

This is a packet of eight proposed amendments to the Bylaws, for submission to the 2007 Annual Convention. They are intended to be listed in descending order of importance. Most are fairly simple but two or three are somewhat involved. They may be considered by the State Committee and voted on at the Convention in any order and either individually, as a single block, or in groups.

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Individuals should be able to join the LPNY as “members” without signing the pledge but only members who have signed the pledge should be allowed to participate in the operations of the organization. This motion also fixes the status of members who joined under UMP, whose membership status is currently in question due to the pledge requirement. 7

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This fixes the status of members who joined under UMP, whose membership status is currently in question due to the pledge requirement. This motion should be disregarded if amendment 4a passes. 12

5) Clarify the consequences when a State Committee member fails to remain in good standing

Members of the State Committee should remain in good standing, but the State Committee should not be subject to being surprised by last minute allegations that some of its members may have inadvertently allowed their membership to lapse, which may suddenly and drastically affect quorums and votes. This motion enables the State Committee enforce the requirement that its members remain in good standing without being subject to such uncertainty. 14

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This motion enables the Convention to allow new members to vote but retains absolute protection against an attempted takeover. 15

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This motion would enable the State Committee to act in the event that it is unable to reach quorum for weeks or months on end. 16

8) Remove the exclusion of the Immediate Past Chair from the quorum requirement

The Bylaws provision that the Immediate Past Chair should not be counted when determining whether quorum has been met adds unnecessary complexity and confusion. 17

1) Dues amounts and expiration dates to be set by the State Committee instead of by the Bylaws

The amounts listed in the Bylaws were set decades ago. The State Committee should have the ability to set the dues and membership structure to best serve the interests of the organization.

MOTION: In Article II, substitute for section B, “Dues and expiration dates for Direct State Membership shall be set by the State Committee. No additional dues may be required of Lifetime Members.”

The Bylaws currently read:

Article II: Membership

B. Direct State Membership

1. Dues for Direct State Membership shall be:
 - a. Regular members, \$15;
 - b. Lifetime Members, \$200
 - c. Lifetime Sustaining Members, \$500.

Regular membership dues are payable annually. No additional dues may be required of any Lifetime or Lifetime Sustaining Members.

2. 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.

The Bylaws will read after change:

Article II: Membership

B. Dues and expiration dates for Direct State Membership shall be set by the State Committee. No additional dues may be required of Lifetime Members.

2) Explicitly allow the State Committee to meet via teleconference and internet

MOTION: In Article VI, section B,
strike out the current title and insert "Meetings",
in subsection 1,
insert "in person or by teleconference" after "shall meet" and
insert "in person" after "to be held",
in subsection 2, strike out "may be held at any place within the State of New York except as provided for under Article IV Section C" and insert "held in person, other than the meeting held at the close of the Annual Convention, must be held within the State of New York",
in subsection 3, strike out "may" and insert "shall",
in the unenumerated final paragraph, strike out "and" and insert "any",
insert "4." prior to the beginning of the unenumerated final paragraph to make it an enumerated fourth subsection, and
add subsection "5. The State Committee may conduct mail balloting via the internet. The wording of a motion to be approved by internet balloting shall be vetted online for at least 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."

The Bylaws currently read:

Article VI: State Committee

B. (intentionally left blank)

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 (1/3) of its members, given to the Chairperson or Secretary, or
 - b. the Chairperson, or
 - c. vote of the State Committee.

Five (5) 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 and objection on this ground.

Proposed change:

Article VI: State Committee

B. ~~(intentionally left blank)~~ **Meetings**

1. The State Committee shall meet **in person or by teleconference** at least quarterly, with one meeting to be held **in person** 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~~ **held in person, other than the meeting held at the close of the Annual Convention, must be held within the State of New York.**
3. Meetings of the State committee ~~may~~ **shall** be called by:
 - a. a request in writing signed by one-third (1/3) of its members, given to the Chairperson or Secretary, or
 - b. the Chairperson, or
 - c. vote of the State Committee.
4. Five (5) 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 ~~and~~ **any** objection on this ground.
5. **The State Committee may conduct mail balloting via the internet. The wording of a motion to be approved by internet balloting shall be vetted online for at least 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.**

The Bylaws will read after change:

Article VI: State Committee

B. Meetings

1. The State Committee shall meet in person or by teleconference at least quarterly, with one meeting to be held in person at the close of the Annual

Convention.

2. Meetings of the State Committee held in person, other than the meeting held at the close of the Annual Convention, must be held within the State of New York.

3. Meetings of the State committee shall be called by:

a. a request in writing signed by one-third (1/3) of its members, given to the Chairperson or Secretary, or

b. the Chairperson, or

c. vote of the State Committee.

4. Five (5) 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 any objection on this ground.

5. The State Committee may conduct mail balloting via the internet. The wording of a motion to be approved by internet balloting shall be vetted online for at least 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.

3) Provide for an executive committee

A small body that can meet informally and make rapid executive decisions between State Committee meetings will increase the effectiveness of the organization.

MOTION: In Article VI, add section “K. The five officers shall form the Executive Committee of the State Committee. The Executive Committee shall have the powers of the State Committee between meetings of the State Committee except that the Executive Committee may not: 1. rescind any action of the State Committee, 2. suspend a member of the Party, 3. adopt or amend a budget, 4. charter or revoke the charter of a County Organization, 5. endorse a candidate for public office, 6. pass a resolution in the name of the State Committee, or 7. take any action for which more than a simple majority of the State Committee would be required to enact. The Executive Committee may meet via teleconference or may conduct mail balloting via the internet.”

The Bylaws will read after change:

K. The five officers shall form the Executive Committee of the State Committee. The Executive Committee shall have the powers of the State Committee between meetings of the State Committee except that the Executive Committee may not:

1. rescind any action of the State Committee,
2. suspend a member of the Party,
3. adopt or amend a budget,
4. charter or revoke the charter of a County Organization,
5. endorse a candidate for public office,
6. pass a resolution in the name of the State Committee, or
7. take any action for which more than a simple majority of the State Committee would be required to enact.

The Executive Committee may meet via teleconference or may conduct mail balloting via the internet.

4a) Fix the pledge requirement with regard to UMP members and allow limited membership for non pledgers

Individuals should be able to join the LPNY as “members” without signing the pledge but only members who have signed the pledge should be allowed to participate in the operations of the organization. This motion also fixes the status of members who joined under UMP, whose membership status is currently in question due to the pledge requirement.

MOTION:

In Article II, section A,
strike out all subsections and the final sentence,
insert “subscribe to the Principles and Objectives of the LPNY and pay such dues as may be required. A ‘member’ as used in these By-Laws is a person who has satisfied the foregoing criteria. A ‘pledged member’ as used in these By-Laws is a member who has signed and submitted one of the following” after “who shall”,
add subsection “1. a declaration of agreement with the Principles and Objectives of the LPNY, either directly to the LPNY or to one of its chartered County Organizations or”, and
add subsection “2. if the individual has applied for a combined State and National membership under a coordinated program, a statement certifying that he opposes the initiation of force to achieve political or social goals, either to the National Libertarian Party, directly to the LPNY or to one of its chartered County Organizations.”,
in Article III, section D, subsection 3, insert “pledged” before “member”,
in Article IV,
in section A,
insert “pledged” before “LPNY member” and
insert “pledged” before “members in good standing” if amendment 6 has passed and
in section D, subsection 2,
insert “pledged” before “members of the LPNY”,
insert “pledged” before “LPNY members”, and
strike out the comma after “such”,
in Article V, section F,
insert “pledged” before “members” and
strike out “of” and insert “in”,
in Article VI, section G, insert “pledged” before “members in good standing”,
in Article IX, strike out “that they subscribe to the Principles and Objectives of the LPNY as provided in Articles I and II on” and insert “in satisfaction of Article II of”,
in Article XII,
in section B, subsection 1, insert “pledged” before each of the two occurrences of
“membership”,
in section D, subsection 2, item c, insert “pledged” before “members”,
in section E, subsection 1, insert “pledged” before “members”, and
in section F, subsection 1, insert “pledged” before “LPNY members”, and
in Article XVI, section A, subsection 2,
in item a, insert “pledged” before “members”,
in item b, insert “pledged” before “members”, and
in item c,
insert “pledged” before “members” and
strike out “estimate” and insert “estimated”.

The Bylaws currently read:

Article II: Membership

A. 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 used in these By-Laws is a person who has satisfied the foregoing criteria.

Proposed change:

Article II: Membership

A. State Level

Membership in the Libertarian Party of New York shall be open to any individual who shall **subscribe to the Principles and Objectives of the LPNY and pay such dues as may be required. A “member” as used in these By-Laws is a person who has satisfied the foregoing criteria. A “pledged member” as used in these By-Laws is a member who has signed and submitted one of the following:**

- ~~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 used in these By-Laws is a person who has satisfied the foregoing criteria.~~

- 1. a declaration of agreement with the Principles and Objectives of the LPNY, either directly to the LPNY or to one of its chartered County Organizations or**

2. if the individual has applied for a combined State and National membership under a coordinated program, a statement certifying that he opposes the initiation of force to achieve political or social goals, either to the National Libertarian Party, directly to the LPNY or to one of its chartered County Organizations.

The Bylaws will read after change:

Article II: Membership

A. State Level

Membership in the Libertarian Party of New York shall be open to any individual who shall subscribe to the Principles and Objectives of the LPNY and pay such dues as may be required. A “member” as used in these By-Laws is a person who has satisfied the foregoing criteria. A “pledged member” as used in these By-Laws is a member who has signed and submitted one of the following:

1. a declaration of agreement with the Principles and Objectives of the LPNY, either directly to the LPNY or to one of its chartered County Organizations or

2. if the individual has applied for a combined State and National membership under a coordinated program, a statement certifying that he opposes the initiation of force to achieve political or social goals, either to the National Libertarian Party, directly to the LPNY or to one of its chartered County Organizations.

Related proposed changes:

Article III: County Organizations

D. Other Matters

3. The chair of any County Organization must be a **pledged** member of the LPNY.

Article IV: Conventions

A. Each **pledged** LPNY member in good standing on December 31 of the prior year and on the date of any LPNY Convention shall be entitled to one vote at such LPNY Convention. [The Convention shall have the discretion to allow other **pledged** members in good standing to vote on any or all matters unless three members who

are entitled to vote object.] No voting by proxy will be permitted.

D. Special Conventions may be convened by:

2. a request in writing signed by one quarter of the **pledged** members of the LPNY, given to the Chairperson or Secretary, upon written notice of not less than twenty-five (25) days and not more than fifty (50) days to all **pledged** LPNY members. Such notice shall set forth the subjects to be considered at such; Convention and no other subjects may be considered.

Article V: Officers

F. All officers and Committee persons-at-Large of the LPNY shall be **pledged** members ~~of~~ **in** good standing of the LPNY.

Article VI: State Committee

G. All members of the State Committee of the LPNY shall be **pledged** members in good standing of the LPNY and shall be at least eighteen (18) years of age.

Article IX: Participation

Any state or federal law to the contrary notwithstanding, participation on

A. the election of officers of the LPNY, 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 LPNY as provided in Articles I and II on~~ **in satisfaction of Article II of** these By-Laws.

Article XII: Amendment Procedures

B. Rules regarding initiation by Petition:

1. The petition must be signed by at least 2% of the **pledged** membership of the LPNY. The individual petitioner may, at their cost, request the State Committee distribute his amendment to the **pledged** membership for the purpose of collecting petition signatures.

D. Rules regarding consideration by the State Committee:

2. Consideration by the State committee shall consist of the following:

c. If the next Annual Membership Convention is expected to be less than three (3) months in the future, the State Committee shall decide whether to conduct a referendum by mail of all **pledged** members of the LPNY or to submit the amendments to the upcoming Annual Convention.

E. Rules regarding conduct of referendum by mail of members:

1. Within thirty (30) days of the State Committee's decision to conduct a referendum, the Secretary shall cause to be mailed to all **pledged** members the text of the proposed amendment, the current By-Laws provisions proposed to be amended, a statement supporting the amendment, a statement opposing the amendment, and a ballot to be returned to the Secretary.

F. Rules regarding submission to Membership Convention.

1. Not more than forty-five (45) nor less than ten (10) days before the scheduled opening of the Convention, the Secretary shall cause to be mailed to all **pledged** LPNY members the text of the proposed amendment and the current By-Laws provisions proposed to be amended.

Article XVI: Resolutions

A. To provide the membership of the LPNY with a means of expressing their opinion on the issues of concern, resolutions may be passed:

2. by two-thirds (2/3) majority of those voting in a mail ballot provided that:

a. the ballot shall have been mailed to all **pledged** members of the LPNY;

b. at least fifty percent (50%) of the **pledged** members shall have returned a written vote on the resolution;

c. two (2) weeks shall have expired since the receipt of the ballot by the **pledged** members as ~~estimate~~ **estimated** by the Secretary.

4b) Fix the pledge requirement with regard to UMP members

This fixes the status of members who joined under UMP, whose membership status is currently in question due to the pledge requirement. This motion should be disregarded if amendment 4a passes.

MOTION:

In Article II, section A, substitute for subsection 2, “sign and submit one of the following: a. an application to that effect either directly to the LPNY or to one of its chartered County Organizations or b. if the individual has applied for a combined State and National membership under a coordinated program, a statement certifying that he opposes the initiation of force to achieve political or social goals, either to the National Libertarian Party, directly to the LPNY or to one of its chartered County Organizations, and” and in Article IX, strike out “that they subscribe to the Principles and Objectives of the LPNY as provided in Articles I and II on” and insert “in satisfaction of Article II of”.

Proposed change:

Article II: Membership

A. 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~~

2. sign and submit one of the following:

a. an application to that effect either directly to the LPNY or to one of its chartered County Organizations or

b. if the individual has applied for a combined State and National membership under a coordinated program, a statement certifying that he opposes the initiation of force to achieve political or social goals, either to the National Libertarian Party, directly to the LPNY or to one of its chartered County Organizations, and

3. pay such dues as may be required.

Article IX: Participation

Any state or federal law to the contrary notwithstanding, participation on

A. the election of officers of the LPNY, 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 LPNY as provided in Articles I and II on~~ **in satisfaction of Article II of** these By-Laws.

5) Clarify the consequences when a State Committee member fails to remain in good standing

Members of the State Committee should remain in good standing, but the State Committee should not be subject to being surprised by last minute allegations that some of its members may have inadvertently allowed their membership to lapse, which may suddenly and drastically affect quorums and votes. This motion enables the State Committee enforce the requirement that its members remain in good standing without being subject to such uncertainty.

MOTION:

In Article VI, section G, add “Failure to maintain membership in good standing shall be grounds for suspension or removal from the State Committee.” and
in Article X,
capitalize the “c” in “committee” and
strike out “in good standing of such Committee”.

Proposed change:

Article VI: State Committee

G. All members of the State Committee of the LPNY shall be [pledged] members in good standing of the LPNY and shall be at least eighteen (18) years of age. **Failure to maintain membership in good standing shall be grounds for suspension or removal from the State Committee.**

Article X: Quorums

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

6) Allow the Convention to waive the restrictive voting member rule

This motion enables the Convention to allow new members to vote but retains absolute protection against an attempted takeover.

MOTION: In Article IV, section A,

insert “The Convention shall have the discretion to allow other members in good standing to vote on any or all matters unless three (3) members who are entitled to vote object.” after the first sentence and

insert “pledged” before “members in good standing” in the newly inserted sentence if amendment 4a has passed.

Proposed change:

Article IV: Conventions

A. Each [pledged] LPNY member in good standing on December 31 of the prior year and on the date of any LPNY Convention shall be entitled to one vote at such LPNY Convention. **The Convention shall have the discretion to allow other [pledged] members in good standing to vote on any or all matters unless three (3) members who are entitled to vote object.** No voting by proxy will be permitted.

7) Address the problem of reaching a quorum when members abandon their position

This motion would enable the State Committee to act in the event that it is unable to reach quorum for weeks or months on end.

MOTION: In Article VI, section I, add “Any member of the State Committee who has previously failed to attend or participate in two (2) consecutive properly called meetings and has evinced no other intent to continue in office may be removed from the State Committee for having abandoned the position; for this vote, the member or members in question need not be counted for quorum purposes.”.

Proposed change:

Article VI: State Committee

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. **Any member of the State Committee who has previously failed to attend or participate in two (2) consecutive properly called meetings and has evinced no other intent to continue in office may be removed from the State Committee for having abandoned the position; for this vote, the member or members in question need not be counted for quorum purposes.**

8) Remove the exclusion of the Immediate Past Chair from the quorum requirement

The Bylaws provision that the Immediate Past Chair should not be counted when determining whether quorum has been met adds unnecessary complexity and confusion.

MOTION: In Article X, section B, strike out “, exclusive of the Immediate Past Chair”.

Proposed change:

Article X: Quorums

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.~~