

# DRAFT

## MINUTES OF THE MEETING OF THE STATE COMMITTEE OF THE LIBERTARIAN PARTY OF NEW YORK HELD ON SUNDAY, MARCH 5, 2023, ON THE ZOOM MEETING APP AND PORCUPINE APP

The meeting was called to order at 5:05 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 forty-one (41) voting members at the time the meeting was called to order. Forty-one of sixty (60) members of the State Committee were present at the time of roll call; Matthew Morgan, Gary Popkin, John Janes, and George Ostrowski later entered the meeting; and Craig Colwell, Charles Roggen, John Clifton, and Francisco Olvera joined as vacancies were filled, to give forty-nine (49) members present out of sixty-four members of the State Committee after the filling of vacancies.

### MEMBERS PRESENT (49)

Richard Purtell  
Mark Axinn  
Chance Haywood  
Paul Grindle  
Matthew Morgan  
Gary Popkin  
William Cody Anderson  
Justin Carman  
Jennifer O'Connor  
Lora Newell  
Stephen Healy  
John Janes  
Karen Keniry Thompson  
Brian Wells  
Daniel Castello  
Shawn DeGrand  
Matthew Guilianelli  
Erinn Rose Leatherman  
Adam Magoon  
Keith Redhead  
Mark Braiman  
Christopher Olenski  
David Penner

Craig Colwell  
Steven Becker  
James Dayton  
Mark Glogowski  
Sean Phelan  
Marc Smith  
Charles Roggan  
Maura Botsford  
Andrew Kolstee  
Frances Law  
Leonard Morlock  
Michael Rebmann  
Jame Van Dewalker  
Duane Whitmer  
Juan Ayala  
Daniel Donnelly  
William Schmidt  
Christian Vondras  
Jeffrey Denecke  
Jonathan Gunther  
George Ostrowski  
Robert Schuon  
Mark Weinblatt

John Clifton  
Francisco Olvera  
Thomas Pinkhasov

### MEMBERS ABSENT (15)

Morry Davis  
Amanda Ellithorpe  
Zachary Remian  
Jacob Cornell  
Craig Shute  
Keith Price  
Erin Becker  
Jeffrey Bradley  
Robert Cocomello  
Robert Greibesland  
Blay Tarnoff  
Randyn Tarnoff  
Scott Thompson  
Angelo Veltri  
Freddy Calvache

### OBSERVERS

Charles Taya  
Grace Galatica  
James Ziobro  
Jonathan Lerche,  
Michael Long  
Patrick Ford  
Pietro Geraci

Motion by Mark Axinn to **adopt the Agenda (Exhibit 2)** was seconded by Mark Weinblatt. Motion by Michael Rebmann to **amend the Agenda, to consider the Michael Rebmann Resolution (numbered 6 in Exhibit 1) before the Resolution which had been recommended by the Executive Committee at its February 19, 2023 meeting (numbered 5 in Exhibit 1);** was seconded by Duane Whitmer. This amendment passed with twenty (20) in favor, nine (9) opposed, and eight (8) formally abstaining. The adoption of the amended Agenda then passed without objection.

Motion by William Cody Anderson to **adopt the Special Rules of Order (Exhibit 3)** was seconded by James Dayton. Motion by William Cody Anderson to **amend the Special Rules of Order to remove 4(b), and to renumber 4(c) to 4(b)** was seconded by Brian Wells. The Anderson amendment passed with twenty (20) in favor, eleven (11) opposed, and one (1) formally abstaining. The amended Special Rules of Order were adopted with thirty (30) in favor, four (4) opposed, and two (2) formally abstaining.

Chair Andrew Kolstee called for the filling of two (2) State Committee vacancies from Judicial District 6. Secretary Mark Braiman reported that Justin Carman had nominated Craig Colwell in advance, and that he (the Secretary) had determined this was a valid nomination. Duane Whitmer nominated Grace Galactica from the floor, and she accepted from the Zoom gallery. When asked by the Chair, Ms. Galactica stated she was not yet registered to vote in the State of New York. Chair Andrew Kolstee ruled her nomination invalid. Craig Colwell was elected with thirty-six (36) votes to one (1) for None of the Above (NOTA), and one (1) write-in vote for Grace Galactica.

Chair Andrew Kolstee called for the filling of four (4) 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 one (1) State Committee vacancy from Judicial District 8. Secretary Mark Braiman reported that Michael Rebmann had nominated Charles Roggan and that he (the Secretary) had determined this was a valid nomination. There were no nominations from the floor. Charles Roggan was elected with thirty-one (31) votes to four (4) for None of the Above (NOTA), and one (1) write-in vote for Luke Wenke.

Chair Andrew Kolstee called for the filling of two (2) State Committee vacancies from Judicial District 11. Secretary Mark Braiman reported that Michael Rebmann had John Clifton and Francisco Olvera and that he (the Secretary) had determined these were valid nominations. There were no nominations from the floor. John Clifton was elected with twenty-nine (29) votes; Francisco Olvera was elected with twenty-six (26) votes; Charles Roggan was elected with thirty-one (31) votes to four (4) for None of the Above (NOTA), and two (2) write-in votes for Grace Galactica, one (1) write-in vote for Luke Wenke, and one (1) write-in vote for “Larry Sharpe is a fraud.”

Chair Andrew Kolstee called for the filling of one (1) State Committee vacancy 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 this vacancy until the next meeting of the State Committee.

Chair Andrew Kolstee called for the filling of one (1) 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 in writing (**Exhibit 4**) and the report was accepted without objection.

Rules Committee Chair Andrew Kolstee issued a committee report in writing (**Exhibit 5**). Motion by the Rules Committee for **Proposal 1 (Exhibit 5, page 1-2) for a new Article 10 pertaining to a Conflict Resolution Committee** was debated. Motion by Mark Glogowski to **amend proposed rule 10.2.3 by striking the words “, but no amendments shall be valid after sixty (60) days from the start of the investigation”** was seconded by Mark Axinn and was debated. Chris Olenski raised a point of order that amending Rules proposals at a State Committee meeting is out of order due to lack of advance notice required in existing Rule 21.5. The Chair ruled that the motion was in order because it only deleted text and did not change the meaning of any remaining proposed Rule(s) amendment(s), for which proper notice was given. Motion by Chris Olenski to appeal the ruling of the Chair failed due to lack of a second. Mark Glogowski's amendment on 10.2.3 passed without further objection. Motion by Robert Schuon to **amend proposed rule 10.3.1.b by striking the word “clear”** was seconded by Mark Axinn passed without objection. Motion by Mark Axinn to **amend proposed rule 10.5.2.by striking the words “shall be held”** passed without objection. The amended original motion for Proposal 1 failed by a vote of 10-23-4. (The detailed report of this and all other polls taken in Porcupine is provided in **Exhibit 7**)

Motion by the Rules Committee for **Proposal 2 (Exhibit 5, page 2) pertaining to the Party Name** passed without objection.

Motion by the Rules Committee for **Proposal 3 (Exhibit 5, page 3) pertaining to the definition of Party members** was debated. Motion by Chris Olenski to **amend proposed Rule 5.1 to strike “; or 2) are enrolled with no party or blank in the records of the New York State Board of Elections but have registered with the LPNY for the purpose of being an official member of the LPNY”** failed, 7-26-4. The original motion for **Proposal 3 (Exhibit 5, page 3)** passed 34-2-5.

Motion by the Rules Committee for **Proposal 4 (Exhibit 5, page 3) defining membership on the State Committee** passed without objection.

Motion by the Rules Committee for **Proposal 5 (Exhibit 5, page 4) pertaining to the method of election of State Committee members** was debated. Motion by Cody Anderson to **amend the proposed text of 6.3.4 to remove “between January 1 and January 15”** was ruled out of order by the Chair because it is existing text in the Party Rules, that cannot be removed without advance notice to the State Committee. The original motion for **Proposal 5 (Exhibit 5, page 4)** passed 27-4-6.

Motion by the Rules Committee for **Proposal 6 (Exhibit 5, page 4) to replace phrases throughout the Rules with wording such as “enrolled Libertarian” with “LPNY member”** passed 33-1-4.

Motion by the Rules Committee for **Proposal 7 (Exhibit 5, page 5) to remove the single-year rules 6.4.2.9.2 through 6.4.2.9.4 for electing members of the State Committee in 2022** passed without objection.

Motion by the Rules Committee for **Proposal 8 (Exhibit 5, page 5) pertaining to the definition of Party members** was debated. Motion by Mark Glogowski to **amend the proposed text of 11.3.1 to undelete the word “video”** was seconded by Mark Braiman and passed 23-7-9. The amended original motion for Proposal 8 passed without further objection.

Motion by the Rules Committee for **Proposal 9 (Exhibit 5, page 5) to create a new Rule on LNC regional agreements”** passed 33-1-4.

Motion by the Rules Committee for **Proposal 10 (Exhibit 5, page 6) to limit the Chair’s power to recall a Libertarian National Committee Regional Representative or Alternate** passed 33-1-4.

Motion by the Rules Committee for **Proposal 11 (Exhibit 5, page 6) to overhaul and reorganize Rules 8.1-8.4 pertaining to meetings** was debated. Motion by William Cody Anderson to **amend proposed rule 8.3 to strike the word “Full” before “State Committee”** was seconded by Adam Magoon and passed without objection. The amended original motion for Proposal 11 passed without further objection.

Motion by the Rules Committee for **Proposal 12 (Exhibit 5, page 6) to clarify who are the voting members of the State Committee** was debated. Motion by William Cody Anderson to **commit or refer Proposal 12 to the Rules Committee** was seconded by Lora Newell passed 23-4-3.

Motion by the Rules Committee for **Proposal 13 (Exhibit 5, page 6) to delete Rule 8.2.4 as substantially the same text as also in Rules Article 21** passed without objection.

Motion by the Rules Committee for **Proposal 14 (Exhibit 5, page 7) to simplify the County Contact renewal process in Rule 11.1.1** passed without objection.

Motion by the Rules Committee for **Proposal 15 (Exhibit 5, page 7) to reduce the requirements for County Affiliate formation in Rule 11.2.1** passed without objection.

Motion by the Rules Committee for **Proposal 16 (Exhibit 5, page 7) to allow for the voluntary formation of Regional Associations** was debated. Motion by Christopher Olenski to **amend Proposal 16 by retaining only the heading “11.6 Regional Associations” and the first sentence of “11.6.1 Two or more County Affiliates may form a voluntary regional association,” and to delete the entire remainder of 11.6,** was seconded by Michael Rebmann, was debated. Andrew Kolstee turned over the gavel to Duane Whitmer so that he could speak

against the Olenski amendment and for the original motion Proposal 16. Motion by Robert Schuon to **commit or refer Proposal 16 back to the Rules Committee** was seconded by Chris Olenski and passed without objection.

Motion by Mark Braiman to **suspend the Rules of Order to consider Michael Rebmann's Resolution 6 immediately and then return to the prior point in the Agenda** was seconded by Duane Whitmer and passed without objection.

Motion by Michael Rebmann for non-binding Resolution 6 (**Exhibit 2, page 3**) was seconded by Justin Carman and debated. Mark Braiman raised a point of order that the Resolution's ban on use of Party Resources to aid in a 2024 petitioning effort might be interpreted as being in conflict with existing Party Rule 5.2.3, which explicitly provides for "party use of email addresses of members for member solicitation of signatures for Libertarian candidate petitions," and suggested that this conflict could be avoided by amending the wording of Resolution 6 by inserting the phrase "beyond that provided by Rule 5.2.3." Chair Andrew Kolstee ruled that the Resolution amended the wording as recommended by Mark Braiman. The Chair did not ask for objections, and none were offered, so the amended wording was adopted as the main motion. The amended motion for Resolution 6, with the wording below, passed 19-11-4.

WHEREAS, placing a Libertarian Presidential candidate on the New York ballot in November 2024 will require 45,000 petition signatures, a level that the Libertarian Party of New York did not achieve in 2022 due to the increase of the ballot access thresholds; and WHEREAS, the LPNY has limited resources in time, money, and personnel inadequate for mounting a successful petitioning drive in 2024; and WHEREAS, the LPNY's best strategy for regaining ballot access in the long term is to build a foundation of local activists and candidates to grow the party's base, THEREFORE BE IT RESOLVED, while the LPNY may nominate a placeholder candidate for President and defer all petitioning organization to the candidate, the LPNY will not expend financial resources toward a statewide petitioning drive in 2024 beyond that provided in Article 5.2.3 of the Rules, and FURTHERMORE, state and county leaders of the LPNY shall not be obligated to expend volunteer time to collect signatures, and FURTHERMORE, if circumstances change, this resolution may be rescinded or amended by the State Committee.

Motion by the Rules Committee for **Proposal 19 (Exhibit 5, page 8-9) to overhaul and cleanup the procedures for amending Party Rules and to add a provision for the Rules Committee to approve minor amendments** was debated. Motion by Chris Olenski to **amend Proposal 19 to remove from Rule 21.2 the phrase "as long as such alternative was distributed with advance notice in accordance with these Rules"** was seconded by \_\_\_\_\_ and passed without objection. The amended original motion for Proposal 19 passed without further objection.

Motion by Duane Whitmer to **pass Resolution 7 (Exhibit 2, page 4)**

was seconded by \_\_\_\_\_ and passed without objection.

Motion by \_\_\_\_\_ to **remove Scott Thompson as a member of the State Committee from Judicial District 10 due to abandonment of position** was seconded by \_\_\_\_\_ and passed without objection.

Motion by \_\_\_\_\_ to **remove Jacob Cornell as a member of the State Committee from JD5, Keith Price as a member of the State Committee from JD6, and Angelo Veltri as a member of the State Committee from JD10 members of the State Committee due to abandonment of position** was seconded by \_\_\_\_\_ and passed without objection

Motion by Karyn Thompson to **adjourn** was seconded by Cody Anderson and passed without objection.

Meeting was adjourned at 8:20 p.m.

Mark Stephen Braiman,  
Secretary.

## EXHIBIT 1

### CREDENTIALS AND NOMINATIONS REPORT

**ROLL CALLS** (#1 at 5:03 p.m., P=Present; #2 indicates a time of later arrival, or of filling a vacancy)

JD	State Committee Member	#1	#2
EO	Richard Purtell	P	
1	Mark Axinn	P	
1	Morry Davis		
1	Chance Haywood	P	
2	Paul Grindle	P	
2	Matthew Morgan		5:36
2	Gary Popkin		6:40
3	William Cody Anderson	P	
3	Justin Carman	P	
3	Jennifer O'Connor	P	
3	Lora Newell	P	
4	Amanda Ellithorpe		
4	Stephen Healey	P	
4	John Janes		7:34
4	Zachary Remian		
4	Karyn Keniry Thompson	P	
4	Brian Wells	P	
5	Daniel Castello	P	
5	Jacob Cornell		
5	Shawn DeGrand	P	
5	Matthew Guilianelli	P	
5	Erinn Rose Leatherman	P	
5	Adam Magoon	P	

JD	State Committee Member	#1	#2
5	Keith Redhead	P	
5	Craig Shute		
6	Mark Braiman	P	
6	Christopher Olenski	P	
6	David Penner	P	
6	Keith Price		
6	Craig Colwell		5:49
7	Steven Becker	P	
7	Jeffrey Bradley		
7	James Dayton	P	
7	Mark Glogowski	P	
7	Sean Phelan	P	
7	Marc Smith	P	
8	Charles Roggen	P	5:56
8	Erin Becker		
8	Maura Botsford	P	
8	Andrew Kolstee	P	
8	Francis Law	P	
8	Leonard Morlock	P	
8	Michael Rebmann	P	
8	Jame VanDewalker	P	
8	Duane Whitmer	P	
9	Juan Ayala	P	

JD	State Committee Member	#1	#2
9	Robert Cocomello		
9	Daniel Donnelly	P	
9	Robert Greibesland		
9	William Schmidt	P	
9	Christian Vondras	P	
10	Jeffrey Denecke	P	
10	Jonathan Gunther	P	
10	George Ostrowski		5:58
10	Robert Schuon	P	
10	Blay Tarnoff		
10	Randyn Tarnoff		
10	Scott Thompson		
10	Angelo Veltri		
11	Mark Weinblatt	P	
11	John Clifton		6:10
11	Francisco Oliveira		6:10
12	Freddy Calvache		
13	Thomas Pinkhasov	P	
	# Present	42	

**NOMINATIONS RECEIVED FOR VACANCIES (5; 1 of which was ruled ineligible):**

Judicial District 5: Craig Colwell, Grace Galactica (ruled ineligible due to not having registered to vote in New York prior to the date of the March 5 meeting).

Judicial District 8: Charles Roggen

Judicial District 11: John Clifton, Francisco Olvera

## EXHIBIT 2 (PAGE 1 OF 5)

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### LIBERTARIAN PARTY OF NEW YORK AGENDA OF THE STATE MEETING OF MARCH 5, 2023

#### **5:00 P.M. Call to Order (Andrew Kolstee, Chair)**

#### **5:00 P.M. Roll Call and Confirmation of Quorum (Mark Braiman, Secretary)**

#### **5:05 P.M. Public Comment**

#### **5:20 P.M. Adoption of Special Rules of Order**

See Exhibit 2, which includes amendments from the previous version of the Special Rules of Order.

#### **5:25 P.M. Adoption of Agenda**

#### **5:30 P.M. Filling of Vacancies on the State Committee**

Judicial District 6 (2 vacancies)  
Judicial District 7 (4 vacancies)  
Judicial District 8 (1 vacancy)  
Judicial District 11 (2 vacancies)  
Judicial District 12 (1 vacancy)  
Judicial District 13 (1 vacancy)

Nominations submitted and accepted before the meeting:

**Craig L. Colwell, to fill a vacancy in Judicial District 6**  
**Charles R. Roggen, to fill a vacancy in Judicial District 8**  
**John Clifton, to fill a vacancy in Judicial District 11**  
**Francisco A. Olvera, to fill a vacancy in Judicial District 11**

#### **5:50 P.M. Treasurer's Report (William Cody Anderson)**

#### **6:00 P.M. Rules Committee Report (Andrew Kolstee)**

Consideration to adopt proposed amendments to the Rules. Click [here](#) to review the report.

#### **7:15 P.M. Platform Committee Report (Mark Glogowski)**

Consideration to adopt proposed amendments to the Platform. Click [here](#) to review the report.

## EXHIBIT 2 (PAGE 2 OF 5)

### 8:00 P.M. Resolutions

#### Resolution 3 - Use of Party Resources (from the table)

*Debated by the State Committee on October 23, 2023, but postponed until after the election.*

Consideration to **adopt the following resolution.**

**WHEREAS**, Libertarian Party of New York (LPNY) resources are generally quite limited now after ballot access struggles, and this pattern is expected to be repeated in other years;

**THEREFORE BE IT RESOLVED**, that in even-numbered years from June 1 through Election Day, LPNY resources may only be used to support (a) Candidates for state or local office who are both LPNY members and who will be listed on the Libertarian Party line for that office, (b) Non-LPNY members who were already nominated by the LPNY State Committee for statewide offices and who achieved ballot-access status, ~~and (c) LPNY members who were nominated by the State Committee for Governor or for President but failed to get on the pre-printed ballot and are making an effort to gain ballot access for the LPNY through a write-in campaign;~~ and the LPNY Candidate Support Committee and Executive Committee shall enjoy broad discretion allocate previously-budget funds to support such candidates.

#### Resolution 5 - Criteria for Ballot Access

*Recommended by the Executive Committee.*

**WHEREAS**, getting a Libertarian Presidential candidate on the New York ballot in November 2024 will require 45,000 petition signatures, a level that we did not quite achieve for Governor in 2022; and

**WHEREAS**, we believe our inability to petition successfully in 2022 was at least partly a consequence of our failures to lay the necessary groundwork early on, to meet the newly-stringent petition requirements; and

**WHEREAS**, our failure to gain sufficient petition signatures, and subsequent scrambling to achieve ballot access through even less-auspicious means, led to dispiriting internal finger-pointing and a net loss of momentum in building the Party;

**WHEREAS**, the Libertarian Party of New York intends to throw our enthusiastic support in 2023-2024 behind the nomination and petition-gathering for 2024 statewide candidates, including a candidate for the United States Senate; placeholder candidates for President and Vice President of the United States; as well as Presidential Electors pledged to vote for the nominees chosen by the 2024 Libertarian National Convention.

**THEREFORE BE IT RESOLVED**, the party shall strive to attain at least three (3) out of the following five (5) criteria by December 31, 2023:

1) A total of \$300,000 is in the Libertarian Party of New York's Ballot Access bank account.

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- 2) The Libertarian Party of New York has a list of at least 2,000 volunteers who have pledged, via email from a valid return email address, to collect petition signatures to get the statewide candidates on the ballot in 2024.
- 3) The Libertarian Party of New York has a list of at least 20,000 new members who have pledged via email, from a valid return address, to download and sign a copy of our Independent candidate petition, and to have it witnessed and returned via US Postal mail within the first 24 hours of petitioning in April 2024;
- 4) The Libertarian Party of New York's email list of registered New York voters who have expressed some kind of interest in Libertarianism exceeds 50,000 functioning recent email addresses.
- 5) At least 50 members of the Libertarian Party of New York have successfully petitioned during the 2023 Independent candidate petition period to be listed as Libertarian candidates for public local offices, and have consequently appeared as Libertarians on the November 2023 ballot.

### **Resolution 6 - 2024 Statewide Petitioning Drive**

*Submitted by Michael Rebmann.*

**WHEREAS**, placing a Libertarian Presidential candidate on the New York ballot in November 2024 will require 45,000 petition signatures, a level that the Libertarian Party of New York did not achieve in 2022 due to the increase of the ballot access thresholds; and

**WHEREAS**, the LPNY has limited resources in time, money, and personnel inadequate for mounting a successful petitioning drive in 2024; and

**WHEREAS**, the LPNY's best strategy for regaining ballot access in the long term is to build a foundation of local activists and candidates to grow the party's base,

**THEREFORE BE IT RESOLVED**, while the LPNY may nominate a placeholder candidate for President and defer all petitioning organization to the candidate, the LPNY will not expend financial resources toward a statewide petitioning drive in 2024 **beyond that provided in Article 5.2.3 of the Rules**, and

**FURTHERMORE**, state and county leaders of the LPNY shall not be obligated to expend volunteer time to collect signatures, and

**FURTHERMORE**, if circumstances change, this resolution may be rescinded or amended by the State Committee.

### **Resolution 5 - Criteria for Ballot Access**

*Recommended by the Executive Committee.*

**WHEREAS**, getting a Libertarian Presidential candidate on the New York ballot in November 2024 will require 45,000 petition signatures, a level that we did not quite achieve for Governor in 2022; and

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**WHEREAS**, we believe our inability to petition successfully in 2022 was at least partly a consequence of our failures to lay the necessary groundwork early on, to meet the newly-stringent petition requirements; and

**WHEREAS**, our failure to gain sufficient petition signatures, and subsequent scrambling to achieve ballot access through even less-auspicious means, led to dispiriting internal finger-pointing and a net loss of momentum in building the Party;

**WHEREAS**, the Libertarian Party of New York intends to throw our enthusiastic support in 2023-2024 behind the nomination and petition-gathering for 2024 statewide candidates, including a candidate for the United States Senate; placeholder candidates for President and Vice President of the United States; as well as Presidential Electors pledged to vote for the nominees chosen by the 2024 Libertarian National Convention.

**THEREFORE BE IT RESOLVED**, the party shall strive to attain at least three (3) out of the following five (5) criteria by December 31, 2023:

- 1) A total of \$300,000 is in the Libertarian Party of New York's Ballot Access bank account.
- 2) The Libertarian Party of New York has a list of at least 2,000 volunteers who have pledged, via email from a valid return email address, to collect petition signatures to get the statewide candidates on the ballot in 2024.
- 3) The Libertarian Party of New York has a list of at least 20,000 new members who have pledged via email, from a valid return address, to download and sign a copy of our Independent candidate petition, and to have it witnessed and returned via US Postal mail within the first 24 hours of petitioning in April 2024;
- 4) The Libertarian Party of New York's email list of registered New York voters who have expressed some kind of interest in Libertarianism exceeds 50,000 functioning recent email addresses.
- 5) At least 50 members of the Libertarian Party of New York have successfully petitioned during the 2023 Independent candidate petition period to be listed as Libertarian candidates for public local offices, and have consequently appeared as Libertarians on the November 2023 ballot.

### **Resolution 7 - Qualified Immunity Bill**

*Submitted by Duane Whitmer.*

Consideration of the following:

**The Libertarian Party of New York supports Senate Bill S182 and Assembly Bill A710 to end qualified immunity in New York State.**

### **Resolution 8 - Amendment to Ballot Access Threshold Bill**

*Submitted by Richard Purtell.*

**WHEREAS**, the Libertarian Party of New York supports Assembly bill A3312 sponsored by Assemblyman Ken Blankenbush, which was reintroduced in this session from the bill introduced in the previous session by former Assemblyman John Salka to re-establish the 15,000 petition signature threshold for statewide independent candidates

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to be placed on the ballot and 50,000 votes for such body to obtain recognized party status, and

**WHEREAS**, the introduction of public financing of elections was a major justification for increasing the ballot access thresholds for an independent body,

**THEREFORE BE IT RESOLVED**, the LPNY supports and shall promote an amendment to the A3312 bill, which would allow for two different thresholds categories:

- 1) the first would require 15,000 petition signatures for a statewide independent candidate to be placed on the ballot and 50,000 votes in order for such nominating body of that candidate to achieve recognized party status, except that such body shall be ineligible for public financing of campaigns and
- 2) the second would require 45,000 petition signatures for a statewide independent candidate to be placed on the ballot and 130,000 votes or 2% of the votes in order for such nominating body of that candidate to achieve recognized party status, in which case such body shall be eligible for public financing of campaigns as per current election law.

### **8:30 P.M. Request for Hearings**

**Consideration to remove Scott Thompson as a member of the State Committee from Judicial District 10 due to abandonment of position.**

**Consideration to remove the following members of the State Committee due to abandonment of position if they do not attend the March 5, 2023 meeting of the State Committee:**

**Jacob Cornell as a member of the State Committee from JD5**

**Keith Price as a member of the State Committee from JD6**

**Angelo Veltri as a member of the State Committee from JD10**

**Secretary's note: Three additional names were on this list but were removed by the Chair immediately prior to the meeting because they were present.**

### **8:40 P.M. Old business**

### **8:50 P.M. New business**

### **9:00 P.M. Adjournment**

## EXHIBIT 3 (PAGE 1 OF 3)

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### Special Rules of Order for Meetings of the State Committee of the Libertarian Party of New York

#### for the State Committee Meeting of March 5, 2023

*To be proposed to the State Committee on March 5, 2022.*

#### Rule 1. GENERAL.

Rule 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. [added general rule and added suspension to this from Rules 11]

Rule 1.2. **VOTING PLATFORM.** The platform used for voting and parliamentary procedure shall be the Porcupine App.

Rule ~~1~~ 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 ~~2~~ 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. DEBATE.

Rule 3.1. 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 3.2. 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 4. **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 there is such an objection, the Chair shall allow debate, and when the Chair declares that debate is ended shall conduct a voice vote;~~ c) 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 ~~4~~ 5. **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 3 (PAGE 2 OF 3)

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### Rule ~~5~~-6. **ADOPTION AND AMENDMENT OF PARTY RULES.**

Rule ~~5~~-6.1. 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 ~~5~~-6.2. 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 ~~5~~-6.3. 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 ~~6~~-7. **CANDIDATE SPEECHES.**

Rule ~~6~~-7.1. 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 ~~6~~-7.2. 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 ~~7~~-8. **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 ~~8~~-9. **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 ~~9~~-10. **RESOLUTIONS.** ~~Rule 9.1-~~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 9.2. The Resolutions Subcommittee may convene during the main meeting to consider resolutions. Each member who offers a resolution shall be given an opportunity to explain it to the Resolutions Subcommittee if he so requests.~~

## EXHIBIT 3 (PAGE 3 OF 3)

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~~Rule 9.3. The Resolutions Subcommittee shall review all resolutions in the order they were submitted, and shall amend the text of each resolution to the satisfaction of the member that submitted the resolution, while satisfying formatting requirements, grammar, clarity, etc. The Resolutions Subcommittee shall present a report to the State Committee of all resolutions in the order they deem appropriate.~~

Rule ~~10.~~**11. 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.

~~Rule 11. **SUSPENSION OF SPECIAL RULES OF ORDER.** These Special Rules of Order may only be suspended by a two-thirds (2/3) vote. [added to Rule 1]~~

## EXHIBIT 4 (PAGE 1 OF 2)

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### LPNY Treasurer's Report March 5, 2023

Housekeeping Committee account balance as of 03.05.23: **\$709.40** (-\$199.98 since 2.19.23)

Constituted Committee account balance as of 03.05.23: **\$25,185.65** (+\$911.29 since 2.19.23)

LPNY 2022 Petitioning Committee account balance as of 03.05.23: **\$4,335.95** (no change since 02.19.23)

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#### **Deposits to Housekeeping account since 02.19.23:**

None

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#### **Disbursements from Housekeeping account since 02.19.23:**

NameCheap.com - \$68.58 (domain name transfers)

NameHero.com - \$131.40 (web site hosting services)

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#### **Deposits to CC account since 02.19.23:**

Net Donations - \$911.29

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#### **Disbursements from CC account since 02.19.23:**

None

**EXHIBIT 4 (PAGE 2 OF 2)**

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**Deposits to petitioning account since 1.15.23:**

none

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**Disbursements from petitioning account since 1.15.23:**

none

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Respectfully submitted,

W. Cody Anderson  
Treasurer

## EXHIBIT 5 (PAGE 1 OF 9)

### REPORT OF THE RULES COMMITTEE FOR THE STATE COMMITTEE MEETING OF MARCH 5, 2023

#### PROPOSAL 1 (M). New article

#### Article 10. Conflict Resolution Committee

10.1. **ORGANIZATION.** The purpose of the Conflict Resolution Committee is to investigate, arbitrate, and mediate disputes within the LPNY, and recommend actions, including disciplinary actions, to the State Committee in accordance with these Rules, Robert's Rules of Order, and Election Law.

10.1.1. **COMPOSITION.** The Conflict Resolution Committee shall be composed of nine (9) LPNY Members. Members of the Executive Committee are ineligible to participate in the Conflict Resolution Committee. Members shall be elected by a majority vote of the State Committee at the first meeting of the full State Committee following the organization meeting for a term of two (2) years in the same manner as vacancies are filled on the State Committee.

10.1.2. **TERMS OF OFFICE.** The members of the Conflict Resolution Committee shall serve until the conclusion of the meeting at which their successors are elected unless removed by the State Committee.

#### 10.2. INITIATION AND INVESTIGATION PROCEDURES

10.2.1. **COMPLAINT.** Any party may file a complaint in writing via electronic or physical methods to the Conflict Resolution Committee. The complaint must include a claim that these Rules, the Rules of a County Affiliate, and/or Election Law were violated and that the violation caused harm to the party, its members or its governing structure. Upon receipt of a complaint, the Conflict Resolution Committee shall decide by majority vote whether to initiate the notification and investigation process.

10.2.2. **NOTIFICATION.** The Conflict Resolution Committee shall notify all parties involved in the complaint via certified mail or other reasonable and effective method of communication.

10.2.3. **INVESTIGATION.** The Conflict Resolution Committee shall conduct an investigation into the complaint by collecting relevant evidence and testimony. The initial investigation shall be completed within thirty (30) days. A majority vote of the Conflict Resolution Committee is required to approve the report which shall then be submitted to the full State Committee. The investigation may be extended and the report may be amended by a majority vote of the Conflict Resolution Committee and submitted to the full State Committee, but no amendments shall be valid after sixty (60) days from the start of the investigation.

10.2.4. **REPORT TO THE STATE COMMITTEE.** The report approved by the Conflict Resolution Committee and any recommendations shall be presented at a meeting of the full State Committee and any further action is subject to approval by the full State Committee in accordance with the Rules, including further investigation. All parties shall be notified of any decision of the State Committee within ten (10) days.

10.3. **APPEAL OF STATE COMMITTEE DECISION.** Within thirty (30) days following the decision of the State Committee, any party may request an appeal in writing to the Chair and Secretary of the Conflict Resolution Committee. A majority vote of the Conflict Resolution Committee is required to approve the request for appeal. Once an appeal has been approved, the Conflict Resolution Committee shall continue the investigation and approve a new report within thirty (30) days following the approval of the appeal.

## EXHIBIT 5 (PAGE 2 OF 9)

10.3.1.  **GROUNDS FOR APPEAL.** The Conflict Resolution Committee shall only be subject to approve an appeal based on one or more of the following criteria:

- (a) important and relevant information has surfaced which was not readily available during the initial investigation and reporting period prior to the State Committee decision;
- (b) clear evidence of undue influence or bias amongst the members of the State Committee;
- (c) the Parties involved in the complaint were not properly informed of the investigation.

### 10.4. **ARBITRATION AND MEDIATION PROCEDURE.**

10.4.1.  **MEDIATION REQUEST.** Any LPNY Member may file a request for mediation or conflict resolution regarding these Rules, the Rules of a County Affiliate, Election Law, or other internal regulations. Mediation requests shall be approved by majority vote of the Conflict Resolution Committee.

10.4.2.  **MEDIATION.** The Conflict Resolution Committee may appoint one or more of its members to conduct the mediation. Mediation shall be completed within thirty (30) days of the approval.

10.4.3.  **TRANSFER TO INVESTIGATION.** If during the course of mediation the Conflict Resolution Committee discovers that further investigation is needed that may require action by the full State Committee, an investigation shall be approved and the process in Article 10.2 shall be initiated.

### 10.5. **MEETINGS.**

10.5.1.  **ORGANIZATION MEETINGS.** Upon the election of the Conflict Resolution Committee, An organizational meeting shall be held within ten (10) days to elect the Chair, Vice-Chair and Secretary of the committee.

10.5.2.  **OTHER MEETINGS.** The Chair shall call a meeting to address a complaint shall be held within fourteen (14) days of its filing.

10.6.  **RECUSAL OF CONFLICT RESOLUTION COMMITTEE MEMBER.** A member of the Conflict Resolution Committee who is the subject of a matter brought before the committee shall not investigate, arbitrate, or mediate, nor discuss or participate in votes of the committee on that matter.

[RENUMBER ALL ARTICLES AFTER THIS]

## **PROPOSAL 2 (AQ)**

### **Article 1. Name**

~~The name of this party shall be the Libertarian Party.~~ The name of this political party is the Libertarian Party of New York, hereinafter referred to as “LPNY” and shall be known as “Libertarian Party” for matters pertaining to Section 2-124 of New York State Election Law. The LPNY is an official affiliate of the National Libertarian Party.

## EXHIBIT 5 (PAGE 3 OF 9)

### PROPOSAL 3 (A1). Cleanup of article and defining “LPNY Members”

~~5.1. General. Members of the Libertarian Party shall consist of registered voters who have enrolled in the Libertarian Party as provided by statute, unless otherwise provided in these Rules.~~

~~5.2. Membership Under Unrecognized Party Status. If at any time the Libertarian Party is not a recognized political party under New York State Election Law, the members of the Libertarian Party shall be defined as any of the following, provided that such voter is not enrolled in another political party: (a) voters enrolled in the Libertarian Party as listed by the New York State Board of Elections, the New York City Board of Elections, and/or individual County Boards of Elections and (b) voters as registered as a member of the Libertarian Party of New York through a membership form provided by the Libertarian Party of New York.~~

**5.1. GENERAL. The membership of the LPNY shall consist of individuals who are registered voters in the State of New York who either 1) are enrolled in the “Libertarian Party” in the records of the New York State Board of Elections; or 2) are enrolled with no party or blank in the records of the New York State Board of Elections but have registered with the LPNY for the purpose of being an official member of the LPNY. Any reference to “LPNY Member(s)” hereinafter shall mean member(s) of the LPNY as defined in this section.**

~~5.2.1. Voting Eligibility.~~ **VOTING ELIGIBILITY.** LPNY Members ~~of the Libertarian Party~~ must provide ~~an~~ **working** email address to be able to vote in any election or meeting ~~for the purposes of conducting business~~ of the ~~Libertarian Party~~ **LPNY**.

~~5.3.2.2. Availability of Information.~~ **AVAILABILITY OF INFORMATION.** The membership list including name, date of birth, county, and zip code for each **LPNY mMember** shall be available upon request to other **LPNY mMembers**. Individual **LPNY mMembers** may choose upon registration to indicate that any other information be omitted from general distribution to other **LPNY mMembers**. Other information not requested for omission shall be included with the requested ~~member~~ list of **LPNY Members** upon request.

~~5.4.2.3. Restrictions on Party Use of Email Addresses of Members.~~ **RESTRICTIONS ON PARTY USE OF EMAIL ADDRESSES OF MEMBERS.** The email address provided by a **LPNY mMember** for voter eligibility purposes may **also** be used ~~exclusively~~ for providing notice and mechanisms for participation in meetings and party elections, and for ~~member~~ solicitation of signatures for Libertarian candidate petitions, **but not for other purposes** unless the **LPNY mMember** explicitly indicates their email address may be used for other **LPNY** purposes.

### PROPOSAL 4 (B). Cleanup.

**6.2. MEMBERS.** Members of the State Committee ~~shall~~ **must** be ~~enrolled LPNY Mmembers 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~~ **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 ~~be~~ **include** any ~~enrolled LPNY Mmember of the Libertarian Party~~ who fills a vacancy in the State Committee ~~in accordance with these Rules~~ or is elected to the Executive Committee.

## EXHIBIT 5 (PAGE 4 OF 9)

### PROPOSAL 5 (C). Cleanup.

6.3.2. (a) One (1) additional voting member for every six hundred (600) ~~active enrolled Libertarians~~ **LPNY Members** in the district, up to a maximum of five (5) members. The number of **LPNY Members in each district** ~~enrolled Libertarians~~ shall be based on **data obtained** ~~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 by the Secretary a list of enrolled Libertarians~~ between January 1 and January 15 directly preceding the election of a State Committee.

### PROPOSAL 6 (AF, AG, AJ, AI, AL, AM, AN). Removal of the term “enrolled” since the was a NYSBOE designation, and “members” is defined in Article 5.

6.4.2.8.2. **VOTERS.** Only ~~enrolled LPNY M~~ **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.

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

11.1. **GENERAL PROVISIONS.** [...] The **recognized County** Affiliate ~~will~~ **shall** officially represent the ~~registered voters enrolled LPNY Members in the Libertarian Party~~ [...]

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

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

13.6.1. **DELEGATE SLATES.** [...] An ~~enrolled LPNY M~~ **member** ~~of the Libertarian Party~~ [...]

### 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~~ **LPNY Members** 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 LPNY M~~ **members** ~~of the Libertarian Party~~ except as provided in Article 15.

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

14.10.2. **CRITERIA.** [...] by ~~enrolled Libertarians~~ **LPNY Members** at the [...]

14.12. **CERTIFICATES OF NOMINATION.** [...] issued to an ~~enrolled LPNY M~~ **member** ~~of the Libertarian Party~~.

15.1.1. **GENERAL.** [...] who is not an ~~enrolled LPNY M~~ **member** ~~of the Libertarian Party~~ [...]

## EXHIBIT 5 (PAGE 5 OF 9)

### PROPOSAL 7 (D). Removal of 2022 provisions.

~~6.4.2.9. PETITIONING IN 2022. This section shall only apply to petitioning in the year 2022.~~

~~6.4.2.9.1. 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 Mmembers of the Libertarian Party residing within the Judicial District in which the candidate for State Committee is to be voted for, excluding voters in inactive status.~~

~~6.4.2.9.2. FIRST DAY TO PETITION. No petition signature shall be invalidated for being too early unless it was signed prior to March 1, 2022.~~

~~6.4.2.9.3. LAST DAY TO PETITION. No petition signature after April 7, 2022 shall be valid.~~

~~6.4.2.9.4. FILING DEADLINES. The dates for filing petitions for the office of Member of the State Committee shall be April 4, 2022 through April 18, 2022. Objections, declinations, and substitutions must be received by the Collector by April 22, 2022.~~

### PROPOSAL 8 (E, K, N, Q, S, U, W). Minor amendments.

6.6.1. CHAIR. ~~Should If~~ a vacancy exists in the office [...]

6.6.2. 1ST VICE-CHAIR. ~~Should If~~ a vacancy exists in the office [...]

6.6.3. OTHER OFFICERS. ~~Should If~~ a vacancy exists in the office [...]

6.6.4. AT-LARGE EXECUTIVE COMMITTEE MEMBERS. ~~Should If~~ a vacancy exists in an [...]

6.6.5. STATE COMMITTEE MEMBER. ~~Should If~~ a vacancy exists on [...]

6.7. TERM. ~~All~~ State Committee members [...]

8.5.1. [...] seven (7) calendar days [...] a notice of five (5) calendar days [...]

8.5.5. [...] via the U.S. Postal Service mail, [...]

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

11.3.1. CONVENTION. [...] video ~~[unstrike - Glogowski amendment]~~ teleconference, [...]

~~12.1.2. 12.1.1. REMOVAL OF PARTY OFFICERS. Any state or county official [...]~~

~~12.1.1. 12.1.2. REVOCATION OF COUNTY AFFILIATION. Affiliation with a County [...]~~

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.~~

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~~ shall become the At-Large Delegate or Alternate At-Large Delegate in accordance with the rubric.

13.6.3. [...] at least thirty (30) days [...]

### PROPOSAL 9 (F). New rule.

6.10. LNC REGIONAL AGREEMENTS. The State Committee must approve by a simple majority vote any and all LNC Regional Agreements that pertain to LPNY affiliate membership within a given LNC Region and the terms and conditions for the LNC Regional Representative and Alternate who will serve the region in which the LPNY is a member.

## EXHIBIT 5 (PAGE 6 OF 9)

### PROPOSAL 10 (F). New rule.

**6.11. RECALLING A LIBERTARIAN NATIONAL COMMITTEE REGIONAL REPRESENTATIVE OR ALTERNATE.** The Chair of the LPNY may only vote to recall a LNC Regional Representative and/or Alternate at the direction of a two-thirds (2/3) majority vote of the State Committee.

### PROPOSAL 11 (G). Overhaul/Reorganization of meetings provisions.

**8.1. GENERAL.** Meetings of the State Committee and of the Executive Committee shall be conducted in accordance with the provisions in this article. Meetings shall be held in-person, by electronic means, or a combination thereof. Meetings of the Executive Committee 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. **The Organization Meeting and meetings held for the purpose of nominating statewide candidates must be held in person, except as provided in Article 8.3.**

~~8.2.1. MEETING TO BE HELD IN PERSON.~~ The first meeting of each newly elected State Committee must be held in person except in cases of *force majeure* in which no member of the State Committee is able to attend at the time and location the meeting is called. **[moved to a new 8.3]**

~~8.3. OTHER MEETINGS~~ **8.2. FREQUENCY.** 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.~~

**8.3. MEETINGS HELD IN-PERSON.** Any meeting of the State Committee to be held in-person shall be determined by a vote at a meeting of the full ~~full~~ **[Anderson amendment]** State Committee. Such meeting must be held in the State of New York. **[moved from 8.3]** In cases of *force majeure* in which no member of the State Committee is able to attend at the time and location the meeting is called, the State Committee may, by a two-thirds (2/3) vote, determine that such meeting be held by teleconference. **[moved from 8.2.1, added procedure].**

~~8.2.~~ **8.4. ORGANIZATION MEETING.** This section outlines the procedures for the ~~e~~Organization Meeting... **[ALSO RENUMBER 8.2 to 8.4 accordingly.]**

### PROPOSAL 12 (H1). Clarification.

**8.2.2. VOTING MEMBERS.** The ~~State Committee members~~ elected ~~at the preceding primary election to the State Committee in accordance with these Rules at the most recent election~~ shall be the voting members of the Organization Meeting.

### PROPOSAL 13 (I). Remove redundancy. Text already exists in Article 21 on amendments.

~~8.2.4. 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.

## EXHIBIT 5 (PAGE 7 OF 9)

### **PROPOSAL 14 (P). Simplify County Contact renewal process.**

11.1.1. **COUNTY CONTACTS.** In any county [...] County Organization. **[MOVED SECTION BELOW]** [...]

11.1.1.1. **TERMS.** County Contacts shall **serve until the end of the succeeding calendar quarter have a term of three (3) months**, subject to renewal or removal by the State Committee. **Each renewal of a County Contact shall expire at the end of the succeeding calendar quarter.**

### **PROPOSAL 15 (AP). Reduce requirement for County Affiliate formation.**

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 **four (4) 3% of the enrolled Libertarians LPNY Members** 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.**

### **PROPOSAL 16 (R1).**

#### **11.6. REGIONAL ASSOCIATIONS.**

~~11.6.1. **GENERAL.** Two or more County Affiliates may form a voluntary regional association. In such cases, each County Affiliate must agree to the association's rules. The association's rules and the minutes of each County Affiliate voting to join the association shall be filed with the Secretary of the State Committee. No County Affiliate or unorganized county shall be a member of more than one regional association.~~

~~11.6.2. **UNORGANIZED COUNTIES WITHIN AN ASSOCIATION.** A proposed regional association may include an unorganized county as long as notice of such is posted on the LPNY website and newsletter at least thirty (30) days in advance of a meeting of the State Committee to approve delegating authority over the county.~~

~~11.6.2.1. **STATE COMMITTEE DELEGATING AUTHORITY.** If an association includes an unorganized county, the State Committee must vote whether or not to delegate authority over that county to the association, except the appointment of County Contacts.~~

~~11.6.2.2. **UNORGANIZED COUNTIES WITH COUNTY CONTACTS.** If an unorganized county is included in a proposed association and has an appointed County Contact at the time of the proposed association, the County Contact must approve in writing to the Secretary that they approve of such association.~~

~~11.6.2.3. **NEW COUNTY AFFILIATES.** If at any time an unorganized county within a regional association becomes an official County Affiliate, they shall remain a member of the regional association unless they vote to withdraw.~~

~~11.6.3. **WITHDRAWAL FROM ASSOCIATION.** If a County Affiliate votes to disassociate with the regional association, the county's name shall automatically be removed from the association's rules. If after disassociation only one County Affiliate remains, the LPNY shall no longer recognize the association.~~

## EXHIBIT 5 (PAGE 8 OF 9)

### **PROPOSAL 17 (T). Add provision for hearings initiated by State Committee and provide that hearings be held within 90 days instead of 30 days.**

12.2.1. ~~REQUEST FOR HEARING. INITIATION BY THE EXECUTIVE COMMITTEE.~~ 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. in accordance with this article. 12.2.2.~~

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

12.2.2. **INITIATION BY THE FULL STATE COMMITTEE.** A minimum of one-third (1/3) of the members of the full State Committee may submit a request in writing to the Secretary to request a vote be held by the State Committee for the purpose of approving a hearing in order to revoke the affiliation of a County Organization or remove a state or county official of the LPNY in accordance with this article. A majority vote at a meeting of the full State Committee shall be required to approve a hearing.

12.2.3. **HEARINGS.** Hearings approved in ~~Article 12.2.1 and Article 12.2.2.~~ **accordance with these Rules shall be held during a meeting of the full State Committee. Hearings shall** be initiated within ~~thirty (30) ninety (90)~~ **thirty (30) ninety (90)** days upon approval ~~and may be held by teleconference.~~ If a hearing is not initiated within ~~thirty (30) ninety (90)~~ **thirty (30) ninety (90)** days, the matter is dismissed without prejudice, and any new hearing requires a new request **and/or approval in accordance with these Rules 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 **as recorded by the Secretary.**

### **PROPOSAL 18 (Y).**

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 **at a meeting of the full State Committee** by a two-thirds (2/3) ~~vote~~ of the **entire** State Committee membership.

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 **at a meeting of the full State Committee,** by a two-thirds (2/3) ~~vote~~ of the **entire** State Committee membership.

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

### **PROPOSAL 19 (Z, AA). Overhaul/Cleanup of rules amendment provisions and adding new provision for minor amendments.**

21.1. **GENERAL.** These Rules may be amended by majority vote at a meeting of the full State Committee in accordance with the procedures in this article unless otherwise required by Election Law.

## EXHIBIT 5 (PAGE 9 OF 9)

21.2.~~1~~. **CONSIDERATION OF AMENDMENTS BY THE RULES COMMITTEE.** [...] 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.~~ **as long as such alternative was distributed with advance notice in accordance with these Rules.** [Olenski amendment]

21.2.~~2~~.~~3~~. **CONSIDERATION OF OTHER AMENDMENTS.** [...]

21.~~1~~.~~4~~. **SUBMISSION OF OTHER AMENDMENTS.** Any member or member-Elect of the State Committee may submit amendments for consideration at the meeting for which they are entitled to vote. In order to be distributed to the State Committee by official party communications, the proposed amendment(s) ~~Amendments to these Rules~~ must be submitted ~~in writing~~ to the Secretary at least ~~fifteen (15)~~ **thirty (30)** days in advance of the meeting in which the amendments shall be voted upon. **Subsequent submission(s) of amendment(s) may be distributed by official party communications at the discretion of the Secretary.**

21.5. **NOTICE AND DISTRIBUTION.** Such amendments and notice to the meeting in which the amendments are to be considered must be given **at least seven (7) days in advance of the meeting and may be distributed electronically** ~~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.~~

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

21.6. **MINOR AMENDMENTS.** The Rules Committee has the authority to amend the Rules by unanimous vote of a quorum of the Rules Committee provided that the amendments are for aesthetic or grammatical purposes or are changes that are deemed necessary for clarification purposes.