

Libertarian Party of Santa Clara County
Proposed Bylaws Amendments Concerning Vacancies in the Office of Chair
26 June 2021

The recent turmoil in the national LP has uncovered a problem with interpretation of the role of the Vice Chair in cases when the office of Chair becomes vacant. This is just a relatively minor aspect of the overall situation, but it's creating unnecessary additional confusion. And the same confusion could arise in many other LP organizations, including ours, which have similar provisions in their bylaws.

The issue is: if the Chair resigns (or is removed by the Executive Committee, or gets run over by the proverbial flying saucer, or whatever), does the Vice Chair *become* the Chair, or does the Vice Chair just *perform the duties* of Chair until a new Chair is appointed?

Both the national bylaws and ours specify that vacancies in "officer" positions are to be filled by appointment (in the case of national officers by the LNC, in our case by the county Executive Committee). However, the professional parliamentarians are saying that the rule is that the Vice Chair automatically becomes Chair unless the bylaws *explicitly* say otherwise — and that just saying that "officer" vacancies are handled by appointment isn't good enough. The bylaws need to *specifically* say this applies to the office of Chair.

The following changes to Bylaws Article 3 are intended to fix this, one way or the other, for the LPSCC.

If we want the Chair replacement to be handled by the Executive Committee:

Section 3. Vice-Chair

The Vice-Chair shall act as assistant to the Chair, and shall perform the duties of the Chair in the event the Chair is, for any reason, unable to perform the duties of his or her office, or until a new Chair is appointed if the office of Chair becomes vacant.

Section 14. Vacancies

The Executive Committee shall appoint new officers, including the Chair, if vacancies or suspensions occur, such officers to complete the term of the office vacated.

If we want the Vice-Chair to automatically become Chair:

Section 3. Vice-Chair

The Vice-Chair shall act as assistant to the Chair, **and** shall perform the duties of the Chair in the event the Chair is, for any reason, unable to perform the duties of his or her office, and shall automatically become Chair if that office becomes vacant.

Section 14. Vacancies

The Executive Committee shall appoint new officers, other than the Chair, if vacancies or suspensions occur, such officers to complete the term of the office vacated.