

# LPC Resolutions

## Standing and Advisory

### Policy

Standing Resolutions shall be limited to matters of policy, they shall define the operating procedures of the Executive Committee, shall not be abridged without the advice and consent of the Executive Committee;

Advisory Resolutions shall be those that are advisory in nature, not binding on the Executive Committee (rather to advise committees) and shall may be amended by the working committees with the advice and consent of the Executive Committee;

There shall be a permanent agenda item for the evaluation of Standing Resolutions at each Executive Committee meeting. (11-89-11.1)

Secretary to maintain and distribute Resolutions:

- 1) The Secretary is instructed to research the records of the LPC and prepare a list containing the complete text of all policy statements, resolutions and committee appointments made by the Executive Committee that are currently relevant and in effect. The date of each item shall be included.
- 2) It shall be considered part of the Secretary's job to maintain the compiled resolutions report and keep it up to date.
- 3) The Secretary shall provide copies of the report and of the minutes of the previous Executive Committee meeting for distribution to all new members of the Executive Committee at the first meeting held each year following convention.
- 4) This motion shall be included in the report. (11-79-19.11)

## Standing Resolutions

### Pertaining to the LPC

#### LP Statement of Principles:

The Libertarian Party of California endorses the Statement of Principles and Platform of the National Libertarian Party. (2-83-60-2)

#### Karl Bray Award:

We give our sanction to the Karl Bray Memorial Award which is to be called the Karl Bray Memorial Award. (8-79-11.8)

#### Election Code/Peace & Freedom / Sexist:

"Pursuant to existing State of California election code requirements the Libertarian Party of California accepts the Peace and Freedom Party's plan with the exception of any reference to rules of gender and/or sexual quotas." (6-95 from 8-79 and 11-79 resolutions)

#### Bulk Mail Permit: Transfer or use by caucus.

No Region shall, on behalf of any caucus, use or transfer its right to the LPC bulk mailing permit. (8-79-13.8)

#### Caucuses: The LPC policy on Caucuses within the Party shall be:

- 1) For recognition as a caucus a group must provide to the Executive Committee, each year, a list of at least ten members who are members of the LPC, and a statement of purpose that is consistent with the Libertarian Party State of Principles.
- 2) Each Caucus with its address and telephone number, shall be listed at least twice a year in the state Party newsletter.
- 3) State convention organizers shall co-operate with caucuses to obtain caucus meeting rooms, to be paid for by the caucuses.
- 4) The state LP mailing permit shall be made available to caucuses for mailings directed primarily at libertarians with all mailing expenses to be paid for by the caucuses.
- 5) All caucus publications (e.g., pamphlets and newsletters) shall include the following disclaimer: "The views expressed in this publication do not necessarily reflect the official views of the Libertarian Party of California." (11-79-21.11)

#### Private Property:

That a Anyone acting on behalf of the LPC will leave privately owned property at the request of the owner or owner's agent. (5-79-5.5)

#### Privacy/Party Records:

The Libertarian Party respects the privacy of its members, therefore the Executive Committee instructs its officers to withhold access to Libertarian Party records except under court order as adjudicated. (1-89-05.1)

## Standing Resolutions

### Pertaining to the Executive Committee

#### Indemnity / Officers / Executive Committee:

The LPC and the Executive Committee indemnifies officers and Executive Committee members past and present from any and all liabilities imposed by any governmental agency incurred in the reasonable exercise of their official duties. (3-89-05.3)

#### Legal Advice / Indemnification / Contractors / Officers:

This is actually not a standing resolution. It was something that was to have been done in 1989. If it was not we could do it now or not as we see fit. At any rate as a part of this document it should be deleted. It will remain in our minutes. \* I have asked the Secretary to see if any such report from legal counsel exists.

To ask for legal advice on the indemnification resolution wording, seeking legal counsel to determine status in independent contractor status and indemnification of officers. (4-89-05.4)

#### Candidate Recruitment:

The LPC shall that we recruit candidates for all partisan statewide offices. (5-93-11.5)

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#### Committees of the ExCom

##### Open Meetings:

It shall be the condition of a All Committees which exist at the pleasure of the Executive Committee, to shall establish, maintain, and exercise an open door policy inclusive to members of the Executive Committee of the LPC.

Further, no such Committee shall be exempt from this policy without prior approval of two-thirds of the entire Executive Committee. (5-84-76.5)

#### Audit Committee:

The Executive Committee shall appoint an Audit Committee at the November/fourth quarter Executive Committee meeting.

The Audit Committee shall serve at the pleasure of the Executive Committee.

The Audit Committee shall obtain no later than the first of March of the following year the financial records of the LPC for the fiscal year ending December 31st.

A written report shall be prepared as to the Audit Committee's findings, to be submitted to the LPC Secretary no later than two weeks prior to the April/second quarter Executive Committee meeting.

Additional audits shall be performed upon request by the Executive Committee or the Operations Committee.

The Audit Committee shall have access to all financial records as required to perform the required audits.

Responsibilities of the Audit Committee include:

1. Review the receipts and expenditures for authorization and proper coding according to the LPC budget.
2. Verify the existence and valuation of the assets and liabilities of the LPC.
3. Review and evaluate the system of internal control and make recommendations as needed.
4. Review the reports generated and provide an opinion as to their accuracy and adequacy. (1-94-4.1)

#### Budget / U :

1) The operations of the LPC shall be governed by a budget adopted by the Budget Comm.

2) The Budget Committee shall consist of the Treasurer and four members elected by the Executive Committee at the post convention Executive Committee meeting. It will consider and construct a budget of income and expenditures for a period of February 1st through January 31st and distribute the budget to the new Executive Committee within 30 days.

3) The Executive Committee may amend the budget by deletion at any time with a majority vote. Any other changes by the Executive Committee will require a 2/3rd vote.

4) The outgoing Treasurer will provide a temporary budget at the convention Executive Committee meeting. (8-82-50.8)

#### Convention Oversight:

Establishes a Convention Oversight Committee to review the ongoing criteria for convention bids, such as site selection, evaluation of the activities of the Convention and to assist in producing a Convention Report.

The Committee will consist of five members chosen by the Chair. (82-47.5)

That we will be giving closer scrutiny to the annual Convention process in the future, and that the convention committee keep the Executive Committee and the Chair informed about the convention budget and speakers, working out low-cost alternative accommodations, and providing special packages for delegates and visitors. (81-29.2)

\* This has been superseded by the Convention Oversight Committee Job Description approved in 1994.

#### Style Committee / Platform:

That we The Chair shall create appoint a Style Committee to proof-read the changes in the Platform. (2-82-44.2)

Convention: Speakers / Conflict:

This body hereby votes to instructs the Executive Committee to place a constraint on all subsequent convention managers not to schedule speakers, seminars or workshops at times that conflict with State Central Committee business. (conv-90-conv.1)

Convention: Contracts:

Starting with 1995 convention, all convention contracts will include a requirement for a written convention report, to be submitted within 90 days of the close of the convention. (1-93-06.1)

Convention: Audit / Profits:

When a convention contract includes remuneration as a percentage of the profit, the party reserves the right to audit the books of the convention to verify those profits.  
(2-93-06.2)

Contracts: Treasurer:

The treasurer is to receive a copy of all contracts. (3-93-06.3)

Convention Oversight:

The Convention Oversight Committee Chair is to receive a copy of the convention contract. (4-93-06.4)

Contractors:

Conflict of Interest

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

Approval/evaluation/termination

All contracts for services will be negotiated with the approval of the Chair and the Officer(s) who is (are) responsible for the specific services provided and shall contain, in addition to other relevant provisions, criteria for evaluation and provisions for termination.

Reimbursement:

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

Budget allowances

Monthly budget allowances are to be construed as limiting the average monthly expense in a year, not as limiting the expenses in a month with a particularly heavy workload.

Contract Renewal

Contracts shall be for no longer than one year; negotiation of new contracts or renewal of existing contracts will be explored annually.  
(2-84-72.2)

Database:

All those receiving a copy of the LPMASER database should agree to:

- A. sign a contract citing the specific use granted to the person or organization by the LPC;
- B. encrypt the LPMASER database when not in use to provide adequate security so that our LPMASER database is not distributed to anyone else, especially to any government agencies;

C. use the LPMaster database for a specified time;

D. to return the original media (diskette, tape, etc.) to the LPC;

E. remove all copies of the LPMaster database or any other databases created from it, from all computers used to process the data, via the use of a utility program that will ensure that the data cannot be unerased from the computer. Symantec's Norton Utilities 'wipedisk' is one such program;

F. not transmit the LPMaster database via modem, LAN (Local Area Network), or the Internet, nor be placed place it on any computer bulletin boards system (BBS).

The LPC shall remove membership records from copies of the LPMaster database for members who have specifically requested that their names not be sold or otherwise given to any outside organization or person. (1-94-7.1)

Lapsed Members:

Lapsed members shall be retained on data base. (3-89-08.3)

Inquiries:

To have National LP send all future inquiry names to database manager. (2-93-11.2)

Debate:

A majority vote will carry a vote to extend time. (1-89-08.1)

Debt to party:

The LPC shall withhold further monies from the hands of any person owing funds to the LPC. (1-90-11.1)

Donations/Split:

The LPC shall To split 50-50 any donations sent in with membership dues between the individual's region and state if unspecified by member. (2-89-05.2)

\*This conflicts with Dues/Split on pg. 7

Donor List: Limits on use:

That The LPC donor list shall be kept confidential to the state organization, even to candidates, except LPC candidates for partisan office who are members of the state central committee. (2-94-4.2)

Donor List use: Consulting Fund Raising Chair:

That The fund raising chair shall be consulted prior to the release of the donor list. (3-94-4.3)

Dues/Membership Form:

To change The membership form to shall offer choice of dues amount to members.

Interested parties will design actual format of membership form.

(5-89-05.5)

Raised LPC central committee minimum annual dues to shall be \$25;

There shall be a new category of 'sustaining membership' of \$50;

To be effective January 1, 1991;

With the understanding that monies accompanying already printed forms would be received for the purpose indicated.

(3-90-11.3)

\* I recommend that we delete the ending phrase and when individuals send in an amount of money lower than the minimum dues amount they be advised of the minimum amount and given an opportunity to join at the current minimum level or higher as they so choose.

#### Dues/Inactive Counties:

That The county portion of dues from members in counties with less than 10 members shall be placed in a separate fund and used by the Vice Chairs for expenses used in organizing those inactive counties. (1-89-02.1)

That An inactive region be is entitled, upon becoming an active region, to any dues collected for that region within the prior one year period.

Inactive region funds not claimed after one year shall be placed in the appropriate Vice Chair fund. (2-94-11.2)

#### Dues/Split:

That in Regarding to membership forms and payments, all money received which is called 'dues' shall be split 60% to the region and 40% to the LPC, and that all contributions not so called shall go to the organization which originated the solicitation or to any project as designated by the sender. (2-89-08.2)

\* This conflicts with donations/split on pg. 6.

#### Endorsement:

The Chair shall have the responsibility to of contacting organizations either opposing or backing statewide propositions, and informing them on of our support. position on that proposition, when we agree on their position. (1-94-11.1)

#### Financial statement:

That Henceforth, as a matter of policy, the Treasurer shall distribute a statement of financial condition and sources and uses of funds to members of the Executive Committee, prior to or at each meeting of that body. (11-82-55.11)

#### Fund Raising/Postal Regulations:

All fund raising letters mailed out under the LPC bulk nonprofit permit shall be reviewed by the LPC Chair or his/her designated representative to ensure compliance with all known postal regulations.

The LPC shall provide the Fund Raising Chair with a copy of the current Postal regulations.

Furthermore, it shall be the responsibility of the Fund Raising Chair to adhere to those rules.

The LPC shall not solicit funds for any other organizations via the use of its bulk nonprofit postal permit.

All funds solicited by the LPC shall be made payable only to the LPC.

All funds solicited by the LPC, shall use the main LPC address as the place to send those funds.

Currently, this is 655 Lewelling Blvd., #362, San Leandro, CA 94579-1844. All funds solicited by the LPC, shall be accounted for by its bookkeeping service or contractor. Currently, this is Withease (2-94-7.2)

#### Initiatives:

The Executive Committee forms a three member committee, to be appointed by the Chair, which will survey statewide issues to seek out suggestions for possible ballot initiatives to be undertaken by the LPC.

(5-82-45.5)

\* Shall this resolution be continued? It has not been done regularly. A three person committee was named by the 1994 Chair which has not given the Executive Committee any report of its activities to date.

Mailings:

When any mailing is made by an Executive Committee member to any group of party members in official capacity (e.g., mailing by the secretary to all regional chairs) that a record is to be kept of the names and addresses to which the mailing is sent, along with a copy of the document. (1-93-03.1)

Membership: Donors / Pledgers:

Current members who fulfill a pledge of \$100 to will have their membership renewal renewed automatically at the end of their membership year;

Non-members who have donated \$100 (i.e., \$100 already received, not projected) are not to be made automatic members, but are to be invited to join the LPC, that is, be given the opportunity to full membership, associate membership, or refusal. (3-94-7.3)

Life: The LPC shall have a Life Membership category in the amount of \$500.00. (5-88-92.5)

New Members: The Chair shall draft a welcome letter to be included in new member kit. (3-93-11.3)

Presidential Candidate/vice-presidential Candidate:

To grant Life memberships shall be granted to the Presidential and vice-presidential candidates. (3-89-11.3)

Organizations:

Organizations cannot legitimately sign the pledge (i.e., become voting members).

Only individuals may legitimately sign the pledge and become voting members.

The database personnel shall take the membership submission at face value.

If there is a challenge, the challenge must be made to the credentials committee at convention, and will be acted on only if a successful challenge would affect the delegation count or representation on the Executive Committee. (6-93-11.6)

Renewals:

That the Members shall be warned at least twice before expiration of membership., and that the database manager and database oversight committee shall periodically review the schedule of renewals, and use bulk rate when feasible. (4-93-11.4)

Suspension:

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 Bylaw 3 Section 2, or for cause, by a two-thirds vote of the Executive Committee meeting as a body not by mail ballot. (1-89-p.1)

Notice of suspension:

Any member whose membership is threatened by the possibility of suspension, shall be notified of this by certified letter mailed by the secretary at least fourteen (14) days prior to the meeting by the Executive Committee in order that he or she may attend the meeting and present reasons why his or her membership should be retained.



The letter shall clearly state the cause(s) for the suspension.

If the member is unable to be present, a written statement from that person shall be accepted and distributed for consideration and made part of the permanent record.

Notification of the suspension is subject to written appeal within fifteen (15) days of notification.

Failure to appeal shall terminate membership. (89-p.2

*\*this indicates a listing at the end of the two documents that were the basis for the updating of these resolutions in 1993-94. I believe this resolution was introduced at the 1990 convention failed to pass (for lack of debate time) and passed by the ExCom at the post convention meeting for which we have no minutes, we could verify by asking Sally foster who wrote the motion)*

Any Libertarian candidate public official, or member of the Libertarian Party of California, who, because of his or her action or statements is subject to possible censure, suspension of membership, adverse change of status, or other adverse measures, either by the convention of the Executive Committee, shall be notified by Certified mail at least fourteen (14) days prior to the convention or meeting that he or she is to be subject of discussion.

The action to be taken by the Convention or Executive Committee shall be posted as an agenda item and the individual shall be give full opportunity to respond to any an all charges, accusations and inferences. (89-p.3) (change entire 3 sections to 2-89)

National Convention Delegate/Ranking:

Length of membership (seniority) is the determining factor among ties in our national delegates list unless the convention determines otherwise. (5-79-6.5)

Libertarian National Committee:

That Regional LPC Representatives to the Libertarian National Committee shall issue a written report to members of the Executive Committee prior to the next scheduled meeting of the Executive Committee after attending each LNC meeting. (5-89-05.6)

Newsletter/Endorsement:

That No petition, implied endorsement or solicitation letter shall be included in the newsletter unless it has been endorsed by the Executive Committee. (2-89-11.2)

PAC/Chair/Treasurer:

That The State Chair and State Treasurer shall be members of the LPC. PAC Committee if they are eligible to do so. (Conv. 2-89-conv.1)

Personal Attacks / Executive Committee:

That Bringing personal attacks before the Executive Committee in the guise of official business is contrary to the general understanding of the libertarian principles of "live and let live." (8-82-49.8)

Reports over single page:

The Executive Committee will take no action on any reports or proposals more than one page long unless it is mailed to the members of the Executive Committee at least ten days prior to the meeting. The report or proposal may be discussed but the vote will be deferred to the next

meeting or mail ballot. This requirement may be waived by a 2/3rd vote for any particular proposal or report. (11-79-20.11)

### Regions

#### Candidate Recruitment / Endorsement:

Regions of the LPC are specifically empowered to recruit, run, endorse, withhold or reject endorsement of any candidate running as a Libertarian for any public office wholly or partially within that Region's jurisdiction. (11-79-15.11)

#### Inactive:

Regions with ten or more central committee members, and with elected officers, shall be considered "active."

The appropriate Vice-Chair may designate a region of less than ten central committee members as "active." (3-94-11.3)

#### Inquiries / Lapsed Members:

That We strongly recommend that all regional chairs take responsibility for telephone follow up on all membership expirations as well as all inquiries. (4-89-08.4)

#### Offices:

The Executive Committee authorizes each County/Region to designate an office of the LPC within each County/Region. (2-84-75.2)

#### Rosters:

To change the schedule of Distribution of the full roster of counties, from quarterly to shall be twice a year, viz., at the end of November, and just prior to the annual February convention. (1-93-11.1)

\* I recommend that this be reworded as follows :

Twice yearly, at the end of November and just prior to the annual February convention of delegates, each county/region shall be provided a full and complete roster of all current and expired central committee members within their county/region by the database manager. (1-93)

## Standing Resolutions

That have Expired  
Budget:

To Create a line item called "carryover debt".

(93-06.5)

[4/23/94 We Sunset provision added so that this expires1995.]