

**MINUTES OF THE MEETING OF THE STATE COMMITTEE  
OF THE LIBERTARIAN PARTY OF NEW YORK  
HELD ON MONDAY, JANUARY 22, 2022  
ON THE ZOOM MEETING APP AND PORCUPINE APP**

**MEMBERS PRESENT (38)**

Mark N. Axinn (JD1) <sup>1</sup>  
Paul M. Grindle (JD2) <sup>1</sup>  
Matthew I. Morgan (JD2) <sup>1</sup>  
William Cody Anderson (JD3) <sup>1</sup>  
Justin N. Carman (JD3) <sup>1</sup>  
Jennifer L. O'Connor (JD3) <sup>1</sup>  
Lora Newell (JD3) <sup>1</sup>  
Zachary D. Remian (JD4) <sup>1</sup>  
Brian L. Wells (JD4) <sup>1</sup>  
Daniel J. Castello (JD5) <sup>1</sup>  
Shawn C. DeGrand (JD5) <sup>1</sup>  
Erinn Rose Leatherman (JD5) <sup>1</sup>  
Adam M. Magoon (JD5) <sup>1</sup>  
Keith C. Redhead (JD5) <sup>1</sup>  
Mark S. Braiman (JD6) <sup>1</sup>  
Craig L. Colwell (JD6) <sup>1</sup>  
Samuel Hordeski (JD6) <sup>1</sup>  
Christopher M. Olenski (JD6) <sup>1</sup>  
Steven G. Becker (JD7) <sup>2</sup>  
Justin Pelletier (JD7) <sup>1</sup>  
Sean C. Phelan (JD7) <sup>1</sup>  
James M. Ziobro (JD7) <sup>1</sup>  
Maura E. Botsford (JD8) <sup>1</sup>  
Andrew M. Kolstee (JD8) <sup>1</sup>  
Frances Law (JD8) <sup>1</sup>  
Leonard E. Morlock (JD8) <sup>1</sup>  
Michael R. Rebmann (JD8) <sup>1</sup>  
Charles R. Roggen (JD8) <sup>1</sup>  
Duane Whitmer (JD8) <sup>1</sup>  
Juan R. Ayala (JD9) <sup>1</sup>  
Daniel P. Donnelly (JD9) <sup>1</sup>  
William K. Schmidt (JD9) <sup>1</sup>  
Jeffrey J. Denecke (JD10) <sup>1</sup>  
Jonathan H. Gunther (JD10) <sup>1</sup>  
Robert E. Schuon (JD10) <sup>1</sup>

John Clifton (JD11) <sup>1</sup>  
Irwin Mark Weinblatt (JD11) <sup>1</sup>  
Richard F. Purtell <sup>1E</sup>

**MEMBERS ABSENT (20)**

Morry C. Davis (JD1)  
David B. "Chance" Haywood (JD1)  
Gary S. Popkin (JD2)  
Amanda H. Ellithorpe (JD4)  
Stephen C. Healey (JD3)  
John A. Janes (JD4)  
Karen A. Keniry-Thompson (JD4)  
Matthew K. Guilianelli (JD5)  
David S. Penner (JD6)  
Jeffrey C. Bradley (JD7)  
Marc A. Smith (JD7)  
Erin M. Becker (JD8)  
Jame J. VanDewalker (JD8)  
Robert J. Cocomello (JD9)  
Robert J. Greibesland (JD9)  
Christian J. Vondras (JD9)  
George T. Ostrowski (JD10)  
Blay Tarnoff (JD10)  
Randyn Tarnoff (JD10)  
Francisco Olvera (JD11)

**OBSERVERS (1)**

Timothy "TJ" Ferrera, Porcupine Administrator

**KEY**

- (1) Present at first roll call at 6:36 p.m.
- (2) Entered during the meeting.
- (V) Filled vacancy during meeting.
- (E) 2nd Vice-Chair and ex-officio voting member

The meeting was called to order at 6:36 p.m. by Andrew Kolstee, Chair. Secretary Mark Braiman conducted a roll call and determined that a quorum was present.

The Credentials and Nominations Report (**Exhibit 1**) indicated that there were thirty-seven (37) of fifty-eight (58) voting members of the State Committee present at the time of roll call. Steven Becker later entered the meeting, to give thirty-eight (38) members present out of fifty-eight (58) members of the State Committee. No vacancies were filled during the meeting. The Secretary determined that a quorum was present at all times during the meeting.

The **Agenda (Exhibit 2)** was adopted without objection.

Chair Andrew Kolstee opened a period of public comment. No comments were offered. .

Chair Andrew Kolstee called for the filling of two (2) State Committee vacancies from Judicial District 5. Secretary Mark Braiman reported that no one had been nominated in advance. Chair Andrew Kolstee, hearing no nominations from the floor, postponed filling these vacancies until the next meeting of the State Committee.

Chair Andrew Kolstee called for the filling of one (1) State Committee vacancy from Judicial District 6. Secretary Mark Braiman reported that no one had been nominated in advance. Chair Andrew Kolstee, hearing no nominations from the floor, postponed filling this vacancy until the next meeting of the State Committee.

Chair Andrew Kolstee called for the filling of three (3) State Committee vacancies from Judicial District 7. Secretary Mark Braiman reported that no one had been nominated in advance. Chair Andrew Kolstee, hearing no nominations from the floor, postponed filling these vacancies until the next meeting of the State Committee.

Chair Andrew Kolstee called for the filling of two (2) State Committee vacancies from Judicial District 10. Secretary Mark Braiman reported that no one had been nominated in advance. Chair Andrew Kolstee, hearing no nominations from the floor, postponed filling these vacancies until the next meeting of the State Committee.

Chair Andrew Kolstee called for the filling of two (2) State Committee vacancies from Judicial District 12. Secretary Mark Braiman reported that no one had been nominated in advance. Chair Andrew Kolstee, hearing no nominations from the floor, postponed filling these vacancies until the next meeting of the State Committee.

Chair Andrew Kolstee called for the filling of one (2) State Committee vacancy from Judicial District 13. Secretary Mark Braiman reported that no one had been nominated in advance. Chair Andrew Kolstee, hearing no nominations from the floor, postponed filling this vacancy until the next meeting of the State Committee.

Treasurer William Cody Anderson issued a Treasurer's Report (**Exhibit 3**) and the report was accepted without objection. There is \$2065.93 in Housekeeping Account.

Andrew Kolstee issued a Chair's report. The 2024 Nominating Convention for statewide candidates will be held March 16-17, 2024 and registration is open. The Presidential debate will occur on Sunday March 17, 2024. The hotel rate is \$139 per night.

Communications Director Duane Whitmer issued a report for the Communications and Outreach Divisions. Letters were sent to members of the New York State Assembly and Senate asking to change the New York State Department of Taxation and Finance policy to stop surprise visits to conform with Federal policy adopted by the Internal Revenue Service. Initial resistance was met with support from other groups, which led to more calls to legislators. It was turned over to a group representing accountants in Central New York and lawyers near Albany. It was reported that the Department of Taxation will respond with a change in procedures. Also, New York was not enforcing the law on seizure notices properly. New York state quota on how many seizures that they must do; agents are individually incentivized to seize assets that will make money for

the government. There may be a temporary stay on seizures. Regarding the speed cameras project, the State has issued about 130,000 tickets. A legal case is possibly too expensive and will probably cost a minimum of \$15,000. A press release on the speed cameras received coverage, especially downstate. StopSpeedCameras.com has been implemented by the LPNY. End Qualified Immunity bill is also another top priority. Governor Kathy Hochul will likely not sign the bill because she needs votes from police unions. A lot of help will be needed for this issue in 2024. To volunteer to help with these campaigns, volunteers were asked to check the Messaging Campaigns channel in the LPNY Discord.

Rules Committee Chair Andrew Kolstee issued a report in writing (**Exhibit 4**).

Motion by Adam Magoon on behalf of the Rules Committee to **amend the Rules of the Libertarian Party to adopt Proposal 1** was debated and passed 18-6-7 (see Appendix 1A for details).

Motion by Daniel Castello on behalf of the Rules Committee to **amend the Rules of the Libertarian Party to adopt Proposal 2** passed by voice vote. Mark Axinn requested to remove the words “over National” in the report.

Motion by Michael Rebmann to **amend the Agenda to take up the Policy Manual proposal by the Rules Committee** was seconded by Leonard Morlock and passed by a two-thirds voice vote.

Motion by Mark Axinn to **adopt the Policy Manual (Exhibit 5) presented by the Rules Committee** was seconded by Adam Magoon and passed by voice vote.

Delegate Selection Committee Chair Andrew Kolstee issued a report in writing (**Exhibit 6**), which included a proposed rubric for selecting delegates and proposed amendments to the Rules as well as a report on the Application of the 2024 Rubric (**Exhibit 7**).

Motion by Adam Magoon on behalf of the Delegate Selection Committee to **adopt Rules Amendment Proposal 1 of the Delegation Selection Committee’s report** passed by voice vote.

Motion by Michael Rebmann on behalf of the Delegate Selection Committee to **adopt the proposed Delegate Selection Rubric and insert it into the Policy Manual** was debated.

Motion by Michael Rebmann to **amend the rubric to adopt the Rebmann Amendment and add 4.20 and renumber accordingly** was seconded by Craig Colwell and passed by voice vote.

Motion by Justin Pelletier to **amend the rubric to add adopt the Kolstee Amendment** was seconded by Shawn DeGrand. Motion by Mark Axinn to **amend the Kolstee Amendment to strike “4.6” and insert “4.14” and renumber accordingly** passed without objection. The original motion to **adopt the rubric** passed by voice vote.

Special Committee on State Committee Elections Chair Andrew Kolstee issued a report in writing (**Exhibit 8**)

Motion by Mark Braiman on behalf of the Committee on State Committee Elections to **amend the Rules of the Libertarian Party and adopt Proposal the Rules of the Libertarian Party and adopt Proposal 1** passed 20-6-5 (see Appendix 1B for details).

Motion by Duane Whitmer on behalf of the Committee on State Committee Elections to **amend the Rules according to proposal 2** was approved by voice vote.

Motion by Duane Whitmer on behalf of the Committee on State Committee Elections to **amend the Rules of the Libertarian Party and adopt Proposal 3** was debated and failed 10-23-3 (see Appendix 1C for details).

Duane Whitmer announced his resignation from all committees and divisions that he had been chairing, including Communications Director.

The Chair called for the election of the members of the Elections Oversight Committee.

Mark Braiman nominated Samuel Hordeski (JD6) and he accepted the nomination.

Mark Axinn (D1) nominated himself and he accepted the nomination.

James Ziobro (JD7) nominated himself and he accepted the nomination.

Duane Whitmer nominated Matthew Morgan (JD2) and he accepted the nomination.

Brian Wells (JD4) nominated himself and he accepted the nomination.

Zachary Remian (JD4) nominated himself and he accepted the nomination.

William Schmidt nominated Juan Ayala (JD9) and he accepted the nomination.

The meeting stood in recess from 8:30 p.m. to 8:38 p.m.

In the first round of voting for members of the Elections Oversight Committee, the results were as follows:

<b>Candidate (vote for 13)</b>	<b>Votes</b>	<b>Percentage</b>
Juan Ayala (JD9)	28	87.50%
Mark Axinn (JD1)	28	87.50%
Matthew Morgan (JD2)	26	81.25%
James Ziobro (JD7)	26	81.25%
Samuel Hordeski (JD6)	24	75.00%
Zachary Remian (JD4)	18	56.25%
Brian Wells (JD4)	17	53.13%
None of the Above (NOTA)	7	21.88%
<b>Total Votes</b>	32	100.00%
<b>Total Voters</b>	32	

**Mark Axinn (JD1), Matthew Morgan (JD2), Samuel Hordeski (JD6), James Ziobro (JD7), and Juan Ayala (JD9) were elected to the Elections Oversight Committee.**

Brian Wells (JD4) withdrew from the election. **Zachary Remian (JD4) was declared as elected to the Elections Oversight Committee.**

Motion by Adam Magoon on behalf of the Rules Committee to **amend the Rules of the Libertarian Party and adopt Proposal 3** passed by voice vote

Motion by Adam Magoon on behalf of the Rules Committee **t to amend the Rules of the Libertarian Party and adopt Proposal 4** was adopted by voice vote.

Motion by Daniel Castello on behalf of the Rules Committee to **amend the Rules of the Libertarian Party and adopt Proposal 5** was adopted by voice vote.

Motion by Adam Magoon on behalf of Rules Committee to **amend the Rules of the Libertarian Party and adopt Proposal 6** passed by voice vote.

Motion by Mark Braiman on behalf of the Rules Committee to **amend the Rules of the Libertarian Party and adopt Proposal 7** was debated. Motion by Justin Carman to **substitute the Rebmam Amendment** was seconded by Jonathan Gunther and debated. Motion by Michael

Rebmann to **refer 7 Proposal back to Rules Committee** passed 13-10-4 (see Appendix 1D for details).

Motion by Adam Magoon on behalf of the Rules Committee to **amend the Rules of the Libertarian Party and adopt Proposal 8** passed by voice vote.

Motion by Christopher Olenski to **commit or refer Proposal 8 to a Policy Committee once it is created** passed by voice vote.

Motion by Mark Braiman on behalf of the Rules Committee to **amend the Rules of the Libertarian Party and adopt Proposal 9** was debated.

Motion by Craig Colwell to **strike “State Committee vacancies are to be filled”** was seconded by Steven Becker, debated, and passed by voice vote. The original motion to **adopt Proposal 9 as amended** passed 14-12-3 (see Appendix 1E for details).

Motion by Adam Magoon on behalf of the Rules Committee to **amend the Rules of the Libertarian Party and adopt Proposal 10** passed by voice vote.

Christopher Olenski called for quorum, and the Secretary determined that 32 members were present, exceeding the required quorum of thirty (30).

Motion by Adam Magoon on behalf of the Rules Committee to **amend the Rules of the Libertarian Party and adopt Proposal 11** passed by voice vote.

Motion by Daniel Castello on behalf of the Rules Committee to **amend the Rules of the Libertarian Party and adopt Proposal 12** was debated. Motion by William Cody Anderson to **strike “The Treasurer shall be responsible for tracking these classifications.”** was seconded by Lora Newell and passed without objection. The original motion to **adopt Proposal 12 as amended** passed by voice vote.

Motion by Adam Magoon on behalf of the Rules Committee to **amend the Rules of the Libertarian Party and adopt Proposal 13** passed by voice vote.

Motion by Adam Magoon on behalf of the Rules Committee to **amend the Rules of the Libertarian Party and adopt Proposal 14** passed by voice vote.

Motion by Michael Rebmann to **ratify the first thirty (30) delegates on the Application of the Delegate Rubric report (Exhibit 8) according to the adopted revised rubric** was seconded by Richard Purtell and passed without objection.

Motion by Leonard Morlock to **adjourn** was seconded by William Cody Anderson and passed without objection.

The meeting was adjourned at 9:47 p.m.

Mark Stephen Braiman,  
Secretary.



## EXHIBIT 1

### CREDENTIALS REPORT

**ROLL CALLS** (Column #1 at 6:30 p.m., P=Present; #2 indicates a time of later arrival)

JD	State Committee Member	1	2	JD	State Committee Member	1	2	JD	State Committee Member	1	2
EO	Richard F. Purtell	P		5	VACANT			8	Duane J. Whitmer	P	
1	Mark N. Axinn	P		6	Mark S. Braiman	P		9	Juan R. Ayala	P	
1	Morry C. Davis			6	Craig Colwell	P		9	Robert J. Cocomello		
1	David B. "Chance" Haywood			6	Samuel J. Hordeski	P		9	Daniel P. Donnelly	P	
2	Paul M. Grindle	P		6	Christopher M. Olenski	P		9	Robert J. Greibesland		
2	Matthew I. Morgan	P		6	David S. Penner			9	William K. Schmidt	P	
2	Gary S. Popkin			6	VACANT			9	Christian J. Vondras		
3	William Cody Anderson	P		7	Steven G. Becker		8:40	10	Jeffrey J. Denecke	P	
3	Justin N. Carman	P		7	Jeffrey C. Bradley			10	Jonathan H. Gunther	P	
3	Lora Newell	P		7	Justin Pelletier	P		10	George T. Ostrowski		
3	Jennifer L. O'Connor	P		7	Sean C. Phelan	P		10	Robert E. Schuon	P	
4	Amanda H. Ellithorpe			7	Marc A. Smith			10	Blay Tarnoff		
4	Stephen C. Healey			7	James M. Ziobro	P		10	Randyn Tarnoff		
4	John A. Janes			7	VACANT			10	VACANT		
4	Karyn A. Keniry-Thompson			7	VACANT			10	VACANT		
4	Zachary D. Remian	P		7	VACANT			11	John Clifton	P	
4	Brian L. Wells	P		8	Erin M. Becker			11	Francisco Olveira		
5	VACANT			8	Maura E. Botsford	P		11	Irwin Mark Weinblatt	P	
5	Daniel J. Castello	P		8	Andrew M. Kolstee	P		12	VACANT		
5	Shawn C. DeGrand	P		8	Francis Law	P		12	VACANT		
5	Matthew K. Guilianelli			8	Leonard E. Morlock	P		13	VACANT		
5	Erinn Rose Leatherman	P		8	Michael R. Rebmann	P		13	VACANT		
5	Adam M. Magoon	P		8	Charles R. Roggen	P			# Present	37	1
5	Keith C.Redhead	P		8	Jame J. VanDewalker				(out of 58 total)		

Nominations Received: None



## Exhibit 2 (page 1 of 2)

**LIBERTARIAN PARTY OF NEW YORK  
AGENDA OF THE STATE COMMITTEE OF MONDAY, JANUARY 22, 2024**

**6:30 P.M. Call to Order (Andrew Kolstee, Chair)**

**6:30 P.M. Roll Call and Confirmation of Quorum (Mark Braiman, Secretary)**

**6:35 P.M. Public Comment**

**6:40 P.M. Adoption of Agenda**

**6:45 P.M. Filling of Vacancies on the State Committee**

Judicial District 5 (1 vacancy)  
Judicial District 6 (1 vacancy)  
Judicial District 7 (3 vacancies)  
Judicial District 10 (2 vacancies)  
Judicial District 12 (2 vacancies)  
Judicial District 13 (2 vacancies)

**7:05 P.M. Treasurer's Report (Cody Anderson)**

**7:10 P.M. Chair's Report (Andrew Kolstee)**

**7:15 P.M. Communications/Outreach Report (Duane Whitmer)**

**7:30 P.M. Rules Committee Report (Andrew Kolstee)**

Consideration of Proposals 1 and 2, which directly affects the Delegate Selection Committee report. [Click here](#) to see the report.

**7:40 P.M. Delegate Selection Committee Report (Andrew Kolstee)**

Consideration of rubric for selection of delegates to the Libertarian National Convention. [Click here](#) to see the report. [Click here](#) to see the tentative delegate list based on the rubric.

Consideration to ratify the list of delegates as official delegates from New York to the Libertarian National Convention. Note this will only be considered if the proposed rubric passes as presented by the Delegate Selection Committee as any changes will require the Delegate Selection Committee to reconvene. This may be saved for old business while the delegate rubric is adjusted.

**8:10 P.M. Committee on State Committee Elections Report (Andrew Kolstee)**

Proposed amendments to the Rules of the Libertarian Party regarding the election of the State Committee. [Click here](#) to see the report.

## **Exhibit 2 (page 2 of 2)**

### **8:30 P.M. Election of Elections Oversight Committee**

Election Oversight Committee Member (13 positions, one from each Judicial District).

### **9:00 P.M. Rules Committee Report, continued (Andrew Kolstee)**

Proposed amendments to the Rules of the Libertarian Party. [Click here](#) to see the report.

### **10:00 P.M. Old Business**

### **10:15 P.M. New Business**

### **10:30 P.M. Adjournment**

## Exhibit 3

LPNY Treasurer's Report  
January 22, 2024

Housekeeping Committee account balance as of January 22, 2024: **\$2065.93**  
(+\$293.76 since December 14)

Constituted Committee account balance as of January 22, 2024: \$26,036.75  
(-\$873.27 since December 14)

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**Deposits to Housekeeping account since December 14:**

12/22 – Transfer in from CC - \$3000.00

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**Disbursements from Housekeeping account since December 14:**

12/27 – Watkins Glen convention hotel - \$1807.53

1/8 – Andrew Kolstee (expense reimbursement) - \$545.76

1/16 – Grasshopper - \$33.95

1/16 – Constant Contact - \$148.77

1/18 – Duane Whitmer (reimbursement for tax letter postage) - \$170.23

**TOTAL DISBURSEMENTS: \$2706.24**

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**Deposits to CC account since December 14:**

Net Donations - \$2376.73

**TOTAL DEPOSITS: \$2376.73**

## Exhibit 4 (page 1 of 6)

### REPORT OF THE RULES COMMITTEE FOR THE STATE COMMITTEE MEETING OF JANUARY 22, 2024

**Proposal 1 (O). Provision for referencing policies outside of these Rules.**

#### **Article 23. Policies**

23.1. **GENERAL.** The LPNY may establish a Policy Manual to address operational procedures, organizational structures, and special rules that do not require the formal weight and amendment process of these Rules. The Policy Manual is intended to complement the Rules, providing detailed guidance and clarity for day-to-day operations and special circumstances.

23.2. **CREATION AND MAINTENANCE.** The Policy Manual shall be created and maintained by the State Committee. It can be amended or revised as necessary to reflect the evolving needs of the LPNY, without undergoing the formal amendment process required in these Rules.

23.3. **ACCESSIBILITY AND REFERENCE.** The Policy Manual shall be readily accessible to all members of the organization. It shall be referenced in conjunction with the Rules to provide a comprehensive understanding of organizational governance and operations.

23.4. **CONTENTS.** The contents of the Policy Manual shall include but not be limited to the following.

23.4.1. **SPECIAL RULES OF ORDER.** The Special Rules of Order shall govern the procedures of meetings of the full State Committee.

23.4.2. **ORGANIZATIONAL STRUCTURE.** The Organizational Structure shall govern the procedures regarding the structure and operations of committees.

**Proposal 2 (F). National Bylaws indicate that delegates must be a state OR national member, so this is not required. Residents of the State of New York are required to be an LPNY member, so this part is redundant. Simplify that delegates are only required LPNY members. We want people to support the LPNY. The requirement to be a BSM of National was never placed in the LPNY Rules until August 30, 2020 and are not required by national. Additionally, there is no access to real-time updates of Bylaws Sustaining Members (BSM).**

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

## Exhibit 4 (page 2 of 6)

**Proposal 3 (B). Remove the requirement for the Secretary to provide names and statements of State Committee candidates as that is the responsibility of the candidates. Also merge 9.2 into one paragraph.**

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.

**Proposal 4 (K). Clarification on NOTA provision.**

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. ~~Candidates outpolled by NOTA are only disqualified for the given election and remain eligible for nomination in all future elections.~~

## Exhibit 4 (page 3 of 6)

### Proposal 5 (H2). Modified provisions for non-LPNY Members as statewide candidates.

#### ~~14.2.2. NON-LIBERTARIAN CANDIDATES.~~

~~14.2.2.1. 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.~~

14.2.2. **ELIGIBILITY.** To be a candidate for nomination for any of the following offices to be filled by the voters of the entire state, one must be an LPNY Member: Governor/Lt. Governor, Attorney General, Comptroller, United States Senator, Presidential/Vice Presidential Elector. However, in the event that nominations have already closed for a particular statewide office, a motion may be made to reopen nominations exclusively to allow the nomination of a specific non-LPNY Member for that position. Such a motion requires a three-quarters (3/4) vote and is non-debatable. If the motion is passed, the candidate will be entered into nomination.

~~14.2.2.2. 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.~~

~~14.2.2.3. 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.~~

### Proposal 6 (H2). Provision for stand-in candidates not previously listed in Rules.

14.2.3. **STAND-IN CANDIDATES FOR PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES.** The State Committee may nominate a stand-in candidate for President and Vice President of the United States for the purposes of selecting names for an official Libertarian Party independent nominating petition if the Libertarian National Convention in which such candidates are to be nominated, is scheduled to begin after the start of the petitioning period. The Executive Committee shall be named on the petition as the committee to fill vacancies.

#### 14.2.3.1. **OPTION TO RETAIN STAND-IN CANDIDATE(S) IN THE GENERAL ELECTION.**

After the Libertarian National Convention and prior to the declination deadline of independent candidates as determined by the New York State Board of Elections, the State Committee may, by a two-thirds (2/3) vote, officially request that one or both stand-in candidate(s) remain as the candidate(s) through the general election.

14.2.3.2. **PROCEDURES TO FILL VACANCIES.** If a vacancy occurs in the independent nomination for President and/or Vice President, the Executive Committee, acting as the committee to fill vacancies, shall name the candidate(s) chosen at the Libertarian National Convention as substitute(s). In the event that the Libertarian National Convention fails to nominate a candidate for President or Vice President of the United States, or nominates None of the Above (NOTA), the Executive Committee, acting as the committee to fill vacancies, shall choose the nominee(s) according to their own discretion.

## Exhibit 4 (page 4 of 6)

### **Proposal 7 (P). Add provision for financial obligations of committee members for in-person meetings.**

8.3.1. **FINANCIAL OBLIGATIONS OF COMMITTEE MEMBERS.** The following fixed costs of an in-person meeting must be shared equally by all members of the State Committee who plan to attend that meeting: rental of a meeting hall to hold the entire membership of the State Committee including the cost of the meals per the rental agreement; audio-visual equipment rental; communications (internet) fees; software fees for conducting polls, ballots, and any other vote; for the entire number of State Committee members. The committee tasked with organizing the in-person meeting shall estimate the total of these fixed costs, and shall set the shared cost per State Committee member as an individual registration fee. This meeting registration fee for State Committee members may not be changed after one month prior to the meeting. No person shall be provided with the means to speak or vote in the meeting until their individual registration fee is paid.

### **REBMANN AMENDMENT 1 (Alternative to Proposal 7)**

8.3.1. **FINANCIAL OBLIGATIONS OF COMMITTEE MEMBERS.** The following fixed costs of an in-person meeting must be shared equally by ~~all members of the State Committee who plan to attend that meeting~~; rental of a meeting hall to hold the entire membership of the State Committee including the cost of the meals per the rental agreement; audio-visual equipment rental; communications (internet) fees; software fees for conducting polls, ballots, and any other vote; for the entire number of State Committee members. ~~The committee tasked with organizing the in-person meeting shall estimate the total of these fixed costs, and shall set the shared cost per State Committee member as an individual registration fee.~~ Each person participating remotely, or in person, shall pay a minimum registration fee of \$20. Purchasing a meeting package, with meals, fulfills this requirement. ~~This meeting registration fee for State Committee members may not be changed after one month prior to the meeting.~~ No person shall be provided with the means to speak or vote in the meeting until their individual registration fee is paid.

### **Proposal 8 (R). Add refund policy for in-person meetings.**

8.3.2. **REFUNDS.** No registrant shall be issued a refund unless approved by the State Committee. Requests made no later than forty-eight (48) hours prior to the start of the meeting must be approved by a majority vote. Subsequent requests must be approved by a two-thirds (2/3) supermajority vote. The State Committee shall determine if the refund granted is full or partial.

### **Proposal 9 (Q). Add exception for quorum during in-person meetings.**

8.8. **QUORUM.** A quorum for all meetings of the State Committee and Executive Committee shall be a majority of voting members, except as follows. For any in-person meeting at which State Committee vacancies are to be filled; candidates for statewide public office are to be nominated or endorsed; or candidates for Party Office are to be elected, quorum shall be ten (10) members, as long as one or more of these time-sensitive actions be taken in accordance with an agenda that all State Committee were notified of at least one month prior to the meeting, and no other business be transacted at such meeting regardless of whether it may appear on any agenda.

## Exhibit 4 (page 5 of 6)

### **Proposal 10 (L). Codifying the definition of official Libertarian candidates.**

14.1.4. **OFFICIAL LIBERTARIAN CANDIDATES.** Official candidates of the Libertarian Party shall be defined as candidates who are either LPNY Members, or are non-LPNY Members running on the Libertarian Party line and endorsed by the State Committee or a County Affiliate.

### **Proposal 11 (L). Provision for endorsements.**

14.1.5. **ENDORSEMENTS.** In elections in which the Libertarian Party is not permitted to nominate candidates in accordance with election law, the provisions regarding nominations in these Rules shall instead apply to endorsement of such candidates to appear on an Independent Nominating Petition naming the Libertarian Party as the independent body.

### **Proposal 12 (J). Provision for classification of financial support designations to increase fundraising.**

5.5. **LPNY SUPPORTER CLASSIFICATIONS.** The term "Supporting LPNY Member" shall refer to any LPNY Member who has financially supported the LPNY. The term "Associate Supporters" shall refer to any non-LPNY Member who has financially supported the LPNY. The State Committee is responsible for establishing the different levels of membership for both Supporting LPNY Members and Associate Supporters. The Treasurer shall be responsible for tracking these classifications.

### **Proposal 13 (C3). Amendments to the article on committees.**

10.1. **GENERAL.** Standing and special committees may be created to carry out specific tasks and projects of the LPNY as determined by the State Committee.

10.2. **STANDING COMMITTEES.** The LPNY shall have the following standing committees: Communications, Field Development, Finance, Political, IT, Legislative Affairs, Outreach, Personnel, each chaired by a Director who shall be considered as a Chair for the purposes of governance and procedure; additionally, the Rules Committee and the Platform Committee shall also be standing committees to be chaired specifically by a designated Chair. The State Committee shall have the power to appoint and remove their members and chair and to define their duties and responsibilities.

10.3. **SPECIAL COMMITTEES.** The State Committee shall have the power to create and dissolve ~~standing or~~ special committees and to appoint and remove their members and chair. ~~The Chair of the State Committee shall have the power to create special committees and appoint their members and chair.~~

10.4. **COMMITTEE CHAIRS.** The chair of each standing and special committee shall call and preside over meetings and represent the committee and provide reports to the State Committee. ~~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~~

10.4.1. **VACANCIES.** In the event of a vacancy in the Chair of a committee, the Chair of the LPNY shall have the power to appoint a Chair of any standing or special committee. If such an appointment has not occurred by the next meeting of the committee, the members of the committee shall elect their own Chair. If such an election has not occurred by the next meeting of the full State Committee, the State Committee shall elect the Chair of that committee.



## Exhibit 4 (page 6 of 6)

10.4.2. **REMOVAL.** Members of a standing or special committee may remove the committee chair by a three-quarters (3/4) vote.

10.5. **COMMITTEE MEMBERS.** The chair of each committee shall have the authority to appoint and remove members of their committee, except in cases where these appointments or removals have been made by the State Committee or by election in accordance with these Rules.

10.6. **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.~~ 10.7. **RECORDS.** All committees shall keep a record of their proceedings. The Secretary shall keep a record of all committees and their membership. The Chairs of all committees must maintain a digital roster of all current committee members, a list of dates meetings were held and the attendance of those meetings, that is accessible to the Chair and Secretary.

### **Proposal 14 (D). Provision regarding vacancies of County Affiliates.**

11.5.2. **OFFICERS.** Each County Organization shall elect a Chair, a Vice-Chair, a Secretary, and a Treasurer. All officers and interim officers must be LPNY Members residing in the county in which they serve.

11.5.3. **VACANCIES.** In the event of a vacancy in the office of Chair, the Vice-Chair shall succeed as the Chair of the County Organization, unless otherwise specified in the County Rules. 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. In the event that any County Affiliate officer position has been vacant for at least six (6) months, the State Committee may fill the vacancy with an interim officer until the County Affiliate elects a new officer.

# Exhibit 5 (page 1 of 5)

## POLICY MANUAL OF THE LIBERTARIAN PARTY OF NEW YORK

### Article 1. Introduction

The purpose of this document is to outline all policies and standards outside of the Party Rules. This shall be a binding document which can be amended by a majority vote at any meeting of the State Committee or Executive Committee.

### Article 2. Organizational Structure

*[This section was adopted by the Executive Committee and amended once]*

2.1. **GENERAL.** This ~~document~~ article shall outline the organizational and committee structure of the Libertarian Party of New York. This document may be amended at any time by a majority vote of the State Committee.

2.2. **PURPOSE.** The purpose of the organizational structure and this document is to organize the Libertarian Party of New York into eight divisions based on categories that group and define the responsibilities of every division, committee, and appointed position in order to effectively carry out projects and tasks for the party.

2.3. **STRUCTURE.** The organizational structure consists of a Division, which is a category consisting of a set of defined responsibilities to carry out different tasks for the Libertarian Party of New York. Each Division is headed by a Division Director, who shall work with each other to carry out different aspects of party projects. Each division may have a single general committee, multiple committees, or a combination thereof.

#### 2.4. DIVISIONAL DIRECTORS.

2.4.1. **APPOINTMENT.** Division Directors shall be appointed by the Chair or the State Committee and confirmed by the State Committee, following a call for applications. A Deputy Director may be appointed by the Director and confirmed by the State Committee to assist in the Director's duties.

2.4.2. **DUTIES.** Division Directors lead their division, carry out, and/or delegate tasks for which their division is responsible, and report their activities to the State Committee. They shall submit a proposed budget to the Finance Division and are responsible for overseeing the approved budget for their Division.

2.4.3. **POWERS.** Division Directors shall have the power to create and make appointments to division positions, create new committees within their division, and appoint members to committees within their division.

2.4.4. **DISMISSAL.** Division Directors may be dismissed by a majority vote of the State Committee.

## Exhibit 5 (page 2 of 5)

2.4.5. **VACANCIES.** In the event that the Division Director position becomes vacant and a Deputy Director has been appointed, the Deputy Director shall assume the role of Acting Division Director until a new Division Director is appointed. The State Committee shall have the power to fill vacancies in division committees when the Division Director position is vacant.

### 2.5. DIVISIONS AND COMMITTEES

2.5.1. **STAND-ALONE COMMITTEES.** The Rules Committee and Platform Committee shall be stand-alone committees.

#### 2.5.2. DIVISIONS.

2.5.2.1. **ADMINISTRATIVE DIVISION.** The Administrative Division shall be led by the State Chair and be responsible for overseeing inter-division communication, legal matters, and strategic planning.

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

2.5.2.3. **POLITICAL DIVISION.** The Political Division shall be led by the Political Director. The Division shall be responsible for candidate acquisition, candidate support, and elected Libertarian Support. The Division shall consist of three committees: Candidate Acquisition Committee, Candidate Support Committee, and Elected Libertarian Support Committee.

2.5.2.4. **FINANCE DIVISION.** The Finance Division shall be led by the Finance Director. The Division shall be responsible for obtaining and managing finances, including donor relationships, sponsorships, vendor relationships, merchandising, and financial management. The Division shall consist of two committees: Fundraising Committee and Treasury Committee. The Treasury Committee shall be chaired by the Treasurer, who shall appoint members to the committee as needed to assist the Treasurer in carrying out the duties of the office.

2.5.2.5. **IT DIVISION.** The IT Division shall be led by the IT Director. The Division shall be responsible for administering the website, database management, and assisting other divisions with IT-related tasks as necessary. The Division shall consist of an IT Committee chaired by the IT Director.

2.5.2.6. **OUTREACH DIVISION.** The Outreach Division shall be led by the Outreach Director. The Division shall be responsible for developing and implementing strategies for content creation, activism opportunities, direct citizen action, networking with other organizations, and coalition building.

2.5.2.7. **PERSONNEL DIVISION.** The Personnel Division shall be led by the Personnel Director. The Division shall be responsible for volunteer coordination and organizing trainings. The Division shall consist of a Personnel Committee chaired by the Personnel Director.

## Exhibit 5 (page 3 of 5)

2.5.2.8. **FIELD DEVELOPMENT DIVISION.** The Field Development Division shall be led by the Field Development Director. The Division shall be responsible for developing County Affiliates and College Campus Affiliates. The Division shall consist of a Field Development Committee chaired by the Field Development Division.

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

## Exhibit 5 (page 4 of 5)

### Article 3. Special Rules of Order

*[This was adopted by the State Committee as a set of special rules of order to conduct State Committee meetings on March 5, 2023]*

#### **Rule 3.1. GENERAL.**

**Rule 3.1.1. APPLICATION AND SUSPENSION.** These Special Rules of Order shall apply to all meetings of the full State Committee of the Libertarian Party of New York, unless otherwise amended or suspended by a two-thirds (2/3) vote.

**Rule 3.1.2. VOTING PLATFORM.** The platform used for voting and parliamentary procedure shall be the Porcupine App.

**Rule 3.2. CREDENTIALS.** The Secretary, directly after the opening ceremonies of the business meeting, shall call the roll of the elected members of the State Committee.

**Rule 3.3. IDENTIFICATION OF VOTING MEMBERS.** To facilitate identification, seating, and voting, members and others shall be required to retain and display upon request the wristbands, voting cards, or other indicia issued by the organizers of the meeting upon registration. Division votes, whether simple or counted, shall be taken by members' standing and display of such voting member indicia. For meetings held by teleconference, voting members shall be identified within the platform or platforms used to conduct the meeting.

#### **Rule 3.4. DEBATE.**

**Rule 3.4.1.** No member shall speak in debate on the same question a second time until every other member who wishes to speak had the opportunity to do so.

**Rule 3.4.2.** No member shall speak in debate on the same question more than twice or longer than three (3) minutes in total without permission of the State Committee granted by a two-thirds vote without debate.

**Rule 3.5. VOTING.** Voting shall be conducted using the Porcupine App. The Chair shall conduct each vote in the following order: a) the Chair may ask if there is any objection to a motion and if there is no objection, the Chair shall declare the motion passed; b) if the Chair is unable to determine whether a motion has passed or failed after a voice vote, the Chair shall proceed to a poll using the Porcupine App. Any member of the State Committee may call for an immediate vote using the poll feature of the Porcupine App.

**Rule 3.6. FILLING OF VACANCIES.** If there is no candidate to fill a vacancy for a particular district, the Chair may move to the next district or item on the agenda.

## Exhibit 5 (page 5 of 5)

### **Rule 3.7. ADOPTION AND AMENDMENT OF PARTY RULES.**

**Rule 3.7.1.** If discussion on an amendment has begun, any recognized speaker may also discuss alternative proposed amendments that deal with the same issues and may use that text to propose a substitution to the current amendment.

**Rule 3.7.2.** If a member of the State Committee proposes more than one amendment, their subsequent proposals shall be taken up only after every other member's first proposed amendment has been considered.

**Rule 3.7.3.** Debate on each amendment shall be limited to ten (10) minutes. Each speaker is limited to one (1) minute at a time. The Chair shall alternately recognize those speakers in favor of and opposed to the amendment.

### **Rule 3.8. CANDIDATE SPEECHES.**

**Rule 3.8.1.** Candidates for Chair shall each be allowed five (5) minutes to speak; candidates for all other Party offices shall each be allowed three (3) minutes to speak. Candidates to fill vacancies on the State Committee shall be allowed ninety (90) seconds to speak. Candidates may cede their time only to other members of the State Committee to speak on their behalf during their allotted time. Speeches will not be allowed for uncontested positions, in which candidates are only running against NOTA.

**Rule 3.8.2.** Candidates seeking endorsement for the highest public office shall each be allowed five (5) minutes to speak; candidates seeking endorsement for all other public offices shall each be allowed three minutes to speak; candidates seeking endorsement for any public office shall also each be allowed one nominating speech and one seconding speech of one minute each.

**Rule 3.9. ENDORSEMENTS AND NOMINATIONS OF CANDIDATES.** Endorsements and nominations of candidates for public office shall be made in the same manner as elections for Party officers.

**Rule 3.10. PLATFORM.** When discussing the Platform, the previously adopted Platform shall be the base on which amendments, additions, or deletions shall be offered. Such changes to the Platform shall require a vote in accordance with the Rules of the Libertarian Party.

**Rule 3.11. RESOLUTIONS.** A resolution offered by an individual member shall be submitted by the maker and the seconder – each of whom shall be a member of the State Committee – and shall be sent by email directly to the Secretary. The State Committee may appoint a Resolutions Committee to review and consider resolutions during the meeting.

**Rule 3.12. PERMANENT RECORD.** All reports and other material for the permanent record or printed proceedings shall be typewritten and, immediately on presentation, shall be sent to the Recording Secretary in electronic form.

## Exhibit 6 (page 1 of 3)

### REPORT OF THE DELEGATE SELECTION COMMITTEE FOR THE STATE COMMITTEE MEETING OF JANUARY 22, 2024 AS AMENDMENTS TO THE RULES OF THE LPNY

#### DELEGATE SELECTION COMMITTEE RULES AMENDMENT 1

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 ~~the rubric provided in these Rules in which a line of succession is established for ranking Delegates and Alternate Delegates, 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 of At-Large Delegate positions shall be filled by selecting the next individual in the line of succession. Ties shall be broken by a vote of the State Committee. The final list of Delegates and Alternate Delegates shall be ratified at a meeting of the State Committee. Additional At-Large Alternate Delegates may be added after the election of the initial election of At-Large Delegates and At-Large Alternate Delegates and shall be added to the end of the list in chronological order of their selection as an additional Alternate Delegate.

13.4.1. **RUBRIC.** Delegates to the Libertarian National Convention shall be selected in accordance with this rubric and in accordance with the Rules of the Libertarian Party of New York.

13.4.2. **CRITERIA.** Delegates shall be selected in accordance with the rubric in the Policy Manual.

[RENUMBER ACCORDINGLY]

#### 2. ADD TO POLICY MANUAL

##### Article 4. Delegate Rubric

Delegates shall be selected in the following priority order. Unless otherwise specified, ties shall be broken by prioritizing the older memberships to the National Libertarian Party. Alternate Delegates shall be selected in the order of their ranking in accordance with the rubric.

- 4.1. Officers of the Executive Committee in the following order: Chair, Delegation Chair (if different from the Chair), 1<sup>st</sup> Vice-Chair, 2<sup>nd</sup> Vice-Chair, Secretary, and Treasurer.
- 4.2. Members-At-Large of the Executive Committee, ranked in order of: seniority as a member of the Executive Committee, followed by seniority as a member of the State Committee, followed by the highest ranking in the next items on the rubric.
- 4.3. National Convention Committee members representing New York in the following order: National Platform Representative, National Credentials Representative, National Platform Alternate, National Credentials Alternate, and members of the National Convention Oversight Committee.
- 4.4. Members of the State Committee who Chair a state-level committee or serve as a Division Director, ranked in order of appointment.
- 4.5. Members of the State Committee who are Chairs of a County Affiliate, in order of election as a County Chair.



## Exhibit 6 (page 2 of 3)

- 4.6. Members of the State Committee who are a member of a state-level committee in order of appointment to the committee.
- 4.7. Members of the State Committee who are past officers of the Libertarian Party of New York, ranked in order from most recent election to party office, starting with each past Chair, then each past Vice-Chair, then each past Secretary, then each past Treasurer.
- 4.8. Non-State Committee Members who are Chairs of a County Affiliate, ranked in order of seniority.
- 4.9. Members of the State Committee who are Vice-Chairs of a County Affiliate, ranked in order of seniority. In counties with more than one Vice-Chair, the 1st Vice-Chair shall be ranked before the 2nd Vice-Chair.
- 4.10. Members of the State Committee who are Secretaries of a County Affiliate, ranked in order of seniority.
- 4.11. Members of the State Committee who are Treasurers of a County Affiliate, ranked in order of seniority.
- 4.12. Members of the State Committee who are Acting County Chairs or County Liaisons of unorganized counties, ranked in order of seniority by appointment, then by election to the State Committee.
- 4.13. All other members of the State Committee, ranked in order of seniority.
- 4.14. County Vice-Chairs not on the State Committee, ranked in order of seniority.
- 4.15. County Secretaries not on the State Committee, ranked in order of seniority.
- 4.16. County Treasurers not on the State Committee, ranked in order of seniority.
- 4.17. Acting County Chairs or County Liaisons who are not on the State Committee, ranked in order of seniority.
- 4.18. LPNY Members who are currently elected or previously served in public office by time in office.
- 4.19. Non-State Committee Members who are Past Chairs of the Libertarian Party of New York, starting from the most recent election.
- 4.20. Non-State Committee Members who are Past Vice-Chairs of the Libertarian Party of New York, starting from the most recent election.
- 4.21. Non-State Committee Members who are Past Secretaries of the Libertarian Party of New York, starting from the most recent election.
- 4.22. Non-State Committee Members who are Past Treasurers of the Libertarian Party of New York, starting from the most recent election.
- 4.23. Non-State Committee Members who are Past Members-At-Large of the Libertarian Party of New York, starting from the most recent election.
- 4.24. Non-State Committee Members who are Past Members of the State Committee of the Libertarian Party of New York, starting from the most recent election.
- 4.25. Former County Chairs, ranked in order starting with the most recent election.
- 4.26. Former County Vice-Chairs, ranked in order starting with the most recent election.
- 4.27. Former County Secretaries, ranked in order starting with the most recent election.
- 4.28. Former County Treasurers, ranked in order starting with the most recent election.
- 4.29. Former Libertarian Party National Convention delegates, by number of times a delegate.
- 4.30. Life Members of the Libertarian Party, ranked in order of National Libertarian Party membership, starting with the oldest.
- 4.31. All other LPNY Members, ranked in order of National Libertarian Party membership, starting with the oldest.
- 4.32. All other applicants in order of date and time of application.



## Exhibit 6 (page 3 of 3)

### REBMANN AMENDMENT TO THE DELEGATE RUBRIC 1

4.20. Members of the LPNY who have run for public office and received votes on the Libertarian Party ballot line, by number of times a candidate.

### KOLSTEE AMENDMENT TO THE DELEGATE RUBRIC 1

4.14. Non-State Committee Members who are a member of a state-level committee in order of appointment to the committee.

## Exhibit 7 (page 1 of 3)

### APPLICATION OF THE 2024 DELEGATE RUBRIC IN ACCORDANCE WITH THE DELEGATE RUBRIC

**1. Officers of the Executive Committee in the following order: Chair, Delegation Chair (if different from the Chair), 1st Vice-Chair, 2nd Vice-Chair, Secretary, and Treasurer.**

Delegate 1. Andrew Kolstee, current LPNY Chair and Delegation Chair

Delegate 2. Duane Whitmer, current LPNY 1st Vice-Chair

**2. Members-At-Large of the Executive Committee, ranked in order of: seniority as a member of the Executive Committee, followed by seniority as a member of the State Committee, followed by the highest ranking in the next items on the rubric.**

Delegate 3. William Schmidt, current LPNY Member-At-Large

State Committee member since September 26, 2020

Delegate 4. Justin Carman, current LPNY Member-At-Large

State Committee member since September 22, 2022

National Credentials Committee Representative

Delegate 5. Keith Redhead, current LPNY Member-At-Large

State Committee member since September 22, 2022

**3. National Convention Committee members representing New York in the following order: National Platform Representative, National Credentials Representative, National Platform Alternate, National Credentials Alternate, and members of the National Convention Oversight Committee.**

Delegate 6. Michael Rebmann, National Platform Committee Alternate Representative

Delegate 7. Chance Haywood, National Credentials Committee Alternate Representative

**4. Members of the State Committee who Chair a state-level committee or serve as a Division Director, ranked in order of appointment.**

Delegate 8. Paul Grindle, Political Director since January 15, 2023

Delegate 9. Daniel Castello, LPNY Platform Committee Chair since August 10, 2023

**5. Members of the State Committee who are Chairs of a County Affiliate, in order of election as a County Chair.**

Delegate 10. Blay Tamoff, Nassau County Chair since 2007 (Chair of County Committee)

Delegate 11. Steven Becker, Monroe County Chair since August 20, 2020

Delegate 12. Leonard Morlock, Chautauqua County Chair since October 6, 2022

Delegate 13. Craig Colwell, Chemung County Chair since November 12, 2022

Delegate 14. Juan Ayala, Orange County Chair since December 15, 2022

## Exhibit 7 (page 2 of 3)

**6. Members of the State Committee who are a member of a state-level committee in order of appointment to the committee.**

Delegate 15. Christopher Olenski, member of the Rules Committee since April 14, 2020

Delegate 16. Adam Magoon, member of the Rules Committee since November 29, 2022

Delegate 17. Justin Pelletier, member of the Delegate Selection Committee since December 4, 2020

**7. Members of the State Committee who are past officers of the Libertarian Party of New York, ranked in order from most recent election to party office, starting with each past Chair, then each past Vice-Chair, then each past Secretary, then each past Treasurer.**

Delegate 18. Mark Axinn, LPNY Chair (2010-2015)

**8. Non-State Committee Members who are Chairs of a County Affiliate, ranked in order of seniority.**

Delegate 19. Susan Overeem-Cummings, Staten Island Chair since September 12, 2022

Delegate 20. Catrina Rocco, Dutchess County Chair since September 24, 2022

**10. Members of the State Committee who are Secretaries of a County Affiliate, ranked in order of seniority.**

Delegate 21. Nicole Colwell, Chemung County Secretary since July 6, 2019

**11. Members of the State Committee who are Treasurers of a County Affiliate, ranked in order of seniority.**

Delegate 22. Mark Weinblatt, Queens County Treasurer since November 11, 2019

Delegate 23. James Fitch, Onondaga County Treasurer since March 12, 2023

**13. All other members of the State Committee, ranked in order of seniority.**

Delegate 24. Daniel Donnelly, State Committee member since September 26, 2020

Delegate 25. Randyn Tarnoff, State Committee member since September 17, 2022

**14. Non-State Committee Members who are a member of a state-level committee in order of appointment to the committee.**

Delegate 26. Pietro Geraci, Rules Committee member since 2020

Delegate 27. Wendi Szabo, Petitioning Committee member since November 2023

**15. County Vice-Chairs not on the State Committee, ranked in order of seniority.**

## Exhibit 7 (page 3 of 3)

**16. County Secretaries not on the State Committee, ranked in order of seniority.**

Delegate 28. Joanna Rocco-Bodach, Dutchess County Secretary since September 24, 2022

**17. County Treasurers not on the State Committee, ranked in order of seniority.**

Delegate 29. Jack Terran, Monroe County Treasurer

**18. Non-State Committee Members who are Past Chairs of the Libertarian Party of New York, starting from the most recent election.**

Delegate 30. Richard Cooper, Former LPNY Chair (2000-2002; 2006-2007)

## Exhibit 8 (page 1 of 7)

### REPORT OF THE SPECIAL COMMITTEE ON STATE COMMITTEE ELECTIONS FOR THE STATE COMMITTEE MEETING OF JANUARY 22, 2024

#### COMMITTEE MEMBERS

- Mark Braiman
- Andrew Kolstee
- Michael Rebmann
- Duane Whitmer

#### PROCESS

The following is the process by which the committee will conduct its business, following the initial review of the survey results. The committee met, sent out two surveys, and held a public hearing on Tuesday, January 9, 2024.

#### THE FINAL SURVEY

- SIZE OF THE STATE COMMITTEE.** 18 (56.3%) voted in favor of a smaller State Committee, 6 (18.8%) voted to keep the committee the same size, 7 (21.8%) voted not sure/don't care, and 1 (3.1%) voted to increase the size of the State Committee. The second survey question on ranges, given the median point, the "under 20 members" as 10, the over 70 as 75 and as many who want to be on the State Committee as 100, gives a size of approximately 47 or 48 members on the State Committee. Given a majority is in favor of reducing the size of the State Committee, this was retained in the proposal.
- MAJORITY OVER UNANIMOUS.** In JDs with 3 or more counties, the proposal was changed to require only a majority to be elected as opposed to unanimous.
- ELECTED LIBERTARIANS.** This was added as part of the exemptions to committee membership requirements.

## Exhibit 8 (page 2 of 7)

### REPORT OF THE SPECIAL COMMITTEE ON STATE COMMITTEE ELECTIONS PROPOSED AMENDMENTS

Items in green are proposed new language, while items ~~strike out in red~~ are proposed deletions.

#### Article 6. State Committee

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

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

#### SPECIAL COMMITTEE ON STATE COMMITTEE ELECTIONS AMENDMENT PROPOSAL

##### 1. Concerns the size of the State Committee.

#### 6.3. COMPOSITION.

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)~~ one (1) 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) LPNY Members in the district, up to a maximum of five (5) members. The number of LPNY Members in each district shall be based on data obtained by the Secretary 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.

## Exhibit 8 (page 3 of 7)

### **SPECIAL COMMITTEE ON STATE COMMITTEE ELECTIONS AMENDMENT PROPOSAL** **2. Concerns the process of the election of the State Committee.**

~~If at any time the LPNY is unable to elect a new State Committee under the auspices of the New York State Board of Elections, the members of the State Committee shall be elected in accordance with Article 6.4.~~

~~6.3.~~ **6.4. ELECTION THROUGH THE BOARD OF ELECTIONS.** 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.

~~6.4.5.~~ **ELECTION ADMINISTERED BY THROUGH THE LPNY.** If at any time the LPNY 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~~ by the County Affiliates.

~~6.4.5.1.~~ **ELECTIONS OVERSIGHT COMMITTEE.** An Elections Oversight Committee shall be constituted to oversee the election of a State Committee in accordance with this section.

~~6.4.5.1.1.~~ **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~~ these Rules.

~~6.4.5.1.2.~~ **TERM.** Members of the Elections Oversight Committee shall serve until the conclusion of the next Organization Meeting.

#### **6.5.2. ELECTION.**

**6.5.2.1. CANDIDATE REGISTRATION.** Any LPNY Member is eligible to be a candidate for the State Committee. Each candidate must register their candidacy with the Elections Oversight Committee, which shall review each candidate's eligibility and provide the final list of candidates to the County Affiliates within the respective Judicial District. The deadline for registration shall be April 30 in the year of the election of the State Committee.

**6.5.2.2. ELECTION BY COUNTY AFFILIATES.** Each County Affiliate shall vote from among those in the candidates list provided by the Elections Oversight Committee.

**6.5.2.3. NUMBER OF VOTES.** Each County Affiliate shall have a number of votes equal to the number of representatives in their Judicial District and shall not vote for a candidate more than once in each round.

## Exhibit 8 (page 4 of 7)

6.5.2.4. **THRESHOLD REQUIRED TO BE ELECTED.** A candidate must have a majority number of votes from the County Affiliates within the Judicial District in order to be elected, except that County Affiliates that fail to submit their votes to the Elections Oversight Committee before their first meeting after the deadline shall not be counted.

6.5.2.5. **ADDITIONAL ROUNDS OF VOTING.** If the County Affiliates within a Judicial District do not fill all the available positions in their Judicial District, additional rounds of voting occur among the County Affiliates within the Judicial District.

6.5.2.6. **VOTING DEADLINE.** The deadline for voting for Judicial District representatives shall be July 31 in the year of the election of the State Committee.

6.5.2.7. **RESULTS.** The minutes of the meeting of the County Affiliate in which the election(s) occur must be provided to the Elections Oversight Committee, which shall be used to certify the results. The certification must be completed before August 31 in the year of the election of the State Committee.

~~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.~~



## Exhibit 8 (page 5 of 7)

~~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 or by teleconference 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 or by teleconference, 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 LPNY Members 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.~~

## Exhibit 8 (page 6 of 7)

~~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.

~~6.4.2.9. NUMBER OF SIGNATURES.~~ All petitions must be signed by not less than one and one-half per centum (1.5%), as determined by the party membership in accordance with these Rules, of the then LPNY Members residing within the Judicial District in which the candidate for State Committee is to be voted for, excluding voters in inactive status.

### 6.6.7. VACANCIES.

~~6.6.7.5-1. STATE COMMITTEE MEMBER.~~ If a vacancy exists on the State Committee, the position shall be vacant until filled by election by a majority vote of the State Committee. Nominations for filling any vacancy may be submitted to the Secretary at least seven (7) days in advance of the meeting in which the filling of the vacancy shall be considered. Once the filling of vacancies begins, the Secretary shall present the nominations received. Subsequent nominations may be made on the floor prior to the election to fill such vacancies. The Chair shall request that each nominee is qualified to fill the vacancy and accepts the nomination in order to be entered into nomination to fill the vacancy they seek.

6.7.2. EXECUTIVE COMMITTEE. If a vacancy occurs on the Executive Committee ~~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.

### 8.4. VOTING.

8.4.1. VOTING MEMBERS. The LPNY members elected to the State Committee ~~at the most recent election of the State Committee or elected to fill a vacancy during the term of the State Committee in accordance with these Rules~~ in accordance with Article 6 shall be the voting members, except that only LPNY Members elected to the Executive Committee shall be the voting members at the meeting of that body.

## Exhibit 8 (page 7 of 7)

### **KOLSTEE AMENDMENT 1 to PROPOSAL 2**

6.5.2.4. **THRESHOLD REQUIRED TO BE ELECTED.** A candidate must have a ~~majority~~ unanimous number of votes from the County Affiliates within the Judicial District in order to be elected, except that County Affiliates that fail to submit their votes to the Elections Oversight Committee before their first meeting after the deadline shall not be counted.

### **SPECIAL COMMITTEE ON STATE COMMITTEE ELECTIONS AMENDMENT PROPOSAL 3. Adds a committee assignment requirement for State Committee members.**

6.6. **COMMITTEE ASSIGNMENT REQUIREMENT.** Members of the State Committee must be active members of at least one state-level committee of the LPNY. The Secretary of the State Committee shall be responsible for maintaining accurate records of committee memberships. The State Chair, State Secretary, Treasurer, Division Directors, individuals actively running for public office, campaign managers of an active campaign, and LPNY Members elected to public office fulfill the requirements of this provision by virtue of their office.

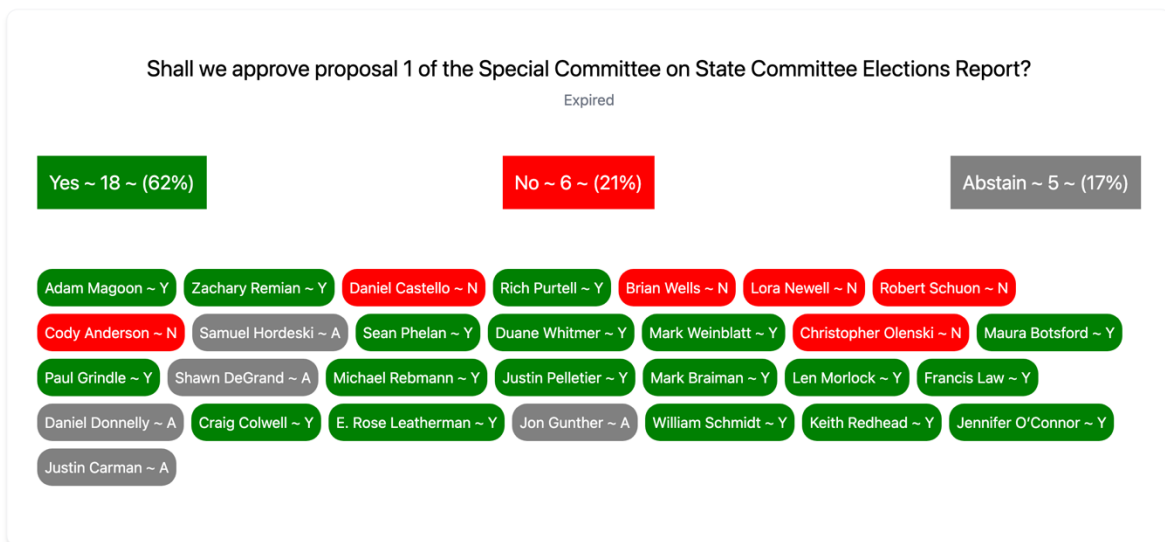
12.3.9. failure to retain membership on a committee in accordance with Article 6.6.

## Appendix 1A



*An additional vote was cast by John Clifton, who stated his vote in favor of the motion due to an error with using Porcupine. An additional vote was cast by Mark Axinn, who stated his vote against the motion due to an error with using Porcupine.*

## Appendix 1B



*Additional votes were cast by Mark Axinn and Morris Davis, who stated their votes in favor of the motion due to an error with using Porcupine.*

## Appendix 1C

Shall we approve proposal 3 of the Special Committee on State Committee Elections Report?

Expired

Yes ~ 10 ~ (30%)

No ~ 20 ~ (61%)

Abstain ~ 3 ~ (9%)

Maura Botsford ~ Y Daniel Castello ~ N Adam Magoon ~ Y Justin Pelletier ~ N Samuel Hordeski ~ N Lora Newell ~ N Michael Rebmann ~ Y  
Rich Purtell ~ N Len Morlock ~ Y Cody Anderson ~ N Duane Whitmer ~ Y Brian Wells ~ N Jim Ziobro ~ Y Mark Weinblatt ~ N  
E. Rose Leatherman ~ N Robert Schuon ~ N Jennifer O'Connor ~ N Jeffrey Denecke ~ N Mark Axinn ~ N Sean Phelan ~ A Craig Colwell ~ Y  
Mark Braiman ~ N Shawn DeGrand ~ A Jon Gunther ~ N Francis Law ~ N William Schmidt ~ N Zachary Remian ~ N Daniel Donnelly ~ N  
Juan Ayala ~ N Justin Carman ~ Y Keith Redhead ~ Y Paul Grindle ~ Y Christopher Olenski ~ A

*Additional votes were cast by John Clifton, Morris Davis, and Charles Roggen who stated their votes against the motion due to an error with using Porcupine.*

## Appendix 1D

Shall we refer proposal 7 (P) of the Rules Committee Report back to the committee?

Expired

Yes ~ 13 ~ (48%)

No ~ 10 ~ (37%)

Abstain ~ 4 ~ (15%)

Zachary Remian ~ Y Robert Schuon ~ Y Christopher Olenski ~ Y Adam Magoon ~ N Mark Weinblatt ~ N Samuel Hordeski ~ N Rich Purtell ~ N  
Jim Ziobro ~ Y Michael Rebmann ~ Y Keith Redhead ~ N Len Morlock ~ Y Shawn DeGrand ~ A William Schmidt ~ N Maura Botsford ~ Y  
Mark Braiman ~ N Daniel Castello ~ Y Cody Anderson ~ Y Sean Phelan ~ A Justin Pelletier ~ A Craig Colwell ~ N Jon Gunther ~ Y  
Francis Law ~ Y Juan Ayala ~ N Lora Newell ~ Y Jennifer O'Connor ~ A Brian Wells ~ Y Paul Grindle ~ N

# Appendix 1E

## Questions

Shall we approve proposal 9(Q) of the Rules Committee Report - as amended?

Expired

Yes ~ 14 ~ (48%)

No ~ 12 ~ (41%)

Abstain ~ 3 ~ (10%)

- Mark Braiman ~ Y
- Adam Magoon ~ Y
- Justin Pelletier ~ Y
- Brian Wells ~ N
- Steven Becker ~ Y
- Robert Schuon ~ N
- Cody Anderson ~ N
- Rich Purtell ~ Y
- Craig Colwell ~ Y
- Lora Newell ~ N
- Keith Redhead ~ Y
- William Schmidt ~ N
- Daniel Castello ~ N
- Samuel Hordeski ~ Y
- Francis Law ~ N
- Michael Rebmann ~ Y
- Maura Botsford ~ Y
- Christopher Olenski ~ N
- Shawn DeGrand ~ A
- Mark Weinblatt ~ Y
- Len Morlock ~ N
- Jon Gunther ~ N
- Paul Grindle ~ Y
- Jim Ziobro ~ A
- Charles Roggen ~ N
- Zachary Remian ~ Y
- Duane Whitmer ~ Y
- Juan Ayala ~ N
- Jennifer O'Connor ~ A