

**MINUTES OF THE MEETING OF THE STATE COMMITTEE
OF THE LIBERTARIAN PARTY OF NEW YORK
HELD ON SUNDAY, MARCH 19, 2023, ON THE ZOOM MEETING APP AND
PORCUPINE APP**

The meeting was called to order at 5:06 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-two (32) of sixty-three (63) voting members of the State Committee present at the time of roll call. Nine (9) later entered the meeting; and two (James Ziobro and Grace Galactica Merrell) joined as vacancies were filled, to give forty-three (43) members present out of sixty-five (65) members of the State Committee after the filling of vacancies. The Secretary determined that a quorum was present at all times during the meeting.

MEMBERS PRESENT (43)

Richard Purtell
Mark Axinn
Gary Popkin
William Cody Anderson
Justin Carman
Jennifer O'Connor
Lora Newell
John Janes
Zachary Remian
Karen Keniry Thompson
Daniel Castello
Shawn DeGrand
Matthew Guilianelli
Erinn Rose Leatherman
Adam Magoon
Keith Redhead
Craig Shute
Mark Braiman
Grace Galactica Merrell
Christopher Olenski
David Penner
Craig Colwell
Steven Becker
Mark Glogowski

Sean Phelan
James Ziobro
Marc Smith
Charles Roggan
Maura Botsford
Andrew Kolstee
Frances Law
Leonard Morlock
Michael Rebmann
Jame Van Dewalker
Duane Whitmer
Daniel Donnelly
William Schmidt
Jeffrey Denecke
Jonathan Gunther
Blay Tarnoff
Mark Weinblatt
John Clifton
Thomas Pinkhasov

Chance Haywood
Paul Grindle
Matthew Morgan
Amanda Ellithorpe
Stephen Healy
Brian Wells
Jacob Cornell
Keith Price
Jeffrey Bradley
Erin Becker
Juan Ayala
Robert Cocomello
Robert Greibesland
Christian Vondras
George Ostrowski
Robert Schuon
Randyn Tarnoff
Scott Thompson
Angelo Veltri
Francisco Olvera
Freddy Calvache

MEMBERS ABSENT (22)

Morry Davis

OBSERVERS

Grace Merrell (a.k.a. Grace Galatica), candidate for State Committee from Judicial District 6
James Ziobro, candidate for State Committee from Judicial District 7

A request for public comment by Chair Andrew Kolstee received several comments. Sean Phelan admonished State Committee members to alert Chair or Secretary when they leave the

meeting. William Cody Anderson admonished members to stop nominating people for positions on the State Committee who will not regularly show up regularly and promptly, as this causes delays in starting and running meetings due to lack of quorum.

Motion by Mark Braiman to **adopt the Agenda (Exhibit 2)** was seconded by Adam Magoon. A point of information and a point of order were brought by Blay Tarnoff, asking about whether the Platform Committee actually adopted any report, and stating that despite his being on the Platform Committee, he was never given a chance to participate in voting on such a Committee Report. Motion by Mark Axinn to **amend the Agenda to remove the Platform Committee Report** was seconded by Michael Rebmann and was debated. Mark Braiman objected to the proposed amendment to the Agenda, making a point of order that our Rules require a discussion of the Platform at least twice per year, and there has been no such discussion between March 2022 and March 2023. The Chair overruled the Point of Order on the grounds that the current Committee only took office in September of 2022, so there is still time before September 2023 to have two such platform discussions. The amendment failed 11-20-4. (The details of this and all other Porcupine votes are shown in **Exhibit 3**). The Agenda (**Exhibit 2**) was then adopted with no further objections.

Chair Andrew Kolstee called for the filling of one (1) State Committee vacancy from Judicial District 6. Secretary Mark Braiman reported that Duane Whitmer had nominated Grace Galactica Merrell in advance at the prior meeting on 3/5/2023, and that he (the Secretary) had determined this was a now a valid nomination. 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 four (4) State Committee vacancies from Judicial District 7. Secretary Mark Braiman reported that no one had been nominated in advance. Steven Becker nominated James Ziobro, who accepted the nomination. James Ziobro was elected with thirty-one (25) votes to four (8) for None of the Above (NOTA).

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. Motion by William Cody Anderson to spend up to one thousand one hundred dollars (\$1100) for half of the printing costs for the *certiorari* filing (\$1088.22 current estimate), to ask the US Supreme Court for permission to hear our case, was seconded by Mark Braiman and was passed without objections.

Andrew Kolstee issued a Chair's Report on the *certiorari* filing, with a press release notice provided in Discord. April 7 is the response date for the NY Board of Elections. Several news outlets have covered our press release.

Andrew Kolstee initiated several hearings requested by Executive Committee at February meeting and approved by the State Committee at its March 5 meeting.

Motion by Justin Carman, on behalf of the Executive Committee, to **remove Jacob Cornell as a member of the State Committee from Judicial District 5 due to abandonment of position.** A hearing took place, which included a statement of the following facts. Jacob Cornell missed meetings on Sept 17-18, 2022; October 23, 2022; March 5, 2023; and March 19, 2023. Andrew Kolstee stated he spoke with him several times, including after the March 5 meeting at which the State Committee had voted for this hearing. Jake Cornell explained to Kolstee that he (Cornell) had been busy, but promised to show up to the March 5 and current (March 19) meetings. However, Cornell did not appear at either at either March 5 or the current meetings. The motion passed without objection.

Motion by Tom Pinkhasov to **remove Keith Price as a member of the State Committee from Judicial District 6 due to abandonment of position** was seconded by Adam Magoon. A hearing took place, which included a statement of the following facts. Keith Price missed meetings on on Sept 17-18, 2022; October 23, 2022; March 5, 2023; and March 19, 2023.. Andrew Kolstee stated that he had spoken with Price several times. Keith Price explained he had been busy and promised to show up to the March 5 and current (March 19) meeting, but did not appear at either. Andrew Kolstee received no response to attempts to contact Keith Price after the March 5 meeting at which the State Committee had voted for this hearing. The motion passed without objection.

Motion by Adam Magoon to **remove Scott Thompson as a member of the State Committee from Judicial District 10 due to abandonment of position** was seconded by Steven Becker. A hearing took place, which included a statement of the following facts. Scott Thompson missed meetings on Sept 17-18, 2022; October 23, 2022; March 5, 2023; and March 19, 2023. Andrew Kolstee spoke with Thompson several times prior to March 5, but received no response to attempts to contact him after the March 5 meeting at which the State Committee had voted for this hearing. The motion passed without objection.

Motion by Justin Carman to **remove Angelo Veltri as a member of the State Committee from Judicial District 10 due to abandonment of position and moving out of state to Texas** was seconded by Adam Magoon. A hearing took place, which included a statement of the following facts. Angelo Veltri missed meetings on Sept 17-18, 2022; October 23, 2022; March 5, 2023; and March 19, 2023. Andrew Kolstee stated he spoke with him several times, and received no rresponset to multiple attempts to contact him after the March 5 meeting at which the State Committee voted for this hearing. The motion passed without objection.

Outreach Chair Duane Whitmer issued a report. It has been difficult to get traction from traditional press due to layoffs in the business. Need to do outreach using different approaches. There was good turnout at an event in Orleans County featuring John Salka and George Ostrowski on ballot access. Reaching out in this way to politicians to speak at events is a good way to get our ideas out, without direct pressure to vote for our candidates. Speakers on Climate Change Bill, Cannabis Legalization, are some examples. County fair season coming up will be a good way to promote such ideas. The Outreach Committee feels the need to add an Events Coordinator position.

Rules Committee Chair Andrew Kolstee reissued the written report (**Exhibit 5**) that had received partial consideration at the March 5, 2023 meeting of the State Committee.

Motion by the Rules Committee Chair to **amend the Rules according to Proposal 17, to add the possibility of hearings initiated by the Full State Committee rather than just the Executive Committee**, was passed without objection.

Motion by the Rules Committee Chair to **amend the Rules according to Proposal 18, to clarify that Platform Amendments require assent of 2/3 of the entire State Committee membership, rather than possibly just 2/3 of the Executive Committee**, was passed without objection.

Platform Committee Chair Mark Glogowski requested to issue a written Report. Blay Tarnoff raised a point of order that no Report was ever voted on by the Platform Committee and so the purported Platform Committee Report from Mark Glogowski is not in order. The Chair ruled in favor of the Point of Order. Chris Olenski mentioned that emails sent out by the Platform Committee Chair included all members of the Platform Committee and he in particular did have an opportunity to respond. William Cody Anderson, not on the Platform Committee, said he also did see an email from Chair Glogowski that appeared to be looking for crowdsourcing opinions on planks being considered by the Platform Committee. However, Anderson stated he did not think that Glogowski followed a proper procedure for obtaining Committee approval for a Report. Glogowski was not able to state a list of members of the Platform Committee in order to poll them as to their participation in endorsing a formal Committee report. Mark Axinn asked Dr. Glogowski to continue as Chair, but to reconstitute the Committee take more formal action and formal votes in the future. Motion to Commit or Refer from Gary Popkin was seconded by Mark Axinn. Blay Tarnoff raised a point of order that the Report that has not been issued to the State Committee cannot have any action taken on it, even to Commit or Refer. Chair ruled the point of order to be well taken. Motion by Adam Magoon **to dissolve the Platform Committee and to re-form it at the next meeting of the Executive Committee** was not seconded. William Cody Anderson raised a point of order that the Platform Committee is a Standing Committee and cannot be dissolved. Chair Andrew Kolstee found the point of Order well taken and ruled the motion to dissolve the Committee out of order. Chair Andrew Kolstee asked the Platform Committee Chair to provide a list of members and scheduled meeting times.

Motion by Adam Magoon to **remove all members of the Platform Committee excluding Mark Glogowski who shall remain as Chair**, was seconded by Tom Pinkhasov and debated.

Motion by Blay Tarnoff to **amend the motion to remove the exception, so that the motion includes removal of the Chair from the Committee** was seconded by Adam Magoon, but failed 15-17-3. Original motion passed 27-2-4. (The details of these Porcupine votes are shown in **Exhibit 3**).

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

Meeting was adjourned at 6:38 p.m.

Mark Stephen Braiman,
Secretary.

EXHIBIT 2 (PAGE 1 OF 3)

LIBERTARIAN PARTY OF NEW YORK AGENDA OF THE STATE MEETING OF MARCH 19, 2023

4:00 P.M. Call to Order (Andrew Kolstee, Chair)

4:00 P.M. Roll Call and Confirmation of Quorum (Mark Braiman, Secretary)

4:05 P.M. Public Comment

4:15 P.M. Adoption of Agenda

4:20 P.M. Filling of Vacancies on the State Committee

Judicial District 6 (1 vacancy)

Judicial District 7 (4 vacancies)

Judicial District 12 (1 vacancy)

Judicial District 13 (1 vacancy)

Nominations submitted and accepted before the meeting:

Grace Galactica Merrell, to fill a vacancy in Judicial District 6

4:35 P.M. Treasurer's Report (Cody Anderson)

4:45 P.M. Communications/Outreach Report (Duane Whitmer)

4:55 P.M. Chair's Report (Andrew Kolstee)

5:05 P.M. Hearings

Hearing to remove Jacob Cornell as a member of the State Committee from Judicial District 5 due to abandonment of position.

Hearing to remove Keith Price as a member of the State Committee from Judicial District 6 due to abandonment of position.

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

Hearing to remove Angelo Veltri as a member of the State Committee from Judicial District 10 due to abandonment of position.

5:35 P.M. Rules Committee Report (Andrew Kolstee)

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

5:55 P.M. Platform Committee Report (Mark Glogowski)

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

6:25 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.

EXHIBIT 2 (PAGE 2 OF 3)

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.
- 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.

EXHIBIT 2 (PAGE 3 OF 3)

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

WHEREAS, the introduction of **public taxpayer** 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.

6:50 P.M. Old business

6:55 P.M. New business

7:00 P.M. Adjournment

EXHIBIT 3

Active Past Polls Past Ballots

Shall we remove all members of the Platform Committee excluding Mark Glogowski who shall remain as chair?

27 AYE - 93% 2 NAY - 7% 4 ABSTAIN 0 INVALID 0 DUPLICATE 33 TOTAL

Adam Magoon 1 Francis Law 1 Keith Redhead 1 Daniel P. Donnelly 1 Daniel Castello 1 Rich Purtell 1 Jeffrey Denecke 1
Blay Tarnoff 1 Matthew Guilanelli 1 Len Morlock 1 Christopher Olenski 1 Charles Roggen 1 Marc Smith 1 Craig Shute 1
David Penner 1 Justin Carman 1 Thomas Pinkhasov 1 Karyn A. Kenry-Thompson 1 Duane J. Whitmer 1 Irwin Mark Weinblatt 1
Sean C. Phelan 1 Michael Rebmann 1 Steven G. Becker 1 Gary Popkin 1 Lora L. Newell 1 Jonathan Gunther 1
William Cody Anderson 1 Mark Bralman 1 Shawn DeGrand 1 Jame Vandewalker 1 William K. Schmidt 1 E. Rose Leatherman 1
Jennifer O'Connor 1

Shall we amend the motion to remove the exclusion of Mark Glogowski? (Thereby all members of the Platform Committee would be removed if amendment passes)

15 AYE - 47% 17 NAY - 53% 3 ABSTAIN 0 INVALID 0 DUPLICATE 35 TOTAL

Thomas Pinkhasov 1 Adam Magoon 1 Sean C. Phelan 1 Keith Redhead 1 Mark Bralman 1 William K. Schmidt 1 Marc Smith 1
Gary Popkin 1 Irwin Mark Weinblatt 1 Steven G. Becker 1 Jeffrey Denecke 1 Len Morlock 1 William Cody Anderson 1
Daniel Castello 1 Jennifer O'Connor 1 Matthew Guilanelli 1 Rich Purtell 1 Christopher Olenski 1 Charles Roggen 1
Michael Rebmann 1 Lora L. Newell 1 David Penner 1 Craig Shute 1 E. Rose Leatherman 1 Karyn A. Kenry-Thompson 1
Blay Tarnoff 1 Duane J. Whitmer 1 John A. Jarvis 1 Justin Carman 1 Jame Vandewalker 1 Jonathan Gunther 1
Shawn DeGrand 1 Craig Colwell 1 Daniel P. Donnelly 1 Francis Law 1

Shall we remove the platform committee report from the agenda?

11 AYE - 35% 20 NAY - 65% 4 ABSTAIN 0 INVALID 0 DUPLICATE 35 TOTAL

Maura Botsford 1 Keith Redhead 1 Irwin Mark Weinblatt 1 Justin Carman 1 Mark E. Glogowski 1 Thomas Pinkhasov 1
Mark Axinn 1 Mark Bralman 1 Rich Purtell 1 Daniel Castello 1 Marc Smith 1 Jame Vandewalker 1 Karyn A. Kenry-Thompson 1
Blay Tarnoff 1 Charles Roggen 1 William Cody Anderson 1 Len Morlock 1 Sean C. Phelan 1 Craig Colwell 1
Jennifer O'Connor 1 David Penner 1 Zachary Remian 1 Michael Rebmann 1 Adam Magoon 1 Gary Popkin 1 John A. Jarvis 1
Lora L. Newell 1 Daniel P. Donnelly 1 E. Rose Leatherman 1 Shawn DeGrand 1 Christopher Olenski 1 William K. Schmidt 1
Jeffrey Denecke 1 Matthew Guilanelli 1 Francis Law 1

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 ~~m~~Member shall be available upon request to other LPNY ~~m~~Members. Individual LPNY ~~m~~Members may choose upon registration to indicate that any other information be omitted from general distribution to other LPNY ~~m~~Members. 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 ~~m~~Member 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 ~~m~~Member 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 M~~members ~~in the Libertarian Party~~ and elected in accordance with ~~Article 6.3 of~~ these Rules. If at any time the Libertarian Party is unable to ~~hold a primary election for the purpose of electing~~ **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 M~~member ~~of the Libertarian Party~~ who fills a vacancy in the State Committee ~~in accordance with these Rules~~ or is elected to the Executive Committee.

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~~ **[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 ~~m~~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.