

**MINUTES OF THE MEETING OF THE RULES COMMITTEE
OF THE LIBERTARIAN PARTY OF NEW YORK
HELD ON THURSDAY, SEPTEMBER 12, 2024 ON THE ZOOM MEETING APP**

MEMBERS PRESENT

Andrew Kolstee, Chair
Mark Braiman
Daniel Castello
Pietro Geraci
Paul Grindle

MEMBERS ABSENT

Christopher Olenski
Karyn Thompson

Secretary's note: Michael Rebmann passed away on August 15, 2024.

An informal discussion began at 7:11 p.m. since it was determined that quorum was not present.

Pietro Geraci entered the meeting at 7:26 p.m., establishing quorum.

Paul Grindle entered the meeting at 7:32 p.m.

The meeting was called to order at 7:35 p.m. by Andrew Kolstee, Chair. It was determined that quorum was present.

Motion by Mark Braiman to **recommend Proposal D2 as follows to the State Committee for adoption as an amendment to the Rules of the Libertarian Party** was seconded by Pietro Geraci and passed by voice vote.

Article 6. State Committee

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

~~7.1.6.1.1. AUTHORITY.~~ **EXECUTIVE COMMITTEE.** The Executive Committee shall consist of all the Officers of the LPNY. This committee shall carry on the duties and exercise the powers of the State Committee when it is not in session or stands in recess. The Executive Committee shall, in any county where no County Affiliate 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 Affiliate 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.

6.2. **MEMBERS.** Members of the State Committee must be LPNY Members and elected in accordance with these Rules. If at any time the LPNY is unable to elect a new State Committee under the auspices of the New York State Board of Elections, the members of the State Committee shall be elected in accordance with Article ~~6.4~~. 6.5. Members of the State Committee shall also include any LPNY Member who fills a vacancy in the State Committee or is an Officer ~~elected to the Executive Committee.~~

6.3. **COMPOSITION...**

6.4. **ELECTION THROUGH THE BOARD OF ELECTIONS...**

6.5. **ELECTION THROUGH THE LPNY...**

~~6.6. OFFICERS...~~ [see below - merging with Executive Committee into Article 7]

~~6.7.~~ 6.6. **VACANCIES.** ~~6.7.1. STATE COMMITTEE.~~ If a vacancy exists on the State Committee, the position shall be vacant until filled by election by a majority vote of the State Committee. Nominations for filling any vacancy may be submitted to the Secretary at least seven (7) days in advance of the meeting in which the filling of the vacancy shall be considered. Once the filling of vacancies begins, the Secretary shall present the nominations received. Subsequent nominations may be made on the floor prior to the election to fill such vacancies. The Chair shall request that each nominee is qualified to fill the vacancy and accepts the nomination in order to be entered into nomination to fill the vacancy they seek.

~~6.7.2. EXECUTIVE COMMITTEE. If a vacancy occurs on the Executive Committee...~~ [moved to Article 7]

~~6.8.~~ 6.7. **TERM.** State Committee members shall serve until the conclusion of the Organization Meeting following the election at which their successors are elected. State Committee members who move their residence out of their Judicial District but within the State of New York may keep their offices until the end of their term.

Article 7. ~~Executive Committee~~ Officers

~~6.6-7.1.~~ **OFFICERS. GENERAL.** The officers of the ~~State and Executive Committee~~ shall be the Chair, ~~1st~~ Vice-Chair, ~~2nd Vice-Chair~~, Secretary, ~~and~~ Treasurer, Communications Director, Fundraising Director, Information Technology (IT) Director, Legislative Affairs Director, Outreach Director, Political Director, and Volunteer Director. ~~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.~~ 7.2. **MEMBERSHIP.** ~~The Executive Committee shall consist of the officers of the State Committee as defined in Article 6.5 and five (5) Members At Large elected by the 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.~~ Only LPNY Members are eligible to be officers. Within three days after the 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.

~~6.8.1. OFFICER TERMS. Officer terms expire upon the conclusion of the next Organization Meeting held following the Organization Meeting in which they were elected.~~

~~7.4.2. TERM. All Executive Committee members~~ Officers 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. All other officers shall be elected at the annual convention and shall serve a term of one (1) year or until their successors are duly elected.~~

7.3. DUTIES OF OFFICERS. ~~Duties~~ All officers shall provide the State Committee written reports at least once per calendar quarter, documenting the accomplishment of their other duties ~~of such officers are~~ provided in this section.

~~6.6.1.7.3.1. CHAIR.~~ The Chair shall preside at all meetings of the State Committee. The Chair shall perform such duties as usually pertain to the office of Chair and shall perform such other duties as are assigned to the Chair by the State Committee. ~~7.3. PRESIDING OFFICER.~~ The Chair shall be the Presiding Officer for the purpose of signing and filing documents as provided by law. [\[merged these Chair duties\]](#)

~~6.6.2.7.3.2. VICE-CHAIRS.~~ The ~~1st and 2nd~~ Vice-Chairs shall act as assistants to the Chair. The ~~1st~~ Vice-Chair shall preside in the absence of the Chair and shall assume all the duties of the Chair in the event the Chair is unable to execute the duties of the Chair. ~~The 2nd Vice-Chair shall assume such duties in the event that the 1st Vice-Chair is unable to execute such duties.~~

~~6.6.3.7.3.3. 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 at the LPedia page containing the official minutes of the LPNY. At meetings of the State Committee and the Executive Committee, the Secretary shall present the minutes of the previous respective meeting for approval. In all elections and roll call votes, the Secretary shall call the roll of the voting 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.

~~6.6.4.7.3.4. TREASURER.~~ The Treasurer, or the Treasurer's designated agent, shall receive and give receipts for all monies paid to the LPNY and shall deposit the 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 LPNY for audit by such auditor(s) as the State Committee shall specify. Expenditures of funds shall be made only in accordance with regulations established by the State Committee.

~~6.6.5.7.3.5. ASSISTANTS.~~ The Secretary and Treasurer may appoint ~~another~~ LPNY Members to serve as Assistant Secretary and Assistant Treasurer respectively in order to assist in their duties. Such appointments shall only be effective if confirmed by the Executive Committee.

[DEFINITIONS TAKEN FROM POLICY MANUAL]

7.3.6. COMMUNICATIONS DIRECTOR. The Communications Director shall oversee the ~~The~~ Communications Division, which shall be led by the Communications Director. The Division is responsible for overseeing public relations, social media, content creation, and messaging. ~~The Division shall consist of a Communications Committee chaired by the Communications Director; and a Social Media Committee.~~

7.3.7. FUNDRAISING DIRECTOR. The Fundraising Director shall oversee the ~~The~~ Fundraising Division, which shall be led by the Fundraising Director. The Division shall be responsible for obtaining finances, including managing donor relationships, sponsorships, vendor relationships, and merchandising.

7.3.8. IT DIRECTOR. The IT Director shall oversee the ~~The~~ IT Division, which shall be led by the IT Director. The Division shall be responsible for administering the website, database management, and assisting other divisions with IT-related tasks as necessary.

7.3.9. LEGISLATIVE AFFAIRS DIRECTOR. The Legislative Affairs Director shall oversee the ~~The~~ Legislative Affairs Division, which shall be ~~shall be led by the Legislative Affairs Director.~~ The Division is responsible for developing and ~~policy,~~ monitoring legislation, and building strategies to advance the party's message in the legislative process. ~~The Division shall consist of a Legislative Affairs Committee chaired by the Legislative Affairs Director. The Division may be further divided into subcommittees based on the category of issues.~~

7.3.10. OUTREACH DIRECTOR. The Outreach Director shall oversee the ~~The~~ Outreach Division, which shall be led by the Outreach Director. The Division shall be responsible for ~~developing and implementing strategies for content creation, activism opportunities,~~ direct citizen action, networking with other organizations, coalition building, and developing County Affiliates and College Campus Affiliates.

7.3.11. POLITICAL DIRECTOR. The Political Director shall oversee the ~~The~~ Political Division, which shall be led by the Political Director. The Division shall be responsible for candidate acquisition, candidate support, and ~~supporting elected Libertarians~~ Support.

7.3.12. VOLUNTEER DIRECTOR. The Volunteer Director shall oversee the ~~The~~ Volunteer Division, which shall be led by the Volunteer Director. The Division shall be responsible for volunteer coordination and organizing trainings. The Division shall consist of a Personnel Committee chaired by the Personnel Director.

~~6.7.2.7.4. EXECUTIVE COMMITTEE. VACANCIES.~~ If a vacancy occurs ~~on the Executive Committee or the State Committee,~~ in any officer position, the position shall be filled in accordance with this section. Vacancies occur by death, resignation, removal, relocation out of state, or change of party enrollment to a choice other than Libertarian.

~~6.7.1.7.4.1. CHAIR.~~ If a vacancy exists in the office of Chair, the ~~1st~~ Vice-Chair shall serve as Acting Chair until the election of a new Chair at the next meeting of the full State Committee. ~~If the 1st Vice Chair declines to serve as Acting Chair, the 2nd Vice Chair shall serve as Acting Chair until the election of a new Chair at the next meeting of the full State Committee. If the 2nd Vice~~

~~Chair declines to serve as Acting Chair, the Executive Committee shall appoint an Acting Chair at its next meeting, who shall serve as Acting Chair until a new Chair is elected.~~

~~6.7.2. 1ST VICE CHAIR. If a vacancy exists in the office of 1st Vice Chair, the 2nd Vice Chair shall serve as the 1st Vice Chair for the remainder of the term.~~

~~6.7.3-7.4.3. OTHER OFFICERS. If a vacancy exists in any other the officer position of 2nd Vice Chair, Secretary, or Treasurer, the Executive Committee shall fill the vacancy, subject to ratification by a vote of the State Committee. The individual selected shall serve for the remainder of the term of the office vacated. If the ratification fails, the State Committee shall fill the vacancy.~~

~~6.7.4. AT-LARGE EXECUTIVE COMMITTEE MEMBERS. If a vacancy exists in an At-Large Executive Committee Member position, the position shall be vacant until filled by a majority vote of the State Committee. The Executive Committee is not authorized to fill such vacancies.~~

7.5 EXECUTIVE SESSION.

7.5.1. **GENERAL.** 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. The reasons for moving to Executive Session must be stated in the minutes of the Executive Committee. [replaced some commas with semicolons.]

7.5.2. **VOTING.** No vote shall be conducted in Executive Session, except votes pertaining to the waiving of reading of minutes of Executive Session, approval of the minutes of Executive Session, and adjournment of Executive Session.

Article 9. Elections

9.1. **GENERAL.** Elections of party offices shall be conducted in accordance with this article. Such offices shall include the officers (~~Chair, 1st Vice Chair, 2nd Vice Chair, Secretary, and Treasurer~~), ~~Members At Large of the Executive Committee~~, and the filling of vacancies of any of those offices, including members of the State Committee. [officers already defined in Article 7]

9.3.4. **ORDER OF ELECTIONS.** Elections of each party office shall be held individually in the following order, if such election is required by the agenda: Members of the State Committee, Chair, 1st Vice-Chair, ~~2nd Vice Chair~~, Secretary, Treasurer, ~~and Members At Large of the Executive Committee~~ Communications Director, Fundraising Director, IT Director, Legislative Affairs Director, Outreach Director, Political Director, and Volunteer Director.

~~9.3.5.2. ELECTION OF MEMBERS AT LARGE OF THE EXECUTIVE COMMITTEE. In any election for Members At Large of the Executive Committee, only the candidate with the highest number of votes from a Judicial District shall be elected. There shall be no more than one Member At Large elected from a Judicial District. Once a candidate is elected as a Member At Large of the Executive Committee, any other candidate residing in that Judicial District shall be disqualified and removed from any subsequent ballot.~~

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

(g) Election of ~~the~~ officers ~~and five Members At Large of the Executive Committee.~~

Article 12. Removal of Party Officers and Revoking County Affiliation

12.1.1. **REMOVAL OF PARTY OFFICERS.** Any state or county official of the Libertarian Party may be removed from office for disloyalty to the party or corruption in 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, or Executive Committee.

12.3.9. *failure to perform the duties of an officer.*

Motion by Mark Braiman to **recommend Proposal H as follows to the State Committee for adoption as an amendment to the Rules of the Libertarian Party** was seconded by Daniel Castello and passed by voice vote.

8.7.1. **GENERAL.** *If the full State Committee, acting by an enumerated vote in a properly-called meeting, has called for a subsequent meeting of the full State Committee to occur at a specific time and location, no other advance notice shall be required for the subsequent meeting.* For other meetings of the full State Committee, a notice of seven (7) calendar days shall be given. For meetings of the Executive Committee, a notice of five (5) calendar days 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.

Motion by Mark Braiman to **recommend Proposal E as follows to the State Committee for adoption as an amendment to the Rules of the Libertarian Party** was seconded by Daniel Castello and passed by voice vote.

8.2.2. **VOTING MEMBERS.** *The LPNY Members elected at the most recent election of the State Committee shall be the voting members of the Organization Meeting, along with those elected to fill vacancies at the Organization Meeting.*

A rationale for restructuring the Executive Committee was drafted as follows and passed without objection.

Rationale for the Restructuring of the Executive Committee:

- 1) The LPNY needs to have a leadership structure that incentivizes accomplishments and provides accountability. The At-Large positions do not have any defined duties and currently make up half of the Executive Committee.**
- 2) The At-Large positions were originally put in the 1973 LPNY organizational structure to represent people in unorganized counties. This is no longer applicable, since members of the State Committee represent their Judicial Districts, which include unorganized counties, and there are 13 such districts and only 5 At-Large positions.**
- 3) The solution is to replace the 5 At-Large positions with 7 Director positions, as well as eliminate the redundant Vice Chair position, so that the Executive Committee has 11 positions instead of 10.**

- 4) While a Member-At-Large can be appointed to a Director position, even under current Rules, this creates an inconsistency as not all Directors have a position on the Executive Committee despite having duties like that of the Chair, Vice-Chair, Secretary, and Treasurer, etc.
- 5) These Directors and all other officers have comparable responsibilities, and thus should have equal authority as voting members of the Executive Committee, and not an unequal mix of Directors who are both members and non-members of the Executive Committee.
- 6) This change allows for more cooperation and better communication among Directors and the Executive Committee.
- 7) Elected Directors would be less likely to leave the LPNY with so few people wearing so many hats. For example, the Chair, Vice Chair, Secretary, or Treasurer would not run for a Director position since they already have duties in their current position. Having people hold multiple positions causes burnout and is unsustainable.
- 8) Elected Directors have more accountability and reflect the will of the State Committee.
- 9) If Director positions become vacant, they will be on the agenda to be filled at every quarterly State Committee meeting, as opposed to a lengthy search process that includes a call out for the position, the assembling of a vetting committee, holding of interviews, and selection by a small subset of the State Committee, that may or may not ultimately lead to an appointment.
- 10) A provision for removing officers for failure to fulfill their duties was also added in this proposal to alleviate the concerns of some members of the State Committee.

Notes on Restructure of Divisions:

- 1) "Finance Division" was changed to "Fundraising Division" since the Treasurer already manages the finances.
- 2) "Personnel Division" was originally meant to deal with both volunteers and employees, but if there was an employee, it would be better for that person to work directly with the Executive Committee. This changes it to "Volunteer Director" instead of "Personnel Director."
- 3) "Field Development Division" overlaps with "Outreach Division," and so this was merged into just the "Outreach Division."

The next meeting was scheduled for Tuesday, November 12, 2024 at 7:00 p.m.

The meeting was **adjourned** at 9:34 p.m.

Andrew Martin Kolstee,
Chair