

RULES OF THE LIBERTARIAN PARTY

Article 1. Name

The name of this party shall be the Libertarian Party.

Article 2. Symbol

The symbol for the Libertarian Party shall be:



Article 3. Jurisdiction

The jurisdiction of the Libertarian Party shall be the State of New York.

Article 4. Principles and Objectives

4.1. The Libertarian Party is a political party which has as its primary objective the extension of individual freedom to its furthest limits. To that end the party affirms the following principles as embodied in the party platform.

- 4.1.1. Each individual possesses the inalienable right to life, liberty and justly acquired property.
- 4.1.2. No person or institution, public or private has the right to initiate the use of force or fraud against another.
- 4.1.3. Individuals are entitled to choose their own lifestyles so long as they do not forcibly interfere with the lives of others.
- 4.1.4. The only moral purpose of government is the preservation of individual rights.
- 4.1.5. The voluntary exchange of goods and services is essential for a free and prosperous society of diverse beliefs.

4.2. In recognition of the fact that the initiation of force by government has been the chief instrument for the expropriation of individual rights and freedom, the Libertarian Party enters the political arena for the avowed purpose of eliminating the intervention of government in moral, social and economic affairs by functioning as a libertarian political entity separate and distinct from all other political parties

or movements and moving public policy in a libertarian direction as a political party that elects Libertarians to office.

Article 5. Membership

5.1. Membership in the Libertarian Party shall be open to every voter who has enrolled in the Libertarian Party as provided by statute, including those who have written "Libertarian" or "Libertarian Party" on their voter registration form.

5.2. Through November 30, 2019, membership in the Libertarian Party shall also be open to members of the Free Libertarian Party Inc. who currently are and were in good standing as of December 1, 2018 and members of affiliated county chapters who currently are and were in good standing in the respective chapter as of December 1, 2018.

5.3. As of December 1, 2019, membership in the Libertarian Party shall be limited to registered voters enrolled in the Libertarian Party.

Article 6. Interim State Committee

6.1. **INTERIM STATE COMMITTEE.** Until a State Committee is elected by the enrolled voters of the Libertarian Party in accordance with these rules and the provisions of the Election Law, an Interim State Committee shall exercise all of the powers of the State Committee and Executive Committee as set forth herein and by applicable law.

6.2. **COMPOSITION.** The Interim State Committee shall consist of the 21 individuals and the Interim Chair detailed in Exhibit A.

6.3 CREATION AND FIRST MEETING

6.3.1. The first official meeting of the Interim State Committee shall occur after February 7, 2019.

6.3.2. Notice of the first meeting shall occur no less than seven (7) days prior to the meeting. The Interim State Committee members may waive this requirement upon unanimous approval.

6.3.3. The time of the first meeting and subsequent meetings shall not conflict with any State Committee meeting of the Free Libertarian Party, Inc.

6.3.4. An Interim Chair of the Interim State Committee shall call the first meeting to order, preside over a vote for adopting the rules, and conduct the election of the Chair of the Interim State Committee.

6.3.5. Following the election of the Chair, the Interim Chair shall no longer be a member of the Interim State Committee. This shall not be considered a vacancy.

6.4. MEETINGS

6.4.1. The Interim State Committee shall meet in person or by teleconference at least bimonthly, with no less than two (2) meetings to be held in person. Meetings held in person must be held within the State of New York.

6.4.2. Meetings of the Interim State Committee shall be called by one of the following:

6.4.2.1. The Chair.

6.4.2.2. Majority vote of the Officers of the Interim State Committee.

6.4.2.3. A request in writing signed by one third (1/3) of the Interim State Committee members, given to the Chair or Secretary.

6.5. OFFICERS

6.5.1. There shall be a Chair, 1st Vice Chair, 2nd Vice Chair, a Secretary, and a Treasurer, elected at the first meeting.

6.5.2. In the event of a vacancy in the office of Chair, the 1st Vice Chair selected by the Interim State Committee shall succeed as the Interim State Committee's Chair.

6.5.3. In the event of a vacancy in the office of 1st Vice Chair, the 2nd Vice Chair shall succeed as the Interim State Committee's 1st Vice Chair. A new 2nd Vice Chair shall be elected per 6.6.

6.6. **VACANCIES.** Vacancies on the Interim State Committee shall be filled by a majority vote of the Interim State Committee in a manner determined solely by the Interim State Committee.

6.7. **PROCEDURAL MATTERS.** The Interim State Committee shall be governed by the rules set forth for the governance of the State Committee and State Executive Committee in Articles 7 and 8.

6.8. **NOMINATIONS.** Nominations of all officers elected in State Conventions shall be from the floor, no nominating committee being permitted. Nomination of officers elected by the State Committee shall be from the floor in Committee meetings. Members may nominate themselves, but all nominations must be seconded.

6.9. **QUORUM.** A quorum for all Interim State Committee decisions shall consist of a majority of Interim State Committee members.

Article 7. State Committee

7.1. **AUTHORITY.** The State Committee shall be the highest governing body of the Libertarian Party. It shall have full authority to set policies and goals for the Libertarian Party, establish committees, raise and allocate financial resources, and hire staff.

7.2. **UNIT OF REPRESENTATION.** The unit of representation for the State Committee shall be the New York State Judicial District.

7.3. **REPRESENTATION.** Each Judicial District shall be entitled to two voting members on the State Committee, plus one additional voting member for every four-hundred active enrolled Libertarians in the district, up to a maximum of five (5) members, and one additional voting member for every fourthousand votes for the most recent Libertarian Gubernatorial candidate in the district, up to a maximum of five (5) members. Therefore, the maximum number of State Committee members from a Judicial District shall be twelve (12) voting members.

7.4. ELECTIONS. Members of the State Committee shall be elected by enrolled Libertarians at the primary elections in even numbered years. Members must reside in the Judicial District that they represent and shall be elected At Large within that Judicial District.

7.5. OFFICERS

7.5.1. The State Committee shall elect a Chair, a 1st Vice Chair, a 2nd Vice Chair, a Secretary, and a Treasurer at their first meeting.

7.5.1.1 On all elections for officers of the Libertarian Party, the choice of None of the Above (NOTA) is automatically recognized as included and valid. This option is to be explicitly mentioned as valid when listing the candidates for the election to be valid. If NOTA receives a majority of the votes, there will be new nominations and a new election, in which all of the candidates who were out-polled by NOTA are ineligible.

7.5.2. In the event of a vacancy in the office of Chair, the 1st Vice Chair selected by the State Committee shall serve as the State Committee's Chair until a successor is elected.

7.5.3. In the event of a vacancy in the office of 1st Vice Chair, the 2nd Vice Chair selected by the State Committee shall serve as the State Committee's 1st Vice Chair until a successor is elected.

7.5.4. All other officer vacancies shall be filled per 8.7.

7.6. TERM. All State Committee members shall serve until the next primary election in even numbered years. State Committee members who move out of their Judicial District but within the State of New York may keep their offices until the end of their term.

7.7. VACANCIES. Vacancies of the State Committee shall be filled by the State Committee in accordance with Election Law.

7.8. SUSPENSION AND TERMINATION OF MEMBERSHIP. A member or officer of the State Committee may be removed from the State Committee by a two-thirds (2/3) vote of the State Committee for disloyalty to the party or corruption in office, after notice and hearing upon written charges, to be heard by the State Committee.

7.9. QUALIFICATIONS FOR STATE COMMITTEE MEMBERSHIP. Each member of the State Committee shall be an enrolled member of the Libertarian Party residing within the jurisdiction from which such member is elected.

7.10. MEETINGS. The State Committee shall meet in person or by teleconference at least quarterly, with two (2) meetings to be held in person per year. The first meeting of each newly elected State Committee must be held in person. Meetings held in person must be held within the State of New York.

7.11. NOTIFICATION

7.11.1. Meetings of the state committee shall be called by one of the following:

7.11.1.1. The Chair.

7.11.1.2. Vote of the Executive Committee.

7.11.1.3. A request in writing signed by one third (1/3) of the State Committee members, given to the Chair or Secretary.

7.11.2. Five calendar days notice shall be given. A waiver of notice whether signed before or after a meeting, or attendance without protesting a lack of notice, shall preclude any objection on this ground.

7.12. **QUORUM.** A quorum for all State Committee decisions shall consist of a majority of State Committee members.

Article 8. Executive Committee

8.1. **AUTHORITY.** The Executive Committee shall carry on the work of the State Committee when it is not in session or stands in recess. The Executive Committee shall in any county where no county organization has been organized pursuant to these rules and the Election Law exercise and discharge within such counties all of the powers, functions and duties of a county organization as permitted by these rules or by law. Any action of the Executive Committee may be overruled by a two-thirds (2/3) vote of the State Committee.

8.2. **MEMBERS OF THE EXECUTIVE COMMITTEE.** The Executive Committee shall consist of the officers of the State Committee as defined in 7.5 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. Within three days after election a certificate stating the names and post office addresses of such officers shall be provided as provided by law.

8.3. **PRESIDING OFFICER.** The Chair shall be the Presiding Officer for the purpose of signing and filing documents as provided by law.

8.4. **TERM.** All Executive Committee members shall be elected at the first State Committee meeting following the primary election in even numbered years and shall serve a term of two (2) years or until their successors are duly elected as provided herein or by statute. Executive Committee members who move out of their State Committee district but within the State of New York may keep their offices until the end of their term.

8.5. **VOTING.** Each member of the Executive Committee shall have one vote. There shall be no proxy voting. Voting on any issue before the Executive Committee may be conducted through electronic means or written ballot.

8.6. **QUORUM.** Quorum at regularly scheduled meetings of the Executive Committee shall consist of a majority of the members of the Executive Committee. A quorum for online voting or for special meetings called shall consist of two thirds (2/3) of the Executive Committee members.

8.7. **VACANCIES.** Vacancies of members of the Executive Committee, elected by the State Committee, shall be filled by the Executive Committee from the membership of the State Committee on an interim basis, subject to ratification by a vote of the State Committee.

8.8. MAIL BALLOTING

8.8.1. The Executive Committee may conduct mail balloting via the internet. The wording of a

motion to be approved by internet balloting shall be vetted online for seventy-two (72) hours before being submitted to a vote to ensure that it is phrased in a concise, unambiguous, and complete form appropriate to its purpose.

8.8.2. Committee members will be made aware of such polls through email notices.

8.8.3. Motions made by Internet poll must be seconded within twenty-four (24) hours.

8.8.4. All polls will close exactly seven days after the Chair restates the motion. Committee members can change their votes any time during the seven-day voting period.

8.8.5. Motions to spend money may be for any dollar amount.

8.8.6. An Internet poll motion shall carry if it receives a total number of votes equivalent to a quorum of the Executive Committee, and passes with a majority of those votes.

Article 9. Interim County Organizations

9.1. **INTERIM COUNTY ORGANIZATIONS.** Until County Committees are elected by the enrolled voters of the Libertarian Party in accordance with these rules and the provisions of the Election Law, the Interim County Organizations shall exercise all of the powers of the County Committees as set forth herein and not prohibited by applicable law.

9.2. CREATION

9.2.1. An Interim County Organization may be affiliated in any county in which when nine (9) members, as defined in Article 5, meet at a convention to approve county rules and elect officers. There shall be no more than one (1) Interim County Organization in each county affiliated with the Libertarian Party.

9.2.2. Upon a majority vote of the Interim State Committee, the group that met the criteria shall become an affiliated Interim County Organization.

9.3. **TRANSITION FROM CHAPTERS OF THE FREE LIBERTARIAN PARTY, INC.** Should there be a chartered chapter of the Free Libertarian Party, Inc. they may:

9.3.1. Form an Interim County Organization per 9.2

9.3.2. Hold a regular convention or special convention in accordance with their chapter's bylaws, in which they may approve the current officers, in lieu of individual officer elections, as long as the criteria in 9.2 are met.

9.4. **MEMBERS.** Voting members of the affiliated Interim County Organizations shall be those persons who are members of the Libertarian Party as defined in Article 5, present at a given meeting of the affiliated Interim County Organization.

9.5. VACANCIES

9.5.1. In the event of a vacancy in the office of Chair, the Vice Chair selected by the Interim County Organization shall succeed as the Interim County Organization's Chair.

9.5.2. All other vacancies on the Interim County Organization shall be filled by a majority vote of the Interim County Organization in a manner determined solely by the Interim County Organization.

9.6. **OFFICERS.** Each affiliated Interim County Organization shall elect a Chair, a Vice Chair a Secretary, and a Treasurer.

9.7. **REMOVAL OF AFFILIATION.** The Interim State Committee shall monitor the qualifications and actions of the affiliated Interim County Organizations and may, after a hearing, suspend and remove its affiliation by a two-thirds (2/3) vote.

9.8. **END OF INTERIM COUNTY ORGANIZATIONS.** Interim County Organizations shall cease to exist on May 31, 2020 and may not be created beyond that date.

Article 10. County Committees

No County Committee shall be recognized unless elected, organized, and constituted in accordance with the Election Law.

Article 11. County Organizations After June 2020

11.1. **AUTHORITY.** Until a County Committee is elected in a given county by the enrolled voters of the Libertarian Party in accordance with the Election Law, a County Organization shall exercise all of the powers of a County Committee in their respective county as set forth herein and not prohibited by applicable law.

11.2. COUNTY ORGANIZATIONS

11.2.1. Following the June 2020 primary election, should a county not contain a duly elected County Committee, an affiliated Interim County Organization shall remain affiliated as a County Organization. The Executive Committee shall affiliate no more than one county organization for each county in New York State.

11.2.2. Following the June 2020 primary election, should a county not contain a duly elected County Committee or an existing Interim County Organization, they may form a County Organization in accordance with the process outlined in 11.3.

11.2.3. In primary elections after June 2020, should a county not contain a duly elected County Committee, an affiliated County Organization shall remain affiliated as a County Organization. The Executive Committee shall affiliate no more than one county organization for each county in New York State.

11.2.4. In primary elections after June 2020, should a county not contain a duly elected County Committee or an existing County Organization, they may form a County Organization in accordance with the process outlined in 11.3.

11.3. CREATION

11.3.1. A County Organization may be affiliated in any county in which when nine (9) members, as defined in Article 5, meet at a convention to approve county rules consistent with 11.4 and

elect officers. There shall be no more than one (1) County Organization in each county affiliated with the Libertarian Party.

11.3.2. Upon a majority vote of the Executive Committee, the group that met the criteria in 11.4 shall become an affiliated County Organization.

11.4. AFFILIATION QUALIFICATIONS. To qualify as an affiliated County Organization, a County Organization must provide documentation to the Executive Committee of the following:

11.4.1. At least ninety (90) enrolled Libertarians in the county.

11.4.2. A convention of at least nine (9) enrolled members that shall elect officers and adopt county rules consistent with the state party rules and principles.

11.4.3. A provision for the election of officers through single non-transferable votes and the designation of their state committee member(s).

11.4.4. At least four membership meetings announced and open to all members held quarterly.

11.5. OFFICERS. Each affiliated County Organization shall elect a Chair, a Vice Chair, a Secretary, and a Treasurer.

11.6. REMOVAL OF AFFILIATION

- 11.6.1. The Executive Committee shall monitor the qualifications and actions of the affiliated County Organizations and with a two-thirds (2/3) vote, may request a hearing held by the State Committee for the purpose of suspension and removal of affiliation.
- 11.6.2. Upon review of the request for a hearing by the Executive Committee, a majority vote of the State Committee is required to determine if the qualifications and actions are egregious in order to approve a hearing.
- 11.6.3. Following a hearing as approved in 11.6.2, a two-thirds (2/3) vote of the State Committee is required to remove affiliation.

Article 12. Delegates to Libertarian National Conventions

12.1. AUTHORITY. The selection of delegates to the Libertarian Party National Convention shall be governed by the rules of the National Libertarian Party, the rules of the Libertarian Party, and the New York State Election Law. The Interim State Committee shall have the authority and decide in a timely manner a process to implement the selection of delegates to the Libertarian National Convention in 2020. The State Committee shall have the authority to determine the manner of the selection of delegates to Libertarian National Conventions thereafter.

12.2. ELIGIBILITY. Delegates to Libertarian National Conventions must be enrolled in the Libertarian Party and reside in the State of New York.

12.3. DISTRIBUTION. There must be at least one (1) delegate from each New York State Congressional District that will be elected at the spring primary. All remaining delegates are elected At Large by the State Committee. Should no Libertarian Presidential candidate qualify for the spring primary, the State Committee shall have the authority to select all delegates in a manner it determines is appropriate.

Article 13. Nominations for Public Office

13.1. The following rules are for use for nominating and certifying candidates in 2019 and 2020.

13.1.1. **STATEWIDE CANDIDATES.** Candidates for statewide office in New York State shall be nominated in a convention open to all members. It shall take two-thirds (2/3) of those voting to nominate. By a vote of two-thirds (2/3) of those voting, some person or group other than the state convention may be authorized to nominate a candidate for statewide office consistent with the scope of authority contained in the enabling resolution.

13.1.2. **NEW YORK CITY CANDIDATES.** Nominations for offices in New York City to be filled at an election for all the voters of New York City shall be made by two-thirds (2/3) vote at a convention of all Libertarian Party members as defined in Article 5 who either reside in New York City or are members of one of the New York City Interim County Organizations, unless such a convention passes by two-thirds (2/3) an enabling resolution authorizing some person or group other than such convention to make such nominations on behalf of the party.

13.1.3. **CANDIDATES IN UNORGANIZED COUNTIES.** All nominations for public office where the geographic boundaries for such office lie wholly within a county or counties in which there is no Interim County Organization shall be made by the Interim State Committee.

13.1.4. **CANDIDATES IN MULTI-COUNTY DISTRICTS.** The authority of the Interim State Committee whether directly or by enabling resolution, shall not extend to nominating any candidates for public office where a portion of the geographic boundaries lie within a county where there is already an Interim County Organization, with the exception that candidates for public offices which encompass the entire state or entirely in New York City shall be nominated as detailed earlier in this article.

13.1.5. **DISTRICT NOMINATIONS WITHIN ORGANIZED COUNTIES.** Where the geographic boundary of a public office is contained entirely within the boundary of a single County Organization, or only crossing into a single Interim County Organization, nominations shall be made by the affected Interim County Organization, making such nomination in compliance with these rules and, if they don't conflict, according to their own rules.

13.1.6. **CANDIDATES IN MULTI-COUNTY DISTRICTS WITH ORGANIZED INTERIM COUNTY ORGANIZATIONS.** Where the geographic boundary of a public office other than statewide or New York City-wide cross into counties where there is more than one Interim County Organization in existence, then nominations shall be made by the affected Interim County Organizations at a joint meeting, in accordance with their joint rules.

13.1.7 **CERTIFICATES OF NOMINATION.** The authority to issue certificates of nomination in 2019 is reserved by and for the Interim State Committee. That authority may not be transferred. The Interim State Committee shall issue certificates of nomination for all duly nominated candidates in 2019 within 15 days of receipt of the nomination by the Interim State Committee.

13.2. The following rules will be in effect following the 2019 general election.

13.2.1. **CANDIDATE QUALIFICATIONS.** Libertarian Party candidates will be limited to those people who are enrolled members of the Libertarian Party except as provided in 13.2.4.

13.2.2. **STATEWIDE CANDIDATES.** The nomination, designation, and/or authorization of candidates for any office to be filled by the voters of the entire state shall be made by the State Committee. Vacancies of such candidates shall be filled according to the Election Law.

13.2.3. **SPECIAL ELECTIONS.** Article 13.1 shall govern special elections in any political subdivision, save for the term “interim” throughout. Any vacancy in such nominations shall be filled by the making and a filing of a certificate issued by the state committee.

13.2.4. **NON-LIBERTARIAN CANDIDATES.** Any nomination made by the Libertarian Party in any political subdivision in New York State whose recipient is not a member of the Libertarian Party will be subject to the approval of a majority of a quorum of the Interim State Committee and subsequent Executive Committee as provided by the Election Law.

13.2.5 **ISSUANCE OF WILSON PAKULA FORMS.** After the Non-Libertarian candidate has been approved by a majority of a quorum of the (interim) state committee and the executive committee, as required by 13.2.4 of these rules, the needed Wilson Pakula form or its legal equivalent is to be issued by the (interim) state committee.

Article 14. Party Funds in Primary Elections

Section 2-126 of the Election Law precludes political party committees from spending funds for a candidate in a contested primary election. The Libertarian Party and Affiliated County Organizations are prohibited from expending funds in this manner.

Article 15. Platform

Considerations of any proposed platform amendment shall be as follows:

15.1. Each plank of the proposed platform shall be considered separately by the State Committee and must be approved by a two-thirds (2/3) vote of the State Committee.

15.2. All those planks which have been approved individually and only such planks shall then constitute the proposed platform which shall take effect as the Libertarian Party platform when approved as a whole, by two-thirds (2/3) vote of the State Committee.

Article 16. Resolutions

To provide the Libertarian Party with a means of expressing its opinion on issues of public concern, resolutions may be passed by two thirds (2/3) vote of the State Committee.

Article 17. Loans

No loans may be made by the Libertarian Party to any member of the State Committee or to any officer thereof.

Article 18. Parliamentary Authority

Robert's Rules of Order (latest edition) shall govern all meetings of the Interim State Committee, State Committee, and Executive Committee in so far as they are applicable and not inconsistent with these rules.

Article 19. Amendments

These rules may be amended by a majority vote of the State Committee.

Article 20. Exclusivity

20.1. These rules shall be the exclusive rules of the State Committee of the Libertarian Party.

20.2. These rules supersede and replace any document previously filed by the Party, and shall remain in effect until such time that the State Committee of the Libertarian Party adopts new or amended Rules and files such Rules with the New York State Board of Elections. No other rules shall be effective unless approved in writing by the Interim State Committee or subsequent State Committee.

Article 21. Severability

Any provision of these rules that is adjudged to be invalid or otherwise rendered inoperative by a court or competent jurisdiction shall not affect the validity of any other provision of these rules.

(Version 6.0 LPNY Rules 4-26-2020)

Exhibit A (page 1 of 2)
Interim State Committee Members

<u>Name</u>	<u>Residence or Post Office Address</u>
Mark Potwora	209 Grandview Avenue Batavia N.Y. 14020
Duane Whitmer	5086 East Lane Lake View, N.Y. 14085
Lora Newell	115 Staleyville Road Sharon Springs, N.Y. 13459
Fred Cole Jr.	1017 Roberta Road Schenectady, N.Y. 12303
Ilya Schwartzburg	510 W. 110 th Street New York, N.Y. 10025
Andrew Kolstee	35 Fairfield Ave Jamestown N.Y. 14701
Jeffrey Motta	60 White Oak Street, Apt. 3G New Rochelle, N.Y. 10801
Michael Arcati	6796 Exeter Street Forest Hills, N.Y. 11375
Michael McDermott	7 Strathmore Way, Unit 4 Melville, N.Y. 11747
Richard Bell	38 Belmont Avenue Staten Island, N.Y. 10310
James Harris	P.O. Box 740 East Northport, N.Y. 11731
Todd Haggerty	16 Hillcrest Road Latham, N.Y. 12110

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Interim State Committee Members

<u>Name</u>	<u>Residence or Post Office Address</u>
Stephen Minogue	309 Stonewood Lane Baldwinsville, N.Y. 13027
Steven Becker	418 Helendale Road Rochester, N.Y. 14609
Gary Popkin	849 President Street Brooklyn, N.Y. 11215
Mark Glogowski	1498 Lake Road, P.O. Box 98 Hamlin, N.Y. 14464
W. Cody Anderson	236 Bashford Road Valatie, N.Y. 12184
Milva Dordal	4811 Makyes Road Syracuse, N.Y. 13215
Andrew Hollister	420 N. Lemoyne Avenue Rochester, N.Y. 14612
Tucker Coburn	195 Clarkson Ave, Apt. 2C Brooklyn, N.Y. 11226
Anthony D'Orazio	122 West Filbert Street East Rochester, N.Y. 14445

Exhibit B Elected Officers of the Interim State Committee

<u>Name</u>	<u>Position</u>	<u>Residence or Post Office Address</u>
Anthony D’Orazio	Chair	122 West Filbert Street East Rochester, N.Y. 14445
Tucker Coburn	First Vice Chairman	195 Clarkson Ave, Apt. 2C Brooklyn, N.Y. 11226
Stephen Minogue	Second Vice Chairman	309 Stonewood Lane Baldwinsville, N.Y. 13027
Lora Newell	Treasurer	115 Staleyville Road Sharon Springs, N.Y. 13459
Fred Cole Jr.	Secretary	1017 Roberta Road Schenectady, N.Y. 12303