

# Constitution and Bylaws of the West Virginia Mountain Party

## ARTICLE I:

### NAME AND AFFILIATES

**Section 1.** The West Virginia Mountain Party, affiliated with Mountain Party Regional and County Committees.

## ARTICLE II: PURPOSE/OBJECTIVES

**Section 1.** To promote environmental, economic, social, and political justice.

**Section 2.** To instill true democracy into the political system and to expand enfranchisement.

**Section 3.** To focus on the platform of the Mountain Party

**Section 4.** To promote the agenda of the grassroots Regional and County Committees.

## ARTICLE III: MEMBERSHIP

**Section 1.** Open to all residents of West Virginia regardless of race, color, gender, national origin, religious background, age, handicap, or sexual preference. The Party or its members shall not discriminate against any person on the basis of race, color, gender, national origin, religious background, age, handicap, or sexual preference.

**Section 2.** Each Regional or County may organize its own independent Committee in order to further goals and objectives of the region and interact with the state party organization.

**Section 3.** All State Executive and Regional and County Committee Officers shall be registered Mountain Party members in good standing.

**Section 4.** Subject to the provisions of this Constitution, all registered Party members in good standing shall have the right to nominate candidates and Party Officials, to attend Party meetings and have a voice at such meetings, to vote on referenda, to stand for Party office, to freely assemble with other members, and to freely speak on any issue affecting the Party.

**Section 5.** It shall be the responsibility of each member to comply with the Constitution, Bylaws, and all duly established policies of the Party. Subject to the procedures of Article IX, a member may be barred from holding Party office or position, or an Officer removed or suspended for any breach of his/her responsibility to the Party.

**Section 6.** No Officer or agent of the Party shall have business or financial interests which conflict with his or her duties to the Party.

**Section 7.** The Convention and all regular and special meetings of the Party shall be governed by this Constitution and Bylaws and by Robert's Rules of Order, Newly Revised. The Party shall strive to make its decisions by consensus whenever possible, with a fall-back of two thirds (2/3rds) majority when necessary.

## ARTICLE IV: STANDING COMMITTEES

**Section 1.** There shall be maintained at all times a Constitution Committee, a Finance Committee, a Platform Committee, and a Communications Committee. These Committees shall be open to all registered Party members in good standing subject to the endorsement of the State Executive Committee. The State Executive Committee is empowered to establish temporary (ad hoc) committees that it deems necessary for carrying out business of the Party.

**Section 2.** The Chair of each standing committee shall be elected by the members on that committee. Each standing committee shall establish its own election procedures, and method for conducting business. Whenever possible, committees should endeavor to achieve resolutions by consensus.

**Section 3.** The Finance Committee shall review the financial reports and annual budget, as submitted by the Party Treasurer, and make recommendations for change as necessary. The annual

budget requires approval by a majority vote of the Finance Committee, and a majority vote of the State Executive Committee for passage.

**Section 4.** Chairs of standing committees shall forward reports to the State Executive Committee prior to the biannual Party meetings.

## **ARTICLE V: PARTY STRUCTURE AND OFFICERS**

**Section 1.** The biennial Party Convention shall be the Supreme Body with full and complete authority over all the affairs of the Party.

**Section 2.** The Executive Officers of the Party shall be the Chair, Vice-Chair, Secretary, Treasurer, and three (3) Executive Deputies/Commissioners. Vacancies to an Executive Office, with the exception of the Party Chair, shall be filled by majority vote of the Executive Committee and appointees shall serve out the vacating officer's remaining term.

**Section 3.** The State Executive Committee shall include the Executive Officers of the Party plus one representative from each Regional Committee (that chooses to elect one).

**Section 4.** The State Executive Committee shall meet at least once biannually. The Committee is empowered to determine the location, date, and time of each meeting, and to disburse appropriate funds necessary to conduct these meetings. All meetings shall be conducted within the borders of the State of West Virginia, unless otherwise authorized by the Party Convention. The Committee should attempt to hold required meetings at different locations throughout West Virginia. Advance notice of meetings shall be published/announced at least 30 days in advance, unless it is deemed an emergency meeting. A copy of the minutes of the meeting shall be sent to all Regional Committees. A quorum of the Committee shall be the Chair or Vice-Chair, at least three other Executive Officers, and representatives from at least one-third of the Regional Committees (that choose to elect a representative). The State Executive Committee may conduct business by teleconference, provided minutes are taken and distributed to all Regional Committees, however these teleconferences do not satisfy the biannual meeting requirement. The Party Convention may serve as a required biannual Committee meeting.

**Section 5.** The State Executive Committee shall formulate and act upon goals promoted by the Regional Committees. The Committee shall oversee the day-to-day business of the Party and shall promulgate By-Laws deemed necessary for the functioning thereof; including the authorization to disburse funds to conduct said Party business.

**Section 6.** Each Regional Committee shall establish a democratic structure and elect a representative to the State Executive Committee.

**Section 7.** The Regional Committees shall coincide with the West Virginia State Senatorial Districts.

**Section 8.** The Chair shall be the chief executive officer of the Party and shall be responsible for implementing all policies established by this Constitution, the biennial Party Convention, the State Executive Committee and the Regional Committees. The Chair shall manage and supervise the affairs of the Party. The Chair shall preside at the biennial Party Conventions, and meetings of the State Executive Committee. The Chair shall hold no other position in the party, and shall not hold political office. The Party Chair shall not be permitted to run for political office. The Chair or his/her designee shall serve as spokesperson for the West Virginia Mountain Party.

**Section 9.** The Vice-Chair shall preside at any Convention or meeting from which the Chair is absent, and shall succeed to the office of Party Chair should a vacancy occur. The Vice-Chair shall oversee Ad Hoc Committees. The Vice-Chair shall perform other duties as directed by Party Convention, and/or the State Executive or Regional Committees.

**Section 10.** The Secretary shall be responsible for keeping the minutes at the biennial Party Convention and all meetings of the State Executive Committee and for the maintenance and protection of all records, books, papers, and contracts, excluding financial reports of the Party. The

Secretary shall perform other duties as directed by State Convention, and/or the Party Executive or Regional Committees.

**Section 11.** The Treasurer shall receive, hold, and keep a proper account of all monies of the Party, disburse and collect funds as authorized by proper authority, pay all legitimate Party bills, and render financial reports as required by law and the Party leadership. The Treasurer shall perform other duties as directed by Party Convention, and/or the State Executive or Regional Committees.

**Section 12.** The Executive Deputies/Commissioners shall serve as Executive Officers on the State Executive Committee, and participate in all Committee meetings. They shall serve as at-large delegates to the biennial Party Conventions during their term(s).

## **ARTICLE VI: NOMINATIONS AND ELECTION OF OFFICERS**

**Section 1.** Executive Officers of the Party shall be elected prior to the close of each biennial convention. All registered delegates to the Party Convention shall be eligible to vote for the Party Executive Officers. The candidates for each office receiving a majority of eligible votes cast shall be declared the winning candidate. In the event no candidate receives a majority of the eligible votes cast, a runoff election will be held between the two candidates receiving the most votes.

**Section 2.** All candidates seeking Executive Office must be nominated by a Regional Committee or Party Delegate, and must have accepted the nomination. Nominations must be in writing and be delivered to the Party Secretary prior to the Elections Phase of the Party Convention. Candidates must be registered Party members in good standing.

**Section 3.** Newly elected officers shall commence their term immediately/at the close of the Convention.

## **ARTICLE VII: STATE CONVENTIONS**

**Section 1.** The Party shall meet in State Convention at least every two (2) years at a time and place to be established by the State Executive Committee.

**Section 2.** Only duly credentialed delegates or their alternates may conduct the business of the Convention. Any registered party member in good standing may attend the Convention and speak on any issue.

**Section 3.** Delegates must be registered party members in good standing.

**Section 4.** Each Regional Committee shall elect/appoint two delegates and one alternate to the Convention. In addition, all members of the State Executive Committee, and all Chairs of the Regional Committees shall be credentialed as "at-large" delegates.

**Section 5.** Regional delegates shall be appointed/elected in accordance with procedures set forth in each Regional Committee Constitution/By-Laws.

**Section 6.** The State Executive Committee shall create a Credentials Committee for each State Convention. The Credentials Committee shall be composed of at least five (5) Party members in good standing, of which no more than two (2) members may be from the same Region. Prior to the start of the Convention, the Credentials Committee shall meet and issue a report listing the name of all eligible delegates, alternates, and proposed delegates. The Constitution Committee shall serve as the Rules Committee for each biennial Convention. Other Committees shall be established as deemed necessary by the State Executive Committee or by the voting delegates at the State Convention.

**Section 7.** Following the Rules Phase of the Convention, there shall be a Candidate Phase for the purpose of selecting individuals to represent the Party in the November General election. Candidates for political office shall be nominated and confirmed on the floor of the Convention by the Convention delegates.

**Section 8.** Resolutions and policies approved by the Convention shall form the Bylaws of the Party. All policies enacted by the State Executive Committee shall be presented to the Party

Convention for approval or disapproval. Policies established by the State Executive Committee need approval by the Convention prior to becoming Bylaws of the Party.

#### **ARTICLE VIII: FINANCES**

**Section 1.** The fiscal year shall commence on the first day of January and expire on the last day of December.

**Section 2.** The dues structure will be established by each county with 1/3<sup>rd</sup> of all annual dues going to the state organization (suggested dues - \$10.00/member \$25.00/family unit).

**Section 3.** Candidates running for office are encouraged to forward 1/20<sup>th</sup> (5%) of their campaign contributions to the state organization for party/election support services.

#### **ARTICLE IX: VACANCIES/REMOVALS**

##### **Section 1. Vacancies.**

a. State Executive Committee Chairperson vacancies shall be filled by majority vote of the state Executive Committee. Such vacancies may be temporarily filled by resolution of the state Officers. Each person so appointed by Officers resolution shall be the chairperson pro tem of the office named in the resolution and shall immediately and automatically yield the office upon the filling of the office by state executive committee vote.

b. Vacancies in other Party committees can be temporarily filled by resolution of such committee until the next regular committee election.

##### **Section 2. Removals.**

a. A member may be barred from holding Party office or position, or an Officer removed or suspended for any breach of his/her responsibility to the Party. Each committee of the Party shall have the power to take such remedial action against one of its members when it deems necessary by a vote of at least 2/3 of that body.

#### **ARTICLE X: AMMENDMENTS**

**Section 1.** Amendments to this document can be made at any State convention by a vote of the credentialed delegates attending.