

**PEACE & FREEDOM PARTY STATE CENTRAL COMMITTEE
BY-LAWS**

As Last Amended November 22, 2010



PREAMBLE

The Peace & Freedom Party is an open, multi-tendency, movement-oriented socialist party. We are united in our common commitment to socialism, democracy, feminism, and unionism, and in our common opposition to capitalism, imperialism, racism, sexism, and elitism.

These by-laws do not define socialism, nor do they identify the strategies and tactics of how to achieve socialism. We agree that socialism is necessary and that it will open up a democratic decision-making process for appropriate use of resources and distribution of labor.

The Peace and Freedom Party, as a ballot-qualified political party in the State of California, is governed primarily by these Bylaws and secondarily by the State Elections Code. Where there is any discrepancy between the two, these Bylaws shall take precedence over the State Elections Code. The Officers of the State Central Committee shall urge the State Legislature to bring the State Elections Code into conformance with these Bylaws of the State Central Committee of the Peace and Freedom Party of California.

ARTICLE I - MEMBERSHIP IN THE PEACE & FREEDOM PARTY

Section 1: REGISTERED MEMBERS.

A person may join the Peace and Freedom Party by registering as a voter affiliated with the Peace and Freedom Party on an affidavit of registration.

Section 2: AUTHENTICATED MEMBERS.

Any California resident who is prohibited by law from registering to vote may file a statement of membership in the Peace and Freedom Party (an authentication statement) with the local County Clerk/Registrar of Voters office. The authentication statement shall contain the same information as an affidavit of registration. A copy of the statement should be filed with the State Central Committee of the Peace and Freedom Party. Authenticated members hold the same rights as registered members regarding being listed on the Primary Election ballot for election to the Central Committees, and for voting in the partisan portion of the Peace and Freedom Party Primary Election ballot.

Section 3: NON-REGISTERED MEMBERS.

Any person who would register Peace and Freedom Party, if not legally prohibited from doing so by reason of age, citizenship, or legal status, may become a member of any Peace and Freedom Party body by majority vote of that body.

ARTICLE II - PEACE AND FREEDOM PARTY STATE CENTRAL COMMITTEE

Section 1: AUTHORITY.

Under the State Elections Code the Peace and Freedom Party is governed by its State Central Committee and County Central Committees.

Section 2: FORMATION OF THE STATE CENTRAL COMMITTEE.

A new State Central Committee is formed in August every two years after the June Primary Election, in even-numbered years, at a convention meeting of the Peace and Freedom Party. At least one day of the convention must be during the month of August.

Section 3: MEMBERSHIP ON THE STATE CENTRAL COMMITTEE.

Members of the State Central Committee are

1. those persons elected to the Central Committee at the direct primary election, and
2. those persons appointed to membership of the State Central Committee pursuant to ARTICLE II, Section 5.

Section 4: ELECTION OF MEMBERS OF THE STATE CENTRAL COMMITTEE.

Pursuant to the State Elections Code, registered Peace and Freedom Party voters elect the members of the State and County Central Committees at the June direct primary elections.

A. Registered Peace and Freedom Party voters and authenticated Peace and Freedom Party members may become candidates for the Central Committees by filing candidacy papers with the local County Clerk/Registrar of Voters office in February or March of even-numbered years, and obtaining the required number of signatures of other registered and/or authenticated Peace and Freedom Party members in their areas.

B. Candidates for Peace and Freedom Party nomination to partisan offices shall automatically be listed as candidates for Central Committee in their Central Committee districts of residence (county, assembly district, or supervisorial district). The district in which each person chosen as a nominee for partisan office resides shall be entitled to one additional Central Committee member beyond that to which the district is otherwise entitled.

C. In primary elections where persons registered with other political parties are allowed to vote for Peace and Freedom Party nominees for partisan public offices, the people receiving the nominations shall not be declared elected to the Peace and Freedom Party County and State Central Committees as a result of the nominations.

Section 5: APPOINTMENT OF MEMBERS OF THE STATE CENTRAL COMMITTEE.

Pursuant to the State Elections Code, the State Central Committee may appoint members as are deemed proper. The following provisions shall govern appointment of new members:

A. A person shall not be considered for appointment to the State Central Committee unless first a member of a County Central Committee or a recognized local Chapter except by a 75% vote of the State Central Committee members present and voting.

B. To be considered for appointment to membership on the State Central Committee a person must be a member as defined in ARTICLE I of these By-Laws, and must personally be in attendance at the meeting at which the introduction and membership proposal are made. The person must then attend at least one other meeting within 18 months of the original introduction, and may be voted on at that time.

C. Appointment of new members shall be by a majority vote of those present and voting, except as provided for in SECTION 5:A above.

D. It shall be the responsibility of the Secretary of the State Central Committee to maintain a list of all current members of the State Central Committee. This list shall be made available, upon payment of a fee sufficient to cover costs, to any member of the State Central Committee upon request. The list shall include names, addresses, email addresses where available, and phone numbers.

E. No new members shall be added to the State Central Committee at its Convention meeting.

F. Notwithstanding the foregoing provisions of this section, anyone elected as a Member of Central Committees at a Primary Election shall be eligible for immediate appointment to the State Central Committee at a meeting held following the Primary Election, but prior to the Convention Meeting of the newly-elected State Central Committee.

Section 6: DUES OF THE STATE CENTRAL COMMITTEE.

All members of the State Central Committee are responsible for the payment of dues. State Central Committee dues are \$10.00 per month regular, \$5.00 per month low income, \$2.00 per month hardship, but there shall be no means testing of Members' claims to low income or hardship rates.

At the Convention meeting of the State Central Committee, each Member who was a Member during the previous term of the State Central Committee and who owes \$10.00 or more in dues must pay at least \$10.00 of those dues before being seated for the new term.

Section 7: MEETINGS OF THE STATE CENTRAL COMMITTEE.

The State Central Committee shall meet at least three times per year at times and places determined by the State Central Committee or State Executive Committee. All meetings of the State Central Committee shall be open. Voting rights shall be restricted to members of the State Central Committee. Discussions of accusations, differences of political philosophy, and intent that would not be conducive to advancing the business of building the Peace and Freedom Party shall either be taken care of in a special subcommittee or at a specially-called meeting of the State Central Committee separate from the generally-scheduled State Central Committee meetings. The right of 2 non-members to speak may be limited upon a majority vote of those present.

Meetings of the State Central Committee shall be run according to the most current edition of Robert's Rules of Order with the following exceptions:

- A. All motions are debatable. The Chair may, with the consent of the body, limit debate on procedural motions to one speaker for and one speaker against.
- B. All motions may be passed by a simple majority, unless otherwise provided for in these By-Laws.
- C. Challenges of discrimination may be raised, specifically points of racism, sexism, homophobia, and ageism, with a brief explanation offered.
- D. At any time, any member shall be granted twenty seconds of silence by the body, upon demand.
- E. All meetings shall be held and conducted in a manner providing reasonable access to disabled persons.

Section 8: OFFICERS OF THE STATE CENTRAL COMMITTEE.

All officers are accountable to the State Central Committee for their actions. The Officers of the State Central Committee may meet from time to time between meetings of the State Executive Committee and the State Central Committee, at the call of the State Chairperson or of a majority of the Officers, and shall have such powers and duties as shall be delegated to them by these bodies. A quorum for such meetings shall be a simple majority of Officers. Minutes shall be kept of such meetings, whether conducted in person, by phone, or by e-mail, and reported to the SCC no later than its next meeting. Members of the SCC shall be permitted to attend and, at the discretion of the Officers, speak at such meetings.

At its convention meeting, the State Central Committee shall directly elect not fewer than nine nor more than 13 members of the Peace and Freedom Party as officers of the State Central Committee. The SCC shall first elect a Chairperson, Secretary, and Treasurer by majority vote. At least one-half of the officers shall be women. After these officers are elected, the remaining officers-at-large shall be elected by the single transferable vote method of proportional representation, modified so as to guarantee that those elected meet the party's gender balance requirements and any other diversity requirements provided elsewhere in these by-laws. The chairperson shall convene a meeting of the officers-at-large to divide among themselves such secretarial, organizational, and other duties as are necessary and appropriate. These duties may be reassigned to other officers as necessary during the term between convention meetings of the SCC.

The State Central Committee shall have the following officers with the following responsibilities.

- A. CHAIRPERSON OF THE STATE CENTRAL COMMITTEE shall have the following responsibilities:
 - 1. Act as the official spokesperson of the State Party, and act, after reasonable consultation with the other State Officers, for the State Executive Committee and State Central Committee, and report such actions.
 - 2. Initiate organizing of new County Central Committees and local chapters, and in unorganized counties, appoint interim County Central Committee members to serve until ratified by the State Central Committee.
 - 3. Maintain cordial relations with organizations and coalitions which share common goals with one or more platform planks of the Peace and Freedom Party.
 - 4. Coordinate activities as directed by the State Central Committee.
 - 5. Be an ex-officio member of all committees of the State Central Committee.

- B. SECRETARY OF THE STATE CENTRAL COMMITTEE shall have the following responsibilities:
1. Prepare minutes of each meeting of the State Executive Committee and the State Central Committee.
 2. Shall maintain a list of all State Central committee members and shall make the list available upon payment of fee to cover costs to any member of the State Central Committee.
 3. Maintain a permanent accessible list of all motions passed by the State Central Committee and State Executive Committee.
 4. Shall obtain copies of all Peace and Freedom candidates and campaign committee's campaign expenditure and disclosure statements and shall mail copies of these to State Central Committee members upon request.
 5. Shall assist the Chair in drafting and distributing correspondence necessary to the work of the Party, including but not limited to communications with members, other organizations, the legislature, elected and appointed officials, and the public.
 6. Prepare notices of upcoming meetings. Notices of State Central Committee meetings and abstracts of meeting minutes shall be posted to every member of the State Central Committee.
- C. TREASURER OF THE STATE CENTRAL COMMITTEE shall have the following responsibilities:
1. Shall be responsible for the collection of dues, pledges, and other donations; and responsible for the disbursement of funds for payment of expenditures approved by the State Central Committee and State Executive Committee.
 2. Shall serve as a member of the Finance Committee.
 3. Shall prepare a written financial statement which shall be presented at each meeting of the State Central Committee or State Executive Committee.
 4. Shall prepare and file the required State Central Committee Statements of Receipt and Expenditures as required by State and Federal laws.
- D. STATE EXECUTIVE COMMITTEE MEMBER(S)-AT-LARGE shall assist the State Chairperson and shall perform such other duties as are assigned by the State Central Committee and/or the State Executive Committee.

Section 9: STATE EXECUTIVE COMMITTEE OF THE STATE CENTRAL COMMITTEE

There shall be established a State Executive Committee of the State Central Committee, which shall have such power and duties as shall be delegated to it by that body, save and except as specifically prohibited herein. The State Executive Committee shall be constituted as follows:

- A. All officers of the State Central Committee as provided for in Article II, Section 8, of these By-Laws shall be members of the State Executive Committee.
- B. Each recognized County Central Committee and Local Chapter shall elect delegates to the State Executive Committee. All such delegates must be dues-paid members of the State Central Committee.
1. Counties or Local Chapters with from 1 to 4 dues-paid members of the State Central Committee may send one delegate to meetings of the State Executive Committee.
 2. Counties or Local Chapters with from 5 to 19 dues-paid members may elect two delegates to meetings of the State Executive Committee, one of whom must be a man and one of whom must be a woman.
 3. Counties or Local Chapters with between 20 and 45 dues-paid members may send four delegates to State Executive Committee meetings, two of whom must be men and two of whom must be women.
 4. Counties or Local Chapters with 40 or more dues-paid members may send one additional delegate for each additional ten members or major fraction thereof. Where a County or Local Chapter is entitled to an odd number of delegates, one-half plus one of said delegates shall be women.
 5. For purposes of this section, "dues-paid members" shall mean persons admitted to membership in the State Central Committee at regularly constituted meetings thereof, and whose annual dues have been paid to the Treasurer of the State Central Committee.
 6. All delegates to the State Executive Committee must be residents of the geographical area which they represent.

C. The State Executive Committee may not admit, expel, or suspend members, appoint officers, or co-opt any persons to its own membership.

D. Notwithstanding the other provisions set forth above, if the number of delegates registered at the opening session of the Convention meeting of the State Central Committee is less than 75 or the number of counties from which delegates come is less than 8, the State Executive Committee shall consist only of the State Officers, including the State Executive Committee Members-at-large.

Section 10: DECISIONS OF THE STATE CENTRAL COMMITTEE AND THE STATE EXECUTIVE COMMITTEE.

Between meetings of the State Executive Committee, the State Chairperson may act, after reasonable consultation with the other state officers, for the State Executive Committee and State Central Committee in urgent matters requiring immediate attention.

All such actions shall be reported at the next meeting of the State Executive Committee for endorsement or reversal. All actions of the State Executive Committee shall be reported to the State Central Committee at its next meeting for endorsement or reversal.

Section 11: RESPONSIBILITIES OF THE STATE CENTRAL COMMITTEE.

The responsibilities of the State Central Committee shall include the following:

- A. Maintenance of the ballot status of the Peace and Freedom party.
- B. To ensure ballot access to socialists, feminists, to the poor and working class, to racial and ethnic minorities, to youth and older people, to lesbians and gays, and to persons with disabilities.
- C. Promotion of Peace and Freedom Party candidates for partisan office.
- D. Promotion of the principles set forth in the platform of the Peace and Freedom Party.
- E. Promote the building of an active mass organization, including material support for the program of the Party.
- F. Regularly providing current information about Party activities to members and registrants.
- G. Support the struggles of the working class and other oppressed peoples.
- H. Take positions and actions on legislation as appropriate.

Section 12: QUORUM OF THE STATE CENTRAL COMMITTEE.

A quorum of the State Central Committee shall be 10% of the entire membership, represented in person.

A quorum shall be deemed to be present for the purpose of considering motions and proposals if the meeting has not been adjourned, unless fewer than 50% (one-half) of the members who have signed in as participants at the meeting remain. However, the State Central Committee may make rules and regulations establishing a different quorum requirement, and any provision so made shall supersede the provisions of this section.

Section 13: RIGHTS OF STATE CENTRAL COMMITTEE MEMBERS.

All members of the State Central Committee have the right to attend, speak, and vote at all meetings of the State Central Committee.

Section 14: REMOVAL OF STATE CENTRAL COMMITTEE MEMBERS.

Any member of the State Central Committee may be expelled by a two-thirds vote at a State Central Committee meeting pursuant to the provisions of the Elections code. Reasons for expulsion are limited to the following:

- A. Membership in a racist, sexist, anti-working class organization such as the KKK or Nazi Party.

- B. Secret membership in a repressive agency, such as the FBI, CIA, or police spy squad.
- C. Cooperation with any police or prosecutorial action in connection with any dispute within the Peace and Freedom Party or the Left in general, except in cases of serious acts of violence.
- D. Racist, sexist, or other behavior bringing discredit on the Peace and Freedom Party.
- E. Physical violent behavior against another person at meetings (such as striking, pushing or shoving, etc.).
- F. Public opposition to a Peace and Freedom Party nominee for public office (unless the State Central Committee opposes such nominee).
- G. Registration with another political party or as an independent (Decline to State).
- H. Members may also be removed from the State Central Committee (but not expelled) for nonpayment of dues.
- I. Members considered for removal/expulsion under this section must be notified at least one month in advance and have the opportunity to defend themselves before such action is taken.

Section 15: SUBCOMMITTEES OF THE STATE CENTRAL COMMITTEE.

The State Central Committee may create standing and/or ad hoc subcommittees as it deems appropriate. Such subcommittees must report their activities to the State Central Committee at each meeting.

Section 16: CONTINUATION OF CENTRAL COMMITTEES: RESERVE PROVISION.

- A. If the California Secretary of State or a court of appropriate jurisdiction issues a ruling that the Peace and Freedom Party no longer has ballot status, the County and State Central Committees in office at that time shall continue to govern the Party under these Bylaws for a period not to exceed two years following the expiration of the terms to which they were elected. During this period the State Central Committee may amend these Bylaws to provide for alternative methods and procedures for renewing the membership of the County and State Central Committees. Upon regaining its ballot status, the Party shall return to the election of members of Central Committees as specified in these Bylaws.
- B. Should the lack of ballot status prevent the election of new Members of Central Committees to take office at the August Convention Meeting of a Primary Election year, the State Central Committee and each County Central Committee, during a meeting noticed and held during August or September of that year, shall reappoint to two-year terms such members as the majority of those members present shall select. Those who have served during the previous term may be reappointed even if they are unable to be present at the meeting. In such a year the provision that members may not be added during a Convention Meeting shall not be operative, though other conditions for appointment contained in these Bylaws must be met.

ARTICLE III - COUNTY CENTRAL COMMITTEES/RECOGNIZED LOCAL CHAPTERS.

County Central Committees and recognized Local Chapters shall be formed wherever possible. No local organization shall be granted representation on the State Executive Committee or State Central Committee without the consent of the County Central Committees from which it draws its membership. Such County Central Committees and recognized local Chapters should be run according to principles similar to the State Central Committee. The Finance Committee is a standing committee of all local Chapters. Its duty is to raise funds for the Peace and Freedom Party.

ARTICLE IV - TENDENCIES WITHIN THE PEACE AND FREEDOM PARTY AND STATE CENTRAL COMMITTEE.

The Peace and Freedom Party and the State Central Committee permit the formation of tendencies and the expression of various viewpoints.

ARTICLE V - AMENDMENT OF THESE BY-LAWS OF THE STATE CENTRAL COMMITTEE.

These By-Laws remain permanent and in effect until amended and they govern the operation of each newly-elected State

Central Committee. These By-Laws may be amended by a majority vote of the Convention meeting of the State Central Committee; or at any meeting amendments may be proposed, but may not be acted upon until the next meeting. All members must be notified of the proposed changes by the State Executive Committee at least three weeks prior to such action.

ARTICLE VI. PEACE AND FREEDOM PARTY NOMINATIONS FOR PARTISAN PUBLIC OFFICE

Section 1: CONDUCT OF PRIMARY ELECTION.

The Primary Election of the Peace and Freedom Party shall be held the first Tuesday following the first Monday in June of each even-numbered year. The Primary Election shall determine who is elected to serve as Members of the State Central Committee at its Convention meeting, as provided for in Article II, Section 4 of these By-Laws. The Primary Election shall also determine who shall be nominated by the Peace and Freedom Party for partisan public office, as provided for in Article VI, Sections 3 and 4 of these By-Laws, except for the offices of President and Vice-President of the United States of America.

Section 2: ELIGIBILITY TO VOTE IN PRIMARY ELECTION.

Any Registered or Authenticated Member of the Peace and Freedom Party, as defined in Article I of these Bylaws, shall be eligible to vote in the Peace and Freedom Party Primary Election. Local County Clerks/Registrars of Voters shall provide means for Authenticated Members of the Peace and Freedom Party to cast a partisan ballot in the Primary Election.

Section 3: NUMBER OF NOMINATION SIGNATURES REQUIRED.

On a nomination paper for a person seeking the Peace and Freedom Party nomination for a partisan public office, the number of signers required shall be the number specified by the Elections Code or ten (10) percent of the number of Peace and Freedom Party registered voters in the district, whichever number is less. This section does not cover the nomination papers for the party office of Member of Central Committees.

Section 4: NOMINATION BY WRITE-IN VOTES: NUMBER OF VOTES REQUIRED.

A. A person who is a Peace and Freedom Party registrant as of the close of voter registration for the primary seeking the Peace and Freedom Party nomination by write-in vote in the direct primary election shall be deemed nominated and shall have her or his name printed on the general election ballot as Peace and Freedom Party nominee if she or he receives a total number of votes in the Peace and Freedom Party direct primary election for that office equal to or greater than two (2) per cent of the number of Peace and Freedom Party registered voters eligible to vote for that office and voting in the primary election, or more than a candidate whose name appears on the primary ballot. This requirement shall replace that of the California Elections Code for Peace and Freedom Party direct primary nominations by write-in votes.

B. In addition, a write-in candidate who receives the most votes, but who does not qualify under paragraph A of this section, shall be placed on the general election ballot only if ratified by a majority vote of the State Central Committee, or, if the State Central Committee fails to consider the question, by a majority vote of the State Executive Committee. If the write-in candidate is not a Peace and Freedom Party registrant, the ratification requires a 75% majority of the appropriate body.

Section 5: NOMINATION BY CONVENTION.

Any nomination for partisan office not filled by the voters at the Primary Election may be filled by nomination by majority vote of the Convention Meeting of the State Central Committee of the Peace and Freedom Party.

Section 6: CONFIRMATION BY CONVENTION.

Any candidate nominated for partisan public office in the Primary Election may, when California law allows registrants of other ballot-qualified parties to vote in the Peace and Freedom Party Primary, be removed from nomination by three-quarters vote (75%) of the Convention Meeting of the Peace and Freedom Party.

Section 7: PRIMARY ELECTION OPEN ONLY TO PARTY MEMBERS; NOMINEE SELECTION PROVISIONS.

A. Candidates of the Peace and Freedom Party for partisan office shall be selected at a Primary Election.

Notwithstanding any provision of law, the right to vote at such a Primary shall be limited to persons who are registered or authenticated members of the Peace and Freedom Party.

B. If a Primary Election occurs which does not meet the requirements of Paragraph A of this Section, the nominees of the Peace and Freedom Party for state-wide office shall be selected at the Convention meeting of the Peace and Freedom Party State Central Committee. Within three days of the conclusion of the Convention meeting, the State Chairperson shall give written notice to the Secretary of State of the names of the candidates chosen at the Convention.

C. If a Primary Election which does not meet the requirements of Paragraph A of this Section is held, and no candidate is selected by the Convention Meeting of the State Central Committee, then the Peace and Freedom Party member who received the largest number of votes in that Primary shall be the Peace and Freedom Party nominee.

D. Offices other than statewide offices:

1. If a Primary Election occurs which does not meet the requirements of Paragraph A of this Section, the Peace and Freedom Party nominees for partisan office other than statewide office shall be chosen by a convention at which the delegates are members of the State Central Committee who reside in the district.
2. The convention will be held in July in a county in which the district is wholly or partly located, to be called on an exact date and place by the State Chairperson in consultation with the County Chairpersons of counties within which the district is located. When possible the convention will be held jointly with those for other offices elected by district in the same area.
3. If a Primary Election which did not meet the requirements of Paragraph A of this Section is held, and no candidate is selected by a district convention as provided for in this Paragraph, then the Peace and Freedom Party member who received the largest number of votes in the Primary Election shall be the Peace and Freedom Party nominee.

Section 8: MEMBERSHIP REFERENDA AND INITIATIVES .

A. Referenda - The California Secretary of State shall cause to be printed on the Primary Election ballot of the Peace and Freedom Party up to three referenda not to exceed one hundred (100) words in length each, as directed by the State Central Committee of the Peace and Freedom Party. The Chairperson of the State Central Committee shall communicate the wording of the referenda to the Secretary of State no later than the deadline date for qualifying statewide ballot initiatives for the Primary Election.

B. Initiatives - The California Secretary of State shall cause to be printed on the Primary Election ballot of the Peace and Freedom Party initiative measures not to exceed one hundred (100) words in length each, upon confirmation of the signatures of five thousand (5,000) Registered and/or Authenticated Members of the Peace and Freedom Party. The initiative petition format and deadline shall be the same as for statewide ballot initiatives.

ARTICLE VII - SEVERABILITY

If any provision of these By-Laws shall be held invalid by operation of law or by any court of competent jurisdiction, or if compliance with or enforcement of any provision should be restrained by any tribunal, then the remainder of these By-Laws shall not be affected thereby.

D.Kadlecek June 2008;

D.Reiger as approved by SCC November 2009

B. Richard as approved by SCC November 22, 2010