



Libertarian Party of Virginia

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Alexandria, Virginia 22311
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(703) 931-3922

AOR
2004-34

June 3, 2004

Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Dear Sirs:

I wish to request an advisory opinion from you that the Libertarian Party of Virginia qualifies as a state committee of the Libertarian Party.

In support of my request I have enclosed a copy of the current bylaws of the Libertarian Party of Virginia.

Some of the candidates for federal office that we have obtained ballot status for in Virginia are:

Harry Browne – President – 2000
Art Olivier – Vice President – 2000
Sharon Wood – 1st Congressional District, US House of Representatives – 2000
Ron Crickenberger – 8th Congressional District, US House of Representatives – 2000
Brian Brown – 10th Congressional District, US House of Representatives - 2000
Robert McBride – 11th Congressional District, US House of Representatives – 2000

Ron Crickenberger – 8th Congressional District, US House of Representatives – 2002

Please note that prior to 2002 all minor party congressional candidates in Virginia were identified on the ballot as independents. Unfortunately Ron Crickenberger was identified as an independent on the ballot in 2002 as well since we failed to file the required paperwork with the State Board of Elections to have him identified as a Libertarian.

I can provide the names of prior candidates for federal office that we have obtained ballot status for in Virginia if needed.

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2004 JUN -4 P 1:10

If you require any further information before you issue your advisory opinion please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'Kevin McKenna', written over a horizontal line.

**Kevin McKenna
Treasurer
Libertarian Party of Virginia**

§01. NOMENCLATURA

§01.01 MISSION STATEMENT: The Mission of the Libertarian Party of Virginia is to move public policy in a libertarian direction by building a political party which elects Libertarians to public office (Adopted by the Libertarian National Committee (LNC) in 1994).

§01.02 STATEMENT OF VISION: In order to create a Libertarian Society in the Commonwealth of Virginia, the Libertarian Party of Virginia was established to Recruit, Support, and Elect candidates who will pass legislation in support of that end.

§01.03 LPVA ESTABLISHED AS POLITICAL COMMITTEE: The LPVA shall become a Political Committee in the Commonwealth of Virginia and as a State Political Party Committee with the Federal Election Commission.

§01.04 DEFINITIONS AND TERMINOLOGY

§01.04.01 Throughout these Bylaws, the words "the Party" and the abbreviation "LPVA" shall be construed to mean the Libertarian Party of Virginia.

§01.04.02 Throughout these Bylaws, the abbreviation "SCC" shall be construed to mean the State Central Committee of the Libertarian Party of Virginia. The term "State Central Committee" is designated in the Election Laws of the Commonwealth of Virginia.

§02. MEMBERSHIP AND SUBSCRIBERS

§02.01 The LPVA shall participate in the Unified Membership Program.

§02.02 The State Central Committee shall be authorized to set, after consultation with the Newsletter Editor, a subscription charge and advertising rates for the Party Newsletter and other official Party mailings. In lieu of this action, the Newsletter Editor is authorized to set such charges and rates.

§03. OFFICERS

§03.01 No related bylaws at this time

§03.02 No related bylaws at this time

§03.03 CHAIRMAN

§03.03.01 JOB DESCRIPTION

§03.03.02 CANDIDATE LISTING: The chairman shall cause to have published annually, beginning with 1996, a listing of all elected Virginia offices which will appear on a ballot

in that year. Each updated listing shall be published on or before the 28th day of February of each year and distributed to all members of record via an acceptable method.

The Chair may expend a sum not to exceed 25.00 dollars each year to compile and publish the list. The listing shall include the following information as a minimum: Office Title, Local Jurisdiction, Term in Office, Obligation Level, Election Method, Ballot Access Requirements, Typical Winning Budget.

§03.04 VICE CHAIRMAN
§03.04.01 JOB DESCRIPTION

§03.05 SECRETARY

§03.05.01 JOB DESCRIPTION: The Secretary's duties shall be in accordance with Policy Document 03.05.01.

§03.05.02 The Secretary shall publish a list of recognized Local Committees with each "Minutes".

§03.06 TREASURER

§03.06.01 JOB DESCRIPTION: The Treasurer's duties shall be in accordance with Policy Document 03.06.01.

§03.06.02 TREASURER'S AUTHORITY: The financial business of the LPVA shall be conducted in a manner consistent with Policy Document 03.06.02: Outline of State Party Financial Structure.

The Treasurer is authorized to draft checks as directed by the assigned manager of a Cost Center except that (1) the amount paid shall not exceed the amount in the Cost Center, (2) any check over the amount of \$500.00 must be countersigned by another Officer of the LPVA and (3) any officer of the LPVA may bar such expenditures unless over ruled by the other three officers.

Any planned use of a LPVA check card by an officer of the State Central Committee for an expenditure of over \$500 shall be approved in advance by at least one other officer of the State Central Committee.

The Treasurer shall not permit the signing or countersigning of checks without the payee and the amount to be paid having been filled in.

The Treasurer shall implement such procedures as he deems in the best interest for the smooth functioning of the financial business of the LPVA.

§03.06.03 AUDIT: The State Central Committee shall appoint an Auditor, who may be a Certified Public Accountant, at the first meeting of each year, for the purpose of conducting a review. The Auditor's Report in that case shall be provided to the SCC no later than the second meeting of the year.

The State Central Committee shall also appoint an Auditor at each succession to the office of Treasurer; and the Auditor's Report in that case shall be provided to the SCC no later than the first meeting following the succession, or at the next. The Auditor may select up to two other individuals to assist with the Auditor's work.

The Auditor shall review the Party's financial transactions and status since the previous Audit. Copies of the Auditor's report shall be provided to the Chairman, Treasurer and Secretary, and the Secretary shall make available for inspection by any Party member the entire Audit Report upon reasonable request. The Secretary shall include the Audit report in the Minutes of the SCC meeting at which the completed Audit Report is presented.

§03.06.04 DEBT: The Party shall not, without the vote of three quarters (3/4) of the State Central Committee membership, incur any debts. "Debt" shall be defined as a circumstance in which the Party's accounts payable exceeds funds in Party accounts.

§03.06.05 DEPOSITORY OF RECORD: The Depository of Record shall be as defined in Policy Document 03.06.05: *Depository of Record*.

§03.06.06 FISCAL YEAR: The fiscal year of the LPVA shall begin on January 1st and end on the following December 31st.

§03.07 No related bylaws at this time

§03.08 No related bylaws at this time

§04. ORGANIZATION

§04.01 STATE CENTRAL COMMITTEE:

§04.01.01 CONGRESSIONAL DISTRICT CHAIRMAN AND ALTERNATE:

§04.01.01.01 The Congressional District (CD) Chairman shall be the primary representative of the CD at SCC meetings. However, if the CD Chair is not present, the Alternate may act with full privileges including voting without the need of a proxy. CD Chairs and Alternate may designate someone as a proxy. If more than one representative from the CD is present only one may vote and preference of voting privilege is as follows:

- CD Chairman
- Alternate
- Proxy of CD Chairman
- Proxy of Alternate

If the CD elects more than one Alternate it must inform the Secretary the order of voting privilege (i.e. 1st Alternate, 2nd Alternate, etc.) In all cases an elected person is preferred over a proxy.

§04.01.01.02 DERELICTION: If any Congressional District Chairman who was appointed by caucus or by the SCC is not in attendance at two consecutive properly-called SCC meetings, and does not have on file a proxy designation, such non-attendance shall be considered a de facto resignation by that member. At the end of the time of calling roll during the second consecutive missed meeting, the Secretary shall place on the Agenda of that meeting, a line item noting the de facto resignation and shall give notice that nominations to fill the vacated position will be in order at the beginning of new business of that meeting. If the de facto resigned SCC member is in attendance at the start of new business, that member may ask to be named as a nominee.

If there is a sitting Alternate CD Chairman, the Alternate CD Chairman shall assume the duties of CD Chairman until a new CD Chairman is confirmed.

§04.01.02 STANDING COMMITTEE: The functioning of the State Central Committee shall be supported by implementation of Policy Document 04.01.02: *Outline of State Party Standing Committee Structure*. The implementation shall be as modified from time to time by the State Central Committee. Where a chair cannot be found for a committee specified in the Committee Structure, the SCC shall function as the committee.

The State Central Committee will provide to the Treasurer on a quarterly basis a complete list of the assigned managers of the various Cost Centers. Upon one week notification of the officers, the Chairman may assign a temporary manager of a Cost Center. Any two officers may negate the temporary assignment of a Cost Center manager until the next SCC meeting.

§04.01.02.01 The editor of the newsletter *Virginia Liberty* shall publish the newsletter in the interest of the Party, and generally in accordance with the guidelines of Policy Document 04.01.02.01: *Guidelines for Publication of the Virginia Liberty*.

§04.01.03 E-VOTING E-voting is permitted to vote on motions requiring majority vote. Motions requiring 2/3 or higher support, such as bylaws changes, may only be submitted at in-person meetings. E-voting shall be conducted in accordance with Policy Document 04.01.03.

§04.01.04 Robert's Rules of Order, Newly Revised, Tenth Edition, shall serve as the official guide to parliamentary procedure for the Committee.

§04.02 DISTRICT COMMITTEES

§04.02.01 CONGRESSIONAL DISTRICT CHAIRMAN AND ALTERNATE:

§04.02.01.01 METHOD OF SELECTION AND TERM OF OFFICE: The Congressional District Chairman and Alternate are elected by majority vote at the District Convention, or absent a District Convention, by majority vote of the District Caucus at a Regular State Convention. Vacant positions may be temporarily filled by vote of the State Central Committee. The CD Chairman and Alternate serves from the closing of the convention at which the election occurred to the closing of the following convention at which an election occurs, except as otherwise provided by the Party Constitution.

§04.02.01.02 JOB DESCRIPTION: The Congressional District Chairman and Alternate shall share the duties described in Policy Document 04.01.01.

§04.03 LOCAL COMMITTEES: "Local Committees" are the County and City affiliates of the Libertarian Party of Virginia. A county or city committee shall be eligible for official recognition by the Party when, upon petition to the State Central Committee for recognition, it demonstrates: (1) that it is comprised of at least ten contributing members of the national Libertarian Party who are residents of that county or city; (2) that it has adopted written rules for its governance; and (3) that it has elected such officers as are required by the adopted rules.

The designation of local affiliate committee status will be in effect for a period of two years from the date of approval by the State Central Committee. A local organization may be recertified as a local committee by the State Central Committee, provided the organization satisfies the requirements for recognition and provides to the State Central Committee a current membership list and a current copy of the written rules for its governance.

If at any time during the two-year recognition period a local affiliate committee no longer satisfies all of the criteria necessary for recognition, the State Central Committee may vote to remove the designation of local affiliate committee from the organization. If at the end of a two-year recognition period a local affiliate committee no longer satisfies the criteria necessary for recognition but maintains a membership and activity level that the State Central Committee considers worthy of recognition, the State Central Committee may vote to recertify such an organization as a local affiliate committee.

Party members in contiguous cities and counties may band together for the purpose of forming a local committee. At such time as the Party members in a subset of the cities and counties in a local committee wish to separate and form a new local committee, two conditions must be met: 1) Each resultant subgroup must be able to form a new committee per the requirements above; and 2) The Party members of each subgroup must approve the separation by majority vote at a convention called per the bylaws of the original committee except that the LPVA SCC may approve a unilateral separation. The

assets and liabilities of the original committee shall be apportioned to the new committees according to the number of Party members in each.

The chairs, or their proxies, of all officially recognized local committees shall caucus at regular State Conventions to elect a member of the LPVA as the chair of an SCC standing committee on Local Affiliate Parties. In the absence of such a caucus, the State Central Committee shall select the chair of the committee.

§05. CONVENTION RULES

§05.01 RULES FOR ALL STATE CONVENTIONS

§05.02.01

§05.02 SPECIAL RULES FOR REGULAR STATE CONVENTIONS

§05.02.01 (Section deleted 25 Jan 03)

§05.03 SPECIAL RULES FOR SPECIAL STATE CONVENTIONS:

§05.03.01 BUSINESS BEFORE A SPECIAL STATE CONVENTION: Business to be considered by the members attending a Special State Convention (one called by the SCC) shall be as specified in such motion as is made to call the Convention. The Party Secretary shall specify the authorized business of the Convention on the official Agenda mailed to the current membership.

§05.04 SPECIAL RULES FOR GENERAL STATE CONVENTIONS

§05.05 SPECIAL RULES FOR CONGRESSIONAL DISTRICT CONVENTIONS

§05.06 SPECIAL RULES FOR LOCAL PARTY CONVENTIONS

§06. ENDORSEMENTS AND SUPPORT OF CANDIDATES

§06.01 SELECTION OF CANDIDATES: No candidate seeking the endorsement or nomination of the Party for statewide office shall be endorsed or nominated unless said candidate shall have received the vote of more than fifty (50) percent of the delegates registered at the Convention at which the vote is taken.

§09. AMENDMENTS TO THE BYLAWS

§09.01 Except as noted elsewhere, amendments to these Bylaws require a two thirds (2/3) vote of the State Central Committee.

§09.02 Except as noted elsewhere, the Policy Documents appended to these Bylaws shall be considered a part of the Bylaws and require the same procedures for amendment.

POLICY DOCUMENTS

POLICY DOCUMENT 03.05.01

Duties of the Secretary

ELECTION & TERM OF OFFICE: The Secretary, like other officers of the Party, is elected by majority vote of Regular State Convention delegates, and serves from the closing of the Convention at which he is elected until the closing of the following Regular State Convention, except as otherwise provided in the Party Constitution.

OFFICIAL DUTIES, SPECIFIED IN THE CONSTITUTION

The Secretary takes and distributes minutes of all State Central Committee meetings and of all Party conventions. The Secretary should keep with the definitive copy of the minutes any and all subcommittee or standing committee reports, a copy of any state newsletters published since the last meeting, and a list of the current LPVA contacts (SCC roster, endorsed candidates, local affiliates, standing committee members, affiliated PAC's, etc.).

The Secretary is responsible for official Party correspondence as required. Examples include:

- a) Informing via 7 days written notice the membership of the SCC regarding the next regular meeting, formal officer removal or vacancy replacement motions, and formal motions to remove the Party's endorsement of any candidate for statewide office and, in announcement, delineation of the reasons therefor (this last shall include written notice to the candidate in question).
- b) At least thirty days prior to the date of a Regular state convention, the Party Secretary must mail to all members a notice of such convention. The notice must include the proposed Agenda: election of Party officers, and any proposed changes to the Party Constitution, election of delegates to regional or national Libertarian Party conventions, passage of resolutions, adoption of a Party platform, and nomination of, or endorsement of, candidates for statewide offices.
- c) At least twenty-one days prior to the date of Special or General State Conventions properly called by the State Central Committee or a group of members, respectively, the Party Secretary must mail to all members a notice of such convention. The notice must include a proposed Agenda, which should include the election of Party officers where vacancies have occurred, changes to the Party Constitution, or such special matter or matters as defined by the State Central Committee in its call for a Special State Convention. In the case of a General State Convention properly called by members of the Party, the Party Secretary shall provide for mailing services within 30 days of request to solicit petition signatures.
- d) At least fourteen (14) days in advance in writing, and upon proper petition and specific call by the Party Chairperson, the Party Secretary must send notice of a District Convention to all Party members known to reside within the District of such convention. The notice prepared by the Secretary must include a proposed Agenda, which includes election of District officers

and may include the adoption of District Committee Bylaws. Only District residents who are members of the Party shall be eligible to vote at such conventions.

The Secretary, in cooperation with the Membership Committee Chairperson, is responsible for insuring the accuracy and completeness of all Party membership and mailing lists.

The Secretary must maintain or have access to any materials that would guide or govern the Party's activities directly, such as the definitive copy of the LPVA Constitution & Bylaws, any relevant sections of Election Law in the Code of Virginia, and any relevant National LP Bylaws or standing resolutions/rules.

The Secretary shall also carry out such other duties as may be assigned by the State Central Committee.

AD HOC DUTIES

The Secretary shall maintain a complete and accurate list of:

- persons entitled to vote at SCC meetings;
- those who might not be entitled to vote at SCC meetings but are nevertheless affiliated/important with/to the party, such as chairpersons of standing committees, affiliated PAC's, local LP affiliates, and endorsed candidates for public office;
- any pre-filed proxies from members of the SCC.

POLICY DOCUMENT 03.06.01

Duties of the Treasurer

ELECTION & TERM OF OFFICE: The Treasurer, like other officers of the Party, is elected by majority vote of Regular State Convention delegates, and serves from the closing of the Convention at which he is elected until the closing of the following Regular State Convention, except as otherwise provided in the Party Constitution.

OFFICIAL DUTIES, SPECIFIED IN THE CONSTITUTION: The Treasurer of the Party shall establish and maintain all Party bank accounts and manage all party investments, collect and disburse Party funds at the direction of the State Central Committee, keep records and receipts for all such transactions, and prepare and file any Party financial reports required under Virginia and federal law. The Treasurer shall also prepare and distribute a written financial report at each meeting of the State Central Committee and at all Party conventions, and shall perform such other duties of a fiduciary nature as the State Central Committee may assign.

AD HOC DUTIES:

The Treasurer is directed to reimburse any current SCC officer and any current District Representative for the cost (up to \$35) of procuring either a softbound or hardbound edition of this manual, upon submission of an acceptable receipt or a signed statement by the purchaser that the manual was purchased and the amount spent, under the condition that the guide be returned to the SCC upon completion of service by those individuals.

The Treasurer is asked to maintain a list of the Party owned books under the heading "LPVA Property" or "inventory" in the periodic Treasurer's Report. That listing shall note the names of the individuals holding the Party owned copies of this manual. The Treasurer is asked to make some effort to assure that departing officers return these manuals upon completion of their service.

POLICY DOCUMENT 03.06.02
Outline of State Party Financial Structure
Revised 25 Jan 03

Throughout this Policy Document, the term "committee" except when stating a specific form of Committee shall be take to mean any Standing or Ad-Hoc committee, or an individual or group of individuals wishing to form a committee or perform the function of a committee.

Committees may obtain funding from the SCC in any of four standard ways. First, the committee may request an Annual Allocation from anticipated General Fund revenues. Second, to cover continuing operational expenses only, Standing Committees may request a Continuing Allocation. Third, a committee may identify a special need and request a Supplemental Allocation. Fourth, a committee may obtain authorization to conduct a Specified Fund-raiser at SCC expense for a specific project.

A committee may also, with SCC permission, conduct a Targeted Fund-raiser at its own expense.

The reason for each type of allocation and the process for securing it differs.

ANNUAL ALLOCATIONS:

Any committee that wishes to obtain an annual allocation shall submit a request at the appropriate time based on the annual guidance provided by the SCC. Annual allocations are transferred in-toto from the General Fund at the time of the allocation.

Annual Allocations typically cover anticipated non-operating expenses including purchases of specific block services (e.g. media buys) or capital goods, or anticipated operating expenses for which a relevant source of income cannot be found upon which to base a Continuing Allocation.

Budgetary Planning Cycle	Month/Day
A. Develop Policy Statement (Vision, Strategy (Biennial Goals))	
1. VSOT (If any)	Q1
2. Hearings	Q2
3. Drafting	Q2
4. Publish Guidelines to Committees	Jul
B. Committee Proposals	
1. Receipts	Q3
2. Expenditures	Q3
C. Operational Budget Plan	Oct
D. Reclama	Nov
E. Final Budget Proposal	Dec

CONTINUING ALLOCATIONS:

Certain committees within the LPVA require continuous levels of funding for continuous operating expenses which are proportional to their continuing activities. For instance, provision of a newsletter costs a certain amount per issue per member. Therefore, a portion of the moneys obtained from membership dues should be set aside for the provision of the newsletter. Similarly, fund raising mailings (on average) cost a certain proportion of the moneys raised. Therefore, that proportion of the money raised by direct mail fund raisers should be set aside for further efforts.

Because Continuing Allocations are intended for operating expenses only, funds allocated to committees via this method may not be used for capital goods. If the Committee Chair believes there is sufficient funding in their budget based on Continuing Allocations, to cover the cost of a capital good without adversely impacting the operations of his committee, the chair may seek to have a portion thereof re-designated as a supplemental allocation.

Committees that receive Continuing Allocations shall submit a report justifying it's continuation during the "Committee Proposals" phase of the Annual Allocation Planning Cycle.

To obtain a new Continuing Allocation, the committee shall propose a re-division of receipts. The proposal shall specify the following information:

1. Pertinent facts supporting the need for a Continuing Allocation;
2. Which type(s) of income need to be redistributed and how;
3. An assessment of how the redistribution will effect other recipients of Continuing Allocations.

SUPPLEMENTAL ALLOCATIONS

To obtain a Supplemental Allocation, a committee may submit a motion containing a Plan of Action and Milestones (POA&M) describing the purpose of the allocation, anticipated expenditure date, it's effect on the reserves in the General Fund or other funds, it's exit criteria (i.e. what happens to the project resources remaining when and if the project meets, or fails to meet its POA&M), and any other supporting information that the committee deems helpful in convincing the SCC to allocate the funds.

SPECIFIED FUND-RAISING:

Upon approval by the SCC, a committee may work with the Fund-raising Committee to produce a *specified fund-raiser*. When the Financial Development Committee (FDC) believes that the proposed direct mail piece is satisfactory, or at least the best it can reasonably be, the piece will be produced and posted at the FDC's expense. The FDC shall receive a percentage of the receipts, as determined by the SCC each budget cycle, that provides an ability (on average) to recoup the costs. The remainder shall go to the project.

TARGETED FUND-RAISING

Upon approval by the SCC, a committee may use it's own funds to produce and post a *targeted fund-raiser*. The committee shall coordinate with the FDC to assure that mailings or other actions will not conflict in timing or content with ongoing FDC efforts.

If the committee uses LPVA resources such as post box, credit card merchant account, etc., the FDC shall receive a portion of the receipts for incidental expenses. If approved by the SCC, the committee may choose to conduct the fund-raiser without ANY LPVA resources and keep the entire receipt. Note that the pledge program is a form of targeted fund raising.

The following describes the primary type of Allocation each committee receives. For those receiving Continuing Allocations, see Exhibit 1 to this Policy Document.

1000 ADMINISTRATION

1100	State Central Committee	(General Fund)
1110	General Operations	(None - General Fund)
1120	Special Operations	(Annual Allocation)
1130	Local Affiliate Parties	(Continuing Allocation)
1140	LNC Liaison	(Annual Allocation)
1200	Business Support Services	(Continuing Allocation)
1210	Database Services	(Continuing Allocation)
1220	Deposits and Accounting (Bookkeeping)	(Annual Allocation)
1230	Merchandising	(Annual + %Take)
1300	Not Used	
1400	Legal Services	(Annual Allocation)

2000 MEMBERSHIP DEVELOPMENT

2100	Membership Generation	(Annual Allocation)
2200	Membership Retention	(Annual Allocation)
2300	Conventions and Symposia	(Annual + Fees & Tuition)

3000 FINANCIAL DEVELOPMENT

3100	Fund Raising	(Continuing Allocation)
3200	Budgeting	(Annual Allocation)

4000 POLITICAL DEVELOPMENT

4100	Candidate Development	(Annual Allocation)
4200	Candidate-Support	(Annual Allocation)
4300	Ballot Access	(Continuing Allocation)
4400	Lobbying	20%GenFund until \$20,000 (Annual Allocation)

5000 COMMUNICATIONS

5100	Virginia Liberty	(Continuing Allocation)
5200	Public Relations	(Annual Allocation)
5300	Media Relations	(Annual Allocation)
5400	Internet Systems	(Annual Allocation)
5500	Legislative Services	(Annual Allocation)
5600	Campus Coordinator	(Annual Allocation)
6000	Auditing	(Annual Allocation)

Continuing Allocations:

The General Fund (corresponding to 1100 State Central Committee) will receive:

- 30% of the income from Virginia Liberty Subscriptions
- 10% of the payments from the Unified Membership Program
- 55% of the income from all direct mail fundraising that is (a) paid for by the Financial Development Committee (FDC) and (b) not designated for a specific project. (If the fundraising is paid for by the FDC and designated for a special project, 55% of the income from that fundraising will go to that special project).
- 25% of the income from advertising in *Virginia Liberty*
- 90% of the income from those pledges that are not designated for other purposes.

1130 Local Affiliate Parties Committee will receive:

- 25% of the payments from the Unified Membership Program

1200 Business Support Services will receive:

- 30% of the income from *Virginia Liberty* subscriptions
- 35% of the payments from the Unified Membership Program

1210 Membership Database will receive:

- 100% of the income from database list rentals and rental agreements

3100 Fundraising will receive:

- 45% of the income from all direct mail fundraising that is paid for by the Financial Development Committee
- 10% of the income from Pledges
- 10% of the income from all targeted fundraising (the remaining 90% of the income will go to the committee that paid for the mailing)

4300 Ballot Access will receive:

- 20% of any funds coming into the General Fund until the amount of \$20,000 is in the Ballot Access Fund

5100 *Virginia Liberty* will receive:

- 40% of the income from *Virginia Liberty* subscriptions

- **30% of the payments from the Unified Membership Program**
- **75% of the income from Virginia Liberty subscriptions**
- **30% of the payments from the Unified Membership Program**
- **75% of the income from advertising in Virginia Liberty**

**POLICY DOCUMENT 03.06.05
DEPOSITORY OF RECORD**

Resolved, the LPVA shall open a checking account with a Bank, and that funds so deposited may be paid upon a check, draft, or other instrument or order of the organization.

Be It Further Resolved that any of the following persons are hereby authorized to draw and sign checks against such Account and to take any other action and transact any business with Bank relating to the deposit and/or withdrawal of money or property in said Bank, provided that one signature (two if over \$500) shall be required on each withdrawal from the account.

**Chairman
Vice-Chairman
Treasurer
Secretary**

Be It Further Resolved that said Bank is hereby authorized and directed to honor and pay without limit as to amount, without inquiry and without regard to the disposition of any proceeds thereof, any orders for the payment of money, including but not limited to checks, drafts, notes, or other like instrument, whether such instruments be payable to the order of any such person signing said instruments, or payable to the order of any such person in their individual capacities, and whether such instruments are deposited to the individual credit of the person so signing said instruments, or to the credit of any other officer or agent.

Be It Further Resolved that the Bank, in accordance with the foregoing Resolutions, is hereby requested, authorized, and directed to accept the facsimile, or purported facsimile, signature(s) of any one of the above designated officers regardless of by whom or by what means the facsimile, or purported facsimile, may have been affixed as such signature(s) resemble the facsimile specimens duly certified to and filed with the Bank.

This Resolution shall continue and remain in force until written notice of a revocation has been duly served on the Bank.

POLICY DOCUMENT 04.01.01
Duties of the Congressional District Chairman

OFFICIAL DUTIES, SPECIFIED IN THE CONSTITUTION

1. **Represent the Congressional District Committee at State Central Committee (SCC) meetings as a voting member of the SCC.**
2. **Provide a proxy to the Secretary for meetings that cannot be attended in person.**

DUTIES

1. **Contact new members in the district, by telephone whenever possible, by mail if necessary. Contact existing members by newsletter and/or phone whenever possible; if there is no newsletter in the CD, work to establish one with the chair(s) of the local affiliate(s). Contact soon-to-expire and recently expired members by phone whenever possible, by mail if necessary, to encourage renewals.**
2. **Maintain a contact list of members in the CD, with any information about the members pertinent to local organizing, skills, campaigning, etc. This list is not the personal property of the CD rep, and must be returned to the SCC and/or to the CD rep's successor.**
3. **Work with the local affiliate(s) in the CD to recruit new members, recruit candidates for office, and support local, state and national candidates. Attend local affiliate meetings and assist local affiliate(s) in their activities; attend SCC meetings; provide reports to the local affiliates of SCC activity, and provide reports to the SCC on CD activities.**
4. **Recruit candidates for Congressional races and work with Campaign Coordinator and local affiliate chairs to recruit campaign staff, including campaign managers.**

Duties of the Congressional District Alternate

1. **Assist with the CD Chairman's duties.**
2. **Represent the Congressional District at SCC meetings where the CD Chairman cannot attend.**

Policy Document 04.01.02

Outline of State Party Standing Committee Structure

Revised June 14, 2003

Audit
Chair: _____
6000

Administration
Chair: _____
1000

Membership Development
Chair: _____
2000

Financial Development
Chair: _____
3000

Political Development
Chair: _____
4000

Communications
Chair: _____
5000

-1100 SCC
Chair: _____

-1110 General Operations
Mgr: _____

-1120 Special Operations
Chair: _____

-1130 Local Affiliate Parties
Chair: _____

-1140 LNC Liaison - Area
Rep: _____
Alt: _____

-1200 Business Services

-1210 Database Services
Mgr: _____

-1220 Bookkeeping
Mgr: _____

-1230 Merchandising
Mgr: _____

1300 Not Used

-1400 Legal Services
Chair: _____

-2100 Membership Generation
Chair: _____

2200 Membership Retention
Chair: _____

-2300 Conv. & Symp.
Chair: _____

-2310 (not used)

-2320 Symposia
Chair: _____

-3100 Fund Raising
Chair: _____

-3200 Budgeting
Chair: _____

-4100 Candidate Development
Chair: _____

-4110 Candidate Recruitment
Chair: _____

-4120 Candidate Conversion
Chair: _____

-4130 Candidate Adoption
Chair: _____

-4140 Candidate Training
Chair: _____

-4200 Campaign Support
Chair: _____

-4300 Ballot Access
Chair: _____

-4400 Lobbying
Chair: _____

-5100 Virginia Liberty
Editor: _____

-5200 Public Relations
Chair: _____

-5300 Media Relations
Chair: _____

-5400 Internet Systems
Webmaster: _____

-5500 State Legislative Svcs
Chair: _____

-5600 Campus Coordinator
Chair: _____

Draft Job Descriptions for Standing Committee Chairs

STATE CAMPAIGN COORDINATOR

The Campaign Coordinator will:

1. Recruit candidates for state and local offices; assist candidates in staffing campaign teams, including campaign managers.
2. Maintain a list of candidates and potential candidates. This list is not the personal property of the CC, and must be returned to the SCC upon resignation.
3. Act as the liaison between the SCC, local affiliates, and candidate organizations, including national candidates and their organizations. The CC will be the contact between those candidate organizations and the SCC for the purposes of arranging campaign events in the state, as well as facilitating contact between local affiliate volunteers and the candidate's campaign organization.
4. Regularly communicate with campaign managers to look for ways to improve campaign efforts.
5. Attend educational seminars, such as the Success series, to increase knowledge of campaign techniques; the SCC will approve payment of the seminar registration fees and other fees as required or requested to enable the CC to attend these instructional programs.
6. Submit one readable article a month to the executive director about how to succeed as a campaign staff member.

ASSISTANT CAMPAIGN COORDINATOR/CAMPAIGN STATISTICIAN

The Campaign Statistician will:

1. Produce a campaign report for each election including the activities of campaigns, election returns and conclusions draw from that data.
2. Maintain a campaign management guide including reporting requirements (to campaign coordinator and progress reports from campaign coordinator), management principals (mission, objectives, tasks, goal integration), staffing (roles and responsibilities) and organization of resources.
3. Maintain the campaign history reference including the lessons learned from each campaign.

COMMUNICATIONS DIRECTOR

1. The Communications Director produces regular, timely press releases, and coordinates interviews of members of the party by the press.
2. The CD develops, coordinates, and supports a group of people who volunteer to write regular op-ed pieces and letters to the editor for various newspapers around the state.

3. The CD works with the Campaign Coordinator and local, state, and national campaign organizations to ensure effective media relations and the distribution of press releases to the media.
4. The CD will prepare and update a media list; the media list will include the addresses, fax and telephone numbers, and email addresses where available of all print, radio, and TV outlets in the Commonwealth of Virginia.

NEW INQUIRY LIAISON

THE BASICS: Write letters and make follow-up phone calls -- like 20 to 30 a week each -- to new inquiries around the state, asking them to join the Libertarian Party, and send each one targeted information that would be useful to them (such as the contact list for their local affiliates, etc).

Each new inquiry should receive the following things:

- 1) A letter (or email) welcoming them to the Libertarian Party, and letting them know what the Party resources are for them in their own area. Each letter must be customized by region. For instance, if their cityname is Alexandria, I want them to get a letter/email with the list of Party affiliates close to them, as well as the sign-up instructions for their local LP email mailing list. - Each letter/email should also include a membership form, and if mailed rather than emailed, an LPVA reply envelope.
- 2) Each inquiry name should be forwarded to the affiliate for that area for further, localized follow-up.
- 3) Each inquiry name should be tracked to make sure it makes it onto the main database. This is also the stage where duplicate entries can be found; so if a new name is a duplicate, notice of the error must be sent to the List Manager.
- 4) If possible, inquiries should also be called. It is much preferable to see to it that someone LOCAL to them makes the call.

The LPVA Membership Committee is a stock letter/email ready for use; along with membership forms, reply envelope, stationary, and # 10 window envelopes.

PLEDGE PROGRAM COORDINATOR

THE BASICS: Write letters and make follow-up phone calls -- like 20 to 30 a week each -- to members around the state, asking them to join the monthly pledge program.

Job Description

1. Request list of members from Database Manager. You will need to sign our list non-disclosure agreement and send it to LPVA with a buck to make it binding.

2. Compose form letter designed to convince members to join the monthly pledge program.
3. Mail merge form letters to a selection of the LPVA database once a week. Pick out twenty or more names to concentrate upon that week. The actual number you wish to work on should be something you determine. However, since we have roughly 1,000 members and about 48 to 50 practical weeks to contact them all during a year, let's assume that the minimum to be contacted weekly should be 20.
4. Mail the letters for that week.
5. Write up a phone script or some flash cards with notes for your follow-up phone calls. Tell them the truth: monthly income will make us stronger, and we can't succeed without them.
6. Compose your own "Contact Management" form so you can record easily what was said in the conversation -- so that if they promise to join the pledge program and we never see their envelope, we have a reason to send them a follow-up reminder to start making their promised donation.
7. One week later (or guesstimate how long your letters will be taking to get to the addressees...), begin calling each person who was mailed during the previous week.
8. Mail thank-you notes to those who made a commitment; and follow-up letters to remind "iffy" pledgers.
9. MONTHLY: Request list of transactions for the member ID's you have contacted from List Manager. This will show you who have paid up.
10. QUARTERLY: Report to the List Manager. Include copies of the weekly call & mail lists with any scribbled notes on each contact listed thereon. Estimate hours spent on each portion of the task. Pretend you are working on a time clock. [The reason I ask for this is because a lot of times people on the SCC have little idea what each job takes in the way of time. I want the jobs we do documented so that we can make clear what is needed for each task.

-- INCIDENTAL JOBS --

One of the best ways to build a pledge program is via personal appearances at local meetings. Look at the attendance sheet passed around at each meeting, write the name of each person from the guest sign-in sheet on a pledge card while the group handles other business. Then, once you have all the pledge cards filled out, ask for five minutes of floor time, and read a one to two paragraph speech about why the local members should join the Pledge Program.

Ask one of the local people who knows the other members to distribute the filled-out pledge forms.

This personalizes the process and will raise the acceptance rate.

One thing you must remember when doing this: ask the people to use that pledge form right then and there, and hand it back to you with their donation and pledge. **ASK FOR IT.** Put them on the spot.

One last thing -- I would really like the volunteer for this position to try to attend all of the meetings of his own local group, and to get to other meetings around the state on an occasional basis.

-- ADDENDA --

1. By law, we are required never to call someone again if they asked to be removed from the phone list. You absolutely **MUST** send LPVA notice of such requests.
2. Be sure to use the utmost in politeness when contacting our members.

When you are speaking with a potential pledger, NEVER read off their information on the phone; ask them to provide it to YOU. Write it down as they give it to you, and provide the info the way they provided it in your reports to me.

POLICY DOCUMENT 04.01.03

1. E-motions may be submitted for a vote by sending an email to the official LPVA SCC email list with the following format for the Subject line:
MOTION - date submitted - Name of Submitter - Brief Title
2. Once an E-Motion is made, voting members of the SCC have seven (7) days to vote. Votes are to be made to the SCC list by PRE-pending one of the following to the subject line:
SCC Position - YES -
SCC Position - NO -
SCC Position - ABSTAIN -
3. The motion shall carry if it receives a yes vote from the majority of the entire SCC.
4. Seven (7) days after the date submitted, the Secretary shall certify the results of the vote via an email to the LPVA SCC list with " - CERTIFIED VOTING RESULTS" appended to the subject line. If the Secretary is unavailable, any officer may certify the results.
5. All E-votes taken between in-person meetings will be summarized by the Secretary. The summary will be submitted for approval at the next SCC meeting along with the Minutes of the last meeting.
6. Motions may not be amended. Therefore, it is suggested that discussion as to wording occur up front by sending with the following format for the Subject line:
PROPOSED MOTION - Name of Submitter - Brief Title

**POLICY DOCUMENT 04.01.02.01
GUIDELINES FOR PUBLICATION OF THE VIRGINIA LIBERTY**

It is recommended that Virginia Liberty be published 6 times yearly, on approximately the following schedule. The issue for a particular month may be required to have certain characteristics other than those listed; and in such case may have a differing audience.

~Feb 20: This may be a standard issue which goes to the Regular List. . This may also be the Convention Announcement issue, in which case it should go to The Enhanced List.

~Apr 20: This is the City and Town Election issue. It should go to The Enhanced List. This may also be the Convention Announcement issue.

~Jun 2): This is a standard issue and it goes to the Regular List.

~Aug 20: This is a standard issue and it goes to the Regular List..

~Oct 20: This is the General Election issue. It should contain final voting instructions and should go to the Full Active List..

~Dec 20: Holiday issue. This is a standard issue and it goes to the Regular List.

LISTS OF RECIPIENTS

Regular List: Members, VL Subscribers, LPNews subscribers, inquiries within the last 3 months.

Enhanced List: Regular list plus inquiries within the last 2 years.

Full Active List: All individuals voluntarily on the database for whom we have no reasonable indication that their addresses are invalid.



FEDERAL ELECTION COMMISSION
Washington, DC 20463

June 14, 2004

Kevin McKenna
Treasurer
Libertarian Party of Virginia
2576 Nicky Lane
Alexandria, Virginia 22311

Dear Mr. McKenna:

This refers to your letter dated June 3, 2004, which requests advice concerning application of the Federal Election Campaign Act of 1971, as amended (the "Act"), to the possible status of the Libertarian Party of Virginia ("LPVA") as a State party committee of a national political party.

You state that LPVA wishes to qualify as a State committee of the Libertarian Party. As evidence of your possible status, you submit a copy of LPVA's by-laws and a list of Federal party candidates in Virginia for 2000 and 2002. You state that prior to 2002, all minor party congressional candidates in Virginia were identified on the ballot as Independents.

The Act authorizes the Commission to issue an advisory opinion in response to a "complete written request" from any person with respect to a specific transaction or activity by the requesting person. 2 U.S.C. 437f(a). Commission regulations explain that such a request "shall include a complete description of all facts relevant to the specific transaction or activity with respect to which the request is made." 11 CFR 112.1(c).

Your inquiry requires a more complete description of the facts in order to proceed with an advisory opinion. Therefore, please provide the following information:

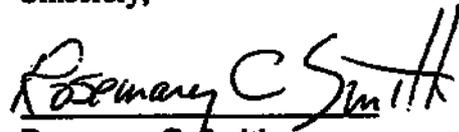
1. With respect to your affiliation with the Libertarian Party, please provide a letter from the Libertarian Party that recognizes LPVA's affiliation with that national organization and recognizes LPVA's claim to State party committee status. In particular, the letter should state the name under which, if any, the Libertarian Party is registered with the Federal Election Commission as a national political party committee, and how long the LPVA has been affiliated with that national organization. In addition, the letter

should state whether LPVA is the only organization that the Libertarian Party recognizes in the Commonwealth of Virginia as being responsible for the operation of the Libertarian Party at the State level.

2. As noted above, your request lists Federal party congressional candidates who attained ballot access in Virginia in 2000 and 2002, and were identified on the Virginia ballot as Independents. In the event that the letter from the Libertarian Party states that LPVA was not affiliated with the Libertarian Party in 2000, please provide signed statements from those Federal candidates who qualified as Federal candidates in 2000 and 2002 under 2 U.S.C. 431(2) acknowledging that candidate's affiliation with the LPVA and his or her status as a past or current candidate of the LPVA. All such letters should be provided to you, and you should then submit them to this office.

Upon receipt of your response, this office will give further consideration to your inquiry. If you have any questions about the advisory opinion process, or this letter, please contact Esa L. Sferra, a staff attorney in this office, or Brad C. Deutsch, Assistant General Counsel, at 202-694-1650.

Sincerely,

A handwritten signature in cursive script that reads "Rosemary C. Smith". The signature is written in dark ink and is positioned above the printed name.

Rosemary C. Smith
Associate General Counsel



Libertarian Party of Virginia

2576 Nicky Lane
Alexandria, Virginia 22311
www.lpva.com
(703) 931-3922

September 2, 2004

Rosemary C. Smith
Associate General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Dear Ms. Smith:

I am writing to you in response to your letter to me of June 14, 2004. Please find enclosed a letter from the Secretary of the Libertarian Party confirming that the Libertarian Party of Virginia is the recognized state party organization of the Libertarian Party in the Commonwealth of Virginia both now and in 2000.

I hope that this is an adequate response to your request for further information as outlined in your letter. If not, please do not hesitate to contact me so that I try to obtain any further information you need as soon as possible.

Yours truly,

Kevin McKenna
Treasurer
Libertarian Party of Virginia

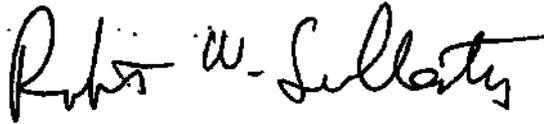
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
SEP 2 2004 1:01 PM

Kevin McKenna
Treasurer
Libertarian Party of Virginia
2576 Nicky Lane
Alexandria, Virginia 22311

Dear Mr. McKenna:

This letter to confirm for the Federal Election Commission that the Libertarian Party of Virginia is now and was in 2000 the recognized state party organization in Virginia of the Libertarian Party.

Sincerely,



Robert W. Sullentrop
National Secretary, Libertarian Party