

# **Rules of the Libertarian Party**

*As amended at the Meeting of the State Committee held on February 12, 2022.*

## **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. Objective**

The Libertarian Party is a political party whose primary objective is the election to public office of enrolled members of the Libertarian Party who support its principles and objectives as expressed in the Party Platform.

## **Article 5. Membership**

Members in the Libertarian Party shall consist of registered voters who have enrolled in the Libertarian Party as provided by statute.

## **Article 6. State Committee**

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

6.2. **MEMBERS.** Members of the State Committee shall be enrolled members in the Libertarian Party and elected in accordance with Article 6.3 of these Rules. If at any time the Libertarian Party is unable to hold a primary election for the purpose of electing a new State Committee, the members of the State Committee shall be elected in accordance with Article 6.4. Members of the State Committee shall also be any enrolled member of the Libertarian Party who fills a vacancy in the State Committee in accordance with these Rules or is elected to the Executive Committee.

**6.3. ELECTION.** Members of the State Committee shall be elected by enrolled Libertarians at the primary elections in even-numbered years in accordance with Election Law. Members must reside in the Judicial District that they represent and shall be elected At-Large within that Judicial District.

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

**6.3.2. REPRESENTATION.** Each Judicial District shall be entitled to two (2) voting members on the State Committee plus each of the following, except that the maximum number of State Committee members from a Judicial District shall be twelve (12) voting members. The party calls shall be filed in accordance with Election Law.

(a) One (1) additional voting member for every six hundred (600) active enrolled Libertarians in the district, up to a maximum of five (5) members. The number of enrolled Libertarians shall be based on the New York State Board of Elections list as of the December 31 direct preceding the election of a State Committee. The Secretary shall request a list of enrolled Libertarians between January 1 and January 15 directly preceding the election of a State Committee.

(b) One (1) additional voting member for every four thousand (4,000) votes for the most recent Libertarian Party candidate for Governor in the district, up to a maximum of five (5) members.

**6.4. ELECTION ADMINISTERED BY THE LIBERTARIAN PARTY.** If at any time the Libertarian Party is not eligible to elect a new State Committee at a primary election under Election Law 2-106, the State Committee shall be elected in accordance with this section.

**6.4.1. ELECTIONS OVERSIGHT COMMITTEE.** An Elections Oversight Committee shall be constituted to oversee the election of a State Committee in accordance with this section.

**6.4.1.1. SELECTION.** The Elections Oversight Committee shall be elected at a meeting of the full State Committee and shall consist of the Chair of the State Committee and one (1) representative from each of thirteen (13) Judicial Districts. A quorum for a meeting of the Elections Oversight Committee shall be fifty percent (50%). The election shall be conducted in the same manner for Members-At-Large of the Executive Committee as provided in Article 9.3.5.2.

**6.4.1.2. TERM.** Members of the Elections Oversight Committee shall serve until the conclusion of the next Organization Meeting.

**6.4.1.3. DUTIES.** The Elections Oversight Committee shall accept petitions, conduct prima facie reviews, accept general and specific objections, hold hearings, certify the validity of petitions, make appointments of the Collector(s) and Mailer(s) of Ballots, determine the online platform for the primary for contested Judicial Districts, and any other duty as determined by the State Committee and these Rules.

**6.4.1.4. APPOINTMENTS.** The Elections Oversight Committee shall appoint Collector(s) and Mailer(s) of Ballots as they shall deem necessary.

**6.4.1.3.1. COLLECTOR(S).** The Collector(s) shall be responsible for receiving, processing, and posting petitions, objections, and substitutions in accordance with these Rules.

**6.4.1.3.2. MAILER(S) OF BALLOTS.** The Mailer(s) of Ballots shall be responsible for mailing ballots to enrolled Libertarians requesting such in contested Judicial Districts in accordance with these Rules.

#### 6.4.2. SELECTION OF CANDIDATES.

6.4.2.1. **PETITIONING.** Candidates for State Committee shall be selected by the designating petitioning process in accordance with Election Law, except for the provisions in this section. The petitioning period shall be held during the timeframe established by the political calendar as published by the New York State Board of Elections.

6.4.2.2. **SUBMISSION OF PETITIONS.** Candidates for State Committee shall submit their petitions to the Collector(s) as determined by the Elections Oversight Committee. The Collector(s) shall receive, stamp, scan, and post the submitted petitions to a public website as determined by the Elections Oversight Committee. The Elections Oversight Committee shall conduct a prima facie review of the petitions and determine whether or not such petitions are valid.

6.4.2.3. **SUBMISSION OF OBJECTIONS TO PETITIONS.** General objections and specifications to general objections must be mailed to the Collector(s) and the candidate by the deadline determined by the New York State Board of Elections and Election Law. The Collector(s) shall receive, stamp, scan, and post the submitted objections to a public website as determined by the Elections Oversight Committee. The Collector(s) shall furthermore notify the candidate(s) of the objection(s).

6.4.2.4. **REVIEW OF PETITIONS AND OBJECTIONS.** The Elections Oversight Committee shall meet at the Special Meeting held in person within the State of New York no later than eight (8) weeks prior to the date of the primary election as determined by the New York State Board of Elections and Election Law. The Elections Oversight Committee shall review the objections. A three-quarters (3/4) vote of the Elections Oversight Committee is required to invalidate a candidate petition.

6.4.2.5. **DECLINATIONS AND SUBSTITUTIONS.** The Elections Oversight Committee shall also process declinations and substitutions as provided by Election Law.

6.4.2.6. **HEARINGS.** The Elections Oversight Committee shall conduct a public hearing to be held in-person, in which they shall (a) announce their determination for each petition, (b) allow the objectors and candidates to challenge the committee's ruling, and (c) conduct an additional vote after each hearing for each petition in which their original determination was challenged.

6.4.2.7. **ANNOUNCEMENT OF RESULTS.** The Elections Oversight Committee, upon adjournment of the Special Meeting, shall announce the results of their determinations by indicating the candidates who failed to obtain the requisite number of signatures, the candidates who won their election by default in the case of Judicial Districts with equal to or greater number of seats than candidates, and those candidates who will be contested by election in the case of Judicial Districts with fewer seats than candidates.

6.4.2.8. **ELECTION FOR CONTESTED DISTRICTS.** An election shall be held for Judicial Districts with fewer seats than candidates who successfully petitioned in accordance with these Rules.

6.4.2.8.1. **METHOD.** The election shall be conducted on an online platform as determined by the Elections Oversight Committee. The online platform shall be configured by the Elections Oversight Committee or its designee.

6.4.2.8.2. **VOTERS.** Only enrolled members of the Libertarian Party residing in the Judicial District are entitled to vote at the election for candidates for State Committee in their Judicial District.

6.4.2.8.3. **REQUESTS OF BALLOTS.** Voters shall begin requesting ballots the Tuesday immediately succeeding the Special Meeting of the Elections Oversight Committee. Voters must request a ballot in

order to participate in the election. The online portal shall require the voter to provide their name, email address, their mailing address as it appears in the New York State Board of Elections records, county, and date of birth. A disclaimer shall be provided to indicate to voters that the purpose of the data is to confirm their identity with the information they provided to the New York State Board of Elections. Any ballot requests made two (2) weeks prior to the date of the primary election shall not be fulfilled.

**6.4.2.8.4. MAILING OF BALLOTS.** The Elections Oversight Committee shall authenticate the identity of the voter. Once authenticated, the Mailer(s) of Ballots shall send a unique password by postal mail to each voter who requested a ballot with instructions for logging into the online voting portal. Postcards shall be mailed no earlier than six (6) weeks prior to the date of the primary election.

**6.4.2.8.5. SUBMISSION OF BALLOTS.** Ballots shall be submitted on the online portal as determined by the Elections Oversight Committee. The first day for voters to cast their votes shall be seven (7) days prior to the date of the primary election as determined by the New York State Board of Elections. The voting shall close on the date of the primary election at the time determined by the New York State Board of Elections.

**6.4.2.8.6. CERTIFICATION OF RESULTS.** The Elections Oversight Committee shall certify the results of the election.

**6.5. OFFICERS.** The officers of the State and Executive Committee shall be the Chair, 1st Vice-Chair, 2nd Vice-Chair, Secretary, and Treasurer. 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. Duties of such officers are provided in this section.

**6.5.1. 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.

**6.5.2. 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.

**6.5.3. 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 in the master book containing the official minutes of the Libertarian Party. 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.

**6.5.4. 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 Libertarian Party 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. VACANCIES.** If a vacancy occurs on the Executive Committee or the State Committee, 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.

**6.6.1. CHAIR.** Should a vacancy exist 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.

**6.6.2. 1ST VICE CHAIR.** Should a vacancy exist in the office of 1st Vice-Chair, the 2nd Vice-Chair shall serve as the 1st Vice-Chair for the remainder of the term.

**6.6.3. OTHER OFFICERS.** Should a vacancy exist in the office 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.

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

**6.6.5. STATE COMMITTEE MEMBER.** Should a vacancy exist 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. TERM.** All State Committee members shall serve until the conclusion of the Organization Meeting following the primary 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.

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

**6.8. QUALIFICATIONS.** To be eligible for election or appointment to the State Committee, each candidate must be an enrolled member of the Libertarian Party residing within the jurisdiction from which such member is elected or appointed.

**6.9. VOTING.** In all meetings, each member of the State Committee shall be entitled to a single non-transferable vote, except on all votes pertaining to the designation, nomination, substitution, or authorization of a candidate for statewide office, each member of the State Committee shall cast the whole number of votes cast for Governor from the Unit of Representation as described in Article 6.3, on the line or column of the Libertarian Party in the last preceding general election for Governor.

## Article 7. Executive Committee

7.1. **AUTHORITY.** The Executive 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.

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. Within three days after election a certificate stating the names and post office addresses of such officers shall be filed with the New York State Board of Elections as required by law.

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

7.4. **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.

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

### 7.6. EXECUTIVE SESSION.

7.6.1. 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.

7.6.2. 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.

7.7. **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.

## Article 8. Meetings

8.1. **GENERAL.** Meetings of the State Committee and of the Executive Committee shall be conducted in accordance with the provisions in this article.

**8.2. ORGANIZATION MEETING.** This section outlines the procedures for the organization meeting as required in 2-112 of Election Law or for any meeting to elect an Executive Committee following the election of a State Committee held in accordance with Article 6.4, which shall be referred to as an Organization Meeting.

**8.2.1. MEETING TO BE HELD IN PERSON.**

8.2.1.1. The first meeting of each newly elected State Committee must be held in person with a provision for limited remote participation as described in Article 8.6.2.

8.2.1.2. If, as a result of *force majeure*, no member of the State Committee is able to attend at the time and location the meeting is called, remote participation with full parliamentary privileges shall be permitted and Article 8.6.2. shall be ignored.

8.2.1.3. If an individual member of the State Committee is unable to attend at the time and location the meeting is called due to a government mandate, remote participation with full parliamentary privileges shall be permitted and the provisions of Article 8.6.2 shall be ignored.

**8.2.2. VOTING MEMBERS.** The State Committee elected at the preceding primary election shall be the voting members of the Organization Meeting.

**8.2.3. CONVENTION COMMITTEE.** The State Committee shall appoint a special Convention Committee to plan and execute the Organization Meeting. The Convention Committee shall also appoint the following special subcommittees: Convention Arrangements Subcommittee, Program Subcommittee, Rules Subcommittee, Credentials Subcommittee, and Resolutions Subcommittee. The Convention Committee and each subcommittee may appoint assistants for the facilitation of their responsibilities. The Convention Committee and its subcommittees shall cease to exist upon the adjournment of the organization meeting.

**8.2.4. FILLING OF VACANCIES.** Any member of the newly elected State Committee may submit nominations for filling any vacancies on the State Committee. If such nominations are received by the Credentials Subcommittee at least seven (7) days in advance of the organization meeting, the Credentials Subcommittee shall distribute the names of the nominees and any statement regarding their candidacy of no more than two hundred words to all members of the newly elected State Committee at least five (5) days in advance of the organization meeting. Once the filling of vacancies begins, the Credentials Subcommittee shall present the nominations they received. Subsequent nominations may be made on the floor of the Organization Meeting, prior to the election to fill such vacancies. The Chair shall request that each nominee confirm that they are registered for the Organization Meeting, are qualified to fill the vacancy, and accept the nomination in order to be entered into nomination to fill the vacancy they seek.

**8.2.5. AMENDMENT OF RULES.** Any member of the newly elected State Committee may submit amendments to the Rules of the Libertarian Party. Such amendments must be received by the Rules Subcommittee of the Convention Committee at least thirty (30) days in advance of the Organization Meeting. The Rules Subcommittee must distribute the full text of any proposed amendment to all members of the newly elected State Committee at least ten (10) days in advance of the organization meeting.

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

- (a) The current Chair shall call the meeting to order.
- (b) The Chair shall call the roll to identify the elected State Committee members present.
- (c) The Chair shall serve as the Presiding Officer and Secretary shall serve as the Recording Secretary, respectively, of the Organization Meeting, unless they decline or are unable to serve, at which point a Temporary Chair and/or Temporary Secretary shall be elected for the duration of the meeting.
- (d) Report of Rules Subcommittee and adoption of the Special Rules of Order of the Organization Meeting.
- (e) Filling of vacancies on the State Committee.
- (f) Supplemental report of the Credentials Subcommittee.
- (g) Report of Rules Subcommittee and adoption of the Rules of the Libertarian Party.
- (h) Election of the officers and five Members-At-Large of the Executive Committee.
- (i) Discussion and consideration of Platform amendments.
- (j) Report of Resolutions Subcommittee.
- (k) Adjournment.

8.3 **OTHER MEETINGS.** Meetings of the full State Committee shall be held in person or by teleconference at least quarterly, with two (2) meetings to be held in person per year, excepting *force majeure*. In even numbered years, an early convention to nominate statewide candidates, and an in-person organization meeting in September shall fulfill the in-person meeting requirement. Meetings held in person must be held within the State of New York.

8.4 **CALLING OF MEETINGS.** In addition to regularly scheduled meetings, meetings of the state committee may be called by one of the following:

8.4.1. The Chair.

8.4.2. Majority vote of the Executive Committee.

8.4.3. A request in writing signed by one third (1/3) of the State Committee members, given to the Chair or Secretary. The request may be in email form, sent to the originator, the Chair, and the Secretary, indicating support of the call for a meeting.

## 8.5. NOTIFICATION

8.5.1. For meetings of the full State Committee, a notice of seven calendar days shall be given. For meetings of the Executive Committee, a notice of five 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.

8.5.2. Email notice will be sufficient if sent to the email address provided to the Secretary for this purpose. Notice by telephone or text message may be given upon request.

8.5.3. When notice is given, and documents need to be transmitted with the notice, such documents can be made available online, in any fashion agreed to, for those members who agreed to receive notices by email, text, or telephone.

8.5.4. The time and place for all meetings of the Libertarian Party of New York shall be publicized in such a manner as to assure timely notice to all interested parties. This notice shall be provided by the Chair or the Chair's designee.



8.5.5. Any place in these Rules where written notice of a meeting is required, providing notice via electronic means is sufficient to satisfy the notice requirement. If anyone would prefer to receive such notices via the U.S. mail, they must contact the Chair to request their preference be honored, and such notice may be provided as a courtesy, at the discretion of the Chair.

**8.6. MEETINGS HELD IN-PERSON.** The provisions in this section shall only apply to meetings called to be held in person and shall not apply to meetings called to be held by teleconference only.

8.6.1. Only the State Committee may approve meetings to be held in-person at dates, times, and locations to be determined by the State Committee.

8.6.2. At in-person meetings of the State Committee, teleconferencing is permitted; teleconferencing members shall have the same rights and privileges as those attending in-person, with the following clarifications and exceptions:

8.6.2.1. Teleconferencing members shall be counted towards quorum.

8.6.2.2. Teleconferencing members shall be allowed a vote on all main motions and amendments to main motions, as well as elections for any officer(s) whose term extends beyond the end of that particular meeting.

8.6.2.3. Teleconferencing members shall be allowed to speak on all main motions and amendments to main motions, with the exception that they may not make main motions unless these have been communicated to the Secretary via email at least 24 hours prior to the meeting.

8.6.2.4. Teleconferencing members may nominate and accept nominations and speak on nominations for all non-temporary officers and At-Large Executive Committee members on whose election they are entitled to vote.

8.6.2.5. Teleconferencing members may interrupt to make a point of order that quorum is not present, to request a roll call vote on any main motion or any amendment thereto, but not on any other type of motion.

8.6.2.6. Teleconferencing members may not make any other interrupting motions or points of privilege or order; or request information, make a parliamentary inquiry, or call for the orders of the day; and may specifically not make any of the following procedural motions: to adjourn or recess; to set a time for adjournment or recess; to amend the agenda; to postpone a matter, lay it on the table or take it from the table; or amend the Rules; to suspend or amend the rules; to appeal the decision of the Chair; to divide a question; to call the question; to extend or limit debate; to reconsider a question; to rescind or amend something previously adopted. All votes on these motions must be from the floor, unless a roll-call vote is called from the floor.

8.6.2.7. Teleconferencing members may not nominate, speak for or against, or take part in the election of a Temporary Chair, Temporary Secretary, or any other officer whose duties extend only for the duration of a convention or other in-person meeting.

**8.7. QUORUM.** A quorum for all meetings of the State Committee and Executive Committee shall be a majority of voting members.

**8.8. FULL STATE COMMITTEE.** Any provision in these Rules referring to “meeting(s) of the full State Committee” shall mean meeting(s) of the members of the State Committee as defined in Article 6.2, provided a quorum is present.

## **Article 9. Elections**

**9.1. GENERAL.** Elections of party offices shall be conducted by election 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.

**9.2. NOMINATIONS TO FILL VACANCIES.** Nominations to fill any vacancy in any party office may be submitted by any member of the State Committee to the Secretary in advance of the meeting or on the floor at the meeting.

**9.2.1. SUBMISSION OF NOMINATIONS IN ADVANCE.** If such nominations are submitted to the Secretary at least seven (7) days in advance of the meeting, the Secretary shall distribute the names of the nominees and any statement regarding their candidacy to all members of the State Committee at least five (5) days in advance of the meeting in which vacancies are to be voted upon. Once the filling of vacancies begins, the Secretary shall present the nominations they received and all such qualified candidates that accepted the nomination shall be entered into nomination.

**9.2.2. SUBMISSION OF NOMINATIONS FROM THE FLOOR.** Subsequent nominations may be made from the floor prior to the election to fill any vacancy. The Chair shall request that each nominee confirm that they are qualified to fill the vacancy and accept the nomination in order to be entered into nomination to fill the vacancy they seek.

### **9.3. ELECTION PROCEDURES.**

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

**9.3.2. BALLOTS.** For each office, the ballot shall contain all the names of the eligible nominees and identify the number of positions to be filled in that office.

**9.3.3. NONE OF THE ABOVE (“NOTA”) AS A CANDIDATE.** All ballots in all elections shall have “None of the Above” (“NOTA”) as an option. This option is to be explicitly mentioned as valid when listing the candidates for the election. If NOTA receives a majority of the votes in any given election, there will be a new round of nominations and a new election, in which all of the nominated candidates who were outpolled by NOTA are ineligible.

**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.

**9.3.5. MANNER OF ELECTION.** All elections shall be held with approval voting and the candidate or candidates with the most votes shall be elected to fill the party office or offices as long as they have received a majority of the vote of the voting members. If an insufficient number of candidates receive a

number of votes equal to or greater than a majority of the number of ballots cast, another round of voting shall immediately occur.

**9.3.5.1. SUBSEQUENT ROUNDS OF VOTING.** In the subsequent round of voting, the candidate that received the lowest number of votes in the previous round shall be removed from the ballot. If there was a tie for the smallest number of votes, no candidate shall be removed from the ballot. Subsequent rounds of voting shall be conducted until the party office is filled.

**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.

**9.3.6. TIES.** If there is a tie in which two or more candidates have received the same number of votes of the voting members in which there is a majority and at least one party office remains to be filled, an instant run-off election shall occur, in which the candidates who tied shall be the only candidates on the ballot. If votes gained by candidates remain unchanged in two successive rounds of voting, then all those candidates shall be dropped from the ballot.

**9.4. SEATING OF NEW MEMBERS ON THE STATE COMMITTEE.** Members of the Libertarian Party chosen to fill vacancies on the State Committee shall not be allowed to participate in the meeting until acceptance of the quorum report of the Secretary by the State Committee and in particular may not nominate, speak, or vote in any contested election for filling additional vacancies.

## **Article 10. Committees**

**10.1. GENERAL.** The State Committee shall have the power to create and dissolve standing or special committees and to appoint or remove their members and chair. The Chair may create special committees and appoint their members and chair.

**10.2. POWERS.** Unless determined otherwise by the State Committee, the chair of each standing and special committee shall have the power to appoint members and fill vacancies.

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

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

## **Article 11. County Affiliates**

**11.1. GENERAL PROVISIONS.** No more than one (1) County Affiliate shall be recognized by and affiliated with the Libertarian Party for each county. The Affiliate will officially represent the registered voters enrolled in the Libertarian Party in the county and shall exercise all of the powers of the County Committees as set forth herein and not prohibited by applicable law. The County Affiliate shall be organized as either a County Organization as outlined in Article 11.2. or as a Constituted County Committee as outlined in Article 11.5.

**11.1.1. COUNTY CONTACTS.** In any county where no County Affiliate exists, the State Committee may appoint an enrolled member of the Libertarian Party to serve as the County Contact for the purpose of organizing a County Organization. The County Contact shall have a term of three (3) months, subject to renewal or removal by the State Committee. Upon establishment of a County Organization, the duly elected Chair shall replace the County Contact as the State Committee's primary contact for a given county.

## **11.2. COUNTY ORGANIZATIONS**

**11.2.1. GENERAL.** In any county where an insufficient number of Election District delegates were elected to form a County Committee, a County Organization may be formed and affiliated in those counties when a convention is held to adopt county rules consistent with Article 11.2 and elect officers. Quorum at the convention shall be 3% of the enrolled Libertarians residing in the county or nine (9), whichever is less, but no convention shall be considered valid unless at least four (4) enrolled Libertarians residing in the county are present.

**11.2.2. AFFILIATION.** Upon a majority vote of the Executive Committee of the State Committee, the group that met the criteria in Article 11.3 shall become an affiliated County Organization.

**11.2.3. COUNTY ORGANIZATIONS AFFILIATED BEFORE NOVEMBER 7, 2021.** All County Organizations affiliated prior to November 7, 2021 shall continue to be affiliated until October 6, 2022, provided that no revocation of such affiliation is authorized by the State Committee in accordance with Article 12. All such County Organizations shall adopt or amend Rules that meet the requirements set forth in Article 11.3 if such requirements are insufficient. A quorum of the Executive Committee shall certify by a majority vote that such requirements have been met, otherwise they shall have their affiliation automatically revoked on October 6, 2022.

**11.2.4. CERTIFICATION.** The Executive Committee shall meet to vote on certification of a given County Affiliate in accordance with Article 11.2.3.

**11.2.4.1.** County Affiliates which submit the necessary documents to the Secretary before the deadline shall remain affiliated pending certification by the Executive Committee.

**11.2.4.2.** County Affiliates which submit the necessary documents within ten (10) days of the deadline and are denied certification by the Executive Committee shall remain affiliated for sixty (60) days after the deadline, after which they shall no longer be affiliated, unless the deficiencies preventing certification are rectified and documentation exhibiting this rectification is submitted to the Executive Committee to review.

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

**11.3.1. CONVENTION.** A convention, organization meeting, or special meeting held in accordance with Article 11.2.1. The convention may be held in-person, by video conference, or a combination thereof.

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

**11.3.2.1. ELECTION OF OFFICERS.** A provision for the election of officers elected through single non-transferable votes to be held no less than once every two years.

11.3.2.2. **QUARTERLY MEETINGS.** A provision in the county rules for meetings of the full County Committee to be held no less often than once per quarter, open to all county members and announced as provided in Article 8. of these rules.

11.3.2.3. **OTHER PROVISIONS.** All other provisions in the county rules must be consistent with Article 11.4.

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

11.3.4. **NOTIFICATION.** Notice of the convention must be made to all enrolled Libertarians in the county by one or more of the following options.

11.3.4.1. The first notice is to be sent to the mailing address, email address, and/or telephone number on record at the County Board of Elections. The expense of mailing can be reduced by sending a notice by telephone. The first notice must also include a clear statement of how notice of subsequent meetings will be provided.

11.3.4.2. Subsequent notification shall be sufficient if it is posted on the County Organization's Facebook page.

#### 11.4. **RULES GOVERNING COUNTY ORGANIZATIONS.**

11.4.1. **MEMBERS.** Voting members of the County Organizations shall be members of the Libertarian Party as defined in Article 5, who are appointed Election District delegates under Article 11.4.5. and are present at a given meeting of the affiliated County Organization. Officers are voting members of the County Organization by virtue of their office, but no individual may cast more than one vote.

11.4.2. **OFFICERS.** Each County Organization shall elect a Chair, a Vice Chair, a Secretary, and a Treasurer.

#### 11.4.3. **VACANCIES**

11.4.3.1. In the event of a vacancy in the office of Chair, the Vice Chair shall succeed as the Chair of the County Organization.

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

11.4.4. **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.

11.4.5. **ELECTION DISTRICT DELEGATES.** The County Organization shall appoint no more than two (2) enrolled members of the Libertarian Party to represent each Election District in their county. Any enrolled member of the Libertarian Party residing in the county containing such Election District shall be appointed as an Election District delegate as long as there is a vacancy. An election shall be held if there are more candidates than Election District delegate positions. County Organizations shall determine the manner in which Election District delegates are appointed. Such appointment is not intended to be subject to Election Law 2-104.

**11.5. CONSTITUTED COUNTY COMMITTEES.** When the number of Election District delegates elected at primary is sufficient to meet Election Law requirements, and an organization meeting is held, the County Affiliate shall be referred to as a Libertarian County Committee. No County Committee shall be recognized unless elected, organized, and constituted in accordance with the Election Law. County Committees shall adopt rules that are consistent with these Rules and Election Law.

## **Article 12. Removal of Party Officers and Revoking County Affiliation**

### **12.1. GENERAL.**

12.1.1. Affiliation with a County Organization may be revoked in accordance with this article.

12.1.2. 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.

### **12.2. PROCEDURE.**

12.2.1. **REQUEST FOR HEARING.** With a two-thirds (2/3) vote, the Executive Committee may request a hearing be held by the State Committee for the purpose of revoking the affiliation of a County Organization or removing a state or county official of the Libertarian Party as described in Article 12.1.2.

12.2.2. **APPROVAL OF HEARING.** A majority vote at a meeting of the full State Committee shall be required to approve a hearing. Such approval requires the hearing was requested per Article 12.2.1.

12.2.3. **HEARINGS.** Hearings approved in Article 12.2.1 and Article 12.2.2. shall be initiated within thirty (30) days upon approval and may be held by teleconference. If a hearing is not initiated within thirty (30) days, the matter is dismissed without prejudice, and any new hearing requires a new request as provided in Article 12.2.1. The individuals subject to removal or the officers of the County Organization subject to revocation shall be notified of the hearing within ten (10) days after approval of the hearing. In the case of a hearing to revoke the affiliation of a County Affiliate due to the abandonment of all officer positions, the individuals to be notified shall be the most recent to hold each officer position.

12.2.4. **ACTION FOLLOWING A HEARING.** Following a hearing as approved in Article 12.2.2, a two-thirds (2/3) vote at a meeting of the full State Committee is required to revoke affiliation of a County Organization or remove a state or county official of the Libertarian Party as described in Article 12.1.2.

12.3. **CAUSE FOR REMOVAL.** In general, disloyalty to the party and corruption in office are grounds for removal. The following are some specific grounds upon which a hearing should be called, and if substantiated, are grounds for removal of the officer or officers involved. This list is non-exhaustive.

12.3.1. Failure to appoint an enrolled Libertarian as an Election District Delegate who volunteered for an open position as a member of the County Organization, with the exception that an enrolled Libertarian who was previously removed from the County Organization for cause.

12.3.2. The creation, and/or submission of fraudulent documents to anyone, which misrepresents the individual's identity, party position, office, or authority.

12.3.3. Using the party's financial resources in support of a candidate not enrolled in the Libertarian Party and not elected at the primary.

12.3.4. Using party resources and/or official titles in support of a candidate not enrolled in the Libertarian Party for which a fraudulent certificate of authorization was filed.

12.3.5. Using party resources and/or official titles in support of a candidate not enrolled in the Libertarian Party for which an enrolled Libertarian is running for the same office.

12.3.6. acts of libel or slander

12.3.7. engaging in conduct or speech that reflects egregiously negative on the Libertarian Party.

12.3.8. failure to remain continuous enrollment in the Libertarian Party.

12.4. **CAUSE FOR REVOCATION.** The State Committee shall monitor the qualifications and actions of the affiliated County Organizations. The affiliation of a County Affiliate may be revoked following a hearing in accordance with this article. The following are some specific grounds upon which a hearing should be called, and if substantiated, are grounds for revocation of the affiliation. This list is non-exhaustive.

12.4.1. The failure to adopt county rules consistent with these Rules.

12.4.2. The failure to hold timely meetings open to all voters enrolled in the Libertarian Party.

12.4.3. any failure to convene under Article 15.

12.4.4. The failure to hold a convention or organization meeting for the purpose of electing officers in accordance with their County Rules.

12.4.5. The abandonment of all officer positions.

12.5. **ABANDONMENT OF POSITION.** 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 following a hearing by the State Committee for having abandoned the position; for this vote, the member or members in question need not be counted for quorum purposes.

## **Article 13. Delegates to Libertarian National Conventions**

13.1. **AUTHORITY.** The selection of Delegates and Alternate Delegates to Libertarian National Conventions shall be governed by the rules of the National Libertarian Party, these Rules, and New York State Election Law.

13.2. **ELIGIBILITY.** Each Delegate and each Alternate Delegate to Libertarian National Conventions must be enrolled members of the Libertarian Party, a Bylaws Sustaining Member (BSM) of the National Libertarian Party, and a resident in the State of New York.

13.3. **SELECTION OF DELEGATES.** All Delegates and Alternate Delegates shall be selected at-large at a meeting of the State Committee in accordance with these Rules, except in cases in which a Presidential primary is held, the State Committee shall only select Delegates and Alternate Delegates to the Delegate and Alternate Delegate seats not reserved for the Congressional District Delegates as prescribed in Article 13.6.

13.4. **MANNER OF SELECTION OF AT-LARGE DELEGATES.** All At-Large Delegates and At-Large Alternate Delegates shall be selected by the State Committee in accordance with a rubric approved at a meeting of the State Committee. The rubric must provide criteria in order to rank At-Large Delegate and At-Large Alternate Delegate candidates in a line of succession. At-Large Delegates shall be selected in the order in accordance with the rubric until all the At-Large Delegate seats are filled. At-Large Alternate Delegates shall be selected in the order in accordance with the rubric until all the At-Large Alternate Delegate seats are filled. Vacancies shall be filled by selecting the next individual in the line of

succession. The final list of Delegates and Alternate Delegates shall be ratified at a meeting of the State Committee.

**13.5. TIMING OF SELECTION OF DELEGATES.** At-Large Delegates and At-Large Alternate Delegates to Presidential Nominating Conventions shall be held one month before petitioning for the Presidential Primary Begins. During Non-Presidential Nominating Conventions, At-Large Delegates and At-Large Alternate Delegates shall be selected no later than three (3) months before the Libertarian National Convention.

**13.6. CONGRESSIONAL DISTRICT DELEGATES.** For Presidential Nominating Conventions, one (1) Delegate and one (1) Alternate Delegate from each New York State Congressional District is to be elected at the Presidential Primary in any year when such a primary takes place. When no such primary takes place or the primary is held within thirty (30) days before the Libertarian National Convention or later, all seats reserved for Congressional District Delegates shall become vacancies of At-Large Delegates and At-Large Alternate Delegates and shall be filled in accordance with these Rules.

**13.6.1. DELEGATE SLATES.** All Presidential candidates filing petitions of nomination must choose and submit a slate of Delegates and Alternate Delegates to the Board of Elections in a timely manner. An enrolled member of the Libertarian Party may appear on the slate of Delegates and Alternate Delegates of more than one Presidential candidate. No person shall be listed on a slate of Delegates and Alternate Delegates without the person's permission.

**13.6.2.** Should an individual selected by the State Committee to be an At-Large Delegate or Alternate At-Large Delegate to the Libertarian National Convention then become a Congressional District Delegate elected at the Presidential primary, the newly elected Congressional District Delegate shall cease to be an At-Large Delegate or Alternate At-Large Delegate and the State Committee shall elect another individual to be the At-Large Delegate or Alternate At-Large Delegate.

**13.6.3.** If the State Board of Elections has not certified the winner of a Presidential Primary and a corresponding slate of Congressional Delegates at least 30 days prior to the scheduled National Convention, the State Committee shall have the authority to select all delegates in a manner it determines is appropriate.

**13.7. PROHIBITION OF UNIT VOTING.** All Delegates shall be free to vote their conscience.

## **Article 14. Nominations of Enrolled Libertarians for Public Office**

**14.1. PRIME DIRECTIVE.** It shall be the highest responsibility for the State Committee and all County Affiliates to notify all enrolled Libertarians about the offices up for election and to identify and cultivate enrolled Libertarian candidates.

**14.2. CANDIDATE QUALIFICATIONS.** Libertarian Party candidates will be limited to enrolled members of the Libertarian Party except as provided in Article 15.

**14.3. STATEWIDE CANDIDATES.**

**14.3.1.** Candidates for statewide office shall be nominated at a special open meeting of the State Committee in accordance with these Rules and Election Law This meeting shall be held no earlier in accordance with Election Law.



14.3.2. When multiple candidates are vying for nomination for a single position, voting shall continue in the usual manner until one individual receives a majority of the votes cast. Subsequently, a runoff vote of that candidate versus “None of the Above” shall be held.

14.3.3. It shall take a majority of those voting to nominate.

14.3.4. The State Committee shall notify any candidate receiving more than 25% of the vote of their right to be placed on the primary ballot as per Election Law 6-104-2. To secure this right, the candidate must contact the Board of Elections no later than seven (7) days after such meeting and may be withdrawn in the same manner within fourteen (14) days after such meeting.

14.3.5. The Executive Committee of the State Committee shall constitute the committee to fill any vacancy in such designations that may occur after the State Committee has adjourned.

**14.4. 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 as per Election Law 6-120-3. When such designation or nomination is for an office to be filled by all the voters of the City of New York, such authorization must be by a majority vote of those present at a joint meeting of the executive committees of each of the County Affiliates of the party within the City of New York, provided a quorum is present at such meeting, unless such a convention passes by two-thirds (2/3) an enabling resolution consistent with these Rules authorizing some person or group other than such convention to make such nominations on behalf of the party.

**14.5. 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 County Affiliate, shall be made by the State Committee.

**14.6. CANDIDATES IN MULTI-COUNTY DISTRICTS.** The authority of the State Committee whether directly or by enabling resolution, shall not extend to selecting any candidates for public office where a portion of the geographic boundaries lie within a county where there is already a County Affiliate, 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.

**14.7. CANDIDATES WITHIN ORGANIZED COUNTIES.** Where a political district overlaps only one County Affiliate, selection of candidates shall be made by that County Affiliate.

**14.8. ENROLLED LIBERTARIAN CANDIDATES IN MULTI-COUNTY DISTRICTS WITH TWO OR MORE COUNTY AFFILIATES.** 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 County Affiliate in existence, then selection of an enrolled Libertarian to be a candidate for that office shall be made by a majority weighted vote of the affected County Affiliates.

14.8.1. The weighted vote shall be defined as the number of votes received by the Libertarian Party’s Candidate for Governor on the Libertarian Party line, in the previous election for the office of Governor of the State of New York. Each County Affiliate will receive a weighting based on the number of votes received for the Libertarian Party Gubernatorial candidate within its portion of the political division.

14.8.2. The approvals must be separately communicated by each County Affiliate to the State Committee.

**14.9. SUPREME COURT NOMINATIONS.** Party nominations for the office of Justice of the Supreme Court shall be made by the Judicial District Convention, as per Election Law 6-106 and Article 14.10 of these Rules.

**14.10. JUDICIAL DISTRICT CONVENTION.**

**14.10.1. JUDICIAL DISTRICT DELEGATES.** Each Judicial District shall be entitled to a number of Judicial District Delegates and an equal number of Judicial District alternates equivalent to the number of Judicial District State Committee members per Judicial District as stated in Article 6.3.2 of these Rules.

**14.10.2. CRITERIA.** Delegates to the Judicial District Convention and alternate members of the Judicial District Convention shall be elected by enrolled Libertarians at the primary elections in even numbered years. Members and alternates must reside in the Judicial District that they represent and shall be elected At Large within that Judicial District.

**14.10.3. VOTING BODY.** The duly elected Judicial District Delegates must attend the Judicial District conventions and the Judicial District alternates must be invited to attend. When a duly elected delegate is not present at the opening of the convention, immediately after the convening of the convention the Judicial District Delegate's position shall be assigned by the convention to one of the alternates. Alternates shall be selected in this order: The district alternate with the largest number of votes received and if equal then by lot, or if no alternate exists for the district, substitution with an alternate from another district can be made in an ordered declining sequence of the number of votes received. Once the substitution is made, the Judicial District Delegate from that district must appeal to the convention to have the alternate dismissed in order to be reinstated.

**14.11. ELECTORS FOR PRESIDENT AND VICE PRESIDENT.** Party nominations of candidates for the office of elector of president and vice president of the United States, one for each congressional district and two at large, shall be made by the State Committee, as is required in Election Law 6-102.

**14.12. CERTIFICATES OF NOMINATION.** The State Committee has the sole authority to issue certificates of nomination when such are allowed by Election Law. That authority may not be transferred. The State Committee shall issue certificates of nomination for all candidates selected in accordance with these Rules within 15 days of notification of the selection of the candidate. A certificate of nomination may only be issued to an enrolled member of the Libertarian Party.

**14.13. SPECIAL ELECTIONS.** Article 14 shall govern special elections in any political subdivision. Any vacancy in such nominations shall be filled by the making and a filing of a certificate of nomination issued by the State Committee.

## **Article 15. Nominations of Non-Libertarians for Public Office**

**15.1. NON-LIBERTARIAN CANDIDATES.**

**15.1.1. GENERAL.** Anyone seeking to be the Libertarian Party's candidate in any subdivision in New York State who is not an enrolled member of the Libertarian Party must make a request for a Certificate of Authorization and will be subject to approval by the Executive Committee as provided by these Rules and Election Law.

**15.1.2. CERTIFICATES OF AUTHORIZATION.** Only the Executive Committee, the State Committee, or a constituted county committee shall have the authority to approve certificates of authorization when such are required by Election Law. That authority shall not be transferred.

15.1.3. **OBJECTIONS.** After the approval of a Certificate of Authorization by the Executive Committee, no less than fifty percent (50%) of the members of the State Committee representing the Judicial District containing the office may submit objections by written or electronic means to the Secretary within forty-eight (48) hours after the approval of such Certificate of Authorization. In such a case, a Certificate of Authorization shall not be issued unless approved at a meeting of the full State Committee.

15.1.4. **STATEWIDE CANDIDATES.** Candidates not enrolled in the Libertarian Party shall never be given authorization or nomination to run for Governor of New York. For all other statewide offices, candidates must receive a two-thirds (2/3) vote to be entered into nomination for such office.

15.1.4.1. **CERTIFICATE OF AUTHORIZATION.** Should a candidate not enrolled in the Libertarian Party be nominated for statewide office, the vote to enter the candidate into nomination shall also serve as a vote to issue a certificate of authorization, should such candidate be nominated.

15.1.4.2. **AUTHORIZATION BY GOVERNOR NOMINEE.** An affidavit authorizing any candidate for statewide office not enrolled in the Libertarian Party must be signed by the nominated candidate for Governor in order for such nomination to be valid.

15.2. **NON-LIBERTARIAN CANDIDATES IN UNORGANIZED COUNTIES.** The State Committee shall determine by majority vote whether to issue a Certificate of Authorization for any candidate in a district with no overlapping County Affiliates.

15.2.1. Non-Libertarian candidates in such districts must make the request to the Secretary of the State Committee at least seven (7) days prior to the start of the petitioning period.

15.2.2. If the State Committee is notified that an enrolled Libertarian is running for the same office within the first seven (7) days of petitioning, no Certificate of Authorization shall be given to a non-Libertarian candidate without a two-thirds (2/3) vote of the State Committee.

15.2.3. An initial vote on authorizations must be held prior to the 14th day of the petitioning period.

15.3. **NON-LIBERTARIAN CANDIDATES WITHIN ORGANIZED COUNTIES.** Non-Libertarian Candidates for an office whose geographical boundaries are wholly in a single organized county may approve candidates per their rules with the exception as outlined in Article 15.3.1. Constituted county committees shall be exempt from Article 15.3.1.

15.3.1. If the County Affiliate is notified that an enrolled Libertarian is running for the same office within the first seven (7) days of petitioning, no approval to issue a Certificate of Authorization shall be given to a non-Libertarian candidate without a two-thirds (2/3) vote of the voting members of the County Affiliate as defined in their rules.

15.3.2. An initial vote on approving authorizations must be held prior to the 14th day of the petitioning period.

15.3.3. If the approval is made by a recognized County Affiliate and not by a constituted County Committees, upon objection by a State Committee member who represents the Judicial District in which the county affiliate is located, the State committee may vote to override and cancel said nomination by two-thirds (2/3) vote of the State committee.

15.3.4. The approval of a candidate for a Certificate of Authorization must be submitted to the State Committee prior to the 14th day of the petitioning period.

**15.4. NON-LIBERTARIAN CANDIDATES IN MULTI-COUNTY DISTRICTS.** Where the geographic boundary of a public office other than statewide crosses into counties where there is more than one County Affiliate in existence, then selection of a non-enrolled libertarian to be a candidate for that office shall be made by a majority weighted vote of the affected County Affiliates.

15.4.1. The weighted vote shall be defined as the number of votes received by the Libertarian Party's Candidate for Governor on the Libertarian Party line; in the previous election for the office of Governor of the State of New York. Each County Affiliate will receive a weighting based on the number of votes received for the Libertarian Party Gubernatorial candidate within its portion of the political division.

15.4.2. If any County Affiliate is notified that an enrolled Libertarian is running for the same office within the first seven (7) days of petitioning, or prior to the meeting, no approval shall be given to a non-Libertarian candidate without a two-thirds (2/3) majority of weighted vote for the given election district.

15.4.3. The approvals must be separately communicated by each County Affiliate to the State Committee, along with a statement from each County Chair to the effect that they know of no enrolled Libertarian interested in and eligible for the position. Such notification must be received by the Secretary of the State Committee by the Friday prior to the vote by the State Committee on whether to issue the Certificate of Authorization.

**15.4.4. NOTIFICATION REQUIREMENTS.** Any interested non-Libertarian Candidates must notify a recognized county organization or constituted county committee chair at least seven (7) days prior to the start of the petitioning period to be considered for authorization. Once notified of the interested candidate, the county chair must notify, within three (3) days, the Secretary of the State Committee and the other county organization chairs or county committee chairs whose county is wholly or in part contained within the geographical boundaries of the office of the interested candidate.

15.4.5. If the approval is made by recognized county organizations and not solely by constituted committees, upon objection by a state committee member who represents the Judicial District in which the office is located, the state committee may vote to override and cancel said authorization by two-thirds vote of the state committee. Otherwise, the state committee shall issue such authorization as approved by the joint meeting.

15.5. Multiple Certificates of Authorization may be issued by the State Committee for the same office.

## **Article 16. Party Funds in Primary Elections**

The Libertarian Party and County Affiliates are prohibited from expending funds in support of a specific candidate in a primary election, except when the primary involves a candidate not enrolled in the Libertarian Party, in which funds may be expended for the purpose of supporting the enrolled Libertarian Party candidate.

## **Article 17. Platform**

17.1. Any amendment to the Platform shall be considered in accordance with this article. Each paragraph shall be numbered in the Platform and shall be considered a plank.

17.2. Any amendment, addition, or deletion to the Platform shall be considered separately. No more than one plank shall be considered in the same motion. Any such amendment must be approved by a two-thirds (2/3) vote of the State Committee members.

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

17.4. Amendments to the Platform shall be placed on the agenda of the full State Committee at least twice per year.

## **Article 18. 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 19. Loans**

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

## **Article 20. Parliamentary Authority**

Robert's Rules of Order (12th edition) shall govern all meetings of the State Committee and Executive Committee in so far as they are applicable and not inconsistent with these Rules.

## **Article 21. Amendments**

21.1. **SUBMISSION OF AMENDMENTS.** Amendments to these Rules must be submitted in writing to the Secretary at least fifteen (15) days in advance of the meeting in which the amendments shall be voted upon. Such amendments and notice to the meeting in which the amendments are to be considered must be given in accordance with Election Law 2-114.

21.2. **CONSIDERATION OF AMENDMENTS.** Only amendments that were submitted in accordance with Article 21.1 shall be considered.

21.2.1. **CONSIDERATION OF AMENDMENTS BY THE RULES COMMITTEE.** At the meeting in which the submitted amendments shall be voted upon, the Rules Committee may, prior to the consideration of any other amendment, present the committee's report that includes any recommended amendments to the Party Rules. This report may include any motion to adopt amendments recommended by the Rules Committee, in part or in whole. Any motion to divide such motion or substitute an alternative amendment shall be in order, as long as such alternative was distributed in accordance with Election Law 2-114.

21.2.2. **CONSIDERATION OF OTHER AMENDMENTS.** Amendments not recommended by the Rules Committee shall be presented by the Secretary in the order they were received, alternating between different authors, if such authors are proposing multiple amendments, in the order that the Secretary received them.

21.3. **VOTING ON AMENDMENTS.** Amendments to these Rules shall require a majority vote at a meeting of the full State Committee.

## **Article 22. Exclusivity**

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

22.2. 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 State Committee.

## **Article 23. 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.