

By-Laws of the Manhattan Libertarian Party

As Amended at the Annual Convention on January 8, 2005

Article I. Organization

These By-Laws shall govern the association known as the Manhattan LP, hereinafter referred to as MLP. The MLP is a County Organization as defined in the By-Laws of the Libertarian Party of New York, hereinafter referred to as the LPNY. Its principal office, if any, may be located anywhere within New York County, as the County Committee shall determine.

Article II. Objectives

The MLP is a political organization that has as its primary objective the extension of individual freedom to its furthest limits, subject to reasonable prohibitions to prevent the initiation of force and perpetration of fraud. In recognition of the fact that the initiation of force by government has been an instrument for the expropriation of individual rights and freedom, which has in turn caused or enabled much unnecessary suffering in human society, the MLP enters the political arena for the avowed purpose of limiting the intervention of government to the prevention of violence against persons and property, as well as fraud, and the development and protection of property rights.

Article III. Principles

1. That each individual possesses the inalienable right to life, liberty, justly acquired property and the pursuit of happiness.
2. That no person or institution, public or private, has the right to initiate the use of physical force against another absent the justifications mentioned herein.
3. That all individuals are entitled to choose their own lifestyles, as long as they do not forcibly or unduly impose their values on the property or person of others.
4. That the only moral basis of politics is the development, preservation and protection of individual rights.
5. That the voluntary and unrestricted exchange of goods and service is fundamental to a peaceful and harmonious society.

Article IV. Membership

1. Membership in the MLP shall be open to any individual who is in substantial agreement with the principles listed in Article III, has so certified in writing, has paid any such dues as may be required, and any other restriction which may be required by the state libertarian party, ("NYLP").

2. Dues for membership shall be set by the County Committee. Annual memberships shall expire on December 31. Annual dues collected from non-members shall apply to the remainder of the current year only, except that annual dues collected on or after April 1 from individuals who have never held membership in the MLP, and annual dues collected on or after October 1 from any other non-members, shall apply to the remainder of the current year and the following year.
3. The MLP may suspend for cause the membership of only a member who
 - 1) follows a continued public course of action which they should reasonably know to be contrary to the Objectives and Principles of the MLP as set forth in Articles II and III of these By-Laws;
 - 2) claims to represent the MLP while they should reasonably know they have no such authority;
 - 3) or knowingly, seriously and repeatedly disrupts meetings or activities of the MLP.
4. The following procedures must be followed to suspend any member for cause:
 - 1) The County Committee must resolve to hold a Suspension Hearing by a two-thirds (2/3) vote;
 - 2) The County Committee shall set the date, time and location of the Suspension Hearing, to take place in New York County, not less than ten (10) days nor more than sixty (60) days from such vote, but in any event not earlier than the delivery of the Notice of Suspension (described immediately below);
 - 3) The County Committee shall serve upon such member within seven (7) days of such vote either a written Notice of Suspension by traditional or electronic mail, if an address has been provided to the MLP and is current for such member, which shall
 - i. set forth in detail the full nature of the charges and the evidence supporting such charges;
 - ii. specify the date, time and location of the Suspension Hearing on the matter;
 - iii. and include this section of the By-Laws regarding suspension and termination of membership.

If no traditional or electronic mail address has been provided to MLP by the member proposed to be suspended, Notice of Suspension may be served through any general notice procedure, adopted by the MLP, formally or otherwise, for its members.
 - 4) A quorum of the County Committee shall be necessary to convene the Suspension Hearing.
 - 5) The accused member shall have the right to be present at all times during the Suspension Hearing, and to give testimony and present evidence and witnesses in defense of the charges.
 - 6) If the accused members wishes to be present at the Suspension Hearing but is unable to attend at the date and time set by the County Committee, the County Committee shall negotiate in good faith a new date, time and

location that is agreeable to both the County Committee and the accused member. Such new date shall no more than forty-five (45) days later than the original date of hearing.

- 7) The County Committee shall vote within ten (10) days of the Suspension Hearing whether to suspend the accused member, and shall as soon as reasonably practicable issue a written opinion in support of its action including the evidence supporting its conclusion, whereupon the suspension shall be effective.
- 8) The suspended member may appeal the decision of the County Committee to the next Convention by so notifying the County Committee within ten (10) days of suspension. The membership of the suspended member shall be immediately terminated if the suspended member does not appeal the decision.
- 9) A MLP member designated by The Chair shall present the case for termination to the Convention. The suspended member shall again have the right to give testimony and present evidence and witnesses in defense of the charges.
- 10) If the suspension is upheld by two-thirds (2/3) vote of the Convention, the membership of such member shall be immediately terminated. Otherwise, the suspension shall be lifted.

Article V. Conventions

1. The MLP shall hold an Annual Convention, the date, time and location of which shall be set by the County Committee.
2. Special Conventions may also be called any time for any particular purpose by either
 - 1) the County Committee, or
 - 2) anyone who makes a written request to the Chair or Secretary, which declares who is calling the Special Convention and for what purpose, and is signed by twenty-five percent (25%) of the members in good standing of the MLP.

Only subjects which directly relate to the purpose for which the Special Convention is called may be considered at any Special Convention.

3. Written notice shall be provided to each MLP member in good standing not less than ten (10) nor more than sixty (60) days in advance of any Convention. Such notice shall include the date, time and location of the Convention, and, for Special Conventions, shall also include who is calling the Special Convention and for what purpose. Attendance without protest at any Convention by any member shall constitute a waiver of notice, as shall the signing of a waiver of notice before or after the Convention.
4. Conventions shall be held in New York County.

5. Any individual who shall have been a member in good standing of the MLP for the fifteen (15) days prior to any Convention, and who is present at that Convention, shall be entitled to vote at that Convention. No voting by proxy shall be permitted.
6. With the exception of the original organizing Convention to be held April 28, 2000, at Carnegie Hall, New York, NY, ten percent (10%) of the members in good standing of the MLP must be present to convene or re-convene any Convention. For the purpose of voting at any Convention, a quorum shall consist of fifty percent (50%) of the voting members in attendance at the Convention, but not less than seven (7) persons. At the original organizational meeting of MLP all persons present shall be entitled to vote.
7. Voting for candidates to fill any party office or for endorsement by the MLP under Article IX or for any other purpose shall abide by the following rules:
 - 1) Voting members may vote for any number of candidates up to and including the number of positions to be filled, or "none of the above."
 - 2) Any candidate who receives the requisite number of votes and more than "none of the above" shall be deemed elected, unless too many candidates would be so elected, in which case only the candidates with the highest vote totals shall be deemed elected. If necessary, a tie shall be broken by the procedure indicated below.
 - 3) In the event that not all positions are filled, another vote shall be taken for the remaining positions, again following the above rules, after the following candidates have been removed from the slate:
 - i. all elected candidates;
 - ii. the candidate receiving the lowest vote total; and
 - iii. where "none of the above" receives the requisite number of votes, all candidates who receive less votes than "none of the above."
 - 4) If necessary, a tie for the lowest vote total shall be broken by the procedure indicated below. Additional nominees may be selected to appear on the slate in any such subsequent vote, but no candidate who has been removed from the slate may re-appear.
 - 5) To break any tie, an election shall be held among the tied candidates in which those receiving the highest vote totals shall win the tie, and "none of the above" shall not be an option. If necessary, a tie in the tie breaking election shall be broken by again applying the procedure indicated in this paragraph, unless all the candidates are tied, in which case the tie shall be resolved by the toss of a coin or coins.
8. Resolutions of policy may be passed by two-thirds (2/3) vote of any Convention.

Article VI. Officers

1. The Officers of the MLP shall have the following titles and duties:

1) Chair

The Chair shall normally preside at all meetings for the County Committee and at all Conventions, and shall have such other authority as granted by the County Committee.

2) Secretary/Treasurer

The Secretary shall keep a complete and accurate record of all Conventions and meetings of the County Committee, including the tallies of all votes taken on non-procedural matters, shall receive and give receipts for all monies paid to the MLP, and shall deposit such monies in the bank or banks designated by the County Committee and shall perform all other duties normally performed by the Secretary or Treasurer of an organization or otherwise required by the County Committee. Expenditures of funds shall be made only in accordance with regulations established by the County Committee. The Secretary/Treasurer shall send a dues notice to each unpaid member of the MLP not later than January 31 of each year.

3) Director of Media Relations

Subject to the direction of the Chair and County Committee, the Director of Media Relations shall coordinate and manage communications for the MLP, as its needs require.

4) Director of Fundraising

Subject to the direction of the Chair and the County Committee, the Director of Fundraising shall coordinate and manage fundraising activities for the chapter.

5) Director of Membership Development

Subject to the direction of the Chair and the County Committee, the Director of Membership Development shall coordinate and manage all activities to develop the membership base.

2. Separate elections shall be held at the Annual Convention for each office above, in which the those elected must receive a majority of the votes cast.
3. In the event that an election to fill any party office cannot be held due to the inability to convene a Convention or gather a quorum to vote at any Convention, the County Committee shall call a Special Convention for the purpose of electing a new office as soon as practical.
4. Nominations to all offices shall be from the floor, nominating committees shall not be permitted.

5. All elected officers shall serve until the close of the Convention at which their successors are chosen, or until such time as they are no longer able to serve or are removed from membership in the MLP, at which the time the Chair shall select their successor, or if the Chair's position is to be filled, the Secretary.
6. To be eligible for election, a person must be a member in good standing of the MLP.
7. Any officer may be impeached for good cause by three-fourths (3/4) vote of the County Committee or upon submission to the Chair or Secretary of a petition to that effect signed by at least one half of the members in good standing of the MLP. The County Committee shall then call Special Convention to consider the matter, at which such office may be removed from office by two-thirds (2/3) vote.
8. The State Committee Representative to the LPNY shall be elected at the convention of the Manhattan LP held each year.

Article VII. County Committee

1. All executive authority to which a private organization is entitled, and which is not limited by these By-Laws, the By-Laws of the LPNY, or applicable law, shall be vested in the County Committee.
2. The County Committee shall consist of the Chair, the Secretary/Treasurer, the Director of Media Relations, the Director of Fundraising, and the Director of Membership. Each member of the County Committee shall be entitled to a single vote, except the Chair or Acting Chair, who shall only vote in the case of a tie and in any vote requiring more than simple majority, irrespective of the number of titles held by such member. A quorum shall be considered present whenever a majority of the members of the County Committee, including the Chair or Acting Chair, are present.
3. The County Committee shall meet at least once annually, at the close of the Annual Convention. Meetings of the County Committee may be held anywhere agreed to by the County Committee.

Meetings may be called by

- 1) the Chair;
- 2) the County Committee; or
- 3) a written request submitted to the Chair or Secretary signed by one-third (1/3) of the members of the County Committee.

The Secretary shall notify each member of the County Committee at least five (5) days in advance of any meeting, unless emergency circumstances dictate otherwise. Attendance without protest at any meeting shall constitute a waiver of notice, as shall the signing of a waiver of notice before or after the meeting.

4. In the event that an election to fill any party office cannot be held within the calendar year following the year in which the office was last filled due to the inability to convene a Convention or gather a quorum to vote at any Convention, the old officer shall continue in that office, but shall only be permitted to vote on matters necessary to the holding of the next Convention, and the officer's presence at any meeting of the County Committee shall not be counted for the purpose of establishing a quorum to vote on any other matter.
5. In the event of a vacancy in the office of Chair, the Secretary/Treasurer shall become Acting Chair. The resulting vacant office of Secretary/Treasurer shall be filled by the then Acting Chair, as shall any other vacant office for the County Committee.
6. The County Committee shall not have the authority to expend any MLP funds in support of any candidate not endorsed in accordance with Article IX of these By-Laws.
7. The County Committee shall not have the authority to lend money to any officer of the MLP or otherwise engage in a material commercial transactions with any officer of the MLP without approval in either case of a majority of disinterested County Committee members, after full disclosure of all material facts pertaining to the transaction(s).
8. All meetings of the County Committee shall be opened to observation by all members in good standing of the MLP, limited only by the need for orderly meetings.

Article VIII. Endorsements

1. Candidates for public office whose jurisdiction lies partly or entirely within Staten Island, New York County or Bronx County may be endorsed by a majority vote at any Convention.
2. The MLP may withdraw its endorsement of any candidate for public office by majority vote at any Convention.

Article IX. Amendment Procedures

These By-Laws may be amended by any of the following procedures:

1. The County Committee may enter the proposed amendment on the agenda of the next Annual Convention, at which a two-thirds (2/3) majority shall be required for ratification.

2. Notice of the proposed change, including the text of the amendment, shall be mailed to each member in good standing of the MLP not less than ten (10) days prior to the Annual Convention.
3. The County Committee may mail a ballot to each member in good standing of the MLP detailing the proposed amendment and including its text, which shall be ratified upon the receipt within ninety (90) days of approval for the amendment from two-thirds (2/3) of the members in good standing at the time of the mailing.
4. A Special Convention may be called for this purpose, at which a two-thirds (2/3) majority shall be required for ratification. The notice of the Special Convention shall include the text of the amendment.
5. The proposed amendment may be entered on the agenda of the Annual Convention by any voting member submitting the proposal in writing to the Secretary before consideration of the matter of amendments is concluded, and at the request of ten percent (10%) of the voting members; a three-fourths (3/4) majority shall be required for ratification.

Article X: Secession

In the event of the secession of any county from the MLP, the seceding County Organization shall be entitled to that portion for the treasury and other pooled resources for the MLP that is in proportion to the number of members in good standing of the LPNY residing in the seceding county compared to the number of members in good standing of the LPNY residing in all counties comprising the MLP prior to the secession.

Article XI: Procedural Rules

The latest edition of Robert's Rules of Order shall be the parliamentary authority governing all matters of procedure not in conflict with these By-Laws at all Conventions and at all meetings if the County Committee.

Article XII: Interpretation

Any dispute regarding the meaning or interpretation of these By-Laws that cannot be resolved by four-fifths (4/5) vote of the County Committee shall be resolved by majority vote at any Convention. For the purposes of these By-Laws the term mailing shall include electronic mail delivered by any means reasonably calculated to present the intended recipient with a legible, timely copy of the relevant text and other content at their designated electronic mail address.