

ARTICLE XV

PLATFORM

Consideration of any proposed LP-NY platform shall be as follows:

- A. Each plank of the proposed platform shall be considered separately by the Convention and must be approved by two-thirds of those present and voting.
- B. All those planks which have been approved individually and only such planks shall then constitute the proposed platform which shall take effect as the LP-NY platform when approved, as a whole, by two-thirds of those present and voting at the Convention.

ARTICLE XVI

RESOLUTIONS

- A. To provide the membership of the LP-NY with a means of expressing their opinion on the issues of concern, resolutions may be passed:
 1. by two-thirds vote of any LP-NY Convention;
 2. by two-thirds majority of those voting in a mail ballot provided that:
 - a. the ballot shall have been mailed to all members of the LP-NY,
 - b. at least fifty percent of the members shall have returned a written vote on the resolution,
 - c. two weeks shall have expired since the receipt of the ballot by the members as estimated by the Secretary.
- B. The written ballots returned by the members shall be verified by the Secretary and after the above conditions have been met, the Secretary shall declare the balloting closed and tabulate, certify and announce the results.

ARTICLE XVII

LOCATION OF THE PARTY OFFICE

The principal office of the LP-NY and other offices of the LP-NY shall be located within New York State as the State Committee may determine.

ARTICLE XVIII

LOANS

No loans shall be made by the LP-NY to any member of the State Committee or to any officer.

ARTICLE XIX

CORPORATE SEAL

The Corporation seal of the Libertarian Party of New York shall be circular in form with the words "Libertarian Party of New York" on the circumference thereof and the words "Corporate Seal" in the center.

ARTICLE XI

COMMITTEES

The State Committee shall appoint such standing or temporary committees, their members and chairperson, as it sees fit, such committee to serve at the pleasure of the State Committee.

ARTICLE XII

AMENDMENT PROCEDURES

- A. Proposed amendments to these By-Laws, if approved by the State Committee, shall be entered on the agenda of the next Convention of the LP-NY and the Secretary shall mail the text of such approved amendments not less than thirty days prior to the opening date of said Convention to each LP-NY member.
- B. Any delegate to any Annual LP-NY Convention may propose any amendment to any By-Law at any Convention if such amendment is presented in writing to the Secretary before consideration of the matter of amendments is concluded and if consideration of such amendment is requested by twenty delegates to such Convention or by ten percent of the delegates to such Convention, whichever shall be less.
- C. Proposed amendments to these By-Laws, if approved by the State Committee, shall take full force and effect when ratified by two-thirds of the members in good standing of the LP-NY returning ballots within ninety days of the date of mailing to such members provided, however, any amendment in process of ratification under this Section shall be automatically entered on the agenda of said Convention.
- D. In any of the above amendment procedures requiring a vote in Convention, a two-thirds majority of those delegates voting shall be necessary for adoption.

ARTICLE XIII

VACANCY AND SUCCESSION

- A. In the event of the temporary inability of the State Chairperson to perform the Chairperson's duties, said duties shall devolve upon the State Vice-Chairperson designated by the State Committee.
- B. In the event of a vacancy in the office of State Chairperson, the State Vice-Chairperson selected by the State Committee shall serve as State Chairperson until the next convention. All other vacancies on the State Committee shall be filled by the State Committee in a manner determined solely by that State Committee.

ARTICLE XIV

PARLIAMENTARY AUTHORITY

"Robert's Rule of Order" (latest edition) shall be the only Parliamentary Authority at the state level of the LP-NY for all matters of procedure not specifically covered in these By-Laws.

B. Endorsements 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 vote at a Convention of all LP-NY members who either reside in New York City or are members of one of the New York City County Organizations unless such a Convention passes by two-thirds an enabling resolution authorizing some person or group other than such Convention to make such endorsements on behalf of the party.

C. All endorsements for public office where the geographic boundaries for such office lie wholly within a county or counties in which there is no County Organization shall be made by the State Convention or body designated by two-thirds vote of the State Convention.

D. The authority of the State Convention, whether directly or by enabling resolution, shall not extend to endorsing any candidates for public office where a portion of the geographic boundaries lie within a county where there is already a County Organization with the exception that candidates for public offices which encompass the entire state or the entire City of New York, shall be endorsed as detailed earlier in this article. Where the geographic boundaries of a public office other than statewide or New York Citywide cross into counties where there are more than one County Organization in existence, then endorsements shall be made by each and all affected County Organizations, each making such endorsement according to its own by-laws and rules of order.

E. No affiliate party shall endorse any candidate who is a member of another party in any partisan election for public office; nor may any candidate endorsed or nominated by the LP-NY or any local affiliate thereof accept the nomination of any other political party or independent nominating body except that candidates of the Libertarian Party may with the approval of two-thirds of the State Committee accept the nomination of other political parties. In the event that any such candidate accepts or fails to decline nomination by another political party or independent nominating body without such approval, the endorsement and nomination by the LP-NY is automatically withdrawn and a new endorsement or nomination shall be made by a two-thirds vote of the State Committee of the LP-NY or the local endorsing authority as provided in Article VIII. No affiliate party shall take any action inconsistent with the Statement of Principles or these by-laws.

ARTICLE IX

PARTICIPATION

Any state or federal law to the contrary notwithstanding, participation in: (a) the election of officers of the LP-NY, or any County Organization thereof, (b) the endorsement or nomination of candidates for statewide or local party or public office and/or (c) the selection of delegates to any national convention of the Libertarian Party, including its Presidential Nominating Convention, shall be limited to persons who have previously submitted a signed statement that they subscribe to the Principles and Objectives of the LP-NY as provided in Articles I and II of these By-Laws.

ARTICLE X

QUORUMS

A. At all State Convention of the LP-NY, a quorum shall consist of the greater of:

1. Twenty percent of the number of delegates registered for the Convention in accordance with Article IV, Section A.
2. Forty percent of those delegates registered as being in attendance at the Convention.

B. At all meetings of the State Committee, a quorum shall consist of one-half of the members in good standing of such Committee, **exclusive of the immediate Past Chair.**

J. The Board of Directors as provided in the New York State Not-for-Profit Corporation Law shall be the State Committee.

ARTICLE VII

SUSPENSION AND TERMINATION OF MEMBERSHIP

A. Suspension of Membership

1. The State Committee shall have the authority, by a two-thirds majority of those present, to suspend on written notice the membership of any LP-NY member who:

a. follows a continued public course of action knowing it to be contrary to the principles and objectives of the LP-NY as set forth in Article I of the By-Laws.

b. claims to represent the LP-NY while knowing that this is not the fact.

c. knowingly, seriously and repeatedly disrupts meetings or activities of the LP-NY.

2. Written notice of suspension shall set forth in detail the full nature of the charges and the evidence supporting same and the accused shall have the right to testify before the State Committee and call witnesses in the accused defense. A hearing on any charges shall be held within thirty days of the vote to suspend. Within ten days after such hearing, the State Committee shall vote to withdraw the suspension or to extend it to the next convention. The State Committee shall issue a written opinion supporting its action, including the evidence supporting its conclusion.

B. Termination of Membership

1. Any member dissatisfied with the action of the State Committee in suspending membership after a hearing, may appeal the decision of the State Committee to the next convention by notice to the State Committee within ten days of notice of the State Committee. If not so appealed, any suspension of membership shall become a final termination of membership eleven days after notice of such decision of the State Committee without further right to appeal.

2. The State Chairperson (unless absent or the subject of the proceedings, in which case the Vice-Chairperson selected by the State Committee shall serve) shall present to the convention the case for termination.

3. On appeal to a Convention, the accused member(s) shall have the right to testify and to call witnesses in their defense.

4. After hearing the case for and against the accused, the convention shall vote and any suspension shall become a termination of membership if upheld by two-thirds of the votes cast. If not so upheld, any suspension shall be dissolved.

5. There shall be no appeal from the action of a convention in termination proceedings.

ARTICLE VIII

ENDORSEMENTS

A. Candidates for Statewide office in New York State shall be endorsed in a Convention open to all members in the State. It shall take a vote of two-thirds of those voting to endorse. By a vote of two-thirds of those voting, someone or group other than the State Convention may be authorized to endorse a candidate for statewide office consistent with the scope of authority contained in the enabling resolution.

Conventions shall be by a majority of votes cast. If an insufficient number of candidates receive a majority on any given ballot, then the candidate with the smallest number shall be removed from the ballot; a tie for smallest shall require a new ballot. On all elections for officers of the LP-NY, the choice of NONE OF THE ABOVE is automatically recognized as included and valid. If this election receives a majority of the votes, there will be new nominations and a new election, in which all of the candidates who were outpolled by the N.O.T.A. choice are ineligible.

7. All officers and Committeepersons-at -Large of the LP-NY shall be members of good standing of the LP-NY.

ARTICLE VI STATE COMMITTEE

A. The State Committee shall consist of the State Chairperson, the two Vice-Chairpersons, Treasurer, Secretary, and five Committeepersons-at-Large and a representative from and elected by each chartered County Organization, and the immediate Past Chair.

B. 1. The State Committee shall meet at least Quarterly, with one meeting to be held at the close of the Annual Convention.

2. Meetings of the State Committee may be held at any place within the State of New York except as provided for under Article IV Section C.

3. Meetings of the State Committee may be called by:

- a. a request in writing signed by one-third of its members, given to the Chairperson or Secretary; or
- b. The Chairperson; or
- c. vote of the State Committee.

Five calendar days notice shall be given unless emergency circumstances dictate otherwise. A waiver of notice whether signed before or after a meeting, or attendance without protesting a lack of notice, shall preclude an objection on this ground.

C. The State Committee shall have the sole responsibility for appointing state officials, approving applications for membership in the LP-NY, resolution of issues pertaining to succession of officers, suspension of LP-NY members, appointment and removal of the LP-NY newsletter editor, selection of convention sites and dates and all arrangements pertaining thereto including the preparation and distribution of programs and agenda.

D. The State Committee shall have the responsibility, subject to direction by the State Convention, for the development and implementation of Party policy, the creation of fiscal budgets for the implementation of Party policy and the operations of the State Party, and for the expenditure of Party funds. The State Committee may not spend any LP-NY funds in support of any candidate not endorsed in accordance with these By-Laws.

E. All meetings of the State Committee shall be open to observation by members of the LP-NY, limited only by the need for orderly meetings.

F. Each member of the State Committee shall have one vote, except that the State Chairperson shall vote only to resolve a tie. No voting by proxy shall be permitted.

G. All members of the State Committee of the LP-NY shall be members in good standing of the LP-NY and shall be at least 19 years of age.

H. The State Committee by a majority vote may determine that an issue up for consideration is "an important issue" and can permit the Chairperson to call absent members by phone or other means of communication to solicit either their opinion or vote.

I. Members of the State Committee elected by the Annual Convention shall hold office until the close of the Annual Convention following their election, or until they shall have resigned. Resignation shall be effective upon receipt thereof by the Chairperson or the Secretary.

ARTICLE V

OFFICERS

A. State Level

1. Titles

The officers of the LP-NY shall be the State Chairperson, two State Vice-Chairpersons, Secretary and Treasurer.

2. Duties

a. State Chairperson: The State Chairperson shall preside at all meetings of the State Committee. The State Chairperson shall perform such duties as usually pertain to the office of Chairperson and shall perform such other duties as are assigned to the State Chairperson by the State Committee.

b. State Vice-Chairpersons: The State Vice-Chairpersons shall act as assistants to the State Chairperson. Among the responsibilities which may be delegated to either and/or both Vice-Chairpersons by the State Chairperson or the State Committee are the operations of the State Headquarters, production of the Party Newsletter, promotion of County Organizations and Party membership and development of literature for distribution by the LP-NY.

c. Secretary: The Secretary shall keep an accurate and complete record of the proceedings of all meetings of the State Committee and shall keep these records up-to-date and in order in the master book containing the official minutes of the LP-NY. At each meeting of such Committee, the Secretary shall present the minutes of the previous meeting for approval. In all elections and roll call votes at the State Conventions, the Secretary shall call the roll of the registered members and shall keep an accurate tally of such votes. The Secretary with unanimous consent may dispense with a roll call vote. The Secretary may appoint assistants for this purpose and, in contested elections, with the consent of a majority of the members of the State Committee present and voting, shall appoint an Elections Board which shall include one representative of each contestant in question plus one additional member, so that the Board shall consist of an odd number of persons.

d. Treasurer: The Treasurer, or the Treasurer's designated agent, shall receive and give receipts for all monies paid to the LP-NY and shall deposit same in such bank or banks as shall have been designated by the State Committee. The Treasurer shall present a written report at each meeting of the State Committee or at any other time when so requested by the State Committee. The Treasurer shall, at the discretion of the State Committee, present the financial records of the LP-NY for audit by such auditor(s) at the State Committee shall specify. Expenditures of funds shall be made only in accordance with regulations established by the State Committee. Not later than January 5th of each year, the Treasurer shall send a dues notice to each member of the LP-NY.

3. Nominations

Nominations of all officers and Committeepersons-at-Large elected in State Conventions shall be from the floor, no nominating committee being permitted. Nomination of officers and Committeepersons-at-Large elected by the State Committee shall be from the floor in Committee meetings.

4. Terms of Office

All elected officers and Committeepersons-at-Large shall serve until the close of the Annual Convention following their election. Appointed officers shall hold office at the pleasure of the State Committee.

5. Manner of Election

The State Chairperson, State Vice-Chairpersons, five State Committeepersons-at-Large, the Treasurer and the Secretary shall be elected at the Annual State Convention.

D. Other Matters

1. A County Organization may continue in existence as long as it observes all requirements herein stated and in addition consists of at least four (4) LP-NY members.

2. Any county included within an existing County Organization may secede therefrom and establish its own County Organization, provided that ten or more LP-NY members reside in it and provided that its secession will not reduce the membership of the original Organization below any requirement for continued existence set by the State By-Laws. The procedure for obtaining a charter for the new Organization shall be the same as that for chartering any County Organization.

3. The chair of any County Organization must be a member of the LP-NY.

4. any decisions not forbidden to the County Organizations in the LP-NY By-Laws shall be reserved to the County Organizations respectively, or to the individual LP-NY members.

ARTICLE IV

CONVENTIONS

A. Each LP-NY member in good standing the fifteen consecutive days prior to any LP-NY Convention shall be entitled to one vote at such LP-NY Convention. No voting by proxy will be permitted.

B. In 1973 and thereafter, there shall be an Annual Convention. The date shall be set by the State Committee, which shall provide written notice of not less than twenty-five days and not more than fifty days of such date to each LP-NY member.

C. The Annual Convention and State Committee Meeting held immediately after the convention may be held in any state adjacent to New York State when such convention is held jointly with any other state..

D. Special Conventions may be convened by:

1. The State Committee, or

2. a request in writing signed by one quarter of the members of the LP-NY, given to the Chairperson or Secretary, upon written notice of not less than twenty-five days and not more than fifty days to all LP-NY members. Such notice shall set forth the subjects to be considered at such Convention and no other subject may be considered.

E. Notice of all conventions shall state the place, date and hour of the Convention. If it is other than the Annual Convention, the notice shall also state that the Convention is called by the persons or officers named. The attendance by any member without protest shall constitute a waiver of notice, as shall the signing of a waiver of notice before or after the meeting.

F. The meeting of members as provided in the New York State Not-for-Profit Corporation Law shall be the State Convention.

ARTICLE III
COUNTY ORGANIZATIONS

The State Committee shall charter County Organizations as provided for in this article:

A. Procedures for the Chartering of County Organizations

1. The State Committee shall charter any County Organization which meets all of the requirements stated in this article. No more than one County Organization may be chartered in any one county, but a County Organization of two or more contiguous counties, each of which has at least one LP-NY member residing therein may be chartered. The State Committee may revoke the charter of any County Organization if and only if it fails to live up to its requirements under either the State By-Laws or its own County By-Laws.

2. Upon the request of any LP-NY member residing in a county in which there is no chartered County Organization, the State Committee shall appoint some LP-NY member residing in that county to take the position of Temporary County Chairperson. The purpose of such appointment is to secure a contact person around whom a County Organization may be formed. The State Committee may replace any Temporary Chairperson whom it does not deem to be performing his or her function satisfactorily.

B. Requirements for Chartering of County Organizations

1. The geographical unit applying for a County Organization (whether a single county or a group of contiguous counties) must have held a Convention attended by at least seven (7) LP-NY members residing therein, and a good faith attempt must have been made in advance to inform all LP-NY members residing therein of the time and place of said Convention. No LP-NY member residing in that geographical unit shall be denied the right to attend said Convention or join such County Organization should it be chartered except that each County Organization shall have the right to set dues as a requirement for membership.

2. A set of County By-Laws must be adopted at said Convention, must not conflict with the State By-Laws of the LP-NY, and must cover the following matters:

- a. Membership requirements (if any)
- b. Provision for at least one annual Convention
- c. Procedures for selecting County officers and positions
- d. Procedures for amending the County By-Laws
- e. Procedures for endorsing candidates for public office
- f. Provision for division of treasury and other pooled resources (if there are any) in the event of a county's secession from a County Organization of more than one county to form a County Organization from a smaller included geographical unit.

C. Residence

In the case of multiple residences, the person who resides in more than one place shall be the only person to decide which place or residence to claim for purposes of joining, voting in a Convention of, or otherwise associating with a County Organization, except that no person shall claim more than one place of residence in the same 90-day period.

BYLAWS
of
THE LIBERTARIAN PARTY OF NEW YORK

AS REVISED AT THE 1989 STATE CONVENTION
(No revisions were made at the the 1990 State Convention)

ARTICLE I: PRINCIPLES AND OBJECTIVES

The Libertarian Party of New York is a political organization which has as its primary objective the extension of individual freedom to its furthest limits.

To that end the Party affirms the following principles:

1. That each individual possesses the inalienable right to life and liberty and to justly acquired property.
2. That no person or institution, public or private, has the right to initiate the use of physical force against another.
3. That all individuals are entitled to choose their own life styles as long as they do not forcibly impose their values on others.
4. That the only moral basis of politics is the preservation and protection of individual rights.
5. That the voluntary exchange of goods and services is fundamental to any socio-economic system which provides for harmonious integration of divergent value systems.

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 of New York enters the political arena for the avowed purpose of eliminating the intervention of government in moral, social and economic affairs.

ARTICLE II: MEMBERSHIP

A. Requirements

1. State Level

Membership in the Libertarian Party of New York shall be open to any individual who shall (1) subscribe to the Principles and Objectives of the LPNY, (2) submit a signed application to that effect either directly to the LPNY, or to one of its chartered County Organizations and (3) pay such dues as may be required. A "member" as utilized in these bylaws is a person who has satisfied the foregoing criteria.

B. Membership Classes and Dues

1. Direct State Membership

a. Dues for Direct State Membership shall be: Regular Members \$15, Lifetime Members \$200, Lifetime Sustaining Members \$500. Regular membership dues are payable annually. No additional dues may be required of any Lifetime or Lifetime Sustaining Members.

b. A one-year membership in the LPNY shall be for the remaining part of the calendar year in which dues are paid; except that dues collected subsequent to September 1 will be in effect for the remainder of that year through December 31 of the following year.