian Party of California State Central Committee. Any reference to *central committee* in these Bylaws refers to both the state and county central committees.

## Section 5.

The Party shall provide one copy of a county central committee's membership list monthly at no charge, or by mutual arrangement, or to any officer of that county at cost within ten (10) days of a request.

The county central committee's membership list shall be provided to the national Libertarian Party, a Libertarian candidate, campaign committee, or initiative committee, or an interested Party member in conjunction with Party activities to facilitate the Party organization under the following conditions:

- (a) that three Party officers or two county officers give approval to the request,
- (b) that the requesting individual or group agree to pay the amount for receiving the list in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, and
- (c) that the requesting individual or group agrees to terms, in effect at the time of the request as established by a current Standing Resolution of the Executive Committee, that are solely intended to assure that the membership list is not to be used for any other purpose, nor sold or furnished to any other group, organization, government official or agency.

The Executive Committee may also provide mailing lists to individuals or groups, but not to any government official or government agency. Counties may exchange lists.

If maintenance of the State Central Committee membership database is delegated to someone other than the Secretary, the Secretary as the official keeper of Party records and the Chair as the Chief Executive Officer of the Party shall be provided with current membership information in keeping with their Party duties.

## Section 6.

40% of dues revenues shall be retained by the Party. Each region shall receive the portion of the 60% attributable to the people in that region. However, if the Party participates in a joint membership arrangement which allows for a portion of initial dues to be retained, that portion shall be retained by the Libertarian Party state or regional organization which recruited the new member. Dues shall be distributed to any active region upon request, or whenever the total amount owed to the region exceeds \$50. Contributions shall be used for their designated purposes or, if not designated, as decided by the state Executive Committee or county organization which receives the contribution. Dues shall not be used for financing individual campaigns.

Section 7.

The Secretary automatically shall terminate county central committee membership if a member requests in writing such termination or, except for elected central committee members, fails to remit prescribed dues by the renewal date.

Section 8.

The Executive Committee shall have the power to suspend a county central committee member for failure to maintain all the qualifications of membership established in Section 3, or for cause. Notification of the suspension is subject to written appeal within fifteen (15) days of notification. Failure to appeal shall terminate membership. The Executive Committee may reinstate memberships terminated under this section.

Section 9.

Upon appeal by a county central committee member, the Judicial Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate or to continue the membership of a member. (2/3 required to amend)

Section 10.

A Party member may be a member of only one county central committee, which does not have to be the committee of the county of the member's residence.

Section 11.

Membership in a county central committee confers voting privileges in that county.

Section 12.

An associate, non-voting membership in a county central committee shall be established for those persons ineligible or unwilling to become members of the county central committee.

Section 13.

Notwithstanding anything to the contrary, a central committee member shall be suspended indefinitely if, without the permission or pardon of the Executive Committee, the member:

- A. Is registered in any political party other than the Party or one of its affiliates;
- B. Intentionally involves, or threatens to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- C. Has unpaid debts over 90 days old outstanding to the Party.

Members suspended under this section will be reinstated when the offending condition(s) has (have) been resolved.

## **Bylaw 4: ORGANIZATION**

Section 1.

The Party shall be divided into contiguous county organizations.

Section 2.

The officers of the Party shall be a Chair, a Northern Vice-Chair, a Southern Vice-Chair, a Secretary, and a Treasurer. All of these officers shall be elected for two-year terms beginning in odd-numbered years at an annual convention of the State Central Committee of the Party by attending delegates and shall take office immediately upon the close of such convention.

Section 3.

The Executive Committee shall be responsible for the control and management of all the affairs, properties and funds of the Party consistent with these Bylaws, and any resolutions which may be adopted in convention. The Executive Committee may endorse, or rescind the endorsement of, any registered Libertarian's candidacy for public office.

The Executive Committee of the Party shall be composed of the following members of the county central committees:

- A. The five elected officers of the Party;
- B. One representative from each of the five largest counties, as determined for representation at the most recently held convention; but if a county fails to have a representative in attendance at two successive meetings, or if the county declines to be represented, the position on the committee shall, through the next convention, pass to the next largest county not already having a county representative;
- C. Five representatives and two alternates elected at large to represent all of the other regions in the state except the five largest regions. These representatives and alternates shall be elected for a one-year term. There will be free substitution of alternates in ranked order at an Executive Committee meeting.

#### Section 4.

The Operations Committee shall consist of the Chair and four other county central committee members chosen by the Executive Committee.

#### Section 5.

The Judicial Committee shall be composed of five county central committee members elected at a convention of the Party by the attending delegates. The term of a member of the Judicial Committee shall begin at the close of each convention and end at the close of the next convention. Vacancies in the committee shall be filled through appointment by the remaining committee members.

A member of the Judicial Committee may not be a member of either the Executive Committee, Platform Committee, or Program Committee. The Judicial Committee shall be the final body of appeal in all Party matters, subject to the provision that a decision of the committee may be overturned by a three-quarters vote of a convention. (2/3 required to amend)

#### Section 6.

All references in the Bylaws and Convention Rules to "mail" or "written notification" or similar terms shall be considered to include email or fax communications.

## **Bylaw 5: SCOPE**

The Party shall conduct its activities primarily within the state of California. Any Party activities taking place outside of California must be coordinated with and approved by the state or national Libertarian Party organizations having jurisdiction over the areas affected.

## **Bylaw 6: COUNTY ORGANIZATIONS**

#### Section 1.

Subject to the consent of the Executive Committee, counties may combine or subdivide into regions as they see fit. These regions shall be treated in the same way as are counties in all functions of the state Party, particularly in representation at conventions and in the division of dues monies. Regional organizations shall conduct their business in any manner they choose consistent with these Bylaws and national Bylaws, particularly in that regional organizations may not endorse any candidate who is a member of, or otherwise affiliated with, another political party for public office in any partisan election. The appropriate Vice-Chair may appoint a county chair pro tem for any county in which there is no active county organization. It shall be the responsibility of said chair to promote the development of a county organization in that county.

#### Section 2.

In the event the county's duly adopted and published bylaws don't specify a different procedure, as soon as is convenient following the California primary, the chairs of the various regions in subdivided counties shall elect a county chair who shall be responsible for:

- A. Effecting liaison between the regions and the county election officials on such matters as monitoring and following-up on election law violations, coordinating poll-watchers, and producing sample ballots; and
- B. Any additional duties approved by two-thirds vote of the regional chairs unless the county's duly adopted and published bylaws specify otherwise.

Section 3.

A county is deemed as having selected its officers, Executive Committee representatives and convention delegates only if an election notice has been mailed to the members at least 30 days but no more than 60 days in advance of the election. The election notice must also be sent to and received by the Party Secretary at least 30 days in advance of the election. Such notice shall specify the reason for the meeting and a time and place reasonably accessible to its membership. An election must be held every year. The results of the election must be reported to the Party Secretary within 15 days after the election. Any member of that county may challenge the legality of an election by bringing the issue before the Judicial Committee. The Executive Committee may declare a county inactive if it fails to hold elections in accordance with this section.

Section 4.

Any county central committee member shall be provided a copy of the county or Party Bylaws upon request, at cost.

## **Bylaw 7: OFFICERS**

Section 1.

No state offices shall be combined. No state officer shall:

- A. Be a registrant of or hold office in any political party other than the Libertarian Party.
- B. Use any office in the Party to support a candidate of another political party.

Section 2.

The Chair shall be the Chief Executive Officer of the Party. The Chair or his or her designee shall preside at all Party conventions, all meetings of the Executive Committee, and at all meetings of the Operations Committee.

Section 3.

The Vice-Chairs shall act as assistants to the Chair and shall reside one in the northern half and the other in the southern half of the state (the state to be divided by the northern boundaries of San Luis Obispo, Kern, and San Bernardino counties), and shall be responsible for coordinating activities in their respective halves of the state.

Section 4.

The Secretary shall be responsible for maintaining the Party membership list, and for receiving or sending formal notifications as shall be specified in these Bylaws and Convention Rules, and shall be responsible for recording and promptly distributing minutes of Party proceedings. The Secretary shall be responsible for the maintenance of all Party records.

The Secretary shall announce the availability of the most recently adopted Platform, Program, and Bylaws and Convention Rules to all members of the Executive Committee and all county chairs within 60 days of the convention's close.

For the purpose of representation at the annual convention, the number of members affiliated with each county shall be determined by the Secretary as of the end of the third month prior to the opening session of the convention. The Secretary will notify each region of its eligibility for delegates by mail, no later than the 20th day of the second month prior to the opening of the convention.

Section 5.

The Treasurer shall receive, disburse and account for the funds of the Party under the supervision and direction of the Chair and the Executive Committee.

The Treasurer shall compile a quarterly report which shall consist of a balance sheet and profit and loss statement. The balance sheet and profit and loss statement shall be available to members of the Party from the Treasurer upon written request.

Section 6.

An officer or Operations Committee member may be suspended from office by the Executive Committee. The office of the suspendee shall be declared vacant unless the suspendee appeals such suspension to the Judicial Committee in writing within ten days of notification of such suspension. Upon written appeal by the suspendee, the Judicial Committee shall rule within three days to either uphold the suspension, thereby vacating the office, or restore the suspendee to full authority. A failure to rule shall be deemed as restoring the suspendee to full authority.

Section 7.

The Executive Committee shall appoint new officers, at-large Executive Committee members, or Operations Committee members if vacancies occur, such appointees to complete the term of office vacated unless a convention meets sooner, in which case a new election shall be held for any officer position so filled.

## **Bylaw 8: FINANCE AND ACCOUNTING**

Section 1.

The fiscal term of the Party shall begin on January 1 of each year. The annual budget shall be provided to each member of the Executive Committee immediately following the close of each convention.

Section 2.

The Treasurer may authorize expenditures for any item incorporated into the proposed budget until the Executive Committee has ratified the budget for the current year.

Section 3.

The Party shall not enter into any contract lasting more than three months, incur any expense in a non-budgeted category, or incur any expense in a budgeted category greater than the amount budgeted by more than \$1,000 without a two-thirds vote of the entire Executive Committee. Anyone who incurs such financial liability without such approval shall be personally liable.

Section 4.

No disbursements of \$100 or more shall be made with cash. No disbursements shall be made without supporting documentation.

Section 5.

The Executive Committee shall cause an annual budget to be projected at its final meeting for the fiscal year for ratification the following year.

Section 6.

The Executive Committee shall select an Audit Committee of at least three people during the first three months after a convention. The Audit Committee shall review the financial records and processes of the Party and report at each subsequent Executive Committee meeting and at the next state convention.

## **Bylaw 9: EXECUTIVE COMMITTEE**

Section 1.

The Executive Committee shall meet at such time and place as may be determined by action of the committee, by a call of the Chair, or by written request of one-third or more of the members of the Executive Committee. A written notice of the time and place of each meeting shall be mailed to each member of the Executive Committee and each county chair not less than 14 days prior to such meeting.

Section 2.

The Executive Committee may, without meeting together, transact business by mail by voting on questions submitted by the Secretary at the request of at least five members of the committee or by the Chair. Voting will be completed any time after 48 hours from the transmission time of the mail ballot if the motion has received Yea votes from two-thirds of the members of the Executive Committee, or if the motion has received Nay votes from two-thirds of the members of the Executive Committee, or after 120 hours in all other cases. An alternate's vote will not be counted towards the two-thirds requirement unless it is definitely known that the corresponding voting member will not be participating. Members may change their vote up to the close of the voting period. If, at the expiration of the applicable period, a quorum of the Executive Committee has not voted the measure being voted upon shall be deemed to have failed. The Secretary must preserve all such votes until the next meeting of the Executive Committee at which meeting the Executive Committee shall order the disposition of such votes.

Section 3.

It shall be the primary duty of the Executive Committee to develop, fund, and implement, either directly or through such committees as it shall appoint, a political strategy to elect Libertarians pledged to the Party Statement of Principles and to proclaim and implement those principles into public policy.

Section 4.

Failure of Executive Committee members to attend two consecutive Executive Committee meetings shall be cause for removal.

Section 5.

A summary of the results of the Executive Committee meetings, votes, and mail ballots shall be furnished by the Secretary at cost to any county central committee member.

Section 6.

A quorum shall be a majority of the eligible positions on the Executive Committee.

Section 7.

A two-thirds majority of the eligible positions on the Executive Committee shall be required to pass the following:

- A. Removal from office, censure, or suspension of a Party officer, Operations Committee member, Executive Committee member, Libertarian National Committee representative or county central committee member, or reinstatement of a county central committee member.
- B. Endorsing or rescinding the endorsement of any candidate for public office.
- C. Endorsing or opposing any proposed ballot measure, but rescinding such action shall be considered a normal main motion.
- D. Annual budget, financial liability or contractual obligation lasting more than three months.
- E. Providing the Party mailing list to non-Libertarian groups or individuals, or to candidates for public office not endorsed by the Party.

Section 8.

On all other matters, main motions shall require a simple majority of the eligible positions on the Executive Committee.

## **Bylaw 10: OPERATIONS COMMITTEE**

Section 1.

The Operations Committee shall have the powers of the Executive Committee between meetings of the Executive Committee except for the following:



- A. Establishment or modification of the Party budget, except that the Operations Committee shall have a budgeted discretionary amount of \$10,000 per quarter. Any expenditure over \$2,000 shall require the approval of at least four members.
- B. Creation, modification or repeal of standing resolutions.
- C. Incurring any non-budgeted expense or debt.
- D. Suspending or censuring any member of the state or county central committees.
- E. Overturning any Executive Committee action.

Any other action requiring a two-thirds vote of the Executive Committee shall require a unanimous vote of the Operations Committee.

Section 2.

The Operations Committee may, by unanimous vote, fill any vacant office or Operations Committee position on an interim basis until a meeting of the Executive Committee is held.

## **Bylaw 11: JUDICIAL COMMITTEE**

Section 1.

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 committee. When a hearing is requested, the chair shall be allowed seven days to set the date of the hearing.

Section 2.

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

Section 3.

Hearings must be held within thirty (30) days from the time the request is received by the Judicial Committee, unless otherwise specified.

Section 4.

All parties to a hearing shall have the right to represent their own interests in the manner of their own choosing.

Section 5.

The Judicial Committee must provide a ruling within two days of the conclusion of the hearing, unless otherwise specified.

Section 6.

With the consent of all parties, the Judicial Committee Chair may call for written arguments and mail ballot of the committee, with a ruling to be provided no later than thirty (30) days following the date of the initial petition.

## **Bylaw 12: COMMITTEES**

Section 1.

There shall be such working committees appointed by the Chair as the Executive Committee deems appropriate. Working committees shall exist at the pleasure of the Executive Committee.

Section 2.

For each convention the Executive Committee shall appoint a committee of five members of county central committees to recommend changes in the Bylaws and Convention Rules.

Section 3.

There shall be a Platform Committee and Program Committee for each convention. Each committee shall consist of a coordinator and one delegate from each county central committee. The coordinator of each committee shall be appointed by the Executive Committee at least 30 days before the convention. The county delegates shall be selected at least 30 days prior to the convention in such a manner as each county shall provide.

## **Bylaw 13: CAMPAIGN FINANCING**

Section 1.

The Executive Committee shall establish a Libertarian Party campaign fund from which funds may be allocated to candidates of the Libertarian Party. Such allocations among the various candidates will be determined at the discretion of the Libertarian Party of California Campaign Committee. The campaign fund may also be used to support Libertarian Party campaign publicity not specifically promoting an individual candidacy.

## **Bylaw 14: NATIONAL COMMITTEE REGIONAL REPRESENTATION**

Section 1.

Representative(s) and alternate(s) to the Libertarian National Committee shall be elected by the delegates to the convention of the Libertarian Party of California at the time prescribed in the agenda. The results shall be reported to the national convention at the time prescribed.

Section 2.

Alternates shall be ranked by the number of votes received, provided that no one shall be ranked who does not receive a majority of the votes cast.

Section 3.

Vacancies among the representatives shall be filled by the highest ranked alternate available. Vacancies among the alternates shall be filled by the Executive Committee starting at the bottom of the rank order.

Section 4.

A National Regional Executive Committee Representative may be recalled by the Executive Committee.

Section 5.

If the Executive Committee enters into an agreement with other affiliates of the Libertarian National Committee as permitted by the Bylaws of the latter in order to form a region, then the provisions of this Bylaw shall apply only to those representatives and alternates allocated to the Party by such agreement.

## **Bylaw 15: CONVENTION**

Section 1.

The Party shall hold an annual convention of delegates of the State Central Committee to conduct such business as may properly come before it, at a time and place set according to the Bylaws and in conformance with the Bylaws and Convention Rules. (2/3 required to amend)

Section 2.

It shall be the responsibility of the Executive Committee to set the time, place, and schedule of events for the convention of delegates to the annual meeting of the State Central Committee. At least 120 days' notice must be provided to the membership concerning these arrangements.

Section 3.

Every county shall be entitled to send delegates to the convention according to the following criteria:

- A. Each county central committee shall have one delegate for each 0.33% or fraction thereof of the total number of all members of all county central committees. These delegates shall be selected by counties in such a manner as the county organizations may provide.
- B. In addition to the foregoing, each holder of an elective public office who is registered to vote as a Libertarian, each chair of a county central committee or a person appointed by the chair of that county central committee who is otherwise qualified as a delegate under Rule 3, and each member of the Party Executive Committee, at the time the convention is held, shall be a delegate from his or her respective county. Central committee membership shall not be considered to be holding of public office.
- C. No person shall be a delegate who does not meet such requirements as may be stated in the Convention Rules.

## **Bylaw 16: PLATFORM**

The Party Platform shall consist of a number of planks which state the Party position on specific state and national issues.

## **Bylaw 17: PROGRAM**

The Party Program shall consist of up to five planks which state interim measures and practical policies, designed to implement the Party position on issues of interest to California. The Program shall not conflict with the Statement of Principles or the Platform. The Program shall be in effect until the next convention.

## **Bylaw 18: NOMINATION FOR PARTISAN PUBLIC OFFICE**

### Section 1.

Unless otherwise necessitated by the laws of the State of California, or by decision of the Executive Committee, nominations for partisan office shall be by statewide nominating convention and by district caucus.

- A. Nomination for statewide office shall be made by a statewide nominating convention.
- B. Nomination for U.S. House of Representatives, California State Legislature, and California State Board of Equalization shall be made by district caucus.

### Section 2.

The date of the statewide nominating convention shall be set by the Executive Committee. The convention shall be governed by Bylaw 15, Sections 2 and 3, and by Bylaw 23. Unless a statewide nominating convention is held at the regular state convention, no other business may be conducted at the statewide nominating convention.

### Section 3.

It shall be the responsibility of the Executive Committee to determine which regional and county Party organizations shall be responsible for organizing the caucus nominations for particular House of Representatives, State Legislature, and Board of Equalization seats.

### Section 4.

The Executive Committee shall set the dates of the district caucuses. Regional and county Party organizations shall be responsible for preparing their own rules governing nominations for House of Representatives, State Legislature, and Board of Equalization, but such rules must provide for advance notice of at least 30 days to all central committee members in the district of the time and place of the nominating caucus.

### Section 5.

The Chair shall forward a list of all candidates nominated in convention and caucus to the Secretary of State no later than 30 days after the convention or caucus.

Section 6.

In the event the Party is legally required to participate in primary elections, only members of the Party shall be eligible to vote in the primary.

## **Bylaw 19: PRESIDENTIAL PREFERENCE PRIMARY**

Section 1:

Candidates may appear on the presidential preference primary ballot as provided for in sections 6720 through 6726 of the California Election Code.

Section 2:

The primary election vote shall be advisory only.

Section 3:

The candidates nominated for President and Vice President by the Libertarian Party's national convention shall appear on the California general election ballot as the Libertarian Party's nominees for those offices, regardless of the primary results.

## **Bylaw 20: PRESIDENTIAL CONVENTION DELEGATES**

Section 1.

Delegates to the national nominating convention shall be selected at the state convention preceding the national nominating convention. The procedures in Rule 17 shall be used for such election.

Section 2.

Sections 6760 through 6798 of the California Election Code are superseded.

## **Bylaw 21: NATIONAL CONVENTION ALTERNATES**

In the event that duly selected California delegates or alternates are unable to attend or be seated at the national convention for which they were selected, additional alternates may be selected. Additional alternates may be selected by a two-thirds vote of the California delegates and alternates then registered at the national convention.

- A. Those seeking additional alternate delegate status under this section shall have been a central committee member at least 30 days prior to the national convention.
- B. This provision shall be included in all written statements to the National Convention Credentials Committee whenever requests are made for seating newly selected additional alternates.

## **Bylaw 22: AMENDMENT OF BYLAWS**

Except as indicated in a particular bylaw, these Bylaws may be amended by a majority vote of all the registered delegates at a convention, per Rule 5.

## **Bylaw 23: CONFLICTING AUTHORITY**

### Section 1.

In the event of any conflict between these Bylaws and the California Election Code, the Federal Election Code, or any other law or regulation, these Bylaws shall govern the Party and its affairs.

### Section 2.

In the event that any authority should declare any portion of these Bylaws void or invalid, the remainder shall remain in full force and effect.

## **Bylaw 24: 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.

# **CONVENTION RULES**

## **Rule 1: PARLIAMENTARY AUTHORITY**

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

## **Rule 2: OFFICERS**

The incumbent Party Chair and Secretary shall be Chair and Secretary respectively of the convention. A Parliamentarian shall be appointed by the Chair.

## **Rule 3: DELEGATES**

### Section 1.

Any delegate or alternate to a Party convention must be a current member of a county central committee as defined in Bylaw 3, Section 3, at the meeting at which delegates are selected.

### Section 2.

Certification of delegates and alternates selected for each county shall be submitted to the Party Secretary at least two weeks prior to the opening session of the convention by the person presiding over the meeting at which the delegates were selected.

### Section 3.

Failure by a county to submit certification at least two weeks prior to the opening session of the convention shall cause no delegates to be registered from that county.

### Section 4.

Delegates to the Party's state convention shall have been central committee members at least 90 days prior to the convention.

Section 5.

A county may authorize its officers, in whatever number and by whatever procedure it chooses, to appoint additional alternates at the convention, provided such alternates are otherwise qualified under this rule.

In the case that a region is inactive, the appropriate state Vice-Chair may choose to appoint otherwise qualified members from that region as delegates or alternates at the convention.

## **Rule 4: CHALLENGE OF DELEGATES**

Section 1.

Any slate of county delegates to a Party convention may be challenged by petition of 10% of that county's central committee members. The petitions must be submitted to the Secretary of the Party and the Judicial Committee at least seven days prior to the convention. The petition must state the names of the delegates proposed to replace those challenged, and the reason for the challenge.

Section 2.

The Judicial Committee shall hear all the challenges on the day before the convention convenes and shall provide a ruling in each case to the Party Secretary before the convention convenes.

## **Rule 5: REGISTRATION OF DELEGATES**

Section 1.

Each delegate shall register personally at the convention with the Secretary or a duly authorized representative.

Section 2.

A delegate may not be registered prior to the resolution of all challenges in which that delegate has been named.

Section 3.

Delegates shall signify the effective days of their registrations. Each day's quorum shall be a simple majority of those registered for that day.

## **Rule 6: VOTING ELIGIBILITY**

All delegates in good standing shall be eligible to vote on all matters. In order to vote on a given matter, a delegate must be present on the floor at the time that the vote is taken. Each delegate present shall have one vote. Any delegate from a county, including delegates sent to the convention as provided in Bylaw 15, Section 3, Paragraph B, may be replaced by an alternate from that county with the consent of the county delegation.

## **Rule 7: VOTING PROCEDURE**

On all matters except election and endorsements, voting will be conducted by voice vote or a show of hands. If ten or more delegates object to the Chair's ruling on the outcome of a vote, a division or counted vote will be held. On any vote, the Chair may satisfy the first call for a division or counted vote with order in the room and an uncounted show of hands.

All voting for Party officers or endorsements of candidates for public office, when more than one candidate has been nominated, shall be by secret ballot. In all voting for Party officers or endorsements of candidates for public office, there shall be the voting option of "None of the Above."

The Chair may require any motion offered from the convention floor to be in writing, signed by the maker, and submitted to the Secretary.

## **Rule 8: POLLING PROCEDURE**

In all cases where a roll call vote is required, polling shall be conducted by county. The Secretary will solicit the vote from each county in alphabetic order, and a representative for each county shall report the vote for that county. Convention seating will be by county and each county's delegates shall elect a representative for their county. If any delegate challenges the vote reported by any county's representative, the Secretary shall poll the delegates from that region individually.

## **Rule 9: DEBATE PROCEDURE**

For each main motion, the maker shall have two minutes immediately following to speak to the motion. For amendments to proposed changes to the Bylaws, Convention Rules, Platform, Program, or to resolutions, the maker shall have 30 seconds to speak to the amendment. The Chair shall then request a standing second to the motion or amendment. If fewer than 10% of the delegates stand, the motion or amendment shall die for lack of a second.

Debate shall be limited to two minutes per delegate and fifteen minutes total.

## **Rule 10: AGENDA**

The business of the convention shall consist of the following items, which shall be conducted in the following order:

- A. Credentials report.
- B. Reports of the Party officers and working committees.
- C. Consent calendar.
- D. Platform Committee report in even-numbered years, to be followed by elections. Bylaws and Convention Rules Committee report, in odd-numbered years, followed by elections.
- E. Elections, in the following order:
  1. Party officers in odd-numbered years for two-year terms, and in even-numbered years to fill the unexpired terms of vacated Party officers;
  2. At-large members of the Executive Committee for one-year terms;
  3. At-large alternates of the Executive Committee for one-year terms;
  4. Judicial Committee members for one-year terms; and
  5. National convention delegates, Libertarian National Committee representatives and alternates, National Platform Committee representative, and National Credentials Committee representative at Party conventions immediately preceding national conventions.
- F. Platform Committee report in odd-numbered years, Bylaws and Convention Rules Committee report in even-numbered years.
- G. Program Committee report.
- H. Presidential Straw Poll, Presidential year, roll call vote, one vote only.
- I. Endorsements of candidates.
- J. Resolutions and other matters.
- K. Style Committee appointment.

Minutes of the previous day's session shall be distributed or plainly posted each morning. Minutes of the convention shall be approved by the Executive Committee within 90 days of the convention's close.

## **Rule 11: CONSENT CALENDAR**

### Section 1.

Resolutions may be placed on the consent calendar by the Chair. Members wishing to place an item on the calendar must submit the item in writing to the Chair at least two weeks prior to the opening of the convention. Items on the consent calendar shall be put to a vote as prescribed in these Convention Rules.

### Section 2.

Any item on the consent calendar may be removed from the consent calendar at any time prior to the vote on it by the written request of at least five delegates.

### Section 3.

Consent calendar items may be put to a vote singly or together in any combination at the discretion of the Chair, but no item may be voted upon more than once. The text of each item shall be read immediately before being put to a vote without debate.

### Section 4.

Items that have been placed on the consent calendar, whether passed or not, may be reconsidered only by a two-thirds vote of the convention at the time prescribed in the agenda for resolutions.

## **Rule 12: "NO DEBATE" ITEMS**

Both the Platform Committee and the Bylaws and Convention Rules Committee shall designate each of its proposals as either a regular item or a "No Debate" item. The "No Debate" classification shall be reserved for proposals which are technical in nature rather than substantive. Upon motion of five delegates, any proposal designated a "No Debate" item by a committee shall be reclassified as a regular item. Except for items proposed for immediate implementation, no debate shall occur on a committee's proposals until all of its "No Debate" items have been voted on.

## **Rule 13: BYLAWS AND CONVENTION RULES COMMITTEE**

The Chair of the Bylaws and Convention Rules Committee shall report the committee's recommendations to the floor. After the convention has debated the committee's recommendations, additional amendments may be proposed from the floor and voted upon separately.

## **Rule 14: PLATFORM COMMITTEE**

### Section 1.

The Platform may be amended by deletion, substitution, or addition of any plank at any Party convention. A plank may be deleted by a simple majority vote of the convention. The substitution of a new plank for an old plank, or the addition of a new plank, shall require approval of two-thirds of the votes cast, but not less than a majority of all delegates registered.



## Section 2.

Challenges of adopted planks believed by a delegate to be in conflict with the Statement of Principles of the national Libertarian Party shall be referred in writing, during the convention, to the Judicial Committee by the delegate(s) requesting action for consideration. The challenge shall specify in what manner the plank is believed to conflict. The Judicial Committee shall decide whether the plank in question conforms to the Statement of Principles and shall make a report to the floor of the convention stating the justification of its decision. If the plank is vetoed by the Judicial Committee, it will be declared null and void, but can be reinstated in the Platform by a three-fourths vote of the convention.

## Section 3.

The Chair of the Platform Committee shall report the committee's recommendations to the floor, plank by plank, and each recommendation shall be voted upon separately. After all recommendations of the Platform Committee have been considered, if time permits, any delegate may propose a new plank or amendment.

## **Rule 15: PROGRAM COMMITTEE**

### Section 1.

The adoption of a plank shall require approval of two-thirds of the votes cast, but not less than a majority of all delegates registered.

### Section 2.

Challenges of adopted planks believed by a delegate to be in conflict with the Statement of Principles of the national Libertarian Party or with the Statement of Principles or Platform of the Libertarian Party of California shall be referred in writing, during the convention, to the Judicial Committee by the delegate(s) requesting action for consideration. The challenge shall specify in what manner the plank is believed to conflict. The Judicial Committee shall decide whether the plank in question conforms to the respective Statement of Principles or Platform and make a report stating the justification of its decision to the floor of the convention. If the plank is vetoed by the Judicial Committee, it will be declared null and void, but can be reinstated in the Program by a three-fourths vote of the convention.

### Section 3.

The Chair of the Program Committee shall report the committee's recommendations to the floor, plank by plank, and each recommendation shall be voted upon separately. Consideration of the Program shall end once five planks have been adopted. After all recommendations of the Program Committee have been considered, and if fewer than five have been approved and if time permits, any delegate may propose a new plank or amendment.

## **Rule 16: RESOLUTIONS**

### Section 1.

Adoption of a resolution shall require approval of two-thirds of the votes cast, but not less than a majority of all delegates registered.

### Section 2.

Challenges of adopted resolutions believed by a delegate to be in conflict with the Statement of Principles of the national Libertarian Party shall be referred in writing, during the convention, to the Judicial Committee by the delegate(s) requesting action for consideration. The challenge shall specify in what manner the resolution is believed to be in conflict. The Judicial Committee shall decide whether the resolution in question conforms to the Statement of Principles and make a report to the floor of the convention stating the justification for its decision. If the resolution is vetoed by the Judicial Committee, it will be declared null and void, but can be reinstated by a three-fourths vote of the convention.

## **Rule 17: ELECTION OF DELEGATES TO THE NATIONAL CONVENTION**

Nominations for the position of delegate shall begin immediately following the call to order.

Nominations shall be submitted to the Secretary by placing the name and regional affiliation of the nominee on a ballot as designated by the Secretary. Such ballots shall be displayed conspicuously for easy access. Only central committee members of the Party shall be nominated and elected to serve.

The Party officers shall be automatically nominated as delegates to the national convention by reason of their official status within the Party.

The Secretary shall call for the nominating ballots at the close of convention business on the penultimate day.

The Secretary shall provide a printed list of all nominees to each delegate on the last day of the convention. Additional nominations shall be made from the floor.

The Secretary shall calculate the number of votes allowed each delegate to cast by determining one-third of the number of California delegates at the national convention and rounding upward.

Each delegate shall cast one vote per nominee up to the number determined by the Secretary.

The Secretary shall rank the nominees for delegate in order of the vote received by each nominee and shall make this ranking, without the number of votes received, available to interested members within 30 days of the close of the convention.

After receiving notice of the number of delegates allotted to California at the national convention, and determining which nominees are eligible, the Secretary shall submit to the national Secretary that number of nominees, starting at the top of the list, as delegates to the national convention, and the remaining nominees, in rank order up to the number of delegates, as alternate delegates to the national convention. No nominee for delegate or alternate to the national convention shall be elected without receiving a minimum of three votes.

## **Rule 18: ELECTION OF PARTY OFFICERS**

### **Section 1.**

Party officers shall be nominated and elected in the following order:

Chair, Northern Vice-Chair, Southern Vice-Chair, Secretary and Treasurer.

### **Section 2.**

Nominations shall be made from the floor. For each candidate, there may be one nominating speech and one seconding speech, the total time for which shall not exceed five minutes. The candidate may then speak for a maximum of ten minutes. Elections will be conducted using Instant Runoff Voting (IRV). For each office, a majority vote of all the ballots cast shall be necessary and sufficient for election. Ballots will allow delegates to rank their choices of candidates in order of preference, such as First Choice, Second Choice, Third Choice, etc. All individual ballots shall be turned in to the Secretary along with the regional tabulations of the First Choice votes. In cases in which no candidate receives a majority of First Choice votes, the lowest running candidate shall be eliminated and his or her ballots redistributed to the remaining candidates according to the next choice indicated on those ballots and the ballots recounted. If no candidate yet has a majority of votes, the process of eliminating the candidate with the least number of votes, redistributing according to the next choice on those ballots and then recounting shall be repeated until one candidate has a majority. Lack of a majority vote for one candidate or a majority vote for "None of the Above" shall cause nominations for that office to be reopened.

### **Section 3.**

For the positions of Vice-Chair, the nominating and seconding speeches shall be made from each office's respective constituency. Votes for these candidates shall be cast only by the delegates from each office's constituency.

## **Rule 19: ELECTION OF AT-LARGE EXECUTIVE COMMITTEE MEMBERS**

Nominations for the at-large members of the Libertarian Party of California Executive Committee shall be made from the floor, with all State Central Committee members eligible for nomination. For each candidate there may be one nominating speech and a speech by the candidate, the total time for which shall not exceed three minutes. The election shall be conducted in the following manner:

- A. Each delegate from all but the five largest regions may cast up to five votes, but no more than one vote for any one candidate.
- B. Each county delegation shall tabulate its total vote, and the delegation chairs shall deliver a written total to the Secretary, who shall conduct a roll call vote of the smaller regions. When all of the eligible county delegations have submitted their votes, the Secretary shall declare the voting closed.

## **Rule 20: NOMINATIONS AND ENDORSEMENTS OF CANDIDATES FOR PUBLIC OFFICE**

### Section 1.

Nominations shall be made from the floor. For each candidate there may be one nominating speech and one seconding speech, the total time for which shall not exceed five minutes. The candidate may then speak for a maximum of ten minutes. No candidate for public office may be nominated for endorsement who:

- A. Is not a member of the Libertarian Party.
- B. Is ineligible to serve in that public office.
- C. Has not expressed a willingness to accept the endorsement of the Party.

### Section 2.

Endorsements for any office shall be chosen by a majority vote. Should no candidate or "None of the Above" receive a majority on a ballot, then a new ballot shall be taken. After every second ballot, if no candidate or "None of the Above" has received a majority vote, the candidate with the fewest number of votes shall be removed from subsequent ballots.

## **Rule 21: STYLE COMMITTEE**

The Chair shall appoint a Style Committee of no more than five delegates which shall propose stylistic changes to the Platform, the Program, and the Bylaws and Convention Rules. The proposed changes shall be submitted to the Executive Committee for ratification.

## **Rule 22: AMENDMENTS**

### Section 1.

These Convention Rules may be amended at any Party convention.

### Section 2.

Any convention rule which specifies a greater than majority vote may not be amended by a lesser vote than that specified.

### Section 3.

Amendments to these Convention Rules which take effect immediately upon adoption will require a two-thirds vote of the convention.

Section 4.

Amendments to these Convention Rules will normally take effect at the close of the convention in which the amendments were adopted. Such amendments may be adopted by a majority vote of the convention.