



## Bylaws

### BYLAWS OF THE LIBERTARIAN PARTY OF WEST VIRGINIA

#### ARTICLE I

##### Name:

The name of this Society shall be The Libertarian Party of West Virginia, hereinafter referred to as “the LPWV.”

#### ARTICLE II

##### Object:

The object of this Society shall be to promote libertarian political ideals consistent with the Libertarian Party Statement of Principles by:

- a) Educational outreach;
- b) Nomination and promotion of candidates for local, state, and national public office;
- c) Supporting and promoting liberty-oriented organizations at all levels throughout the state, including chartering regional affiliates per Article VIII;
- d) Election of delegates to represent the LPWV at Libertarian Party national conventions.

#### ARTICLE III

##### Members:

Section 1. Membership Eligibility. Members of the Party shall be those persons whose LPWV dues are current and who have certified in writing that they oppose the initiation of force to achieve political or social goals.

Section 2. Dues. The Executive Board shall set the annual dues. A membership is effective from the date that the LPWV receives the dues payment. Memberships are valid for one year from that date. The Treasurer shall send renewal notices to voting members no less than two weeks prior to the expiration of their membership, if in such case it has not yet been renewed by that date.

Section 3. Open Meetings. All LPWV meetings shall be open to the public.

Section 4. Membership Privacy. The LPWV will make all best efforts to ensure the privacy of all members. This includes applying security best practices with regards to electronically stored data as prescribed by the IT Committee of the LPWV. Information related to members and membership shall not be shared outside of the LPWV with the exceptions of

to certified LPWV candidates for public office to whom such information pertains, regional affiliates of the LPWV, and with the national Libertarian Party. Excluding the LPWV Executive Board, only individuals authorized by the LPWV Executive Board, having signed non-disclosure agreements, may be granted access to personal information related to the membership of the LPWV. Only data pertinent to the race in question shall be shared with candidates for public office. Only data pertinent to the region in which a regional affiliate is chartered shall be shared with regional affiliates. Any data related to membership shall be considered confidential information.

Section 5. Resignation from Membership. Any member desiring to resign from the LPWV shall submit his or her resignation in writing to the Secretary. Upon receipt of this resignation by the Secretary, the member shall no longer be a member of the LPWV.

## ARTICLE IV

### Officers:

Section 1. Offices and Duties. The officers of the LPWV shall be a Chair (President for the purpose business with the Secretary of State), a Vice-Chair (Vice President for the purpose of business with the Secretary of State), a Secretary, and a Treasurer. These officers shall be LPWV members, elected with a majority vote by ballot, and shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the LPWV. No member may hold more than one office at a time. Officers may delegate responsibilities, except that any such delegation may be countermanded by a majority of the Executive Board.

Section 2. Reference Materials. One copy of the latest edition of Robert's Rules of Order Newly Revised shall be purchased for the use of the President. Four copies of Robert's Rules of Order Newly Revised In Brief shall be purchased for the use of the officers. Officers shall be held personally responsible for these books, beyond reasonable wear. These books shall be passed to new officers at the beginning of their terms. When new revisions of these books are published, equivalent books shall be purchased to replace the outdated copies. Because it is in the best interests of the LPWV that members be familiar with their rights and responsibilities, and because, though required for faithful adherence to our adopted parliamentary procedure, revisions are not substantially altered in content, outdated copies will be retained by the LPWV Secretary for borrowing by LPWV members for their perusal.

Section 3. Nomination Procedure, Time and Method of Elections, Term of Office. At the Annual Meeting of odd-numbered years, nominations for LPWV officers will be accepted from the floor. At this meeting, the officers shall be elected by ballot to serve, beginning at the end of the meeting at which they are elected, for two years or until the end of the meeting at which their successors are elected. No member may be elected to office who is not present at the election.

i) The Treasurer shall appoint an Assistant Treasurer, who shall serve at the discretion of the Treasurer. Any individual to be appointed to the post of Assistant Treasurer must be a voting member of the LPWV. The Assistant Treasurer shall be authorized to act on behalf of the Treasurer in any capacity necessary for the performance of the duties of the office of the Treasurer and in full compliance with any applicable law or regulation in such case as the Treasurer is unable to do so. The Assistant Treasurer shall be granted access to any information or accounts necessary for the performance of duties. The Assistant Treasurer

shall not be considered a voting member of the Executive Board under any circumstance; however, the Assistant Treasurer may attend meetings of the Executive Board at the request of the Treasurer. The Assistant Treasurer may also be removed from office by 2/3rds vote of the Executive Board, at which time the Treasurer shall be compelled to appoint a new Assistant Treasurer.

## ARTICLE V

### Meetings:

Section 1. Regular meetings. The regular meetings of the LPWV shall be held on the first Saturdays of February, May, August, and November, unless otherwise ordered by Executive Board.

Section 2. Annual Meetings. The regular meeting on the first Saturday in August shall be known as the Annual Meeting and shall be for the purpose of electing officers and delegates, for receiving reports of officers and committees, and for any other business that may arise.

Section 3. Biennial Conventions.

i) Scheduling and purpose. Annual Meetings in even-numbered years shall be Conventions. Conventions will be held for the purpose of nominating candidates for statewide offices, of electing At-Large Representatives, and of conducting all the business of Annual Meetings.

ii) Ballot options. All ballots for one or more political candidates must include as the last selection the option, "None of the Above" (NOTA). If NOTA receives a majority of votes, an entirely new slate of candidates may be offered and a new vote taken, or that position shall go unfilled. Any voting member may choose a write-in candidate for any political office, LPWV office, delegation, or representative.

iii) Voting rights. In order to vote at the Convention, a Party member must have been a member at least six months prior to the date of the Convention.

Section 4. Special Meetings. Special meetings may be called by the President or by the Executive Board and shall be called upon the written request of twenty percent of the membership of the LPWV. The purpose of the meeting shall be stated in the call. Except in cases of emergency, at least seven days' notice shall be given.

Section 5. Quorum. Twenty percent of the membership of the LPWV shall constitute a quorum.

Section 6. Meetings by Teleconference.

i) Eligibility of meetings for teleconference.

Whereas, The opportunity for simultaneous visual and auditory communication is central to the principles of deliberative assembly;

Whereas, The small size of the Executive Board mitigates the disadvantages of meeting remotely; and

Whereas, The geographic distribution of Board members may make frequent face-to-face meetings difficult and expensive; thus, only Board meetings may be held by teleconference, and only if the Board has unanimously approved, via ballot, both the holding of such meetings, and the special rules for conducting these meetings, such rules to be approved by the Board prior to the voting on whether to allow meetings by teleconference. All business conducted by telephone must be ratified at the next regular meeting of the LPWV.

ii) Quorum. All members of the Board shall constitute a quorum for meetings by teleconference.

## ARTICLE VI

### The Executive Board:

Section 1. Board Composition. The officers of the LPWV and three Representatives elected at large shall constitute the Executive Board.

### Section 2. Representatives.

- i) Representative terms. Each Representative shall be elected at the Convention and will serve for a term of two years, beginning at the close of the Convention at which he or she is elected, or until the end of the meeting at which his or her successor is elected.
- ii) Vacancies. The Executive Board shall appoint new Representatives if vacancies occur, such appointees to complete the term of the office vacated.
- iii) Duties. The duties of Representatives shall be to assist the Officers in administering the affairs of the LPWV and to raise revenue for the LPWV.

Section 3. Board's Duties and Powers. The Executive Board shall have general supervision of the affairs of the LPWV between its business meetings, fix the hour and place of meetings, make recommendations to the LPWV, and perform such other duties as are specified in these bylaws. The Board shall be subject to the orders of the LPWV, and none of its acts shall conflict with action taken by the LPWV.

Section 4. Media Spokesperson. The Executive Board shall elect, from among its members, one person to be the LPWV's liaison with the press. No other member of the LPWV will speak with the press on behalf of the LPWV. This person shall serve for the length of his or her term on the Executive Board, or until the Board elects someone else to the position.

### Section 5. Financial Commitments.

- i) Debts. The Executive Board shall operate on the basis of cash on hand, and shall not operate on the basis of anticipated funds. Individual members who incur debt on behalf of the LPWV are individually and solely responsible for such debt.
- ii) Contracts. The LPWV 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 by more than \_\_\_\_ percent without a two-thirds vote of the entire Executive Board. Anyone who incurs such liability without such approval shall be personally liable.

Section 6. Assumptions of Liability. The Executive Board may approve any action that would result in the assumption of contractual obligations by the LPWV by 2/3rds vote. Any contracts that would cause the LPWV to assume, or to potentially assume more than \$1000 in liability must be signed by the chair and treasurer of the LPWV. The LPWV shall not enter into any binding contract outside the scope of an approved action without 2/3rds vote for approval of the entire Executive Board. Any contracts entered into or liabilities assumed on behalf of the LPWV that do not adhere to the bylaws of the LPWV shall result in the entirety of liability for such obligations resting solely with any individual(s) who entered into such contract.

Section 7. Board meetings. Unless otherwise ordered by the Board, regular meetings of the Executive Board shall be held on the first Saturday of each month. Special meetings of the Board may be called by the President and shall be called upon the written request of two members of the Board.

Section 8. Attendance. Any Board member who fails to attend three consecutive LPWV meetings, including Board meetings, regular meetings, and annual meetings, but excluding

special meetings, shall forfeit that office. The rest of the Board shall, at the third missed meeting, elect a replacement, who will complete the term of the office vacated. Note that if a Board member fails to appear on a day when both a regular meeting and a Board meeting are scheduled, two meetings are thereby missed.

## ARTICLE VII

### Committees:

Standing or special committees shall be appointed by the President (except a Nominating Committee, which shall be elected by the membership) as the LPWV or the Executive Board may deem necessary to carry on the work of the LPWV. The President shall be ex officio a member of all committees, except a Nominating Committee.

## ARTICLE VIII

### Regional Affiliate Parties:

Section 1. Regions which shall be chartered Each of eight regions which may receive a charter for regional affiliate party shall consist of several counties. The regions shall be laid out thusly;

Northlands: Hancock, Brooke, Ohio, Marshall

Mountaineer Country: Wetzel, Monongalia, Marion, Taylor, Tucker, Preston, Harrison, Barber

Centralia: Lewis, Upshur, Randolph, Pocahontas, Gilmer, Webster, Braxton, Calhoun

Eastern Panhandle: Jefferson, Berkeley, Morgan, Mineral, Hampshire, Hardy, Grant, Pendleton

Ohio Valley: Tyler, Doddridge, Pleasants, Ritchie, Wood, Wirt, Jackson, Roane

Capital Metro: Kanawha, Clay, Fayette, Nicholas, Boone, Putnam

Southeast: Greenbrier, Monroe, Summers, Raleigh, Mercer, Wyoming, McDowell

Southwest: Mason, Cabell, Lincoln, Logan, Wayne, Mingo

Section 2. Management of Affiliate Parties. Affiliate parties must at all times abide by all laws, including but not limited to regulations of the state of West Virginia, the Internal Revenue Service (until such time as said agency is abolished), and the Federal Election Commission. Each affiliate party shall maintain a set of bylaws which shall include procedure for amending said bylaws. Bylaws of affiliate parties must also specify the procedure for electing or appointing officers to the affiliate party which shall include at least a chairperson and a treasurer. In such case as the affiliate party chooses to nominate candidates for elected office within its region, the procedure for the nomination of such candidates must also be stated in the bylaws of the affiliate.

Section 3. Chartering of Affiliate Parties. The Executive Board of the LPWV shall grant charter to affiliate parties within the state of West Virginia (based upon the regions set forth in Section 1 of this article) by 2/3rds vote. In order for such vote to take place, the chairperson of the proposed affiliate party must be present, and an official copy of the bylaws of the affiliate party to be chartered must be present and must be read by all sitting officers of the LPWV. All documentation (as is determined necessary by the Chairperson, the Secretary, and the Treasurer of the LPWV) of the existence of the affiliate party entity must be submitted in writing to the Chairperson, Secretary, and Treasurer of the LPWV no later than 1 week prior to the meeting of the Executive Board for such vote to take place. An affiliate party shall not be chartered in a region containing less than 25 voting members

of the LPWV.

Section 4. Revocation of Affiliate Party Charter. An affiliate party's charter may be revoked with cause by majority vote of the Executive Board of the LPWV. Such charter shall also be declared null and void upon the termination of the affiliate party entity or the failure of the affiliate party to have at least a chairperson and treasurer seated for a period greater than 2 weeks. Failure by the chairperson to respond to requests by the Executive Board of the LPWV within 4 weeks, given best effort by the Executive Board of the LPWV, shall be considered cause and shall trigger an automatic vote to revoke the charter of the affiliate party in question at the next regular meeting of the Executive Board of the LPWV. Failure to comply with Sections 2 or 5 of this article shall constitute cause for revocation and shall trigger an automatic vote to revoke the charter of the affiliate party in question at the next regular meeting of the Executive Board of the LPWV. An affiliate party's charter may also be revoked without cause by unanimous vote of the entire Executive Board of the LPWV.

Section 5. Other Responsibilities of the Affiliate Party. The affiliate party shall be responsible for notifying, in writing, the Secretary of the LPWV in the event that the bylaws of the affiliate party are changed in any way, within 1 week of such change. The treasurer of the affiliate party shall send copies of any Federal Election Commission filings to the treasurer of the LPWV. The treasurer of the affiliate party shall, within 10 days, notify the treasurer of the LPWV of any contribution over \$50 (subject to FEC regulations) received by the affiliate party, excluding normal dues payments. Any information requests by the Executive Board or any officer of the LPWV regarding the status or situation of affiliate parties shall be fulfilled within 4 weeks of receipt of such request as is necessary to ensure compliance. In such case as the affiliate party does not have a treasurer seated, the affiliate party shall neither make payments nor receive contributions during this time. The affiliate party shall be responsible for seating a treasurer within 2 weeks of the office becoming vacant in whatever method prescribed by the bylaws of the affiliate party. The chairperson of the affiliate party must maintain voting membership in good standing in the LPWV. It is furthermore the responsibility of the affiliate party to maintain adequate security procedures in order to protect the privacy of the membership of the affiliate party and to ensure the security of any information which may be shared with the affiliate party by the LPWV or by the LNC. The affiliate party shall comply with all security directives related to electronically stored data and records as set forth by the Information Technology Committee of the LPWV.

## ARTICLE IX

### Electronic Media:

Section 1. Notice. Any member may give written permission to the Secretary or may elect during the membership signup process to receive correspondence, including calling of meetings and previous notice of motions, from the LPWV via electronic correspondence. Website. The LPWV may maintain a website, managed by a webmaster to be appointed by the Executive Board. This website shall serve as a public countenance of the LPWV, as well as a resource for members. It may include a forum for members to discuss LPWV and other libertarian issues; announcements of LPWV meetings and other events; libertarian-related news; membership and contact information; bylaws; approved minutes; links to the site of the national Libertarian Party and to other libertarian sites as approved by the Executive Board; and other features as deemed appropriate by the Executive Board. No

membership lists or other personal information shall be posted on the website without written permission of the members concerned, except on areas of the website accessible only to members of the LPWV.

Section 2. Regional affiliates may also nominate candidates for county and municipal offices within their region at the LPWV nominating convention. Candidates nominated by regional affiliates may be suspended for cause by 2/3 vote of the entire Executive Board of the LPWV or by the affiliate party.

#### ARTICLE X

##### Candidates:

Candidates for public office shall be chosen by majority vote at the Convention from among those nominated there. An LPWV candidate for public office must be a member of the LPWV, legally eligible to serve in the office, and willing to accept the nomination. In cases such as the death, resignation, disqualification, or suspension of an LPWV nominee, offices for which no candidate is chosen at the Convention, and circumstances such as special elections, redistricting, etc., requiring new candidates to be put forward, the Executive Board shall be responsible for the selection of LPWV candidates. A candidate's nomination may be suspended for cause by 2/3 vote of the entire Executive Board.

#### ARTICLE XI

##### Dissolution Clause:

In the event that the LPWV is dissolved, all tangible assets shall be donated to the Libertarian Party.

#### ARTICLE XII

##### Delegates to the Libertarian Regular Convention:

Section 1. Eligibility. LPWV delegates to the Libertarian Regular Convention shall be members of the LPWV and Sustaining Members of the Libertarian Party.

Section 2. Election. LPWV delegates to the Libertarian Regular Convention shall be elected by ballot at the February regular meeting of the LPWV.

#### ARTICLE XIII

##### Parliamentary Authority:

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the LPWV in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the LPWV may adopt.

#### ARTICLE XIV

##### Amendment of Bylaws:

These bylaws may be amended at any regular meeting of the LPWV by a two-thirds vote, provided that the amendment has been submitted in writing at the previous regular meeting, or that notice has been given to the membership at least thirty days in advance of the meeting at which the amendment is to be decided.

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