MINUTES OF THE STATE COMMITTEE
OF THE LIBERTARIAN PARTY OF NEW YORK
HELD ON SATURDAY, JANUARY 23, 2021
ON THE ZOOM MEETING APP AND PORCUPINE APP

The meeting was called to order at 1:05 p.m. by William Cody Anderson, Chair. A roll call of voting members was conducted by Andrew Kolstee, Secretary. 41 of 60 Members of the State Committee were present at the time of roll call; Susan Overeem Cummings and Enmanuel Torres later entered the meeting.

MEMBERS PRESENT

Mark N. Axinn, Judicial District 1
William Cody Anderson, Judicial District 3
Jay A. Carr, Judicial District 3
Todd G. Haggerty, Judicial District 3
Lora L. Newell, Judicial District 3
Robert M. Arrigo, Judicial District 4
John A. Janes, Judicial District 4
Karyn A. Keniry-Thompson, Judicial District 4
Brandon G. Lyon, Judicial District 4
Zachary D. Remian, Judicial District 4*
Rachel E. Becker, Judicial District 5*
Milva E. Dordal, Judicial District 5
David E. Fite, Judicial District 5*
Shawn Hannon, Judicial District 5
Sean S. Stevens, Judicial District 5
Mark S. Braiman, Judicial District 6
Timothy M. O'Connor, Judicial District 6
Christopher M. Olenski, Judicial District 6
Richard F. Purtell, Judicial District 6
Thomas D. Quiter, Judicial District 6
Paul C. Sechrist, Judicial District 6*
Steven G. Becker, Judicial District 7
Kari Bittner, Judicial District 7
Anthony D'Orazio, Judicial District 7
James M. Dayton, Judicial District 7
Mark E. Glogowski, Judicial District 7
Andrew C. Hollister, Judicial District 7
Sean C. Phelan, Judicial District 7
Kevin A. Wilson, Judicial District 7
Erin M. Becker, Judicial District 8
Andrew M. Kolstee, Judicial District 8
Peyton D. Kunselman, Judicial District 8
Francis Law, Judicial District 8
F. Patrick Mahoney, Jr., Judicial District 8
Leonard E. Morlock, Judicial District 8*
Duane J. Whitmer, Judicial District 8
Daniel P. Donnelly, Judicial District 9
Pietro S. Geraci, Judicial District 9
Robert J. Greibesland, Judicial District 9
Anthony W. Pellegrino, Judicial District 9
William K. Schmidt, Judicial District 9
Gary L. Donoyan, Judicial District 10
Michael A. Arcati, Judicial District 11
Gabrielle S. Cordova, Judicial District 11
Irwin Mark Weinblatt, Judicial District 11
Enmanuel H. Torres, Judicial District 12
Richard Bell, Judicial District 13
Susan B. Overeem-Cummings, Judicial District 13

MEMBERS ABSENT

Ilya Schwartzburg, Judicial District 1
Gilbert L. Mildonnet, Judicial District 2
Matthew I. Morgan, Judicial District 2
Gary S. Popkin, Judicial District 2
Stacey H. Prussman, Judicial District 2*
Nathan P. Dunn, Judicial District 4
Craig A. Miles, Judicial District 5
Eric A. Cooper, Judicial District 7
James P. Russell, Judicial District 7
Kathleen M. Ligammari, Judicial District 8
Tara L. Scrivano, Judicial District 8
Deepak Bansal, Judicial District 10
Kenneth Epstein, Judicial District 10
Carmen Horan, Judicial District 10
Bobby K. Kalotee, Judicial District 10
Satinder Kaur, Judicial District 10
Mahavir Singh, Judicial District 10
Aaron A. Commey, Judicial District 12

OBSERVERS

Paul M. Grindle, Member-At-Large, Executive Committee
Christian J. Vondras, Candidate for Judicial Committee
Timothy "TJ" Ferreira, Porcupine Administrator
David Naranjo

(*) indicates a member of the State Committee filling a vacancy during the meeting.

The Chair issued welcoming remarks. The resignations of six members of the State Committee were recognized: Michael Madrid on January 22, 2021 as a member from Judicial District 1 **(Exhibit 1)**, Tucker Coburn on January 22, 2021 as a member from Judicial District 2 **(Exhibit 2)**, Frederick Cole on January 19, 2021 as a member from Judicial District 4 **(Exhibit 3)**, Maria Borell on December 22, 2020 as a member from Judicial District 5 **(Exhibit 4)**, Dustin Tait on December 6, 2020 as a member from Judicial District 6 **(Exhibit 5)**, and Nicholas Phelps on December 8, 2020 as a member from Judicial District 8 **(Exhibit 6)**. The Chair issued remarks in regard to the ongoing ballot access lawsuit and the activities of the Executive Committee and committees.

Motion by Andrew Kolstee to **adopt the "Special Rules of Order of the Libertarian Party of New York for the State Committee Meeting of January 23, 2021" (Exhibit 7)** was seconded by Francis Law and passed 36-2 with 1 abstention without debate.

Secretary Andrew Kolstee issued a Credentials and Nominations report **(Exhibit 8)**. The following individuals were submitted to the Secretary to fill vacancies in the State Committee and accepted their nominations. Motion by Andrew Kolstee to **enter the following candidates into nomination to fill vacancies on the State Committee:**

> **Zachary D. Remian, nominated by William Cody Anderson to fill a vacancy in Judicial District 4**
> **Rachel E. Becker, nominated by Anthony D'Orazio to fill a vacancy in Judicial District 5**
> **David E. Fite, nominated by Pietro S. Geraci to fill a vacancy in Judicial District 5**
> **Paul C. Sechrist, nominated by Timothy M. O'Connor to fill a vacancy in Judicial District 6**
> **Leonard E. Morlock, nominated by Andrew M. Kolstee to fill a vacancy in Judicial District 8**

The candidates were entered into nomination without objection.

The Chair opened the floor to additional nominations to fill vacancies in Judicial District 1. Mark Axinn indicated that the County Affiliate in New York County does not have any candidates to fill vacancies in Judicial District 1 at this time.

The Chair opened the floor to additional nominations to fill vacancies in Judicial District 2.

Thomas Quiter **nominated Ryan "Romo" Hallahan to fill a vacancy in Judicial District 2**. Ryan "Romo" Hallahan accepted the nomination.

Anthony D'Orazio **nominated Stacey Prussman to fill a vacancy in Judicial District 2**.

Motion by Pietro Geraci to **suspend the Special Rules of Order in order to move the election to fill the vacancy in Judicial District 2 to the end of the filling of vacancies** was seconded by Anthony D'Orazio and failed 13-21, with 2 abstentions.

Stacey Prussman accepted the nomination.

Paul Grindle spoke on the candidacy of Stacey Prussman.

Peyton Kunselman spoke on the candidacy of Ryan "Romo" Hallahan.

In the first round of voting for the vacancy in Judicial District 2 on the State Committee, the results were as follows:

Candidate (vote for 1)	**Votes**	**Percentage**
Stacey Prussman	22	56.41%
Ryan "Romo" Hallahan	8	20.51%
NOTA	9	23.08%
Total Votes	39	100.00%
Total Voters	39	

Stacey Prussman was elected to fill the vacancy in Judicial District 2 on the State Committee.

The Chair opened the floor to additional nominations to fill vacancies in Judicial District 4. No additional candidates were nominated.

Zachary Remian spoke on his candidacy.

In the first round of voting for the vacancy in Judicial District 4 on the State Committee, the results were as follows:

Candidate (vote for 1)	**Votes**	**Percentage**
Zachary Remian	38	97.44%
NOTA	1	2.56%
Total Votes	39	100.00%
Total Voters	39	

Zachary Remian was elected to fill the vacancy in Judicial District 4 on the State Committee.

The Chair opened the floor to additional nominations to fill vacancies in Judicial District 5. No additional candidates were nominated.

Christopher Olenski made a request for information regarding the eligibility of David Fite, concerning his enrollment as a Libertarian in Judicial District 5 and enrollment as a Democrat in

Judicial District 2. His most recent enrollment was as a Libertarian in Judicial District 5 on September 16, 2020. Timothy O'Connor made request for information regarding David Fite's residency in New York State. Sean Stevens, residing in the same county as David Fite, spoke on his interactions with the candidate. The Chair ruled that the nomination of David Fite is in order.

Rachel Becker spoke on her candidacy.

David Fite spoke on his candidacy.

In the first round of voting for the vacancy in Judicial District 5 on the State Committee, the results were as follows:

Candidate (vote for 1)	**Votes**	**Percentage**
Rachel Becker	32	78.05%
David Fite	26	63.41%
NOTA	3	7.32%
Total Votes	61	100.00%
Total Voters	41	

Rachel Becker and David Fite were elected to fill vacancies in Judicial District 5 on the State Committee.

Christopher Olenski objected to the election of David Fite. The Chair ruled it out of order.

The Chair opened the floor to additional nominations to fill vacancies in Judicial District 6. No additional candidates were nominated.

Duane Whitmer spoke on the candidacy of Paul Sechrist.

In the first round of voting for the vacancy in Judicial District 6 on the State Committee, the results were as follows:

Candidate (vote for 1)	**Votes**	**Percentage**
Paul Sechrist	30	78.05%
NOTA	6	63.41%
Total Votes	36	100.00%
Total Voters	36	

Paul Sechrist was elected to fill the vacancy in Judicial District 6 on the State Committee.

The Chair opened the floor to additional nominations to fill vacancies in Judicial District 8. No additional candidates were nominated.

Leonard Morlock spoke on his candidacy.

In the first round of voting for the vacancy in Judicial District 8 on the State Committee, the results were as follows:

Candidate (vote for 1)	**Votes**	**Percentage**
Leonard Morlock	39	95.12%
NOTA	1	2.44%
"Mrak Potorwa" (write-in)	1	2.44%
Total Votes	41	100.00%
Total Voters	41	

Leonard Morlock was elected to fill the vacancy in Judicial District 8 on the State Committee.

The meeting stood at ease from 2:18 p.m. to 2:25 p.m.

The Secretary issued a quorum report. 47 of 66 Members of the State Committee were present. The report was accepted without objection.

Rules Committee Chair Paul Grindle issued a report in writing **(Exhibit 9)** outlining 30 numbered proposals as recommendations of the Rules Committee to amend the Rules of the Libertarian Party of New York.

Motion by Christopher Olenski **to amend the Rules of the Libertarian Party of New York by accepting the recommendations of the Rules Committee** was seconded by James Dayton and debated.

Motion by Mark Braiman **to divide the question and consider Proposals 1, 2, 10, 11, and 14 separately and individually and to consider Proposals 3, 4, 5, 7, 8, 9, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 as a whole** was seconded by Mark Glogowski and debated. A friendly amendment by Gary Donoyan to **divide the question and include Proposal 6 to be considered separately and individually** was accepted without objection.

The original motion by Mark Braiman **to divide the question and consider Proposals 1, 2, 6, 10, 11, and 14 separately and individually and to consider Proposals 3, 4, 5, 7, 8, 9, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 as a whole** passed 27-13, with 2 abstentions as amended.

The motion to **amend the Rules of the Libertarian Party of New York by adopting Proposals 3, 4, 5, 7, 8, 9, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 as recommended by the Rules Committee** passed 35-3 with 1 abstention without debate.

The motion to **amend the Rules of the Libertarian Party of New York by adopting Proposal 1 as recommended by the Rules Committee** was debated and passed 25-9 with 6 abstentions.

The motion to **amend the Rules of the Libertarian Party of New York by adopting Proposal 2 as recommended by the Rules Committee** was debated. Motion by Mark Braiman to **divide the question and consider each paragraph separately** was debated and passed 27-11 with 1 abstention.

The motion to **amend Article 6.6 of the Rules of the Libertarian Party of New York by adopting the first paragraph of Proposal 2 as recommended by the Rules Committee** passed 34-4 with 1 abstention.

The motion to **amend Article 6.6.1 of the Rules of the Libertarian Party of New York by adopting the second paragraph of Proposal 2 as recommended by the Rules Committee** failed 35-3 with 2 abstentions.

Motion by Pietro Geraci **to suspend the Special Rules of Order and proceed to filling of the vacancy on the Executive Committee and the election of the Judicial Committee** was seconded by Mark Braiman and failed 20-17, with 1 abstention.

The motion to **amend the Rules of the Libertarian Party of New York by adopting Proposal 6 as recommended by the Rules Committee** was debated and failed 28-10 with 4 abstentions.

The motion to **amend the Rules of the Libertarian Party of New York by adopting Proposal 10 as recommended by the Rules Committee** was debated. Motion by Andrew Kolstee to **divide the consideration of additions and deletions of Proposal 10 separately** was seconded by Mark Braiman and passed 22-15, with 4 abstentions.

The meeting stood at ease from 3:34 p.m. to 3:40 p.m.

The motion to **amend the Rules of the Libertarian Party of New York by adopting the additions in Proposal 10 as recommended by the Rules Committee** was debated and passed 36-3, with 1 abstention.

The motion to **amend the Rules of the Libertarian Party of New York by adopting the deletions in Proposal 10 as recommended by the Rules Committee** was debated and failed 23-13, with 3 abstentions.

The motion to **amend the Rules of the Libertarian Party of New York by adopting the additions in Proposal 11 as recommended by the Rules Committee** was debated. Motion by Mark Braiman to **divide the question and consider each paragraph separately** was seconded by James Dayton and failed 32-7, with 1 abstention. The original motion to **amend the Rules of the Libertarian Party of New York by adopting Proposal 11 as recommended by the Rules Committee** passed 34-7.

The motion to **amend the Rules of the Libertarian Party of New York by adopting Proposal 14 as recommended by the Rules Committee** was debated and passed 26-15 with 1 abstention.

Secretary Andrew Kolstee issued a Credentials and Nominations report **(Exhibit 8)**. Shawn Hannon indicated that he declined his nomination. The following individual was submitted to the Secretary to fill the Member-At-Large vacancy on the Executive Committee and accepted the nomination. Motion by Andrew Kolstee to **enter the following candidate into nomination to fill the Member-At-Large vacancy on the Executive Committee:**

Gabrielle S. Cordova, nominated by Anthony D'Orazio

The candidate was entered into nomination without objection.

Christopher Olenski **nominated William Schmidt to fill the Member-At-Large vacancy on the Executive Committee**. William Schmidt declined the nomination. The Chair ruled that William Schmidt is ineligible.

Gabrielle Cordova spoke on her candidacy.

In the first round of voting for Member-At-Large on the Executive Committee, the results were as follows:

Candidate (vote for 1)	**Votes**	**Percentage**
Gabrielle Cordova	40	95.24%
NOTA	2	4.76%
Total Votes	42	100.00%
Total Voters	42	

Gabrielle Cordova was elected Member-At-Large on the Executive Committee.

Motion by Mark Glogowski **to amend the Rules of the Libertarian Party to change the name of the Judicial Committee** was ruled out of order by the Chair as it is a violation of Election Law and the Rules of the Libertarian Party of New York.

The meeting stood at ease from 4:28 p.m. to 4:33 p.m.

Motion by Paul Sechrist **to adjourn**. Motion by Duane Whitmer **to adjourn**. Motion by Zachary Remian **to adjourn**. The Chair ruled that the motions were out of order. Motion by Anthony D'Orazio to **appeal the ruling of the chair** was seconded by Paul Sechrist and failed 31-10, with 2 abstentions.

Motion by Robert Arrigo to **suspend the Special Rules of Order to postpone the election of the Judicial Committee to the next meeting of the State Committee** was seconded by Duane Whitmer and debated. The Chair ruled that the motion was out of order as it is a violation of the Rules of the Libertarian Party of New York.

Motion by Christopher Olenski to **postpone the election of the Judicial Committee to a certain time** was ruled out of order by the chair. Motion by Christopher Olenski to **appeal the ruling of the chair** was seconded by Robert Arrigo and failed 22-18.

Motion by Pietro Geraci **amend the time of adjournment from 5 p.m. to 6 p.m.** was withdrawn.

Secretary Andrew Kolstee issued a Credentials and Nominations report **(Exhibit 8)**. Christian Vondras indicated that he accepted his nomination. Shawn Hannon indicated that he declined his nomination. Andrew Hollister was not present to accept his nomination and so he was not entered into nomination. The following individuals were submitted to the Secretary to be elected to the Judicial Committee and accepted their nominations. Motion by Andrew Kolstee to **enter the following candidates into nomination to be elected to the Judicial Committee:**

Steven G. Becker, nominated by Duane J. Whitmer
Mark S. Braiman, nominated by Timothy M. O'Connor
James M. Dayton, nominated by Lora L. Newell
Milva E. Dordal, nominated by Duane J. Whitmer
David E. Fite, nominated by Pietro S. Geraci
Melvin H. Foster, nominated by Duane J. Whitmer
Shawn Hannon, nominated by Duane J. Whitmer
Karyn A. Keniry-Thompson, nominated by Duane J. Whitmer
Peyton D. Kunselman, nominated by Duane J. Whitmer
Francis Law, nominated by Duane J. Whitmer
Thomas D. Quiter, nominated by Duane J. Whitmer
William Schmidt, nominated by Lora L. Newell

Chase D. Tkach, nominated by Duane J. Whitmer
Christian J. Vondras, nominated by Pietro S. Geraci
Kevin A. Wilson, nominated by Andrew M. Kolstee

Motion by Christopher Olenski to **recess for 5 minutes** was seconded by Michael Arcati. The Chair ruled that the motion was out of order. Motion by Peyton Kunselman to **appeal the ruling of the chair** was withdrawn.

Motion by Paul Sechrist to **suspend the Special Rules of Order to eliminate the speeches for the Judicial Committee candidates** was seconded by Mark Braiman and passed 25-9, with 1 abstention without debate.

Susan Overeem Cummings **nominated Daniel Donnelly to the Judicial Committee**. Daniel Donnelly declined the nomination.

Motion by Michael Arcati to **adjourn to Sunday, January 31, 2021 at 6:00 p.m.** was seconded by Irwin Mark Weinblatt and debated. Motion by Andrew Kolstee to **amend the motion to consider the reports of the Executive Committee that require action by the State Committee to approve hearings to be held by the full State Committee prior to adjournment** was seconded by Christopher Olenski, debated, and failed 23-16. The original motion to **adjourn** passed 28-14.

The meeting was adjourned at 5:32 p.m.

Andrew Martin Kolstee,
Secretary

Exhibit 1

From: **Michael Madrid** mmadrid99@gmail.com
Subject: Resignation from LPNY state committee
Date: January 22, 2021 at 3:38 PM
To: Andrew Martin Kolstee akolstee@lpny.org
Cc: Ilya Schwartzburg ilusha88@gmail.com

MM

Hi Andrew,

I am resigning from the LPNY state committee due to the fact that I have moved down to Florida.

Regards and good luck,
Michael Madrid

Exhibit 2 (page 1 of 2)

Subject	**Resignation Letter from State Committee**
From	Tucker Coburn <tucker.coburn@lp.org>
To	Cody Anderson <canderson@lpny.org>
Date	2021-01-22 22:35

- Resignation Letter.pdf (~31 KB)

I don't have emails for the full State Committee so I'd ask that you forward this letter along. It's my resignation from the State Committee.

A Brooklynite has become interested in the seat and I have absolutely zero intention to move back to Brooklyn in the near future. **Not resigning for any negative reason** - just want to open up the opportunity and I know I can continue to help NY outside of the seat!

If you would like a report from National on the meeting tomorrow, I can give one early on (I head to work at 2:30) or I can see if Rich can pop in during the new business segment.

Best,
--Tucker

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Tucker Coburn
LNC Region 8 Representative
(914) 420-0689
www.lp.org

Exhibit 2 (page 2 of 2)

Chairman Anderson and members of the Libertarian Party of New York's State Committee,

I'm writing to notify you that I am resigning from my State Committee seat representing the 2nd Judicial District, effective immediately.

I no longer reside in the 2nd Judicial District (Brooklyn), have no plans to return, and have been informed there is new interest from a Brooklyn Libertarian for the seat. I wish the next member well.

When I have a better idea of my permanent address, I hope to seek seating on this committee again.

Until then, I look forward to continuing to assist the state party in my National Committee role, as well as any other ways I can help. I am always here to advance liberty and the Libertarian Party in New York.

Sincerely,
Tucker Coburn

Exhibit 3

Subject **Fwd: Fred Cole Resignation Letter**
From Anderson, Cody <cody.anderson@evenerable.com>
To W. Cody Anderson <canderson@lpny.org>
Date 2021-01-19 09:13

---------- Forwarded message ---------
From: **Fred Cole** <fcole1017@gmail.com>
Date: Tue, Jan 19, 2021, 9:10 AM
Subject: Fred Cole Resignation Letter
To: Cody Anderson <cody.anderson@evenerable.com>

January 19, 2021

Dear Mr. Chairman,

Today, I am writing to offer my resignation from the State Committee.

Simply put, I am no longer able to summon the energy and the passion necessary to do this work. Rather than continue to take up a slot and possibly impede the important work of the State Committee, I'd rather step aside in favor of others better able to do the job.

I suggest that Paul Grindle replace me as chair of the Platform Committee, that John Gaetani replace me as Schenectady County contact (if he hasn't already), and that Steve Healy would make an excellent replacement as representative for JD4.

Obviously those decisions are up to the State Committee, but I realize the inconvenience caused by my departure. The above suggestions are merely meant to mitigate that inconvenience.

Please express to my friends and colleagues in the LP my profound gratitude at having been allowed to be part of your organization for all these years.

Kindly,

Fred Cole

Exhibit 4

December 22, 2020

Dear NY Libertarian State Chair Mr. Cody Anderson.

Regretfully, I have to resign from the Libertarian Executive Committee and JD5 representative effective immediately. Due to personal issues, I cannot give this position the time and dedication it deserves. I sincerely apologize.

Sincerely,

Maria Borell

Exhibit 5

From: dtait@lpny.org
Subject: Resignation
Date: December 6, 2020 at 11:11 PM
To: canderson@lpny.org
Cc: akolstee@lpny.org

D

Effective immediately I am resigning from my post as JD6 Representative for Libertarian Party of New York State Committee.

A formal letter will be mailed this week.

Thank you.

Exhibit 6

Subject **Letter of Resignation**
From Nick Phelps <nickphelps78@gmail.com>
To W. Anderson <canderson@lpny.org>
Date 2020-12-08 16:39

Dear LPNY Chair,

I would like to notify you that I am resigning from my positions as Niagara County Libertarian chairman and State committee effective immediately.

Thank you very much for the opportunity you have given me to represent the libertarian party on the state and county level.

Due to recent changes in my personal life I am no longer able to coordinate the efforts of the party but I will be happy to help smooth a transition if necessary.

Sincerely,

Nick Phelps

Sent from my iPhone

Exhibit 7 (page 1 of 5)

Special Rules of Order of the Libertarian Party of New York for the State Committee Meeting of January 23, 2021

As adopted by the State Committee on January 23, 2021.

Rule 1. **AGENDA.** The order of business shall be as follows:

(a) The Chair shall call the meeting to order.
(b) The Secretary shall call the roll to identify the elected State Committee members present.
(c) Adoption of the Special Rules of Order of the State Committee Meeting.
(d) Filling of vacancies on the State Committee.
(e) Quorum report following the filling of vacancies.
(f) Report of the Rules Committee and consideration of amendments.
(g) Election of the Judicial Committee.
(h) Old business.
(i) New business.
(j) Adjournment.

Rule 2. **CREDENTIALS.** The Secretary**,** directly after the opening ceremonies of the business meeting, shall call the roll of the elected members of the State Committee.

Rule 3. **IDENTIFICATION OF VOTING MEMBERS.** To facilitate identification, seating**,** and voting, members and others shall be required to retain and display upon request the wristbands, voting cards, or other indicia issued by the organizers of the meeting upon registration. Division votes, whether simple or counted, shall be taken by members' standing and display of such voting member indicia. For meetings held by teleconference, voting members shall be identified within the platform or platforms used to conduct the meeting.

Rule 4. **DEBATE.**

Rule 4.1. No member shall speak in debate on the same question a second time until every other member who wishes to speak had the opportunity to do so.

Rule 4.2. No member shall speak in debate on the same question more than twice or longer than three (3) minutes in total without permission of the State Committee granted by a two-thirds vote without debate.

Rule 5. **FILLING OF VACANCIES.** Vacancies on the State Committee shall be done in a manner as described in this Rule and in accordance with the Rules of the Libertarian Party.

Rule 5.1. Nominations for vacancies on the State Committee may be submitted by any member of the State Committee. If such nominations are received by the Secretary at least seven (7) days in advance of the meeting, the Secretary shall distribute the names of the nominees and any statement regarding their candidacy to all members of the State Committee at least five (5) days in advance of the meeting in which vacancies are to be voted upon. Once the filling of vacancies begins, the Secretary shall present the nominations they received and all such qualified candidates that accepted the nomination shall be entered

into nomination. Subsequent nominations may be made on the floor prior to the election to fill such vacancies. The Chair shall request that each nominee confirm that they are qualified to fill the vacancy and accept the nomination in order to be entered into nomination to fill the vacancy they seek.

Rule 5.2. For each district, the ballot shall contain all the names of the eligible nominees and identify the number of vacancies in the district. Each ballot shall contain NOTA as a candidate.

Rule 5.3. The election shall be held with approval voting and candidates with the most votes shall be elected to fill the vacancy or vacancies as long as they have received a majority of the vote of the voting members. If there is a tie in which two or more candidates have received a majority of the vote of the voting members and at least one vacancy still exists, an instant run-off vote shall occur. If NOTA receives a majority of the votes, there will be a new round of nominations and a new election, in which all of the nominated candidates who were outpolled by NOTA are ineligible.

Rule 5.4. Members of the Libertarian Party chosen to fill vacancies on the State Committee shall not be allowed to participate in the meeting until acceptance of the quorum report of the Secretary by the State Committee, scheduled to occur after the filling of vacancies; and in particular may not nominate, speak, or vote in any contested election for filling additional vacancies.

Rule 6. **ADOPTION AND AMENDMENT OF PARTY RULES.**

Rule 6.1. All proposed amendments of the Party Rules must be submitted in accordance with the Rules of the Libertarian Party.

Rule 6.2. The Rules Committee may, prior to the consideration of any other amendment, present a report that includes any recommended amendments to the Party Rules, including those submitted to the Secretary. This report may include any motion to adopt amendments recommended by the Rules Committee as a whole, as long as such amendments were distributed to the State Committee in accordance with the Rules of the Libertarian Party. Any motion to divide such motion shall be in order.

Rule 6.3. Subsequent amendments not recommended by the Rules Committee shall be presented by the Secretary as long as such amendments were received by the Secretary and distributed to the State Committee in accordance with the Rules of the Libertarian Party. The Secretary shall present such amendments in the order they were received, alternating between different authors, if such authors are proposing multiple amendments, in the order that the Secretary received them.

Rule 6.4. If discussion on an amendment has begun, any recognized speaker may also discuss alternative proposed amendments that deal with the same issues and may use that text to propose a substitution to the current amendment.

Rule 6.5. If a member of the State Committee proposes more than one amendment, their subsequent proposals shall be taken up only after every other member’s first proposed amendment has been considered.

Exhibit 7 (page 3 of 5)

Rule 6.6. Debate on each amendment shall be limited to ten (10) minutes. Each speaker is limited to one (1) minute at a time. The Chair shall alternately recognize those speakers in favor of and opposed to the amendment.

Rule 7. **ELECTIONS OF THE EXECUTIVE COMMITTEE.**

Rule 7.1. **GENERAL.** All elections and filling of vacancies of the Executive Committee shall be conducted by election in accordance with Rule 7 of these Rules.

Rule 7.1.1. Nominations of all officers and Members-At-Large shall only be in order in accordance with the agenda.

Rule 7.1.2. **ELECTIONS BY ELECTRONIC MEANS.** All elections of the Executive Committee shall be conducted as a secret ballot using an electronic system that batches the ballots of in-person and teleconferencing participants together.

Rule 7.1.3. **NONE OF THE ABOVE ("NOTA") AS A CANDIDATE.** All elections shall have NOTA as an option. On all elections for the Executive Committee, the choice of None of the Above ("NOTA") is automatically recognized as included and valid. If NOTA receives a majority of the votes, there will be a new round of nominations and a new election, in which all of the nominated candidates who were outpolled by NOTA are ineligible.

Rule 7.2. **ELECTION OF OFFICERS.** Officers shall be elected individually in the following order: Chair, 1st Vice-Chair, 2nd Vice-Chair, Secretary, and Treasurer. In order to be elected to an officer position, the candidate must receive a majority of votes cast. If an insufficient number of candidates receive a majority on any given ballot, then the candidate with the lowest number of votes shall be removed from the ballot; a tie for smallest number of votes shall require a new ballot.

Rule 7.3. **ELECTION OF MEMBERS-AT-LARGE OF THE EXECUTIVE COMMITTEE.**

Rule 7.3.1. Members-At-Large of the Executive Committee shall be elected by majority vote in a single election. There shall be no more than one Member-At-Large elected from a Judicial District. Only the candidate with the highest number of votes from a Judicial District shall be elected.

Rule 7.3.2. If fewer than five candidates receive a number of votes equal to or greater than a majority of the number of ballots cast, another round of voting shall immediately occur. For any Judicial District where a candidate was successfully elected, all remaining candidates in that Judicial District shall be dropped. When no candidate receives a number of votes equal to or greater than a majority of the number of ballots cast, the candidate with the lowest number of votes of all the remaining candidates will be dropped.

Rule 7.3.3. Subsequently rounds of voting shall be conducted until five Members-At-Large of the Executive Committee have been elected by a number of votes equal to or greater than a majority of the number of ballots cast, in which each are from a different Judicial District.

Exhibit 7 (page 4 of 5)

Rule 8. **ELECTION OF THE JUDICIAL COMMITTEE.**

Rule 8.1. Members of the Judicial Committee shall be elected by two-thirds (2/3) vote in a single election.

Rule 8.2. If fewer than nine candidates receive a number of votes equal to or greater than two-thirds (2/3) of the number of ballots cast, another round of voting shall immediately occur. When no candidate receives a number of votes equal to or greater than two-thirds (2/3) of the number of ballots cast, the candidate with the lowest number of votes of all the remaining candidates will be dropped.

Rule 8.3. Subsequently rounds of voting shall be conducted until nine (9) members of the Judicial Committee have been elected by a number of votes equal to or greater than two-thirds (2/3) of the number of ballots cast.

Rule 8.4. If fewer than nine (9) members of the Judicial Committee are elected in a single election, there shall be a new round of nominations and any candidate that was dropped in the previous elections held in accordance with Rule 8 shall be ineligible. If after a second election there are fewer than nine (9) members of the Judicial Committee, vacancies of the Judicial Committee shall be filled at the next meeting of the State Committee.

Rule 9. **CANDIDATE SPEECHES.**

Rule 9.1. Candidates for Chair shall each be allowed five minutes to speak; candidates for all other Party offices shall each be allowed three (3) minutes to speak. Candidates to fill vacancies on the State Committee shall be allowed one minute to speak. Candidates may cede their time only to other members of the State Committee to speak on their behalf during their allotted time. Speeches will not be allowed for uncontested positions, in which candidates are only running against NOTA.

Rule 9.2. Candidates seeking endorsement for the highest public office shall each be allowed five minutes to speak; candidates seeking endorsement for all other public offices shall each be allowed three minutes to speak; candidates seeking endorsement for any public office shall also each be allowed one nominating speech and one seconding speech of one minute each.

Rule 10. **ENDORSEMENTS OF CANDIDATES.** Endorsements of candidates for public office shall be made in the same manner as elections for Party office, except that endorsements shall require a two-thirds (2/3) majority. Each office shall be filled with one election, even if that office has more than a single position to be filled. Each election shall consist of a series of ballots. In each ballot, voters may vote for as many candidates as there are positions for the office still open or “None of the Above”. If None of the Above achieves a majority, a new election shall be held for the open positions still remaining and the candidates who were outpolled by None of the Above shall be ineligible; otherwise, those who achieve the requisite majority shall be recognized as elected, in order of their vote totals and in order of the length of term. The candidate receiving the fewest votes shall be eliminated from succeeding ballots. Ties shall be resolved by a separate ballot.

Exhibit 7 (page 5 of 5)

Rule 11. **PLATFORM.** When discussing the Platform, the previously adopted Platform shall be the base on which amendments, additions, or deletions shall be offered. Such changes to the Platform shall require a vote in accordance with the Rules of the Libertarian Party.

Rule 12. **RESOLUTIONS.**

Rule 12.1. A resolution offered by an individual member shall be submitted by the maker and the seconder – each of whom shall be a member of the State Committee – and shall be sent by email directly to the Secretary.

Rule 12.2. The Resolutions Subcommittee may convene during the main meeting to consider resolutions. Each member who offers a resolution shall be given an opportunity to explain it to the Resolutions Subcommittee if he so requests.

Rule 12.3. The Resolutions Subcommittee shall review all resolutions in the order they were submitted, and shall amend the text of each resolution to the satisfaction of the member that submitted the resolution, while satisfying formatting requirements, grammar, clarity, etc. The Resolutions Subcommittee shall present a report to the State Committee of all resolutions in the order they deem appropriate.

Rule 13. **PERMANENT RECORD.** All reports and other material for the permanent record or printed proceedings shall be typewritten and, immediately on presentation, shall be sent to the Recording Secretary in electronic form.

Rule 14. **ANNOUNCEMENTS.** Notices for announcement to the convention shall be in writing, signed by the person (or a proper representative of the persons) under whose authority the announcement is issued, and shall be sent to the desk of the Recording Secretary.

Rule 15. **SUSPENSION OF SPECIAL RULES OF ORDER. T**hese Special Rules of Order may only be suspended by a two-thirds (2/3) vote.

Exhibit 8 (page 1 of 4)

Credentials and Nominations Report of the Libertarian Party of New York for the State Committee Meeting of January 23, 2021

The State Committee of the Libertarian Party of New York consists of 68 according to their Judicial District. The following 60 individuals were duly elected or appointed to fill a vacancy on the State Committee of the Libertarian Party of New York:

Judicial District 1
- Mark Axinn
- Ilya Schwartzburg
- *VACANT*
- *VACANT*

Judicial District 2
- Gilbert Mildonnet
- Matthew Morgan
- Gary Popkin
- *VACANT*

Judicial District 3
- William Cody Anderson
- Jay A. Carr
- Todd Haggerty
- Lora L. Newell

Judicial District 4
- Robert M. Arrigo
- Nathan B. Dunn
- John A. Janes
- Brandon Lyon
- Karyn A. Keniry-Thompson
- *VACANT*

Judicial District 5
- Millie Dordal
- Shawn Hannon
- Craig Miles
- Sean Stevens
- *VACANT*
- *VACANT*

Judicial District 6
- Mark Braiman
- Timothy O'Connor
- Christopher Olenski
- Rich Purtell
- Thomas Quiter
- *VACANT*

Judicial District 7
- Steven G. Becker
- Kari Bittner
- Eric A. Cooper
- Anthony D'Orazio
- James M. Dayton
- Mark E. Glogowski
- Andrew C. Hollister
- Sean C. Phelan
- James P. Russell
- Kevin Wilson

Judicial District 8
- Erin M. Becker
- Francis Law
- Kathleen M. Ligammari
- Andrew M. Kolstee
- Peyton D. Kunselman
- F. Patrick Mahoney, Jr.
- Tara Scrivano
- Duane J. Whitmer
- *VACANT*

Judicial District 9
- Daniel P. Donnelly
- Pietro S. Geraci
- Robert J. Greibesland
- Anthony Pellegrino
- William K. Schmidt

Judicial District 10
- Deepak Bansal
- Gary Donoyan
- Kenneth Epstein
- Carmen Horan
- Bobby K. Kalotee
- Satinder Kaur
- Mahavir Singh

Judicial District 11
- Michael Arcati
- Gabrielle Cordova
- Irwin Mark Weinblatt

Judicial District 12
- Aaron Commey
- Enmanuel Torres

Judicial District 13
- Richard Bell
- Susan Overeem Cummings

There are currently eight (8) vacancies on the State Committee: two (2) in Judicial District 1, one (1) in Judicial District 2, one (1) in Judicial District 4, two (2) in Judicial District 5, one (1) in Judicial District 6, and one (1) in Judicial District 8. Two vacancies (JD1 and JD5) were never filled at the September 2020 organization meeting, and there were six (6) resignations: Michael Madrid (JD1), Tucker Coburn (JD2), Frederick Cole (JD4), Maria Borell (JD5), Dustin Tait (JD6), and Nicholas Phelps (JD8).

Exhibit 8 (page 2 of 4)

NOMINATIONS FOR JUDICIAL DISTRICT VACANCIES (8 VACANCIES)
The following names were submitted to the Secretary as candidates to fill the vacancies on the State Committee:

Judicial District 1 (2 vacancies)
- *No nominations yet.*

Judicial District 2 (1 vacancy)
- *Alex Merced, nominated by Anthony D'Orazio (declined nomination)*

Judicial District 4 (1 vacancy)
- **Zachary Remian, nominated by William Cody Anderson (accepted nomination)**

Judicial District 5 (2 vacancies)
- **Rachel E. Becker, nominated by Anthony D'Orazio (accepted nomination)**
- **David E. Fite, nominated by Pietro S. Geraci (accepted nomination)**
- *Katrina G. Martin, nominated by Anthony D'Orazio (declined nomination)*

Judicial District 6 (1 vacancy)
- **Paul C. Sechrist, nominated by Timothy M. O'Connor *(accepted nomination)***

Judicial District 8 (1 vacancy)
- **Leonard E. Morlock, nominated by Andrew M. Kolstee *(accepted nomination)***

NOMINATIONS FOR AT-LARGE VACANCY (1 VACANCY AVAILABLE)
The following names were submitted to the Secretary as candidates to fill the vacancy on the Executive Committee:

- Shawn Hannon, nominated by Andrew M. Kolstee
- **Gabrielle S. Cordova, nominated by Anthony D'Orazio *(accepted nomination)***

Exhibit 8 (page 3 of 4)

NOMINATIONS FOR JUDICIAL COMMITEE (9 POSITIONS AVAILABLE)
The following names were submitted to the Secretary as candidates to fill the nine (9) positions on the Judicial Committee:

- **Steven G. Becker, nominated by Duane J. Whitmer (accepted nomination)**
- *Kari Bittner, nominated by Duane J. Whitmer (declined nomination)*
- **Mark S. Braiman, nominated by Timothy O'Connor (accepted nomination)**
- *Tucker C. Coburn, nominated by Duane J. Whitmer (declined nomination)*
- *Gary L. Donoyan, nominated by Anthony D'Orazio (declined nomination)*
- **James Dayton, nominated by Lora L. Newell (accepted nomination)**
- **Milva E. Dordal, nominated by Duane J. Whitmer (accepted nomination)**
- **David E. Fite, nominated by Pietro S. Geraci (accepted nomination)**
- *Mark E. Glogowski, nominated by Anthony D'Orazio (declined nomination)*
- *Jonathan Gunther, nominated by Anthony D'Orazio (declined nomination)*
- Shawn Hannon, nominated by Duane J. Whitmer
- Andrew C. Hollister, nominated by Duane J. Whitmer
- **Melvin H. Foster, nominated by Duane J. Whitmer (accepted nomination)**
- **Peyton D. Kunselman, nominated by Duane J. Whitmer (accepted nomination)**
- **Francis Law, nominated by Duane J. Whitmer (accepted nomination)**
- **Thomas D. Quiter, nominated by Duane J. Whitmer (accepted nomination)**
- **William Schmidt, nominated by Lora L. Newell (accepted nomination)**
- *Ilya Schwartzburg, nominated by Duane J. Whitmer (declined nomination)*
- **Chase D. Tkach, nominated by Duane J. Whitmer (accepted nomination)**
- **Karyn A. Keniry-Thompson, nominated by Duane J. Whitmer (accepted nomination)**
- Christian J. Vondras, nominated by Pietro S. Geraci
- **Kevin Wilson, nominated by Andrew M. Kolstee (accepted nomination)**

Exhibit 8 (page 4 of 4)

Statements from Nominated Candidates

Mark S. Braiman – Candidate for Judicial Committee

This first officially empowered LPNY Judicial Committee will set important precedents for conducting hearings. The most important precedent should be self-restraint. This Committee should mostly limit itself to findings of fact and a review of relevant rules, and only in rare cases a recommendation for specific action, which should then be presented to the State Committee for final action. That is, despite Party Rules that may appear to set up the Judicial Committee as having the power to overrule decisions of the entire State Committee, I believe it should not generally be viewed as having any power to take summary action, without further review and a final decision by the Executive Committee and/or the entire State Committee.

My concern for Judicial restraint goes back 40 years, to when I was a member of the Judicial Committee of the student government at UC Berkeley. In one of the first cases I participated in, pertaining to an election rules violation by a single candidate, the rest of the Judicial Committee decided that the candidate's misbehavior required that the entire 20-position election for Senators and Officers be re-run. There was no appeal possible under the Constitution of the Associated Students of the University of California.

I was aghast at the breadth of this ruling, and the huge expenditure it would require by candidates and by the 30,000-member ASUC. I argued vociferously against the ruling, and wrote a dissent. I nevertheless lost the argument, and ended up resigning.

Forty years later, I promise I will submit a strongly worded dissent and resign from the LPNY Judicial Committee, if I think it is attempting an immodest exercise of power.

Melvin Foster – Candidate for Judicial Committee

Constitution Chat. In 2011 I was growing increasingly concerned about polarization and people's lack of understanding of the opposing point of view, particularly on the competing property issues involved in fracking, but a number of other issues as well. I saw that people were dividing tribally into camps. To try to create dialogue, in January of 2012 I began a monthly meeting in Candor and a weekly column in the local paper The Broader View. I called both "Constitution Chat." Over the course of a year we worked our way through the Bill of Rights talking about the meaning of the amendments and how disputes about them were playing out in current news stories. I also had the chance to hear Ron Paul at Cornell.

Libertarian Party. In December of 2015 I grew so disgusted with the presidential candidates being offered that I connected with Rich Purtell and we began meeting with others to discuss libertarian ideas and organize a Tioga county chapter of the Libertarian Party, which we successfully did April 25, 2017. March 20, 2018 I became the county chair, and led a successful ICO meeting June 8 2019. I assisted in filing a number of petitions to become a CC, but we fell short of the needed level. I stepped down from the Tioga chair position to vice chair last month. I have attended several state conventions and assisted with petitioning over the years.

Other Personal Details

In the work world I have been a high school teacher and homeschool instructor and parent, including teaching government and economics classes in both settings.
I am also a pastor, husband, and father of five kids.

Exhibit 9 (page 1 of 7)

Report of the Rules Committee of the Libertarian Party of New York
January 12, 2021

INTRODUCTION

The Rules Committee met on Sunday, January 10, 2021 and Monday, January 11, 2021 to discuss all amendments to the Rules of the Libertarian Party of New York that were submitted to date. The committee has made the following recommendations to amend the Rules. This report includes all or part of each rule and the proposed amendments, either striking (indicating strikeout in ~~red~~) or inserting (indicated in **green**). Proposals are numbered in the order of their appearance in the rules, with the internal committee proposal lettering given in parenthesis for all proposals submitted prior to a rules committee meeting.

PROPOSAL 1 (A): Article 6.5

6.5.1. … The representatives must be registered voters enrolled in the Libertarian Party residing in the county ~~for~~ which they represent.

6.5.2. The State Committee shall consist of two representatives from each County Affiliate elected as provided in Article 6.5.3. This appointment shall be provided in writing to the Executive Committee no later than thirty (30) days prior to the convention in order to be credentialed to vote at the convention. **A County Affiliate may designate an Alternate to take the place of a representative if their county is not fully represented at the meeting.**

6.5.3. Each county shall elect two representatives at a convention open to all enrolled Libertarians in their county. **The names and addresses of the chosen representatives from each county must be provided to the Secretary in writing by electronic means, which must also include the minutes of the meeting in which they were elected.**

PROPOSAL 2 (B): Article 6.6

6.6. **OFFICERS**. **The officers of the State and Executive Committee shall be the Chair, 1st Vice-Chair, 2nd Vice-Chair, Secretary, and Treasurer.**

6.6.1. **TITLES.** The **officers** ~~State Committee~~ shall **be** elected ~~a Chair, a 1st Vice-Chair, a 2nd Vice-Chair, a Secretary, and a Treasurer~~ at their first meeting. All officers shall be considered ex-officio members of the State Committee **and shall have the same rights and privileges as any member of the State Committee**.

PROPOSAL 3 (C): Article 6.7.1

6.7.1. **CHAIR.** ... If the 2nd Vice-Chair declines to serve as Acting Chair, the ~~State~~ **Executive** Committee shall ~~elect~~ **appoint** an ~~new~~ **Acting** Chair at its next meeting, **who** ~~and the 1st Vice-Chair~~ shall serve as Acting Chair until ~~the new Chair is elected.~~ **a new Chair is elected.**

PROPOSAL 4 (D): Article 6.7.4

6.7.4. **AT-LARGE EXECUTIVE COMMITTEE MEMBERS.** Should a vacancy exist in an At-Large Executive Committee Member position, the position shall be vacant until filled by a majority vote of the State Committee ~~at their next scheduled meeting~~. **The Executive Committee is not authorized to fill such vacancies.**

Exhibit 9 (page 2 of 7)

PROPOSAL 5 (E): Article 6.8

6.8. **TERM.** All State Committee members shall serve until the conclusion of the Organization~~al~~ Meeting following the primary election at which their successors are elected.

PROPOSAL 6 (F): Article 6.11.1

6.11.1. **ORGANIZATION MEETING.** This section outlines the procedures for the organization meeting as required in 2-112 of Election Law **or for any convention to elect an Executive Committee following the election of a State Committee held in accordance with Article 6.5, which shall be referred to as an Organization Meeting**.

PROPOSAL 7: Article 6.11.4.2

6.11.4.2. Email notice will be sufficient if sent to the email address provided to the Secretary for this purpose. ~~If consent is given, notice by telephone only may be given in-person and cannot be given by leaving a message. Alternatively, notice given by a text message will be sufficient if acknowledged as having been received.~~ **Notice by telephone or text message may be given upon request.**

PROPOSAL 8 (G): Article 7.2

7.2. **MEMBERSHIP.** The Executive Committee shall consist of the officers of the State Committee as defined in Article ~~7.6~~ **6.6** and five (5) Members-At-Large elected by the State Committee ~~at the first meeting of each newly elected State Committee~~. There shall be no more than one (1) Member-At-Large from a single Judicial District. **Members-At-Large, if not a member of the State Committee, shall be considered ex-officio members of the State Committee and shall have the same rights and privileges as any member of the State Committee.** Within three days after election a certificate stating the names and post office addresses of such officers shall be filed with the New York State Board of Elections as required by law.

PROPOSAL 9 (H2): Article 7.5

7.5. **MEETINGS.** Meetings of the Executive Committee shall be held in-person or by teleconference and shall be open to observation by all members of the State Committee **and officers of County Affiliates upon request**, with the exception of Executive Session.

PROPOSAL 10 (I): Article 7.6

7.6. **EXECUTIVE SESSION.** ~~7.6.2.~~ Executive Session may only be used for discussion of personnel matters, contractual negotiations, pending, **active,** or potential litigation, or political strategy requiring confidentiality, specifically excluding discussions of qualifications of candidates. ~~7.6.1. The Executive Committee shall conduct all votes and actions in open session.~~ The reasons for moving to Executive Session must be stated in the minutes of the Executive Committee.

Exhibit 9 (page 3 of 7)

PROPOSAL 11 (K): Article 8

8.1. **GENERAL.** The State Committee ~~and Executive Committee may~~ **shall have the power to** create standing or special committees and appoint their members and chair~~, as it sees fit~~. **The Chair may create special committees and appoint their members and chair.**

8.2. **POWERS. The committee chair shall have the power to appoint members and fill vacancies unless such decisions are deferred to the committee or otherwise determined by the State Committee.**

8.3. **TERMS OF OFFICE.** The chair **and members** of each committee shall serve until the end of the first Executive Committee meeting following the next organization meeting, or until their resignation, removal, or reappointment ~~as chair~~.

8.4. **RECORDS. All committees shall keep a record of their proceedings. The Secretary shall keep a record of all committees and their membership.**

PROPOSAL 12 (M): Article 9

~~9.2.1.1.~~ **9.1.2. COUNTY CONTACTS. In any county where no County Affiliate exists,** ~~T~~the State Committee may appoint a**n enrolled member of the Libertarian Party to serve as the** County Contact for the purpose of ~~establishing a point person to~~ organize**ing** a County Organization. The County Contact shall have a term of six (6) months, subject to renewal by the State Committee. Upon establishment of a County Organization, the duly elected Chair shall replace the County Contact as the State Committee's **primary contact for** ~~point person in~~ a given county.

PROPOSAL 13 (N): Article 9

9.2.1. **GENERAL.** ... Article ~~10.2~~ **9.2.** ...

9.2.2. **AFFILIATION.** Upon a majority vote of the Executive Committee of the State Committee, the group that met the criteria in Article 10.3 shall become an affiliated County Organization.

~~9.1.1.~~ **9.2.3. COUNTY ORGANIZATIONS CREATED BEFORE JANUARY 23, 2021.** All ~~preexisting~~ County ~~Affiliates~~ **Organizations affiliated with the Libertarian Party of New York prior to January 23, 2021** shall continue to be ~~recognized~~ **affiliated**. In those counties where an insufficient number of Election District delegates were elected at primary, or where no election district delegates to the County Committee were elected at primary, the County Organization shall adopt **or amend** Rules and elect officers and meet the requirements set forth in Articles ~~9.3.2 and 9.3.3~~ **9.2.3.1 and 9.2.3.2** in these rules for the formation of a County Organization, otherwise they shall cease to exist on March **3**1, 2021. A quorum of the Executive Committee shall certify by a majority vote that such requirements have been met.

~~9.3.2.~~ **9.2.3.1.** An election of officers elected through single non-transferable votes and a provision in their rules to hold a convention or special meeting to elect officers no less than once every two years.

~~9.3.3~~ **9.2.3.2.** A provision in the county rules for ~~membership~~ meetings of the **County Committee and/or the County Affiliate's Executive Committee** to be held no less often than once per quarter, open to all county members and announced as provided in Article 6.11. of these rules.

PROPOSAL 14 (O): Article 9.2.4 and 9.2.5

9.2.4. COUNTY ORGANIZATIONS CERTIFIED BEFORE MARCH 31, 2021. All County Organizations certified prior to March 31, 2021 in accordance with Article 9.2.3 of these Rules shall continue to be affiliated with the Libertarian Party until March 31, 2022, in which they shall adopt or amend Rules that meet the requirements set forth in Article 9.3. A quorum of the Executive Committee shall certify by a majority vote that such requirements have been met.

9.2.5. CERTIFICATION. The Executive Committee shall meet to vote on certification of a given County Affiliate in accordance with Article 9.2.3 and Article 9.2.4 within fifteen (15) days of submission of all required documents to the Secretary.

9.2.5.1. County Affiliates which submit the necessary documents to the Secretary before the deadline shall remain in existence pending certification by the Executive Committee.

9.2.3.3. County Affiliates which submit the necessary documents within ten (10) days of the deadline and are denied certification by the Executive Committee shall remain in existence for sixty (60) days after the deadline, after which they shall cease to exist, unless the deficiencies preventing certification are rectified and documentation exhibiting this rectification is submitted to the Executive Committee to review.

PROPOSAL 15 (P): Article 9.3

9.3. **AFFILIATION CRITERIA.** To qualify to be an affiliated County Organization, **the group that convened in order to form** a County Organization must provide documentation to the Executive Committee of the following:

~~9.3.1. A convention held in accordance with Article 9.2.1. at which county rules consistent with these Rules were adopted and the county officers and any Election District delegates were elected. The convention may be held in-person, by video conference, or a combination thereof.~~

9.3.1. CONVENTION. A convention, organization meeting, or special meeting held in accordance with Article 9.2.1. The convention may be held in-person, by video conference, or a combination thereof.

9.3.2. COUNTY RULES. The adoption of County Rules at said convention, organization meeting, or special meeting which contain the following provisions:

~~9.3.2.~~ **9.3.2.1. ELECTION OF OFFICERS.** A~~n~~ **provision for the** election of officers elected through single non-transferable votes ~~and a provision in their rules to hold a convention or special meeting to elect officers~~ **to be held** no less than once every two years.

~~9.3.3.~~ **9.3.2.2. QUARTERLY MEETINGS.** A provision in the county rules for ~~membership~~ meetings **of the full County Committee** to be held no less often than once per quarter, open to all county members and announced as provided in Article 6.11. of these rules.

~~9.3.3.~~ **9.3.2.3. OTHER PROVISIONS. All other provisions in the county rules must be consistent with Article 9.4.**

~~9.3.2. An election of officers elected through single non-transferable votes and a provision in their rules to hold a convention or special meeting to elect officers no less than once every two years.~~

9.3.3. ELECTION OF OFFICERS. An election of Election District Delegates and officers of the County Committee.

9.3.4.1. The first notice is to be sent to the mailing address, email address, and/or telephone number on record at the County Board of Elections. The expense of mailing can be reduced by sending a notice by telephone ~~but cannot be given by leaving a message. Any notice given by a text message should be~~

~~acknowledged as having been received~~. The first notice must also include a clear statement of how notice of subsequent meetings will be provided.

PROPOSAL 16 (Q): Article 9.4

9.4.1. **MEMBERS.** ... Article ~~10.4.5.~~ **9.4.5.** ...

9.4.3.2. All other vacancies on the County Organization shall be filled by a majority vote of the County Organization **or** in a manner determined ~~solely~~ by the County Organization.

9.4.5. **ELECTION DISTRICT DELEGATES.** ... Any enrolled member of the Libertarian Party **residing in the county containing such Election District** shall be appointed as an Election District delegate as long as there is a vacancy. …

PROPOSAL 17 (S): Article 10.1

10.1.3. **OFFICERS. Subsequent to its election,** ~~The members of~~ the Judicial Committee ~~present at the first meeting of the~~ ~~**full**~~ ~~State Committee subsequent to its election~~ shall meet to elect a Chair, a Vice-Chair, and a Secretary. **The outgoing Chair of the Judicial Committee shall preside over the election of the Chair of the Judicial Committee. If the Chair of the Judicial Committee is vacant or the incumbent Chair of the Judicial Committee is a candidate for Chair, the outgoing Vice-Chair of the Judicial Committee shall preside over the election of the Chair of the Judicial Committee. If the Vice-Chair of the Judicial Committee is vacant or the incumbent Vice-Chair of the Judicial Committee is a candidate for Chair, the Chair of the State Committee shall preside over the election of the Chair of the Judicial Committee. Once the election of a new Chair of the Judicial Committee has completed, the new Chair shall preside over all subsequent business of the Judicial Committee.**

10.1.4. TERMS OF OFFICE. The members of the Judicial Committee shall serve until the conclusion of the meeting at which their successors are elected.

PROPOSAL 18 (T2): Article 10.2

~~10.2.1. Meetings may be called by the State Committee for the purpose of conducting a hearing as described in Article 12.~~

10.2.1. HEARINGS. Meetings shall be called by the Chair of the Judicial Committee or one-third (1/3) of the Judicial Committee for the purpose of conducting a hearing as described in Article 11, if such hearing was referred to the Judicial Committee by a majority vote of the full State Committee. The hearing shall be held within thirty (30) days and may be held by teleconference, and the Secretary of the Judicial Committee shall issue to the members the call of the meeting at least five (5) days in advance.

10.2.2. **OTHER MEETINGS.** Meetings may also be called for the purpose of issuing an opinion on a matter in dispute, by the Executive Committee or by a petition declaring the issue in dispute signed by at least twenty-five percent (25%) of the State Committee submitted to the Secretary **of the State Committee** or Chair of the Judicial Committee; the Chair of the Judicial Committee shall set the hour and location of any such meeting, which shall be held within thirty (30) days and may be held by teleconference, and the Secretary **of the Judicial Committee** shall issue to the members the call of the meeting at least five (5) days in advance.

Exhibit 9 (page 6 of 7)

PROPOSAL 19 (U): Article 10.6

10.6. **REMOVAL OF MEMBERS.** Members of the Judicial Committee may be removed **by the full State Committee** ~~as outlined in the provisions of Article 12 by the full State Committee.~~ **in accordance with Article 11 of these Rules.**

PROPOSAL 20 (V): Article 11.1.1

11.1.1. Affiliation with a County Organization may be revoked in accordance with this article, **except in cases in which all officers of a County Organization have vacated their positions, the State Committee shall have the authority to revoke affiliation of a County Organization by majority vote**.

PROPOSAL 21 (W2): Article 11.1.2, 11.2.3, and 11.2.4

~~11.1.2. Any officer of a County Organization, member of the State Committee, member of the Executive Committee may be removed from office in accordance with this article and Article 2-116 of Election Law.~~

11.1.2. Any state or county official of the Libertarian Party may be removed from office in accordance with this article and Article 2-116 of Election Law. Such officials include officers of a County Organization and members or officers of the State Committee, Executive Committee, or Judicial Committee.

11.2. **PROCEDURE.**

11.2.1. **REQUEST FOR HEARING.** With a two-thirds (2/3) vote, the ~~State~~ Executive Committee may request a hearing be held by the State Committee for the purpose of ~~removing an officer of a County Organization or an officer or member of the State Committee, or~~ revoking the affiliation of a County Organization **or removing a state or county official of the Libertarian Party as described in Article 11.1.2**.

11.2.2. **APPROVAL OF HEARING.** ~~Upon review of the request for a hearing, a~~**A** majority vote of the **full** State Committee shall be required to approve a hearing. **Such approval requires the hearing was requested as per Article 11.2.1.**

11.2.3. HEARINGS. Hearings approved in Article 11.2.1 and Article 11.2.2. shall be held within thirty (30) days upon approval and may be held by teleconference. If a hearing is not held within thirty (30) days, the matter is dismissed without prejudice, and any new hearing requires a new request as provided in Article 11.2.1.

11.2.~~3.~~ **4. ACTION FOLLOWING A HEARING.** Following a hearing as approved in Article 11.2.2, a two-thirds (2/3) vote of the **full** State Committee is required ~~to remove a State Committee officer or member, a county officer, or~~ to revoke ~~a county~~ affiliation **of a County Organization or remove a state or county official of the Libertarian Party as described in Article 11.1.2**.

PROPOSAL 22 (X): Article 11.3

11.3. **CAUSE FOR REMOVAL.** In general, disloyalty to the party and corruption in office are grounds for removal ~~of any officer of a County Affiliate~~.

11.3.11. any failure to convene under **Article 13 or** Article 14 occurs.

PROPOSAL 23 (Y): Article 11.5

11.5. The list provided in ~~11.4.~~ **Article 11.3** is non-exhaustive.

Exhibit 9 (page 7 of 7)

PROPOSAL 24 (Z): Article 12.3

~~12.3. **QUALIFICATION OF AT-LARGE DELEGATES.** To be elected as an At-Large delegate to the National Convention prior to the January 1 of the year of the convention, the individual must: (a) be a registered voter enrolled in the Libertarian Party for previous two years, and (b) be a bylaws Sustaining Member of the national party. for the previous two years, and (c) be an Officer or Member of the State Committee or an Officer or Election District delegate of a County Affiliate.~~

~~12.4.~~ **12.3.** All delegates shall be free to vote their conscience.

~~12.5.~~ **12.4. PRESIDENTIAL NOMINATING CONVENTIONS.**

~~12.5.1.~~ **12.4.1. CONGRESSIONAL DISTRICT DELEGATES.** ...

~~12.5.2.~~ **12.4.2. DELEGATE SLATES.** ...

~~12.5.3.~~ **12.4.3.** ...

~~12.5.4.~~ **12.4.4.** ...

PROPOSAL 25 (AA1): Article 12.5.1 (if Proposal Z fails) Article 12.4.1 if Proposal Z passes)

... **CONGRESSIONAL DISTRICT DELEGATES.** At least one (1) delegate from each New York State Congressional District is to be elected at the Presidential Primary in any year when such a primary takes place. All remaining delegates are to be elected At-Large by the State Committee one month before petitions for the Presidential Primary begins. Vacancies shall be filled thereafter in accordance with ~~these Rules~~ **Election Law**. **When no such primary takes place, the full State Committee shall elect all delegates At-Large.**

PROPOSAL 26 (AC): Article 13.2

13.2. **CANDIDATE QUALIFICATIONS.** ... Article ~~15~~ **14**.

PROPOSAL 27 (AD): Article 13.9

13.9. **SUPREME COURT NOMINATIONS.** Party nominations for the office of Justice of the Supreme Court shall be made by the Judicial District Convention, as per Election Law 6-106 **and Article 13.10 of these Rules**.

PROPOSAL 28 (AE): Article 13.10.1

13.10.1. **JUDICIAL DISTRICT DELEGATES.** ... Article ~~7.3~~ **6.3** of these Rules.

PROPOSAL 29: Article 19

Robert's Rules of Order (~~11th~~ **12th** edition) ...

PROPOSAL 30 (AF): Article 20.2

20.2. Amendments to these Rules must be submitted in writing to the Secretary at least ~~five (5)~~ **ten (10)** days in advance of the meeting in which the amendments shall be voted upon.

Report prepared by: Paul Grindle, Chair of the Rules Committee
Andrew Kolstee, Secretary of the Rules Committee

Contributing members of the Rules Committee: William Cody Anderson, Mark Braiman, James Dayton, Pietro Geraci, Mark Glogowski, Lora Newell, and Christopher Olenski.