

Bylaws Proposals

From the Bylaws Committee:

Dr. Chuck Moulton
David Jahn
Jennifer Moore
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Kathleen Smith
Steve Scheetz

Addition to Article 4 Section 2 – Vice Chairs

Vice Chairs shall have the ability to name an assistant. The assistant will assist his/her Vice Chair with the duties of the Vice Chair. The assistant may be replaced at any time at the initiative of the corresponding Vice Chair.

If a Vice Chair leaves office mid-term, the assistant will serve as Acting Vice Chair until the board appoints a replacement.

Rationale: We have been adding new committees recently, and some of those committees are in counties that are several hours away from the home county of the respective Vice Chair. The suggestion with this proposal is for the Vice Chair to find someone who is a geographic opposite so that when, for example, a county in the north is forming a new committee, a Vice Chair in the south does not have to commute several hours for an in person meeting, but allow the Alternate to travel a much shorter distance. This also allows for training / coaching a replacement. The rationale for of having an alternate as opposed to adding 3 more vice chairs has more to do with keeping the power with the counties as opposed to the executive committee.

Edit Article 3 Section 3 and reorder Section 3 as amended, to Section 5, and move Section 5 to Section 3 (NOTE 1)

– County or Regional Committee Representation on the Board of Directors

Any member of a county or regional committee who presents a petition to the Board of Directors from at least twelve members in good standing from the committee shall secure voting privileges for their committee become the County or Regional Committee Representative with voting privileges (NOTE 2) on the Board of Directors. Only one representative vote will be counted from any recognized committee. (Representatives shall be recognized by the ranked order described in Article 3 Section 5.) will be recognized to vote on behalf of the committee. (NOTE 3) If at any time such county or regional committee shall have fewer than twelve LPPA members in good standing of the Party, then the membership committee shall inform the committee of the lapsed memberships, and provide the County or Regional Committee Chair a list of members in good standing. The county or regional committee shall have a minimum of 30 days, maximum of 60 days to achieve the minimum standard. increase membership. or present evidence showing 12 members in good standing. If a committee has not

reached the minimum of 12 members after 60 days, the county or regional committee shall lose voting privileges until such time as they obtain the minimum required. Once a committee has achieved the minimum requirements, board voting privileges shall be restored without need for a board vote. ~~before action may be taken or upon a challenge from at least three members in good standing of both the Party and such county or regional committee, such person shall cease to be the County or Regional Committee Representative. Absent such challenge, any duly elected successor board representative of such county or regional committee~~ (NOTE 4)

(NOTE 1: Rationale for moving Section 5 to Section 3 and Section 3 to Section 5. Section 5 spells out the requirements that should be thought about before seeking board representation. This is to ensure that the rules are not overlooked.)

(NOTE 2: This is to say that a committee representative needs to be selected by the committee and not determined by who submits the paperwork)

(NOTE 3: This is designed to allow for several people from a committee with representation to participate. i.e. if the voting member leaves the room, an alternate may vote or make motions on behalf of the committee. We are just writing down what we have been practicing.)

(NOTE 4: This part is more for clarification. There was a discussion regarding the status of a particular committee that did not meet the requirements for years, yet there were questions because no records of any actions were maintained. This allows for the newer database we are maintaining, but the responsibility remains on the committee to maintain their membership numbers in order to keep their board vote.)

Clean version:

Section 5 (after the re-order) – County or Regional Committee Representation on the Board of Directors

Any member of a county or regional committee who presents a petition to the Board of Directors from at least twelve members in good standing from the committee shall secure voting privileges for their committee on the Board of Directors. Only one vote will be counted from any recognized committee. (Representatives shall be recognized by the ranked order described in Article 3 Section 3).

If at any time such county or regional committee, with a board vote, shall have fewer than twelve LPPA members in good standing the membership committee shall inform the committee of the lapsed memberships, and provide the County or Regional Committee Chair a list of members in good standing. The county or regional committee shall have a maximum of 60 days to achieve the minimum standard. If a committee has not reached the minimum of 12 members after 60 days, the county or regional committee shall lose voting privileges until such time as they obtain the minimum required. Once a committee has achieved the minimum requirements, board voting privileges shall be restored without need for a board vote.

ARTICLE VIII. COMMITTEES

Section 1 – Standing Committees

The standing committees of the Party shall be Membership Committee, Media Relations Committee, Election (Ballot Access) Committee, Legal Action **Committee**, Legislative Action **Committee**, **Information Services Committee**, and Fundraising (Finance) Committee. The duties, composition, and reporting requirements shall be determined from time to time by the Board of Directors.

Rationale: Information Services is an incorporation of all communications, Electronic Record Keeping. (not just web services.) IS has always been important / necessary to have this committee. This past year we have had discussions regarding precedent, and what past boards have done in similar situations, and nobody had the various records to review.

While IS has existed for over a decade, it was only a working committee. Given the fact that there has been a report generated by this committee at our board meetings, it is long since past time to make it a Standing Committee with a board vote. The board, along with the Chair of IS moving forward shall write policies governing what this committee shall be responsible for moving forward.

Submissions from Ken Krawchuk to the LPPA Bylaws:

Under ARTICLE IX. CONVENTION, Section 1 – Arrangements, append the following sentence: A convention cannot be held on the weekend that Daylight Saving Time takes effect.

In the Bylaws, under Article II, amend Sections 3 and 4 as follows, by the removing struck-out text and adding the underlined text:

Section 3 – ~~Suspension of Membership~~ Disciplinary Authority

The Board of Directors shall have the power to ~~suspend~~ Discipline a member ~~for failure to maintain all of the qualifications of membership established in Article II Section 1 or for cause~~ by a two-thirds vote of the entire Board of Directors.

A member may be ~~suspended~~ Disciplined by the Board for cause, ~~such as for failure to maintain all of the qualifications of membership established in Article II Section 1;~~ for misrepresenting the principles of the Party; for endorsing or campaigning, in the name of the Party, for a candidate for public office in opposition to one nominated by the Party; ~~or~~ for running for office in the name of the Party or for purporting to have been nominated or endorsed by the Party without having received such nomination or endorsement; or for other reasonable cause.

A member can only be Disciplined in one of three ways:

Warning: A member whose actions or inaction results in a Warning duly passed by the Board must publicly apologize for their activity in the same venue where the infraction occurred, whenever possible, and refrain from repeating the infraction.

Censure: A member whose actions or inaction results in a Censure duly passed by the Board is subject to the requirements of a Warning, and also becomes ineligible to serve in any elected or appointed capacity within the Party for a period of one year from the date of the infraction.

Suspension: A member whose actions or inaction results in a Suspension duly passed by the Board is subject to the requirements of a Warning and a Censure, forfeits their membership in the Party, and cannot rejoin the Party until the end of the second subsequent annual convention of the Party that is held following the date of the infraction.

Notification of ~~suspension~~ any Discipline shall be made in writing, and is subject to written appeal as described in Article II Section 4 within fifteen days of notification. Failure to appeal shall result in ~~termination of membership~~ the immediate imposition of the Discipline. If a member receiving a Warning fails to respect the requirements of the Warning, a Censure is automatically imposed, subject to written appeal as described in Article II Section 4. If a member receiving a Censure fails to respect the requirements of the Censure, a Suspension is automatically imposed, subject to written appeal as described in Article II Section 4.

Section 4 – ~~Membership~~ Discipline Appeal

Upon appeal by the member, the Judicial Committee shall hold a hearing within 30 days concerning the ~~suspension~~ Discipline. Following the hearing, the Judicial Committee shall rule either to ~~terminate the membership or to continue the membership in good standing~~ affirm or nullify the Discipline. Should the Judicial Committee fail to rule, ~~the membership shall be continued in good standing~~ the Discipline shall be nullified.

The Bylaws Committee stands against Ken’s proposals to edit the following sections:

Article IV, Section 3 Secretary Convention Rules, under Article II

In the Bylaws, under Article IV, Section 3 Secretary, append the following sentence:

Minutes of a meeting of the Board of Directors shall be made available to the Board for approval no later than seven (7) days prior to the next scheduled meeting of the Board. In the event that proper minutes are not available for approval at or before the appointed time, the office of Secretary shall be declared vacant and a Secretary shall be appointed or reappointed pursuant to Article IV Section 7.

In the Convention Rules, under Article II Officers, append the following sentence:

Minutes of the annual convention shall be made available to the Board of Directors for approval no later than sixty (60) days after the adjournment of the convention. In the event that proper minutes are not available for approval at or before the appointed time, the convention Secretary’s membership in the

Party shall be immediately forfeited and not eligible for reinstatement until the adjournment of the subsequent annual convention.

Alternate motion to Ken's Proposal:

In the Bylaws, under Article II, amend Sections 3 and 4 as follows, by the removing struck-out text and adding the underlined text:

Section 3 – ~~Suspension of Membership~~ Disciplinary Authority

The Board of Directors shall have the power to ~~suspend~~ Discipline discipline a member ~~for failure to maintain all of the qualifications of membership established in Article II Section 1 or for cause by a two-thirds vote of the entire Board of Directors.~~

A member may be ~~suspended~~ Disciplined disciplined by the Board for cause, ~~such as for failure to maintain all of the qualifications of membership established in Article II Section 1; for misrepresenting the principles of the Party; for endorsing or campaigning, in the name of the Party, for a candidate for public office in opposition to one nominated by the Party; or for running for office in the name of the Party or for purporting to have been nominated or endorsed by the Party without having received such nomination or endorsement; or for other reasonable cause.~~

A member can only be Disciplined disciplined in one of three ways:

- **Warning:** A member whose actions or inaction results in a Warning warning duly passed by the Board must ~~publicly apologize for their activity in the same venue where the infraction occurred, whenever possible~~ mitigate damage as directed by the Board, and refrain from repeating the infraction.
- **Censure:** A member whose actions or inaction results in a Censure censure duly passed by the Board is subject to the requirements of a Warning warning, and also becomes ineligible to serve in any elected or appointed capacity within the Party for a period of up to one year (at the discretion of the Board) from the date of the infraction.
- **Suspension:** A member whose actions or inaction results in a Suspension suspension duly passed by the Board is subject to the requirements of a Warning warning and a Censure censure, ~~forfeits their membership in the Party, and cannot rejoin the Party until the end of the second subsequent annual convention of the Party that is held following the date for a period of up to two years (at the discretion of the Board) from the date~~ of the infraction.

Notification of ~~suspension~~ any Discipline discipline shall be made in writing, and is subject to written appeal as described in Article II Section 4 within fifteen days of notification. Failure to appeal shall result in ~~termination of membership~~ the immediate imposition of the Discipline discipline. ~~If a member receiving a Warning fails to respect the requirements of the Warning, a Censure is automatically imposed, subject to written appeal as described in Article II Section 4. If a member receiving a Censure fails to respect the requirements of the Censure, a Suspension is automatically imposed, subject to written appeal as described in Article II Section 4.~~

Section 4 – ~~Membership~~ Discipline Appeal

Upon appeal by the ~~disciplined~~ member, the Judicial Committee shall hold a hearing within 30 days concerning the ~~suspension~~ ~~Discipline~~ ~~discipline~~. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to continue the membership in good standing ~~affirm~~ or nullify the ~~Discipline~~ ~~discipline~~. Should the Judicial Committee fail to rule, the membership shall be continued in good standing the ~~Discipline~~ ~~discipline~~ shall be ~~nullified~~ ~~affirmed~~.