

BYLAWS OF THE LIBERTARIAN PARTY OF CALIFORNIA

Amendments Proposed for Adoption, April 2007

~~As amended in Convention, February 2006~~
~~Style Committee changes adopted October 2006~~

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BYLAWS OF THE LIBERTARIAN PARTY OF CALIFORNIA

As amended in Convention, February 2006
Style Committee changes adopted September 2006

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 primarily to elect Libertarians to public office in California. ~~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: SCOPE

Section 1.

The Party shall endeavor to elect Libertarians to state and local office within California. The Party may also support or oppose changes to California law.

Section 2.

The Party shall not make any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, for the purpose of influencing any election for federal office. This section shall be in effect only at times that Party members hold fewer than three seats in the California legislature.

Section 3.

County parties may make any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, for the purpose of influencing any election for federal office if their county bylaws expressly so authorize.

Section 4.

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 4: 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.
- C. Certification: "I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals." Certification shall be required to hold Party office ~~be a member of the state central committee.~~
- D. 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: MEMBERSHIP

Section 1.

Individuals may become members of the state 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,
- B. Becoming a holder of California public office that is subject to election other than county central committee, or
- C. Making application and paying such dues as prescribed by the Executive Committee. 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 state or county central committee member shall be a registrant of or hold office in any political party other than the Libertarian Party.

Section 2.

The Executive Committee shall establish associate, non-voting membership for those persons ineligible or unwilling to become members of the state central committee.

Section 3.

All Party candidates for public office, Executive Committee members, county party office holders, Libertarian National Committee representatives and Judicial Committee members shall be registered in the Libertarian Party in California if eligible.

All holders of Party office are required to be members of the state central committee.

Section 4.

The Secretary automatically shall terminate state 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 5.

The Executive Committee shall have the power to suspend a county or state central committee member for failure to maintain all the qualifications of membership established in Section 1, 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. The term "cause" as used in this section shall include but not be limited to the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates.
- B. Having unpaid debts over ninety (90) days old outstanding to the Party.

Section 6.

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

Bylaw 6: MEMBERSHIP LISTS

Section 1.

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

Section 2.

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 central committee 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.

Section 3.

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.

Bylaw 7: DUES SHARING

~~The state or county Party organization that acquires a new state central committee member shall receive the first year dues. Each active county central committee shall receive 60% of subsequent year dues attributable to the state central committee members and associate members associated with that county party. Dues shall be distributed to any active county central committee upon request, or whenever the total amount owed to the county central committee exceeds \$50.~~

Bylaw 8: COUNTY ORGANIZATIONS

Section 1.

The Party shall be divided into county organizations.

Section 2.

~~Membership in the Libertarian Party of California State Central Committee is the only requirement for membership in a county central committee.~~

~~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.~~

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

The members of a county central committee shall be:

A. Registered Libertarian voters in that county who hold public office subject to election.

B. The state central committee members residing in that county, unless the county party bylaws provide otherwise, and

C. Any other persons, except for members of the state central committee whose membership has been suspended or terminated, as may be provided for in the county party bylaws.

Section 3.

County central committees shall conduct their business in any manner they choose consistent with these Bylaws and national Bylaws, particularly in that county central committees may not endorse any candidate who is a member of, or otherwise affiliated with, another political party for public office in any partisan election.

Section 4.

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 5.

Each county central committee may maintain one or more campaign finance funds independent of any campaign finance funds maintained by the state central committee or any other committees of the Party. Each county central committee shall be responsible for compliance with any applicable election and campaign finance laws.

Section 6.

A county is deemed as having selected its officers and convention delegates only if an election notice has been mailed to the members at least thirty (30) days but no more than sixty (60) days in advance of the election. The election notice must also be sent to and received by the Party Secretary at least thirty (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 fifteen (15) days after the election. Any member of the central committee 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 7.~~

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

Bylaw 9: OFFICERS

Section 1.

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 2.

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 3.

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 4.

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 5.

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 cause the minutes of each Executive Committee meeting to appear on the Party website not more than thirty (30) days after adoption. A summary of the results of the Executive Committee meetings, votes, and mail ballots shall be emailed by the Secretary to all county officers within ten (10) days.

The Secretary shall ~~announce the availability of~~ [cause the most recently adopted Platform, Program, and Bylaws and Convention Rules as well as the bylaws of all county party organizations to appear on the Party website not more than thirty \(30\) days after adoption.](#) ~~to all members of the Executive Committee and all county chairs within sixty (60) days of the convention's close.~~

Section 6.

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 7.

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 8.

The Executive Committee shall appoint new officers, including the Chair, Executive Committee members and alternates, 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 10: 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.

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 6.

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 7.

The Executive Committee shall select an Audit Committee 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 11: EXECUTIVE COMMITTEE

Section 1.

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 any registered Libertarian candidate for public office, or it may rescind the endorsement of any candidate for public office.

The Executive Committee of the Party shall be composed of the following members of the state central committee:

- A. The five elected officers of the Party;
- B. Ten at-large members, five elected for two year terms at each convention, one of whom shall be elected exclusively by members holding public office; and
- C. Two alternates, elected for one-year terms. There will be free substitution of alternates in ranked order at an Executive Committee meeting.

Section 2.

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 3.

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 fourteen (14) days prior to such meeting.

Section 4.

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 fortyeight (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 one hundred twenty (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 5.

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

Section 6.

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 or state 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. Adopting a motion or resolution which expresses the Libertarian Party of California's position with regard to a public policy matter, but rescinding such action shall be considered a normal main motion.
- E. Annual budget, financial liability or contractual obligation lasting more than three months.
- ~~FE.~~ Providing the Party mailing list to non-Libertarian groups or individuals, or to candidates for public office not endorsed by the Party.

~~Section 7.~~

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

Section 8.

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

Bylaw 12: OPERATIONS COMMITTEE

Section 1.

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

Section 2.

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 3.

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 13: JUDICIAL COMMITTEE

Section 1.

The Judicial Committee shall be composed of five state 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 held in an even-numbered year and end at the close of the next convention held in an even-numbered year. ~~Vacancies in the committee shall be filled through appointment by~~ The remaining committee members shall fill any vacancy in the committee until a successor shall be elected at the next convention. No one shall be eligible to be elected or appointed who has not been a state central committee member for at least three years.

Section 2.

A member of the Judicial Committee may not be a member of either the Executive Committee, Operations 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 3.

The Judicial Committee review of a Party action or inaction is limited to the consistency of that action or inaction with the governing documents of the Party, including these Bylaws and documents to which they refer, the only exceptions being Judicial Committee duties mandated by these Bylaws and arbitration of Party contracts that explicitly call for arbitration by the Judicial Committee.

It shall require at least two members of the Judicial Committee to agree to hold a Judicial Committee hearing or consider an appeal to the Judicial Committee. The Judicial Committee may choose to hold hearings in person, by teleconference, or by videoconference.

Section 4.

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 5.

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 6.

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

Section 7.

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

Section 8.

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

Section 9.

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 14: 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~~ Not later than sixty (60) days following the close of each convention the Executive Committee shall appoint a committee of five state central committee members to recommend changes in the Bylaws and Convention Rules. The Bylaws Committee shall adopt its report not less than seventy (70) days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than sixty (60) days prior to the convention. Proposals not meeting these notice requirements shall require a two-thirds vote of the registered delegates to approve.

Section 3.

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

Section 4.

The Chair shall appoint a Style Committee of not more than five members 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.

Bylaw 15: CAMPAIGN FINANCING

Section 1.

The Executive Committee shall establish one or more Libertarian Party campaign fund from which funds may be allocated to candidates of the Libertarian Party. Such funds shall be independent of any campaign funds maintained by county central committees or other committees of the 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 16: NATIONAL COMMITTEE REGIONAL REPRESENTATION

Section 1.

The Party may enter into an agreement with other affiliates of the national Libertarian Party (LP) in accordance with LP bylaws in order to form a region for representation on the Libertarian National Committee (LNC). The terms of any new agreement shall be reported by the Party Secretary to the Chair and Secretary of the LNC without delay.

Section 2.

Two representatives to the LNC shall be elected by delegates to each Party convention that immediately precedes a national convention. Those elected shall replace previous office holders and take office as soon as consistent with LP bylaws and the provisions of the current LNC Representation Agreement. The results of such an election shall be reported by the Party Secretary to the Chair and Secretary of the LNC without delay.

Section 3.

Two alternates to the LNC shall be elected by delegates to each Party convention that immediately precedes a national convention, in an election which is separate from that of the representatives. 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 4.

If a reduction occurs in the number of office holders that the Party is entitled to, the Party Executive Committee shall select the office holders from those elected at the convention. Any vacancy, including a vacancy resulting from a change in the LP bylaws or the current LNC Representation Agreement, shall be filled by the Party Executive Committee. Any changes to Party representation to the LNC shall be reported by the Party Secretary to the Chair and Secretary of the LNC without delay.

Section 5.

A National Regional Executive Committee Representative may be recalled by the Executive Committee. A vacancy shall occur whenever an LNC representative misses two meetings during a term or an alternate misses three meetings. The Executive Committee may reappoint the previous holder of the vacated seat.

Bylaw 17: WRITE-IN VOTES FOR PARTISAN OFFICE

A person seeking the Party nomination for a partisan office by write-in votes in the direct primary election shall be deemed nominated and shall have his or her name printed on the general election ballot as Libertarian Party nominee if both the following conditions are met:

- A. He or she receives more votes than anyone else for the Libertarian Party's nomination for that office.
- B. He or she receives a total number of votes in the Libertarian Party direct primary election for that office equal to the number of signatures that he or she would have needed in order to have qualified to appear on the Party's primary ballot per Calif. Election Code sec. 8062.

This bylaw shall supercede Cal. Election Code sec. 8605 for Libertarian Party direct primary nominations by write-in votes.

Bylaw 18: 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 one hundred twenty (120) days' notice must be provided to the membership concerning these arrangements.

~~Section 3:~~

~~For the purpose of representation at the annual convention, the number of state central committee members affiliated with each county shall be determined by the Secretary as of the end of the fifth month prior to the opening session of the convention. The Secretary will notify each county central committee of its eligibility for delegates by mail, no later than the twentieth (20th) day of the fourth month prior to the opening of the convention.~~

Section 4.

Delegates to the Party's state convention must be current state central committee members and shall either hold public office or shall have been state central committee members at least ninety (90) days prior to the convention.

~~Section 6:~~

~~Any county central committee's slate of delegates to a Party convention may be challenged by petition of ten percent (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.~~

~~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.F. No person shall be a delegate who does not meet such requirements as may be stated in the Convention Rules.~~

~~D. One delegate for each 0.33% or fraction thereof of the total number of state central committee members associated with a county central committee. An active county central committee shall select these delegates as provided in its own bylaws. Any delegate or alternate to a Party convention must be a current member of the state central committee at the meeting at which delegates are selected. Any delegates from inactive county central committees shall be selected by the appropriate state Vice-Chair. Any delegate may be replaced by an alternate from that county with the consent of the county delegation. 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. 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 central committee.~~

~~E. The state convention itself may add any number of additional delegates and alternates with the approval of three-fourths (3/4) of the already-registered delegates present on the floor.~~

~~under Rule 3Section 5:~~

~~The following state central committee members may become delegates to the convention:~~

~~A. Each holder of an elective public office who is registered to vote as a Libertarian shall be a delegate. Central committee membership shall not be considered to be holding of public office.~~

~~B. Each member of the Party Executive Committee, at the time the convention is held, shall be a delegate.~~

~~C. Each chair of a county central committee or a person appointed by the chair of that county central committee who is otherwise qualified to be a delegate~~

Section 7.

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.

Section 8.

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.

Bylaw 19: PLATFORM

Section 1.

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

Bylaw 20: PROGRAM

Section 1.

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.

Section 2.

The Program Committee shall be a standing committee of five members selected by the Executive Committee. The Program Committee may at any time, by a majority vote, recommend the adoption, amendment, or deletion of a plank. Changes to the Program take effect immediately upon ratification by the Executive Committee of a Program Committee recommendation. The adoption or amendment of a plank shall require a two-thirds (2/3) vote of the Executive Committee. The rescission of a plank shall require a simple majority vote of the Executive Committee.

Section 3.

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 to the Judicial Committee by the member(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.

Bylaw 21: 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 18, Sections 2 and 4, and by Bylaw 26. 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 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. 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 thirty (30) days to all county 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 thirty (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 22: 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 23: ~~PRESIDENTIAL~~NATIONAL 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 13 shall be used for such election.

Section 2.

After the state convention has selected delegates, the Executive Committee may fill any vacancies in the delegation prior to the deadline for reporting the names of delegates to the national party.

Section 3.

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

Bylaw 24: 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 (2/3) 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 state central committee member at least thirty (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 25: 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 with previous notice.

Bylaw 26: 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 27: PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised (10th ed.) 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 (10th ed.) 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: 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 4: 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 delegation in alphabetic order, and a representative for each delegation shall report the vote for that delegation. 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 county individually.

Rule 5: 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 thirty (30) seconds to speak to the amendment. The Chair shall then request a standing second to the motion or amendment. If fewer than ten percent (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 6: 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.~~
- E. Bylaws and Convention Rules Committee report, ~~in odd-numbered years, followed by elections.~~
- F. Elections, in the following order:
 1. Party officers in odd-numbered years, and in even-numbered years to fill the unexpired terms of vacated Party officers;
 2. At-large members of the Executive Committee;
 3. At-large alternates of the Executive Committee;
 4. Judicial Committee members; and
 5. National convention delegates, Libertarian National Committee representatives and alternates at Party conventions immediately preceding national conventions.
- G. ~~Platform Committee report in odd-numbered years, Bylaws and Convention Rules Committee report in even-numbered years.~~
- H. ~~Program Committee report.~~
- I. Presidential Straw Poll, Presidential year, roll call vote, one vote only.
- J. Endorsements of candidates.
- K. Resolutions and other matters.

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 7: 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 (2/3) vote of the convention at the time prescribed in the agenda for resolutions.

Rule 8: “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 9: 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 10: PLATFORM COMMITTEE

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 11: PROGRAM COMMITTEE

~~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 12: RESOLUTIONS

Section 1.

All resolutions expire at the start of the next convention. Adoption of a resolution shall require either approval of two-thirds of the votes cast, ~~but not less than~~ or 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 (3/4) vote of the convention.

Rule 13: 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 county affiliation of the nominee on a ballot as designated by the Secretary. Such ballots shall be displayed conspicuously for easy access. Only state 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 either one Yes vote or one No 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 thirty (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 Yes votes greater than No votes.

Rule 14: 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 tabulations by county 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 15: 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 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 counties. When all of the county delegations have submitted their votes, the Secretary shall declare the voting closed.

Rule 16: 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 17: AMENDMENTS

Section 1.

These Convention Rules may be amended at any Party convention.

Section 2.

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.

Section 3.

Amendments to these Convention Rules which take effect immediately upon adoption will require a two-thirds (2/3) vote of the convention.

Section 4.

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