

# Rules of the Libertarian Party

*As amended at the Meeting of the State Committee held on March 19, 2023.*

## Article 1. Name

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.

## Article 2. Symbol

The symbol for the Libertarian Party shall be:



## Article 3. Jurisdiction

The jurisdiction of the Libertarian Party shall be the State of New York.

## Article 4. Objective

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

## Article 5. Membership

**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. VOTING ELIGIBILITY.** LPNY Members must provide a working email address to be able to vote in any election or meeting of the LPNY.

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

**5.4. RESTRICTIONS ON PARTY USE OF EMAIL ADDRESSES OF MEMBERS.** The email address provided by a LPNY Member for voter eligibility purposes may also be used for providing notice

and mechanisms for participation in meetings and party elections, and for solicitation of signatures for Libertarian candidate petitions, but not for other purposes unless the LPNY Member explicitly indicates their email address may be used for other LPNY purposes.

## **Article 6. State Committee**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 6.4.2. **SELECTION OF CANDIDATES.**

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

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

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

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

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

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

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

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

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

**6.4.2.8.2. VOTERS.** Only LPNY Members residing in the Judicial District are entitled to vote at the election for candidates for State Committee in their Judicial District.

**6.4.2.8.3. REQUESTS OF BALLOTS.** Voters shall begin requesting ballots the Tuesday immediately succeeding the Special Meeting of the Elections Oversight Committee. Voters must request a ballot in order to participate in the election. The online portal shall require the voter to provide their name, email address, their mailing address as it appears in the New York State Board of Elections records, county, and date of birth. A disclaimer shall be provided to indicate to voters that the purpose of the data is to confirm their identity with the information they provided to the New York State Board of Elections. Any ballot requests made two (2) weeks prior to the date of the primary election shall not be fulfilled.

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

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

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

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

**6.5. OFFICERS.** The officers of the State and Executive Committee shall be the Chair, 1st Vice-Chair, 2nd Vice-Chair, Secretary, and Treasurer. All officers shall be considered ex-officio members of the State Committee and shall have the same rights and privileges as any member of the State Committee. Duties of such officers are provided in this section.

**6.5.1. CHAIR.** The Chair shall preside at all meetings of the State Committee. The Chair shall perform such duties as usually pertain to the office of Chair and shall perform such other duties as are assigned to the Chair by the State Committee.

**6.5.2. VICE-CHAIRS.** The 1st and 2nd Vice-Chairs shall act as assistants to the Chair. The 1st Vice-Chair shall preside in the absence of the Chair and shall assume all the duties of the Chair in the event the Chair is unable to execute the duties of the Chair. The 2nd Vice-Chair shall assume such duties in the event that the 1st Vice-Chair is unable to execute such duties.

**6.5.3. SECRETARY.** The Secretary shall keep an accurate and complete record of the proceedings of all meetings of the State Committee and shall keep these records up-to-date and in order in the master book containing the official minutes of the Libertarian Party. At meetings of the State Committee and the Executive Committee, the Secretary shall present the minutes of the previous respective meeting for approval. In all elections and roll call votes, the Secretary shall call the roll of the voting members and shall keep an accurate tally of such votes. The Secretary with unanimous consent may dispense with a roll call vote. The Secretary may appoint assistants for this purpose and, in contested elections, with the consent of a majority of the members of the State Committee present and voting shall appoint an Elections Board which shall include one representative of each contestant in question plus one additional member, so that the Board shall consist of an odd number of persons.

**6.5.4. TREASURER.** The Treasurer, or the Treasurer's designated agent, shall receive and give receipts for all monies paid to the LPNY and shall deposit the same in such bank or banks as shall have been designated by the State Committee. The Treasurer shall present a written report at each meeting of the State Committee or at any other time when so requested by the State Committee. The Treasurer shall, at the discretion of the State Committee, present the financial records of the Libertarian Party for audit by such auditor(s) as the State Committee shall specify. Expenditures of funds shall be made only in accordance with regulations established by the State Committee.

**6.5.5. ASSISTANTS.** The Secretary and Treasurer may appoint another member of the Libertarian Party to serve as Assistant Secretary and Assistant Treasurer respectively in order to assist in their duties. Such appointment shall only be effective if confirmed by the Executive Committee.

**6.6. VACANCIES.** If a vacancy occurs on the Executive Committee or the State Committee, the position shall be filled in accordance with this section. Vacancies occur by death, resignation, removal, relocation out of state, or change of party enrollment to a choice other than Libertarian.

**6.6.1. CHAIR.** If a vacancy exists in the office of Chair, the 1st Vice-Chair shall serve as Acting Chair until the election of a new Chair at the next meeting of the full State Committee. If the 1st Vice-Chair declines to serve as Acting Chair, the 2nd Vice-Chair shall serve as Acting Chair until the election of a new Chair at the next meeting of the full State Committee. If the 2nd Vice-Chair declines to serve as Acting Chair, the Executive Committee shall appoint an Acting Chair at its next meeting, who shall serve as Acting Chair until a new Chair is elected.

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

**6.6.3. OTHER OFFICERS.** If a vacancy exists in the office of 2nd Vice-Chair, Secretary, or Treasurer, the Executive Committee shall fill the vacancy, subject to ratification by a vote of the State Committee. The individual selected shall serve for the remainder of the term of the office vacated. If the ratification fails, the State Committee shall fill the vacancy.

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

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

**6.7. TERM.** State Committee members shall serve until the conclusion of the Organization Meeting following the primary election at which their successors are elected. State Committee members who move their residence out of their Judicial District but within the State of New York may keep their offices until the end of their term.

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

**6.8. QUALIFICATIONS.** To be eligible for election or appointment to the State Committee, each candidate must be a LPNY Member residing within the jurisdiction from which such member is elected or appointed.

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

**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.

**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.

## **Article 7. Executive Committee**

**7.1. AUTHORITY.** The Executive Committee shall carry on the duties and exercise the powers of the State Committee when it is not in session or stands in recess. The Executive Committee shall, in any county where no County Affiliate has been organized pursuant to these rules and the Election Law, exercise and discharge within such counties all of the powers, functions, and duties of a County Affiliate as permitted by these rules or by law. Any action of the Executive Committee may be overruled by a two-thirds (2/3) vote of the State Committee.

**7.2. MEMBERSHIP.** The Executive Committee shall consist of the officers of the State Committee as defined in Article 6.5 and five (5) Members-At-Large elected by the State Committee. There shall be no more than one (1) Member-At-Large from a single Judicial District. Members-At-Large, if not a member of the State Committee, shall be considered ex-officio members of the State Committee and shall have the same rights and privileges as any member of the State Committee. Within three days after the election a

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

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

**7.4. TERM.** All Executive Committee members shall be elected at the first State Committee meeting following the primary election in even-numbered years and shall serve a term of two (2) years or until their successors are duly elected as provided herein or by statute. Executive Committee members who move out of their State Committee district but within the State of New York may keep their offices until the end of their term.

#### **7.5. EXECUTIVE SESSION.**

**7.5.1.** Executive Session may only be used for discussion of personnel matters, contractual negotiations, pending, active, or potential litigation, or political strategy requiring confidentiality, specifically excluding discussions of qualifications of candidates. The reasons for moving to Executive Session must be stated in the minutes of the Executive Committee.

**7.5.2.** No vote shall be conducted in Executive Session, except votes pertaining to the waiving of reading of minutes of Executive Session, approval of the minutes of Executive Session, and adjournment of Executive Session.

**7.6. VOTING.** Each member of the Executive Committee shall have one vote. There shall be no proxy voting. Voting on any issue before the Executive Committee may be conducted through electronic means or written ballot.

### **Article 8. Meetings**

**8.1. GENERAL.** Meetings of the State Committee and of the Executive Committee shall be conducted in accordance with the provisions in this article. 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. FREQUENCY.** Meetings of the full State Committee shall be held in person or by teleconference at least quarterly.

**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 State Committee. Such meeting must be held in the State of New York. 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.

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

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

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

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

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

**8.4. CALLING OF MEETINGS.** The date, time, and place of all meetings of the State Committee shall be determined by any of the following.

**8.4.1. BY THE CHAIR.** The Chair may call a meeting by sending a notification to the State Committee.

**8.4.2. BY A VOTE.** The voting members at any properly called meeting may, by majority vote, call a meeting to be held.

**8.4.3. BY THE FULL STATE COMMITTEE.** When not in session, any member of the State Committee may request a meeting be called at a certain date, time, and place. If the request is co-sponsored by one-third (1/3) of the members of the full State Committee and the notice is given to the full State Committee, the meeting has been called. The request, co-sponsorship, and notice must be in writing.

## **8.5. NOTIFICATION**

**8.5.1.** For meetings of the full State Committee, a notice of seven (7) calendar days shall be given. For meetings of the Executive Committee, a notice of five (5) calendar days shall be given. A waiver of notice whether signed before or after a meeting, or attendance without protesting a lack of notice, shall preclude any objection on this ground.

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



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

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

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

8.6. **MEETINGS HELD IN-PERSON.** At in-person meetings of the State Committee, teleconferencing is permitted; teleconferencing members shall have the same rights and privileges as those attending in-person.

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

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

## **Article 9. Elections**

9.1. **GENERAL.** Elections of party offices shall be conducted in accordance with this article. Such offices shall include the officers (Chair, 1st Vice-Chair, 2nd Vice-Chair, Secretary, and Treasurer), Members-At-Large of the Executive Committee, and the filling of vacancies of any of those offices, including members of the State Committee.

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

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

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

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

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

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

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

**9.3.4. ORDER OF ELECTIONS.** Elections of each party office shall be held individually in the following order, if such election is required by the agenda: Members of the State Committee, Chair, 1st Vice-Chair, 2nd Vice-Chair, Secretary, Treasurer, and Members-At-Large of the Executive Committee.

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

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

**9.3.5.2. ELECTION OF MEMBERS-AT-LARGE OF THE EXECUTIVE COMMITTEE.** In any election for Members-At-Large of the Executive Committee, only the candidate with the highest number of votes from a Judicial District shall be elected. There shall be no more than one Member-At-Large elected from a Judicial District. Once a candidate is elected as a Member-At-Large of the Executive Committee, any other candidate residing in that Judicial District shall be disqualified and removed from any subsequent ballot.

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

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

## **Article 10. Committees**

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

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

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

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

## **Article 11. County Affiliates**

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

11.1.1. **COUNTY CONTACTS.** In any county where no County Affiliate exists, the State Committee may appoint one or more enrolled members of the Libertarian Party to serve as County Contacts for the purpose of organizing a County Organization. The State Committee shall also designate by appointment the Lead County Contact, who is responsible for organizing meetings. Upon establishment of a County Organization, the duly elected Chair shall replace the County Contact as the State Committee's primary contact for a given county.

11.1.1.1. **TERMS.** County Contacts shall serve until the end of the succeeding calendar quarter, 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.

### **11.2. COUNTY ORGANIZATIONS**

11.2.1. **GENERAL.** In any county where an insufficient number of Election District delegates were elected to form a County Committee, a County Organization may be formed and affiliated in those counties when a convention is held to adopt county rules consistent with Article 11.2 and elect officers. Quorum at the convention shall be four (4) LPNY Members residing in the county.

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

11.2.3. **CERTIFICATION.** All County Affiliates shall be recertified as a County Affiliate to ensure they continue to meet the requirements of these Rules. All County Affiliates shall provide the latest copy of the County Rules and minutes of any convention or election to fill vacancies. A quorum of the Executive Committee shall certify by a majority vote that such requirements have been met by March 31 in each

odd-numbered year. County Affiliates that fail to meet such requirements may have their affiliation revoked in accordance with Article 12.

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

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

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

**11.3.2.1. ELECTION OF OFFICERS.** A provision for the election of officers to terms not exceeding twenty-five (25) months, elected through single non-transferable votes.

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

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

**11.3.3. ELECTION OF OFFICERS.** An election of officers of the County Committee.

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

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

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

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

**11.4.1. MEMBERS.** Voting members of the County Organizations must be members of the Libertarian Party as defined in Article 5. Officers are voting members of the County Organization by virtue of their office, but no individual may cast more than one vote.

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

**11.4.3. VACANCIES.** In the event of a vacancy in the office of Chair, the Vice-Chair shall succeed as the Chair of the County Organization, unless otherwise specified in the County Rules. All other vacancies on the County Organization shall be filled by a majority vote of the County Organization or in a manner determined by the County Organization.

11.4.4. **AUTHORITY.** Until a County Committee is elected in a given county by the enrolled voters of the Libertarian Party in accordance with the Election Law, a County Organization shall exercise all of the powers of a County Committee in their respective county as set forth herein and not prohibited by applicable law.

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

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

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

### **12.1. GENERAL.**

12.1.1. **REMOVAL OF PARTY OFFICERS.** Any state or county official of the Libertarian Party may be removed from office for disloyalty to the party or corruption in office in accordance with this article and Article 2-116 of Election Law. Such officials include officers of a County Organization and members or officers of the State Committee, or Executive Committee.

12.1.2. **REVOCATION OF COUNTY AFFILIATION.** Affiliation with a County Organization may be revoked in accordance with this article.

### **12.2. PROCEDURE.**

12.2.1. **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 in accordance with this article. A majority vote at a meeting of the full State Committee shall be required to approve a hearing requested by the Executive Committee.

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 accordance with these Rules shall be held during a meeting of the full State Committee. Hearings shall be initiated within ninety (90) days upon approval. If a hearing is not initiated within 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. 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. The individuals to be notified shall be the most recent to hold each officer position as recorded by the Secretary.

**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.

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

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

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

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

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

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

12.3.6. acts of libel or slander

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

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

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

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

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

12.4.3. any failure to convene under Article 15.

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

12.4.5. The abandonment of all officer positions.

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

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

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

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

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

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

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

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

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

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

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

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

## **Article 14. Nominations of 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 LPNY Members about the offices up for election and to identify and cultivate Libertarian candidates.

**14.2. CANDIDATE QUALIFICATIONS.** Libertarian Party candidates will be limited to LPNY Members except as provided in Article 15.

### **14.3. STATEWIDE CANDIDATES.**

**14.3.1.** Candidates for statewide office shall be nominated at a special open meeting of the State Committee in accordance with these Rules and Election Law. This meeting shall be held in accordance with Election Law.

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

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

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

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

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

**14.5. CANDIDATES IN UNORGANIZED COUNTIES.** All nominations for public office where the geographic boundaries for such office lie wholly within a county or counties in which there is no County Affiliate, shall be made by the State Committee.

**14.6. CANDIDATES IN MULTI-COUNTY DISTRICTS.** The authority of the State Committee whether directly or by enabling resolution, shall not extend to selecting any candidates for public office where a portion of the geographic boundaries lie within a county where there is already a County Affiliate, with the exception that candidates for public offices which encompass the entire state or entirely in New York City shall be nominated as detailed earlier in this article.

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



**14.8. LIBERTARIAN CANDIDATES IN MULTI-COUNTY DISTRICTS WITH TWO OR MORE COUNTY AFFILIATES.** Where the geographic boundary of a public office other than statewide or New York City-wide cross into counties where there is more than one County Affiliate in existence, then selection of an LPNY Member to be a candidate for that office shall be made by a majority weighted vote of the affected County Affiliates.

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

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

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

**14.10. JUDICIAL DISTRICT CONVENTION.**

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

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

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

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

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

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

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

### **15.1. NON-LIBERTARIAN CANDIDATES.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Article 17. Platform**

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

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

## **Article 18. Resolutions**

To provide the Libertarian Party with a means of expressing its opinion on issues of public concern, resolutions may be passed by two-thirds (2/3) vote of the State Committee.

## **Article 19. Loans**

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

## **Article 20. Parliamentary Authority**

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

## **Article 21. Amendments**

21.1. **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.

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

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

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

**21.3. EFFECT OF AMENDMENT.** Amendments to these Rules shall take effect immediately upon adjournment of the meeting in which they were adopted unless otherwise required by Election Law.

**21.4. 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) must be submitted to the Secretary at least 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.

**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.

## **Article 22. Exclusivity**

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

22.2. These rules supersede and replace any document previously adopted by the Party and shall remain in effect until such time that the State Committee of the Libertarian Party adopts new or amended Rules. No other rules shall be effective unless approved in writing by the State Committee.

## **Article 23. Severability**

Any provision of these rules that is adjudged to be invalid or otherwise rendered inoperative by a court or competent jurisdiction shall not affect the validity of any other provision of these rules.