

# Libertarian National Committee

## Policy Manual

December 10, 2007



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## ARTICLE I. GENERAL POLICY

### ***Section 1: TERMS***

- A. Libertarian Party is hereinafter referred to as "Party."
- B. Libertarian National Committee is hereinafter referred to as "LNC."
- C. Libertarian Party Headquarters is hereinafter referred to as "LPHQ."
- D. Libertarian Party News is hereinafter referred to as "LP News."
- E. "LNC Member" hereinafter refers to Officers, At-Large members, and Regional Representatives.
- F. "The Platform" hereinafter refers to the Platform of the Libertarian Party.

### ***Section 2: MEETINGS***

#### A. AGENDA AND REPORTS

The agenda for each LNC meeting shall be the responsibility of the Chair. Any report that is to be presented at an LNC meeting should be submitted at least 18 days prior to the meeting, preferably in computer readable form. The agenda and all reports shall be distributed to the LNC at least 14 days prior to the meeting. The agenda shall also be posted on the LP.Org website at least seven days prior to the meeting.

#### B. OPEN MEETINGS

Except as expressly provided below, LNC meetings are open to Party members. However, participation is not permitted except by majority vote of the committee.

#### C. RECORDING OF MEETINGS

The Director shall be responsible for recording all LNC meetings on audio or video medium, providing a copy to the Secretary, retaining the recordings for one year at LPHQ, and making copies available to any other member upon request at cost.

#### D. ALTERNATES' PARTICIPATION

Free substitution of Alternates for Regional Representatives at LNC meetings is permitted.

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## E. AGENDA

Changes in the placement of items on the agenda may be made by majority vote; this includes those items placed on the agenda by two-thirds approval.

## F. EXECUTIVE SESSIONS

### 1. LIMITATION OF USE OF EXECUTIVE SESSIONS

The LNC may enter into Executive Session only in compliance with this policy.

### 2. PREREQUISITES TO ENTERING EXECUTIVE SESSION

Prior to entering into Executive Session, a motion must be made, seconded, and passed. The motion to enter Executive Session must list all reasons for doing so. If the list of reasons is solely comprised of the identified topics listed below, a majority of LNC members voting is required for passage. If any topic other than those listed below is given, a two-thirds vote of LNC members voting shall be required for passage.

### 3. IDENTIFIED TOPICS FOR DISCUSSION IN EXECUTIVE SESSION

Identified topics for entering into an Executive Session shall include:

- i. Legal matters (potential, pending, or past)
- ii. Regulatory and compliance matters (potential, pending, or past)
- iii. Contractual compliance
- iv. Personnel matters (including evaluation, compensation, hiring, or dismissal)
- v. Board self-evaluation
- vi. Strategic issues (only those requiring confidentiality)
- vii. Negotiations (potential, pending, or past)

### 4. LIMITATION ON ACTION WHILE IN EXECUTIVE SESSION

No action can be taken while in Executive Session. Discussion of action which may be taken in Open Session can occur.

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## 5. MINUTES AND RECORDING OF EXECUTIVE SESSIONS

- i. With regard to Executive Sessions relating to topics i, ii, iii, iv, and v above, no recording shall be made and no minutes shall be taken.
- ii. With regard to Executive Sessions relating to topics vi and vii above, recordings shall be made and minutes shall be taken, however, those recordings and minutes shall be only be made available to members of the LNC until such time as the LNC – by a vote of two-thirds of those LNC members present – votes to incorporate those recordings and minutes into its public records. Nothing in this section shall require the LNC to ever make these records public.
- iii. With regard to Executive Sessions relating to topics not enumerated above, recordings shall be made and minutes shall be taken. Immediately upon return to Open Session, the LNC may either – by majority vote – treat those recordings and minutes consistent with i (destroy them) or to treat those recordings and minutes consistent with ii (to maintain them as non-public records subject to possible future release upon a vote of two-thirds of those LNC members present at a future meeting).

## 6. CONFIDENTIALITY

Without exception, LNC members are obligated to maintain complete confidentiality regarding what transpires in any Executive Session whose recordings and minutes have not been made public. The only information that may be communicated by any LNC member regarding any such Executive Session is the time it began, the time it ended, the text of the motion to go into Executive Session, and any publicly available details of the debate and voting on the motion to go into Executive Session. Any LNC member who is unwilling to commit to adhering to this policy regarding any particular Executive Session is obligated to excuse himself or herself from the entire Executive Session and to request that the Secretary notes his or her absence from the Executive Session in the minutes of the meeting.

## 7. BREACH OF CONFIDENTIALITY

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Breach of this requirement of confidentiality shall be grounds of disciplinary action by the LNC without limitation except as provided for in the Bylaws. These restrictions shall not be deemed to prohibit any participant in an Executive Session from publicly disclosing information discussed in Executive Session, if: (1) compelled by legal process to do so; or (2) the same information is publicly available from other sources, not as the result of a participant's misconduct, and the participant does not reveal that it was discussed in Executive Session; or (3) the LNC, and all the participants in the Executive Session, first consent to its release.

## 8. LIABILITY FOR BREACH OF CONFIDENTIALITY

Notwithstanding the provisions of Article V, Section 3 A, should a breach of confidentiality by an LNC member result in a liability on the part of the Party, its officers, employees, agents, or other members of the LNC, the provisions of Article V, Section 3 A shall not preclude the Party, officer, employee, agent, or member of the LNC from seeking to hold the breaching LNC member liable.

## ***Section 3: TECHNICAL CORRECTIONS***

The Secretary is hereby authorized, with the approval of the Chair, to correct article, section, paragraph, and sub-paragraph designations; punctuation; and cross-references; and to make such other technical changes as may be necessary to reflect the intent of the LNC in connection with any amendments. Any such changes made are to be reported at the next LNC meeting.

## ***Section 4: MAIL BALLOTS***

- A. Mail ballots shall not include accompanying argument for or against passage of the motion.
- B. Notification of a mail ballot shall be made by the Secretary by mail or by email (if the recipient has provided the Secretary with an email address).
- C. An LNC member may change his or her vote on a mail ballot,

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provided that the change is signed, dated, and received by the Secretary by the deadline for return of ballots.

## ***Section 5: CONFLICT OF INTEREST***

- A. Each LNC member and each Party officer or employee shall disclose to the LNC situations in which such person's own economic or other interests, or duties to others, might conflict with the interests of the Party in the discharge of his/her duties;
- B. Any such disclosure shall be made at the earliest opportune moment, prior to the discharge of such duties and clearly set forth the details of the conflict of interest, in a written disclosure statement provided to the Secretary. The Secretary shall note the disclosure in the minutes of the subsequent LNC meeting citing the LNC member and pertinent details needed to identify the conflict of interest.
- C. No LNC member, Party officer or employee shall: (a) transact business with the Party unless the transaction is fair and equitable to the Party; or (b) use information gained in the discharge of Party duties to the disadvantage of the Party.

## ***Section 6: LITERATURE***

- A. All reprints of Party literature shall be required to show credit to the author if such credit is given on the original.
- B. All wording on material produced by the Party shall be regarded as integral to the piece, and no wording shall be added to materials after approval of their form and content by the LNC. It is understood that this requirement shall not apply to copyrights, addresses, etc.

### **C. STATUE OF LIBERTY**

The LNC adopts the Statue of Liberty as the appropriate graphic symbol to be used on Party materials.

### **D. PARTY IDENTIFICATION**

All materials for public distribution will carry the designation "Libertarian Party."



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## ***Section 7: INVOLVING GOVERNMENT REGULATORY AGENCIES IN DISPUTES***

In accordance with the Platform – which calls for the abolition of all government regulatory agencies engaged in initiation of coercive force, including the Federal Election Commission, the Internal Revenue Service, the Immigration and Naturalization Service, and the Drug Enforcement Administration – it shall be the policy of the Party to consider any attempts to involve such agencies in disputes between individuals or organizations to constitute force as is used in the certification given by members of this Party. This policy does not pertain to use of government police and courts in defense against force or fraud.

## ***Section 8: HARASSMENT AND OFFENSIVE BEHAVIOR PROHIBITION***

The Libertarian Party is founded on the key principles of liberty, responsibility, and respect. With that foundation, it is to be expected that libertarians treat each other with professional respect, thoughtful consideration, and fundamental decency. Violation of this expectation by members of the Party not only risks substantial legal penalties, it also undermines the very legitimacy of the Party and the honor of its members. Violation of this expectation by members of the LNC, whether towards other LNC members or HQ staff, is therefore especially egregious. To prevent such inappropriate behavior, the following standards must be observed:

- A. All collective deprecation, whether alluding to sex, race, color, national origin, disability, age, religion, or any other protected category, must be avoided. Every person is a unique individual, and as the Libertarian Party is the Party of Individual Liberty, this injunction should doubly apply.
- B. Sexual harassment, like other forms of harassment, is prohibited. Sexual harassment includes unwelcome sexual advances, requests for sexual favors or any other conduct of a sexual nature when: (1) submission to the conduct is made either implicitly or explicitly a condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee; or (3) the harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment that is intimidating, hostile or offensive to the employee.

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- C. Any behavior, whether verbal or physical, that clearly offends a reasonable person – libertarian or not – must be avoided. Libertarianism is a philosophy of respect for the individual, and must not be presented as being in harmony with behavior generally regarded as offensive.
- D. Any interaction which might be interpreted as abusing the apparent employer-employee relationship must be avoided. This applies to interactions of LNC members with staff, and is to be extended to interactions with any consultant hired by the LNC.

You must exercise your own good judgment to avoid any conduct that may be perceived by others as harassment. The following conduct could constitute harassment:

- ♦ unwanted physical contact
- ♦ racial or sexual epithets
- ♦ derogatory slurs
- ♦ off-color jokes
- ♦ sexual innuendoes
- ♦ unwelcome comments about a person's body
- ♦ propositions
- ♦ leering
- ♦ unwanted prying into a person's private life
- ♦ graphic discussions about sexual matters
- ♦ suggestive behavior, sounds, gestures or objects
- ♦ threats
- ♦ derogatory posters, pictures, cartoons or drawings

As a rule of thumb, if you think it might be offensive, it probably is.

Toward ensuring that all LNC members are thoroughly familiar not only with this policy but also the ramifications of it, they must participate in a standard program of exposure to the issues raised by these concerns. The Chair is responsible to select the content of this training program, in consultation with Counsel, and participation should be arranged at the earliest practicable opportunity after the person becomes an LNC member.

Any agreement that the LNC enters into with an affiliate must stipulate that the affiliate incorporate the principles set forth in the policy.

Any violation of this policy should be brought to the attention of the Chair, or the Chairman of the Judicial Committee. In response to every

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complaint, LNC will take prompt and necessary steps to investigate the matter and will protect the individual's confidentiality, as much as possible, recognizing the need to thoroughly investigate all complaints. LNC will take corrective and preventative actions where necessary. LNC will not retaliate against any individual who in good faith brings a complaint to the attention of LNC or participates in an investigation regarding a complaint. Any employee who violates this policy is subject to discipline, up to and including discharge.

Violations of this policy may result in disciplinary action against the perpetrator including removal from the LNC.

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## ARTICLE II. MEMBERSHIP

### ***Section 1: MEMBERSHIP STATEMENT***

Membership forms produced by the LNC shall include a membership statement that meets the requirements of Article 7, Section 1 of the Party Bylaws. Any new wording for the membership statement shall be subject to the same review process as all other Party Literature. A list of wordings which have been approved for use in Party literature shall be maintained at the National office.

### ***Section 2: LIFE MEMBERSHIP***

A member who contributes \$1000 during any twelve-month period shall be granted life membership in the Party. Also, honorary life membership may be granted by a two-thirds vote of the LNC.

### ***Section 3: NON-MEMBER CONTRIBUTORS***

Non-member contributors shall be provided all benefits provided to members, except for those rights specifically granted only to members by the Party Bylaws or this Policy Manual.

### ***Section 4: PREMIUM MEMBERSHIPS***

The LNC may establish premium membership levels, including the contributions required for each level and the benefits received.

### ***Section 5: MEMBER AND INQUIRY LIST SHARING***

In an effort to provide support to state affiliates, the LNC sets forth the following guidelines for data sharing:

- A. For the purposes below, "constituent" is anyone who has paid money to the LP in the past, regardless of whether or not they signed the oath, along with all individuals who have requested information from the national party (aka inquiries).
- B. LNC-HQ will provide all officially recognized affiliates with a list of constituents residing in the area covered by that affiliate.
- C. The list will include the following data elements:
  1. A Unique ID to be provided by LNC-HQ
  2. The constituent's First, Middle (if provided) and Last Name

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3. The postal address on file to which the LNC-HQ sends postal mail.
  4. A home and work phone and email address - if the constituent has provided such information to LNC-HQ
  5. The county the constituent lives in, if that information can be obtained via commonly available sources within reasonable cost.
  6. The constituent's Join and Expiration Dates, if they are, or were, a member or subscriber.
  7. The LNC-HQ's donation classification level (basic, life, etc)
  8. Indication if the constituent has signed the certification or not.
- D. The LNC-HQ may, at its discretion, provide additional data elements. However it is under no obligation to do so.
- E. The LNC-HQ will make this list available within the first 5 business days of the month to the Chair of the affiliate, or his designee
- F. Only the Chair of an affiliate may request that additional people receive copies of the constituent list. HQ will establish and publish formal procedures for state chairs to follow in this regard.
- G. The LNC-HQ will endeavor to provide the list in the file format requested (PDF, Excel, CSV, etc), but is under no obligation to do so, as it cannot guarantee that all file formats will always be available.
- H. Should the LNC-HQ desire to change the quantity or order of the data elements, it will provide one month's notice of such change.
- I. The LNC-HQ makes no further guarantees regarding the format, method of delivery or structure of the data.
- J. All official communications regarding the database export format will be made via the state chairs e-mail list and a moderated database announce e-mail list to be administered by the LNC and that it is the responsibility of the affiliate chair to make sure the appropriate database contacts are on the database announce e-mail list.

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## ARTICLE III. OFFICERS

### *Section 1: POSITION DESCRIPTION OF NATIONAL CHAIR*

- A. The Chair serves as the presiding officer of the LNC and of all National Conventions and, in that capacity:
  - 1. guides the deliberations and activities of the LNC according to Party Bylaws, convenes an LNC meeting according to the Party Bylaws, serves as a full voting member of the LNC and serves as a nonvoting member of all committees appointed by the LNC;
  - 2. guides the deliberations and activities of National Conventions according to the Party Bylaws and adopted Convention Rules.
- B. The Chair serves as chief executive officer of the Party, reporting to the LNC, and in that capacity:
  - 1. is responsible, along with the LNC, for ensuring the direction and management of activities, affairs, properties, and funds of the Party is consistent with the Party Bylaws and LNC policies;
  - 2. is responsible for recommending Policies, Plans, Programs and Projects to the LNC and, once approved, for their direction and accomplishment;
  - 3. ensures the development of proposed operating income and expenditure budgets and approves all contracts of over \$7,500 prior to any commitment of the Party to the contracts;
  - 4. makes appointments, subject to Party Bylaws and LNC policies.
- C. The Chair represents and serves as the chief spokesman of the Party as appropriate, including:
  - 1. representing the Party to the public, including the business community, media, other political and educational organizations, government agencies, and elected officials;
  - 2. planning and directing all investigations and negotiations pertaining to cooperative efforts of the Party with non-libertarian political organizations and the acquisition or sale of major assets;

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3. maintaining systems of internal and external communication, including providing a monthly chair's report to all LNC members.
- D. The Chair supervises the Executive Director and LPHQ including:
1. prescribing specific limitations on the authority of LPHQ management;
  2. appointing and employing the Executive Director with the advice and consent of the LNC, subject to the right of the LNC to discharge the Director at any time by majority vote;
  3. providing advice and consent to the Executive Director on the appointment, employment, and termination of all LPHQ personnel;
  4. ensuring the adequacy of the services provided by LPHQ to the LNC and its subcommittees, the Party, its affiliates and their campaign committees.
- E. At any time when there is no duly appointed Executive Director, the Chair shall assure that all responsibilities of the Executive Director are adequately met. The Chair may either personally meet each such responsibility or explicitly assign each such responsibility to another individual.

## ***Section 2: POSITION DESCRIPTION OF NATIONAL SECRETARY***

- A. The Secretary shall take minutes of all LNC meetings. Draft minutes for LNC meetings scheduled as face-to-face meetings involving travel to a single site shall be mailed or emailed to all LNC members not more than 30 days after each meeting. Draft minutes for conference calls (or meetings by video conference or other technology that permits remote access) shall be mailed or e-mailed to all LNC members not more than 10 days after each meeting.

The Secretary shall include a brief synopsis of debates and discussions concerning all motions, amendments, and subsequent votes.

- B. PROMOTION OF MINUTES FROM DRAFT TO OFFICIAL BETWEEN MEETINGS

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Meeting minutes for face-to-face LNC meetings may be promoted from draft status to official during the time between LNC meetings as follows:

Whenever successive LNC meetings, excluding conference calls, are scheduled more than 70 days apart, attendees may submit corrections, clarifications and changes to the draft minutes for the Secretary's consideration within 45 days of the meeting. The Secretary shall distribute an updated version of the draft minutes not later than 14 days prior to the subsequent meeting which reflects the content the Secretary deems appropriate.

The updated version shall be deemed official if no LNC member challenges the content to the Secretary before 10 days in advance of the next meeting. These provisions are void if the Secretary fails to distribute the draft minutes within 30 days after the initial meeting, or fails to distribute an updated version as described above.

## C. PROMOTION OF MEETING MINUTES FOR CONFERENCE CALLS FROM DRAFT TO OFFICIAL

Meeting minutes for conference calls may be promoted from draft status to official as follows:

Assuming the Secretary mails or e-mails minutes from a conference call within 10 days of the conference call to LNC members as prescribed above, members shall have until 15 days after the conference call to submit requests to the Secretary for changes, alterations and corrections to the minutes.

If the Secretary then resubmits a version to the LNC by 20 days after the conference call, that version shall be deemed official on the 27th day following the conference call if neither the Secretary nor Chair receives any objection from any member of the LNC.

These provisions are void if the Secretary fails to distribute an initial version within 10 days.

In the event these provisions fail to produce official minutes for conference calls, the following face-to-face LNC meeting will address the minutes in question.

## D. The Secretary shall prepare the official record of convention



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business, including adopted changes to the Platform and Bylaws, committee reports, resolutions, and the records of voting for offices, for approval by the LNC.

## E. ARCHIVING OF MINUTES

The Secretary shall send an official copy of meeting, conference call, and convention minutes to staff within 14 days of the promotion of those minutes from draft to official status. Staff shall post all official minutes to an archive section on the LP.Org website.

F. The Secretary shall maintain a complete copy of this Policy Manual.

G. The Secretary shall assure that LNC members, alternates, and state chairs shall receive copies of the Bylaws and Platform after each convention.

H. The Secretary shall assure that LNC agendas, minutes, mail ballots, resolution updates, and other supporting material shall be sent without charge to all LNC members, alternates, and committee chairs, as well as to any state chair that requests them. Any Party member may obtain these materials at his or her own cost. A list of such material shall be available from LPHQ on request and may be periodically sent to state chairs and/or advertised in the LP News.

I. The Secretary shall enter into the minutes of an LNC meeting the exact text of any disclosure statement read at that meeting by an LNC member, officer, or employee making a disclosure pursuant to Article I, Section 5.

## J. PROCEDURES FOR ALLOCATION OF CONVENTION DELEGATES

1. No later than the last day of April in the year following a Presidential election, the Secretary shall distribute to each affiliate party the Presidential vote totals which the Secretary proposes to use for purposes of delegate allocation for National Conventions as provided for in the Bylaws. If any Party member seeks a modification of the vote totals proposed by the Secretary, the member shall file with the Secretary a written request to modify the totals along with any documentation supporting the request no later than the last day of May of the same year. The Secretary shall review all such requests to modify the Presidential vote totals and distribute a final allocation of delegates based on Presidential vote totals no later than the last day of July of the

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same year.

2. No later than the last day of the sixth month prior to a regular National Convention, the Secretary shall distribute to each affiliate party the membership totals which the Secretary proposes to use for purposes of delegate allocation for National Conventions as provided for in the Bylaws. If any Party member seeks a modification of the membership totals proposed by the Secretary, the member shall file with the Secretary a written request to modify the membership totals along with any documentation supporting the request no later than the fifteenth day of the fifth month prior to the Convention. The Secretary shall review all such requests to modify the membership totals and distribute a final allocation of delegates based on the membership totals no later than the last day of the fifth month prior to the Convention.

## ***Section 3: POSITION DESCRIPTION OF NATIONAL TREASURER***

### A. RESPONSIBILITY AND AUTHORITY

The Treasurer is the Chief Financial Officer of the LNC and shall have responsibility and authority to perform all functions in conjunction with that role. In part this includes:

1. To prepare and file Federal Election Commission reports and income tax returns as required by law, directly or through written delegation to staff.
2. To supervise and review the preparation of all accounts and disbursements of the Party.
3. To render appropriate management reports to the Chair as requested.
4. To develop and maintain appropriate banking and contributor relationships.

### B. CHECKING ACCOUNTS

The Treasurer is authorized to set up checking accounts, with the approval of the Chair, in order to carry out the business of the LNC. Approval will be sought from the LNC at the request of the banking

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institution. Persons permitted to sign will include only the officers, the Executive Director, and those LPHQ staff members to be agreed upon by the joint decision of the Chair and the Treasurer.

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## ARTICLE IV. NATIONAL HEADQUARTERS

### *Section 1: LP HEADQUARTERS RESPONSIBILITIES*

The purpose of LPHQ is to provide full-time, professional support for the on-going political activities of the Party. The activities of LPHQ include:

#### A. RECORD KEEPING

1. membership/contributor database
2. accounting
3. FEC reports
4. archives

#### B. MEMBER SERVICES

1. filling orders and requests
2. answering questions
3. handling complaints
4. acknowledging and reviewing correspondence

#### C. DEVELOPMENT ACTIVITIES

1. inquiry response
2. direct mail prospecting
3. process liberty pledge payments
4. direct mail fundraising
5. telemarketing support
6. membership packets/cards
7. premium fulfillment
8. long-term renewals
9. major donor program
10. wills and bequests
11. donor thanks and recognition

#### D. LNC AND AFFILIATE PARTY SERVICES

1. reports to state affiliates, LNC, and Executive Committee
2. state and national contact lists
3. lists of Libertarian office holders
4. mailing the updated Bylaws and Platform to all LNC members, alternates, and state chairs
5. state, local, and campus organizing

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6. activist training and support

## E. EXTERNAL COMMUNICATION

1. news releases
2. response to media inquiries/requests
3. development and maintenance of media contacts and lists
4. public testimony
5. participation in outside conferences

## F. POLITICAL ACTION

1. ballot access
2. campus support
3. candidate recruitment and training

## ***Section 2: POSITION DESCRIPTION OF EXECUTIVE DIRECTOR***

### A. GENERAL

The ED is the chief operating officer of the Party. The ED reports to the Chair, Libertarian National Committee (LNC). The ED is the public persona of the Party in the nation's capital.

### B. ADMINISTRATION

The ED shall:

1. Establish the organizational structure of the staff.
2. Direct, coordinate and administer the activities of the staff within the parameters of the approved budget and established policy.
3. Develop the annual budget, in coordination with the Treasurer, for submission to the LNC for approval.

### C. PERSONNEL

The ED shall:

1. Recruit, train and assign all staff members
2. Implement the Employee Manual; ensure that it is reviewed and modified as appropriate to continually reflect that all employees are highly valued and their rights are protected.
3. Regularly evaluate the performance of all staff; counsel them regarding improvement and how to better contribute to staff effectiveness.
4. Appoint, employ and terminate staff.

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## D. COMPENSATION

ED compensation will be specified in a contract negotiated by the LNC Chair; a bonus incentive structure will be included.

## E. COMMUNICATIONS

The ED shall:

1. Maintain frequent and substantive contact with the LNC Chair; keep members of the LNC informed as appropriate
2. Provide data, information and other support to affiliates
3. Reports:
  - a. Monthly, provide a Membership Report and a Financial Report to the LNC.
  - b. Two weeks prior to a scheduled LNC meeting, provide an Operational Report to include input from key staff members and a summary of staff personnel changes.
  - c. At the LNC meeting following a general election, make a best effort to provide a summary of all elected Party officeholders.

## F. FINANCIAL

The ED shall:

1. Execute the LNC approved annual budget; coordinate with the Chair and the Treasurer if available resources will not support budget execution.
2. Submit all contracts over \$7500 to the Chair for approval prior to commitment.
3. Be responsible for soliciting major donor participation. Maintain a listing of major donors and grow that list.
4. Direct the development and execution of fundraising direct mail; assess and analyze the effectiveness of each mailing.

## G. OUTREACH

The ED shall:

1. Represent the Party in the DC community and act as a spokesperson for the Party.
2. Develop and nurture effective working relationships with the news media, political entities and relevant think tanks.

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## **Section 3: EMPLOYMENT POLICIES**

- A. Employees are bound by the Bylaws and the policies adopted by the LNC. A statement to this effect shall be included in all employment agreements and contracts between the Party and its employees.
- B. No employee of the Party shall be a member or alternate of the LNC. Any person employed by the Party shall be terminated immediately upon his or her election to the LNC.
- C. No employee shall serve as a delegate to any National Party convention.
- D. Except as otherwise noted in this Policy Manual, no employee of the Party shall:
  - 1. endorse, support, or contribute any money,
  - 2. use his or her title or position, or
  - 3. work as a volunteer, employee, or contractor to aid (1) any candidate for public office prior to nomination, or (2) any candidate for Party office. However, this shall not preclude any Party employee from being a candidate for public office.
- E. Except for job descriptions, no changes can be made to the employee manual without explicit LNC approval.

## **Section 4: STRATEGIC PLAN**

The LNC shall review the Strategic Plan annually, to set metrics and monitors for future years, and amend, as needed, those parts of the Plan that are the responsibility of the LNC or staff.

- A. Amendments to the Goals or Strategies in the Strategic Plan may be made by a two-thirds vote of the LNC.
- B. Amendments to Tactics, metrics and monitors may be made by a simple majority at a single meeting.
- C. Within the Strategic Plan document, an appendix shall maintain a record of when all such changes were made.
- D. A Strategy can be deleted by a one-third vote of the LNC

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## ARTICLE V. FINANCES

### *Section 1: FINANCIAL PROCEDURES*

This Committee endorses sound financial practices and controls in the operations of its affairs. From time to time it is appropriate to add or modify such controls in order to strengthen the fiduciary duty of the Party to its contributors. The following policies are established:

- A. All fund raising letters are to be approved by the Chair.
- B. Special Projects and Task Forces
  - 1. Special projects and task forces may not be used to raise money unless and until the requirements in Article IX, Section 1 have been fulfilled.
  - 2. Projects shall be self funding and shall expend or obligate only money which has been received unless such expenditures or obligations are approved IN ADVANCE by the LNC.
- C. Independent contractors doing business with the LNC are required to sign formal contracts which clearly set forth the parties' intention that they be treated as independent contractors.
- D. The LNC or the Executive Committee may designate certain Party efforts as "special events". All revenues for special events must be directly deposited into "Special Events" accounts dedicated for that purpose. All disbursements for special events must be made from these same accounts to the extent their balances permit. Other party funds shall not be dispensed for these events without prior approval of the Chair, nor shall special events funds be used for other purposes until all obligations relating to that event have been discharged.

### *Section 2: BUDGET*

- A. PREPARATION
  - 1. The Executive Committee, in consultation with the Executive Director, shall develop an annual operating budget and present it to the LNC for approval prior to the start of each fiscal year. This budget shall include a statement of anticipated revenue and expenditures in sufficient detail to



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adequately outline specific activities and plans, including those for raising funds, and to outline the major categories of expense required to implement each activity or plan.

2. No budget shall be submitted to the LNC for approval that exceeds 110% of the actual revenue over the immediate past 12 months prior to the date of the budget approval.
3. Absent LNC action directing otherwise, year-end closing positive or negative fund balances for restricted funds shall be reflected in the next year's budget as incremental budgeted expenses or revenues.

## B. AMENDMENT

1. The budget may be amended at any time by a majority vote of the LNC.
2. Expense items within one budget area may be amended with the consent of the Executive Committee, as long as the total expense for that budget area is not increased.
3. A line for a previously unbudgeted item, total expense for a new line not exceeding 1% of budgeted revenues, may be added to the budget by the Chair, with the consent of the Executive Committee. The cumulative amount budgeted for any item that was not approved by the LNC shall not exceed 1% of budgeted revenues without LNC approval.
4. An existing budget line may be increased by the Chair, with the consent of the Executive Committee, during the period between LNC meetings, provided that there is a corresponding reduction from the contingency fund.
5. The National Committee shall be notified in advance by the Executive Director of any intention to undertake any project that is estimated, on gross, to cost more than 2.5% of budgeted revenue. The Executive Director must immediately report to the National Committee when any project's gross cost unintentionally exceeds 2.5% of budgeted revenue.

## C. SPENDING LIMIT

1. Funds shall not be disbursed for any expense which is not in the budget. Funds shall not be disbursed for any budget line which exceed the total budgeted expense amount by 10% or \$100, whichever is more.

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## 2. Discretionary Disbursement:

- A. The Director may not disburse any funds in excess of these limits until a budget amendment is approved. Failure to follow this policy may be cause for dismissal.
- B. The Chair shall be allowed \$1,000 in discretionary funds within any (rolling) three month period and not to exceed \$5,000 per term unless those expenditures are approved by the LNC. Penalty for violation of this shall be the same as listed in the Policy Manual V.2.C.3.

## 3. The Treasurer is required to report any violations of this policy to the LNC.

## D. REVENUE SHORTFALL REPORTING

At the end of each month within a fiscal year, the Executive Director must immediately report to the Executive Committee if cumulative revenue is less than 90% of the accepted budget and submit detailed plans for appropriate expense reductions for the remainder of the budget period.

## E. REVIEW

The Executive Director shall provide monthly budgets for the next calendar year including when the proposed budget might use reserve funds for any purpose.

## ***Section 3: PERSONAL LIABILITY OF LNC MEMBERS***

- A. The officers, employees, agents, and members of the LNC shall not be personally liable for any debt, liability, or obligation of the Party, except as provided for in Article I, Section 2, Paragraph G, subparagraph 8.
- B. All persons, corporations, or other entities extending credit to, contracting with, or having any claim against, the Party may look only to the funds and property of the Party for the payment of any such contract or claim, or for other payment of any debt, damages, judgement, or decree, or any money that may otherwise become due or payable to them from the Party.

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## ***Section 4: EXPENSE REIMBURSEMENTS***

- A. The Party Chair or Treasurer shall be required to approve and evidence by signing or initialing all expenses and expense account reimbursements more than \$200 made to the Executive Director or other officers prior to payment. No officer shall approve his or her own expenses. To avoid possible hardship due to delays in such approvals, the Chair or the Treasurer may at his or her discretion authorize a permanent expense advance of up to \$200 for any LNC officer or the Director which shall be considered a draw against any reimbursable expenses incurred but not yet reimbursed. Any such advances so made shall be fully reflected on the Party financial statements and shall be repayable in full by the individual immediately upon termination of employment or ceasing to hold LNC office for any reason. Any exception to this policy must be approved in writing by the Party Chair.
  
- B. Travel by officers at Party expense must be for the explicit purpose of conducting Party business. Such business travel must be deemed necessary and approved by the Chair, in writing, or by the LNC. All travel expense reports are to be audited by the Treasurer, and approved by the Treasurer and the Chair. Travel expense incurred by the LNC members for the purpose of attending LNC meetings are excluded from this policy.

## ***Section 5: RESERVE REQUIREMENTS***

- A. The reserve for each month is calculated as the total cash balance less the sum of all restricted funds and accounts payable at month end. The reserve target shall be the sum of all occupancy, labor and governance monthly expenses.

## ***Section 6: UNCOLLECTIBLE WRITE-OFF POLICY***

- A. In order to be written off, an uncollectible receivable must have the following characteristics:
  - 1. An inability to collect any of the outstanding debt,
  - 2. An unwillingness of the debtor to negotiate a retirement procedure for the debt,
  - 3. An inability of the debtor to retire the debt, and
  - 4. No likelihood of collecting the debt through a collection

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process.

- B. To be eligible for writing off, the Executive Director must present documentation of timely and reasonable efforts to collect the debt consistent with existing accounts receivable policy.
- C. Writing off of any debt less than \$1,000 requires approval of the Chair; greater amounts require approval of the LNC.
- D. Any debtor with a written off balance shall be denied any trade relationship with the LP.
- E. The Executive Director is responsible for monitoring receivables on an ongoing basis and presenting write off proposal to the Chair or the LNC.

## ***Section 7: FINANCIAL EXIGENCY***

Financial exigency is the only condition that allows the Party to incur statutory, contractual debt. Party officers may execute promissory notes only under the following conditions:

- A. The LNC has specifically declared that a state of financial exigency exists.
- B. The only reasonable method of forestalling legal action is to execute promissory notes.
- C. Promissory notes shall be executed for only the amount of a legitimate trade payable, and then only to each specific creditor or vendor involved.
- D. Vendor agrees in writing not to assign the note to any third party.
- E. Note terms will be negotiated by Party officers (usually the Chair or Treasurer) but must not involve interest greater than 12% per annum from date of note execution.
- F. All such promissory notes shall not extend the indebtedness more than six month from note execution. If debt extinguishment is not possible in that time frame, no note shall be executed.
- G. The total of all promissory notes to any one vendor shall not exceed \$25,000.
- H. The total of all Party promissory notes outstanding shall not exceed \$100,000 without prior additional LNC approval.

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- I. The Chair must approve all negotiated terms with the goal being a schedule that the Party can successfully met.
- J. The LNC is to determine when a state of financial exigency no longer exists. Upon such determination, Party officers may no longer enter into any further contractual debt arrangement.

## **ARTICLE VI. ORGANIZATIONAL STRUCTURE**

### ***Section 1: EXECUTIVE COMMITTEE***

#### **A. COMPOSITION**

The Executive Committee consists of the Chair, Vice Chair, Secretary, Treasurer, and any number of other LNC members selected by the LNC. The Chair shall serve as chair of the Executive Committee.

#### **B. PURPOSE**

The Executive Committee shall meet between LNC meetings and shall exercise all powers of the LNC except for the addition, deletion, or amendment of the LNC policy manual or amendment of the budget beyond the limits defined in Article V, Section 2.

#### **C. MINUTES**

Minutes shall be kept of Executive Committee meetings and shall be reviewed and approved by the Executive Committee. Draft minutes shall be distributed to the LNC by email within seven days of each Executive Committee meeting. Absent objection from an Executive Committee member who attended the meeting, the minutes shall be deemed to be approved 14 days after their distribution. Executive Committee minutes shall be distributed to all LNC members (including alternates) within 7 days of such approval.

### ***Section 2: TERMS OF OFFICE***

The terms of office for all project managers, committee chairs, and committee members shall be from the date of their appointment until the second LNC meeting following a regular Party convention.

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## **Section 3: ADMINISTRATION**

### A. AUDIT COMMITTEE

To ensure a balance between independence and accountability to the LNC, the Audit Committee shall consist of one non-officer member of the LNC and two additional non-LNC members. The Committee's tasks are to select an independent audit company and to direct the scale and scope of standard annual audits of the Party's accounting records and processes. Following receipt of the audit company's report, the Committee shall help the LNC interpret the audit results and assist the latter in preparing any action plans that might be needed to alleviate deficiencies.

### B. GENERAL COUNSEL

The LNC shall appoint an attorney to serve as the Party's General Counsel. All contracts or modifications thereto are to be reduced to writing. All contracts of more than one year in duration or for more than \$25,000 shall be reviewed and approved by General Counsel prior to signing by the Chair.

### C. PROGRAM COMMITTEE

The Program Committee shall prepare and submit draft planks for the Party Program to the LNC, in accordance with Article 6 of the Party Bylaws.

### D. EMPLOYMENT POLICY AND COMPENSATION COMMITTEE

The Chair shall appoint a Committee of three current members of the LNC. The Employment Policy and Compensation Committee shall develop the documents necessary for the administration of the employment of the Executive Director, including but not limited to a performance review. Proposed procedures, including forms, for the Executive Director performance review shall be presented by the Employment Policy and Compensation Committee to the LNC for its advice and consent in the 4<sup>th</sup> quarter of each calendar year. The proposed procedures shall include the administration of the Executive Director performance review in the 1<sup>st</sup> quarter of each calendar year. The results of the review and any additional recommendations of the Employment Policy and Compensation Committee will be reported at the first available LNC meeting

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following the review period.

## E. CONVENTION OVERSIGHT COMMITTEE:

The Chair shall appoint a Convention Committee of three current members of the LNC, naming one of those members the committee's chair. The committee acts on behalf of the LNC in issues regarding the Party's bi-annual conventions. The committee conveys our requirements to the convention planners, ensures the convention meets our needs, reviews and approves major elements such as contracts, the convention budget, and the convention program in a timely manner, and advises the LNC in its decision making related to future conventions.



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## ARTICLE VII. LP NEWS

### *Section 1: LP NEWS EDITORIAL POLICY*

#### A. PURPOSE

1. LP News is the name of the Party's newsletter and as such is the principal regularly issued publication of the Party. It is the major communications medium of the party. It conveys the Party's message and self-image to all who receive it. It serves as the one unifying publication for the political views within the Party.
2. Final responsibility for the production of LP News must rest with one person: the Editor. It is the responsibility of the Editor to produce the best possible publication within the guidelines of these policies.

#### B. MARKET FOR LP NEWS

1. The LP News is distributed to three major groups: Party members and contributors, media representatives, and prospective members. The LP News shall address itself primarily to Party members and its role shall be complementary to other publications within the libertarian movement.
2. The LP News shall focus on three types of articles: (a) those providing a libertarian perspective on current issues along with how and why this perspective differs from that of other political parties; (b) those providing information on libertarian, libertarian oriented and Party activities around the U.S. and the world; and (c) those discussing the tactics and strategy of Party political activities.
3. This leaves to other publications the areas of scholarly articles, in-depth analysis of current issues, regular coverage of the arts (book and film reviews), analysis of libertarian movement (as opposed to Party) tactics and strategy, in-depth debate of questions on which there is no libertarian consensus, critique of individuals within the libertarian movement, and reporting of routine state and local activities and personalities.
4. The proper tone for all articles is factual and even- handed.

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"Mainstream" political rhetoric shall be used to present "radical" libertarian ideas. "Buzz words" and "libertarian jargon" shall be avoided in order to make the LP News appealing to the broadest possible readership. Personal attacks on persons and institutions within the libertarian movement are to be avoided.

5. The articles in LP News shall, on the whole, represent the core ideas of agreement in the Party. No articles shall be published which contradict the Party Platform. Articles which address areas where the Platform is silent may be published provided that they are noted as representing the opinions of the author only and not those of the Party.
6. A directory of state and Party contacts shall be included at least once each year. Information on where to find a directory of contacts online shall be published monthly.

## C. EDITORIAL POLICIES

1. The LP News shall be published in a tabloid format. The frequency of publication shall be at least bimonthly unless the Chair decides that frequency is inconsistent with the approved budget or the Party's current financial condition. The number of pages per issue and the circulation per issue shall be the responsibility of the Chair consistent with the approved budget and the Party's current financial condition.
2. The selection of articles, their layout and the graphics for LP News, the relative amount of space assigned to articles, advertisements, Party announcements, and regular features shall be the responsibility of the Chair except as detailed in this Policy Statement.

## D. FINANCIAL AND COMMERCIAL POLICIES

1. The exact levels of financial support provided by the Party for LP News shall be established annually in the approved budget for the Party or in other LNC resolutions.
2. No classified advertising shall be accepted. All advertisements will be clearly labeled as such. See the Reporting section of this policy for reporting requirements for rejected advertisements.

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## E. EDITOR SELECTION

The Executive Director shall select the Editor. Due consideration should be given to the professional as well as libertarian background of the individual selected.

### ***Section 2: RECOMMENDED STUDY***

Recommendations appearing in the LP News for the study of Internal Education material not produced by the Party shall be accompanied by a disclaimer to the effect that they may contain material inconsistent with the Platform. The only authoritative statement of Party positions is contained in the Platform.

## **ARTICLE VIII. CAMPAIGNS**

### ***Section 1: QUALIFICATIONS FOR PARTY SUPPORT***

The Party may financially support the candidacies of persons who meet the following requirements:

- A. that they are running as candidates of the Party unless the laws in their state make it necessary or desirable for ballot access purposes that they run as independents;
- B. that they are certified as libertarian candidates by the governing board of the Party in their state; and
- C. that they refrain from supporting any Presidential ticket other than the Party candidates.

### ***Section 2: DUTIES OF THE POLITICAL DIRECTOR***

Duties of the Political Director shall include recruitment of candidates for all levels of public office and public advocacy of support for all stages of their candidacy.

The Political Director shall not provide preferential treatment to any announced Libertarian Party candidate for public office over another announced Candidate for the same office unless done so with the express written permission of the state chair.

### ***Section 3: LIMITATIONS ON PARTY SUPPORT FOR PUBLIC OFFICE***

Party resources shall not be used to provide information or services for any candidate for public office prior to the nomination unless: (a) such information or services are available and announced on an equal basis to all Libertarians who have declared they are seeking that nomination, (b) such information or services are generally available and announced to all party members, or (c) the service or candidate has been approved by the state chair.

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## ***Section 4: LIMITATIONS ON PARTY SUPPORT FOR PARTY OFFICE***

Party resources shall not be used to provide information or services for any candidate for party office unless: (a) such information or services are available and announced on an equal basis to all Libertarians who have declared they are seeking that office, or (b) such information or service(s) are generally available and announced all party members.

## ***Section 5: LIMITATION ON LNC LIABILITY***

The LNC will not be responsible for the debts incurred by future presidential campaigns or any other campaign. However, the LNC may vote to make monetary and non-monetary contributions to such campaigns under the limits prescribed by law. If such contributions are made, they shall be made only after such candidate or campaign has agreed to meet the reasonable financial and budgetary controls set by the LNC. No candidate or staff member of a campaign is permitted to place orders, make purchases, or sign contracts in any manner that would lead a person to assume that the LNC is liable for the debt. The Director is responsible for publicizing this policy to all candidates for the Presidential nomination and other candidates who seek aid from the LNC or the national office.

## ***Section 6: CAMPAIGN LAW SUITS***

The campaign committee of any Party candidate for president or vice president shall inform the LNC of any suits filed by or against the Committee within one week of such filing.

## ***Section 7: EQUAL TIME RULE***

The Party, its elected and appointed officials acting in its behalf, and candidates nominated by it, shall refrain from invoking or threatening to invoke "the equal time" rule, "reasonable access rule", or any other Federal Communication Commission rule or any coercive instrument to obtain broadcast air time for any party candidate or spokesman on any privately owned and financed (i.e. non-government) broadcast facility.

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***Section 8: FAIR ELECTION LAWS***

The Party shall maintain membership in the Coalition for Free and Open Elections (COFOE).

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## ARTICLE IX. PROJECTS

### ***Section 1: REQUIREMENTS FOR ESTABLISHMENT OF A PROJECT***

#### A. DEFINITION

A **Project** is anything that is not a core activity or which is not required to perform core activities. It can be:

- a perpetual project, such as candidate support;
- a long term project, without a clear end date, such as branding;
- a short term project with a distinct completion date, such as implementation of an accounting system; or
- an intermittent project, one that returns periodically, such as purchasing lists of registered voters.

#### B. PROPOSAL

A detailed proposal specifying the purpose, means, personnel, and objectives proposed for the project must be prepared in writing and approved by the LNC. (All existing projects are to provide a proposal by the LNC meeting following the approval of this section.)

#### C. PROJECT MANAGER

A Project manager shall be selected by the LNC. The Project Manager will be responsible for the development and execution of the project. Vendor contracts, project communications to donors or service providers, and the fundraising content and timing are to be coordinated with the Executive Director. Use of the dedicated fund raising list, access to new LNC donor information, or access to available funds shall not be unreasonably withheld.

#### D. STAFF FUNCTIONS

LNC staff will:

- process and cage all fund raising receipts and maintain all project donor records in the donor database;
- pay all approved project expenses and maintain records of all project expenditures; creating contact (mail, e-mail, phone)

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- lists at the request project manager;
- create contact (mail, e-mail, phone) lists at the request of the project manager
- send bulk e-mails at the request of the project manager;
- provide bids for all printing and mailing expenses;
- provide an approved list of vendors for project expenses, where applicable;
- establish separate bank accounts, at the discretion of the executive director;
- establish an easy and prominent way to donate and pledge to the project on the website.

Staff shall not be responsible for oversight or direction of any project activity. All projects activities are to be directed by the Project Manager, or by a delegated party.

## E. BUDGET

A budget for a new project must be included as part of the proposal to be approved by the LNC. Budgets for ongoing projects will be included in the annual budget.

## F. FUNDING

Projects are to develop a dedicated funding stream, raising funds in a manner that does not substantially erode core fund raising. Use of the complete donor list for direct response mail, bulk e-mailing or telephone fundraising shall require the approval of the LNC.

## G. PROJECT EXPENSES

Restricted Project Funds shall be charged:

1. All direct expenses of fund raising, including:
  - dedicated staff time for writing and/or proofreading;
  - all costs associated with fundraising (LP News ads, printing and postage).
  - merchant fees, if any.
  - All other expenses necessary to implement the project
2. A 10% of the amount of each contribution not to exceed \$10 which shall account for:



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- caging and accounting for funds received and expenses paid;
- management oversight of caging, expenses and program implementation; and
- an allocated portion of occupancy and operations cost.

## **ARTICLE X. AFFILIATE RELATIONS**

### ***Section 1: SPECIAL AGREEMENTS***

A. Special agreements with states require the approval of the full LNC.

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## Change Log

- June 30, 2006 - Article IX, Projects, revamp
- August 20, 2006 - Article V, Section 5, Reserve Requirement, revamp
- August 20, 2006 - Article IX, Projects, polish
- August 20, 2006 - Article VI, APCR, add Bylaws authority
- March 19, 2007 - Article IV, Replace Position Description of ED
- March 19, 2007 - Article VI, added Convention Oversight Committee
- December 10, 2007 - Article VI, Eliminate section 3.E, APCR