

Peninsula Libertarian Party Bylaws

As approved in convention, October, 2013

Article I: Name, Affiliation, Guiding Principles, and Purpose

Section 1. Name

The name of the organization is the Peninsula Libertarian Party; hereinafter referred to as "PLP".

Section 2. Affiliation

PLP shall affiliate with the Libertarian Party of the United States and the Libertarian Party of Virginia.

Section 3. Guiding Principles

The national Libertarian Party's "Statement of Principles" describes the philosophy upon which the Libertarian Party is founded, upon which it shall be sustained, and through which human liberty shall be restored.

Section 4. Purpose

The purpose of the PLP is to implement the Statement of Principles, by:

- A. Recruiting, training, and officially endorsing candidates for public office in our local area, defined as the municipalities of Hampton, Newport News, York, Poquoson, Williamsburg, and James City County
- B. Conducting political information and educational activities that will:
 - a. Promote libertarian ideas on the Virginia Peninsula, primarily but not exclusively through the political process; and
 - b. Promote the interests of the Libertarian Party of the US, the Libertarian Party of Virginia (LPVA), and the 1st, 2nd, and 3rd LPVA congressional districts whose districts overlap the PLP.
- C. Recruiting new members and retaining current members.

Article II: Membership

Section 1. Qualifications

Any current member of the national Libertarian Party who resides on the Peninsula, shall be considered a "Member" of the PLP.

Section 2. Dues

PLP Dues and other payments shall be determined by vote of the party members in Convention.

Any approved dues requirements shall be recorded as a Primary Standing Rule by the Secretary; and shall be attached to these Bylaws.

If annual local dues are required, each Member shall be required to remit such to the Treasurer prior to receiving credentials to vote at any PLP convention. A Member who has paid the required PLP dues shall then be classified as a "Voting Member".

Section 3. Rights & Privileges

All Voting Members have the right to participate in the activities of the PLP.

All Voting Members have a right to address the Executive Committee, or the Convention.

All Voting Members have the right to send correspondence to other members of the PLP, via the duly elected Chair. Requesting member shall provide sufficient quantities of the materials to be sent to supply the mailing; and the Chair shall forward such correspondence, at the requesting member's expense, within five days of receipt. Correspondence to be forwarded under this section is permissible so long as it is:

- a. Relevant to the membership of the PLP;
- b. In the best interest of the PLP;
- c. Not of a nature that advertises commercial activity not related to the values of libertarianism; and
- d. Not of a nature that personally attacks any other PLP member or is factually inaccurate.

Section 4. Censure & Expulsion, for Cause

Any Member may be censured or expelled from the PLP for cause. Consideration of censure or expulsion shall be governed by the rules for the Judicial Committee.

Article III: Officers of the Executive Committee

Section 1. Definitions

There will be three (3) elected PLP officers, as follows: Chairman, Vice-Chairman/Treasurer, and Secretary.

The powers and duties of the officers are specified herein.

Section 2. Elections & Terms

Elected Officers shall be chosen individually, on separate ballots, in the order listed in Section 1 of this Article. A simple majority of the voting Members present at the annual PLP Regular Convention, or at any Special Convention called to fill any vacancies, shall carry each Officer's election. All officers serve from the closing of the Convention at which they are elected, to the closing of the next Convention at which elections are held for their position, and their terms shall run for a period of one year. Only members of the Party will be eligible to serve as officers. There shall be no term limits, and outgoing officers shall be eligible for immediate reelection. An individual may serve in more than one elected position.

Section 3. Officer Duties

The duties of each officer shall be as follows:

The Chair shall preside at all PLP meetings. The Chair may make appointments to committees.

The Vice Chair/Treasurer shall preside at PLP meetings in the absence of the Chair. If the office of Chair becomes vacant, the Vice Chair/Treasurer shall assume the Chair's duties Pro Tem. The Vice Chair/Treasurer shall also be responsible for keeping abreast of, and fulfilling, current requirements to maintain certification by the State LP – as defined by that organization's Constitution and Bylaws. The Vice Chair/Treasurer shall see to the maintenance of the Party's bank accounts, the deposit of all revenues, and the prompt payment of all bills. A formal Treasurer's Report shall be presented at least once per calendar quarter. The Treasurer shall maintain the party's financial records in accordance with the law and generally-accepted accounting principles ("GAAP").

The Secretary shall record and maintain Minutes of party meetings and conventions, shall be a signing officer for Party documents, and shall see to the publication of a monthly newsletter sent to all PLP members and prospects. The Secretary shall also assure that all address corrections from all mailings or other sources will be forwarded to national LP headquarters to assure database maintenance. Upon reasonable request, the Secretary shall make available to any PLP member the complete Minutes of any Convention or Executive Committee meeting, without charge. Provision of such documents must be completed within five business days.

Section 4. Vacancies

If the position of Chair becomes vacant, the Vice Chair/Treasurer shall assume the Chair's duties *Pro Tem*. The Secretary shall arrange a date, time and location for a Special Convention within thirty days of the vacancy, and shall provide at least fourteen (14) days' notice of the Convention to all Members. Such notice shall include the agenda item of electing a Chair. Inclusion of this notice in a newsletter shall satisfy this provision.

In the event of a vacancy in any other elected officer position, the Chair may name an appointee to fill said vacancy *Pro Tem*. The Executive Committee shall have an opportunity to override such appointments at the next Executive Committee meeting. If no action is taken by the Executive Committee, the Chair's appointment shall stand thereafter. If the Chair makes no such appointment, the Executive Committee may name an appointee at the next Executive Committee meeting.

In the event of a vacancy in any non-officer position, including standing or ad-hoc committee positions created by the Chair, the Chair may name an appointee to fill said vacancy *Pro Tem*. The Executive Committee shall have an opportunity to override such appointments at the next Executive Committee meeting. If the Executive Committee takes no action, the Chair's appointment shall stand until such time as the Chair appoints someone else to the position or eliminates the position entirely.

Section 5. Parliamentarian

At the first meeting of each term, the Executive Committee may appoint a Parliamentarian, who shall not be required to be a member of the Party, to provide qualified parliamentary advice at the Executive Committee meetings and all Conventions. No sitting officer may also serve as the Parliamentarian.

Section 6. Proxies & Voting

Standing Proxies shall be permitted. A valid proxy must be in written form, and must be provided to the Secretary. Proxies may be sent by any verifiable means, such as hand-delivery, postal, facsimile, or e-mail.

Any member of the Executive Committee may proxy his vote to any other member of the PLP.

No person who holds more than one officer position may cast more than one vote, however, if an officer holds a proxy for another member of the Executive Committee, he may cast his own vote as well as the vote he is delivering by proxy on behalf of the absent officer.

Section 7. Quorum

2/3 of the Executive Committee officers shall constitute a quorum for the transaction of normal business.

Section 8. Voting

All measures shall be carried by a simple majority vote. The Secretary shall record all votes by roll call. Secret votes are prohibited. Within five business days, the Secretary shall provide a report of all votes taken, including the roll call on each vote, and any actions decided upon to the Newsletter Editor, to be included in the subsequent issue.

Section 9. Meeting Schedule

Meetings shall be held at such time and place as the officers may by act decide.

Section 10. Member Notification

The Secretary shall provide to all Members at least fourteen (14) days' written notice of all Executive Committee and appointed subcommittee meetings. Inclusion of a notice in a newsletter, describing the event, time, place, and agenda, shall satisfy this provision.

Section 11. Attendance of Nonmembers

Nonmembers, such as Libertarian Party members who live outside of the Peninsula, or members of other Peninsula organizations or parties, may attend, observe the proceedings, and participate in any debate, only with the explicit approval of the Executive Committee. Under no circumstances shall any Nonmember be permitted to cast a vote on any issue.

Section 12. Email Meetings

In accordance with Robert's Rules of Order, email meetings are prohibited, since there is little or no opportunity for members to monitor or participate in email meetings. Motions brought up during a regular meeting may be voted on via email, with the results posted in the minutes of the following regular meeting.

Section 13. Ethics

Officers shall refrain from voting on any issue in which they may have a financial interest.

If an officer is also an officer of another organization, the officer shall refrain from voting on measures that may involve any transfer of resources to the other organization.

Section 14. Officer Removal For Cause

Officers may be removed for cause. Consideration of the removal of an officer shall be governed by the rules for the Judicial Committee.

Article IV: Judicial Committee

Section 1. Judicial Committee Empanelment for Executive Committee Disputes

Upon request of any PLP Member who wishes to appeal a ruling of the Chair or any action taken by the Executive Committee, the Executive Committee shall empanel a Judicial Committee within 30 days. The Judicial Committee shall consist of three persons, all acceptable to both parties, one of whom shall not be a PLP member. The decisions of the Judicial Committee are final, and may have the nature:

- Of verifying that the ruling of the chair or the action taken by the Executive Committee was in fact correctly applied; or
- Of overturning a ruling of the chair if the ruling was in conflict with proper and fair procedure; or
- Of overturning an action of the Executive Committee as a body if the action was in conflict with procedure; or
- Of censuring any member of the Executive Committee who grievously abused the powers of his office with regard to the matter adjudicated; or
- Of removing from the Executive Committee any member who grievously abused the powers of his office with regard to the matter adjudicated.

The Judicial Committee shall give all appropriate concern for the rights of all involved; and shall also make every effort to comply with the letter and spirit of these Rules.

Elected Officers of the Executive Committee may be removed for cause; which may include:

- a. Consistent failure to perform the duties of the office as described in these rules, in an impartial and/or timely manner; or
- b. Inflicting substantial force or fraud upon the PLP or any member thereof.

Upon Judicial Committee removal of an officer, the remaining members of the Secretary shall within 5 business days arrange a Special Convention. The Secretary shall provide all Members at least 14 days' advance written notice of such Special Convention, noting the vacated position. Inclusion of a notice in the newsletter, describing the event, time, place, and agenda, shall satisfy this provision.

The removed officer shall be eligible to seek re-election, and should he receive a plurality, may continue to serve. If the officer is so re-elected, no acts already adjudicated shall continue to be actionable (no "double jeopardy").

Section 2. Judicial Committee Empanelment for PLP Member Disputes

If any PLP Member commits acts of force or fraud, whether against another PLP member or not, any other PLP Member may request the empanelment of an impartial Judicial Committee within 30 days, to investigate the accusations. To be valid, such request must be filed with the Secretary within six months of the alleged act(s). The Executive Committee, upon receipt of the evidence, shall empanel a Judicial Committee to investigate the claims and to recommend remedial action. The Judicial Committee shall consist of three persons, all acceptable to both parties, one of whom shall not be a PLP member. The decisions of the Judicial Committee may have the nature:

- Of verifying that the offense took place; and
- Of applying appropriate punishment, such as a reasonable fine, censure, expulsion, or banishment of the accused;

Or

- Of finding the charges are without merit; and
- Of applying appropriate punishment, such as a reasonable fine, censure, expulsion, or banishment of the accuser.

The Judicial Committee shall give all appropriate concern for the rights of all involved; and shall also make every effort to comply with the letter and spirit of these Rules.

The Judicial Committee shall provide written notice to the appropriate party of any fine. Failure to pay an assessed fine within 90 days of the assessment shall be grounds for expulsion and banishment.

Article V: Representative to District Committee or State Central Committee

The Chair (or his designee) shall serve as the PLP's Representative:

- a. To the LP Congressional District Committees; and/or
- b. To the State Central Committee; and/or
- c. To the LPVA's Committee on Local Affiliates.

In any of these capacities, the PLP's Representative shall report to the PLP Secretary all of the Representative's votes on all issues before any meetings of those bodies, as well as a review of actions taken by the body, for inclusion in the PLP's official records. Such report shall be filed in writing with the Secretary, within five days of the close of the meeting.

The Secretary shall make the report immediately available to the Newsletter Editor.

Article VI: Annual Conventions of the Membership

Section 1. Convention Schedule & Agenda

A Regular Convention shall be held each year, no later than the last day of January. The Chair may appoint a Convention Chair to oversee the convention arrangements and notices. Special Conventions may only be called by the Executive Committee, and only for the purpose of filling vacant officer positions.

Section 2. Notification

The Secretary shall provide to all Members at least fourteen (14) days' written notice of any Convention. Inclusion of a notice in the newsletter, describing the event, time, place, and agenda, shall satisfy this provision.

Section 3. Attendance of Nonmembers

Nonmembers, such as Libertarian Party members who live outside the Peninsula, or members of other Peninsula organizations or parties, may attend with the approval of the Executive Committee, and may observe the proceedings. Under no circumstances shall any Nonmember be permitted to cast a vote or participate in any debate.

Section 4. Voting

Delegates must be current members in good standing per Article II of these Bylaws, to be allowed to vote. The Chair (or his designee) shall verify the membership status of all participants before voting takes place. If dues are required by these Bylaws, the Chair (or his designee) shall verify that only Voting Members, as described in Article II, are allowed to vote.

Section 5. Quorum

A quorum shall be 5% of the total PLP membership, or three members, whichever is greater.

Section 6. Authority

The Members assembled at Convention are the empowering authority of the PLP, and in particular may:

- a. Elect the officers to serve on the Executive Committee;
- b. Amend these Bylaws;
- c. Amend or repeal any Primary or Secondary Standing Rules;
- d. Amend or repeal the PLP's program or platform;
- e. Officially endorse candidates for public office;
- f. Overturn past decisions of the Executive Committee;
- g. Remove members of the Executive Committee; and
- h. Pass official resolutions.

Section 7. Members in Convention Final Authority

The Executive Committee shall have no power to overturn or otherwise controvert the will of any act of the membership assembled in convention.

Article VII: Controlling Documents

The controlling documents of the PLP will be these Bylaws. Authority for all matters not specifically addressed by these Bylaws will be **Robert's Rules of Order, Newly Revised**, 10th Edition (or a more recent edition).

Article VIII: Amendments

All Amendments to these Bylaws require a 2/3-majority vote, at any PLP **Regular** convention. Bylaws Amendments may not be considered at Special Conventions.

Article IX: Standing Rules

Section 1. Primary Standing Rules

Primary Standing Rules represent policy decisions fixed by the membership at convention, such as imposing a dues structure. Primary Standing Rules may not be altered by the Executive Committee; and shall be included as an Addendum to these Bylaws. The Secretary shall be responsible for accurately recording all such rules.

Section 2. Secondary Standing Rules

Secondary Standing Rules represent policy decisions fixed by the Executive Committee, such as setting a salary for a clerical employee or limits on printing expenses for a newsletter. Secondary Standing Rules may be altered by the Executive Committee; and shall be included as an Addendum to these Bylaws. The Secretary shall be responsible for accurately recording all such rules.

-- Standing Rules --

No standing rules as of October 2013

CERTIFICATION

I certify that this represents a true and complete copy of the Bylaws as of

_____/_____/_____.

Signed, _____

Name & Title (only the Secretary's signature shall be valid; if no Secretary has been appointed, the Chair's signature shall serve):

Name _____ title _____

Address for all PLP correspondence: Peninsula Libertarian Party, 58 Yorktown Rd, Newport News, VA 23603.
