

LIBERTARIAN PARTY OF NEW YORK
GUIDE TO COUNTY RULES
VERSION JUNE 8, 2021

WHAT ARE COUNTY RULES AND WHY DO WE NEED THEM?

The County Rules are the governing document of County Affiliates. The Rules determine how your County Affiliate operates when it comes to voting members, officers, endorsing candidates, and authorizations. Having a set of County Rules is essential in the event of a dispute among members, in which the County Rules determine procedures that have been agreed upon. Additionally, County Rules are important to outline such procedures in the event that any action by the committee is called into question, such as filing candidate paperwork, in which case the court will need a copy of the rules in effect at the time the action was taken.

INTRODUCTION TO THE COUNTY RULES TEMPLATE

This guide is based on County Affiliates adopting the County Rules Template. The purpose of the template is to provide a model set of rules to County Organizations, so they do not have to reinvent the wheel. The template was compiled by several county and state leaders and vetted and approved by the Local Affiliate Development Committee and by the Executive Committee.

Note that this is only a recommendation, and counties do not have to use it, but it provides provisions that counties will need to consider in the future. The template is also in compliance with the Rules of the Libertarian Party of New York and is designed to prepare counties to eventually form constituted county committees under Election Law. Note that if you do not use the County Rules Template and an issue arises, the State Party would be of little help since there is only one recommended County Rules Template.

IMPLEMENTATION OF COUNTY RULES TEMPLATE

To implement this template for your county, simply insert your county's name in the blanks. When your county adopts the rules, fill in the information at the top of the document to indicate if the rules were amended or adopted and the date in which they were amended or adopted.

COUNTY RULES TEMPLATE

Articles 1 and 2: Organization and Jurisdiction

These are the very basic articles. Article 1 establishes the organization's name, jurisdiction, and purpose. Article 2 defines membership as enrolled members of the Libertarian Party, including those who are pre-registered. **Be sure to carefully name your committee, so that it is consistent with your EIN, bank account, and campaign finance filings. Any document pertaining to the County Affiliate should use this name, including but not limited to: minutes, agenda, literature, Board of Elections filings, etc.**

Article 3. County Committee

Article 3 covers the main governing body of the County Affiliate, which is called the *County Committee*. This is a crucial article for the structure of the County Affiliate. The common questions are outlined below to take you through the process of understanding the County Committee.

1. What is the County Committee?

The County Committee is the governing body of the Libertarian Party in a particular county. See Article 3.1 on its authority.

2. Who are the members of the County Committee?

The members of the County Committee are the election district delegates who were elected at a primary. Additionally, Article 3.2 provides that the officers (Chair, Vice-Chair, Secretary, and Treasurer) are also voting members of the County Committee if they were not already elected to the County Committee. **In summary, the County Committee is made up of 1) the officers and 2) the election district delegates.**

3. What is an election district delegate?

An election district delegate is an individual (an enrolled Libertarian) who represents an election district on the County Committee. Every enrolled Libertarian in the county is entitled to vote for election district delegates and eligible to be elected or appointed as an election district delegate. However, only elected and appointed election district delegates are entitled to a vote at meetings of the County Committee.

4. What is an election district?

Each county is broken up into election districts and typically each election district has its own polling place or is paired with another election district in the case of smaller communities. Per the Rules of the Libertarian Party of New York, each election district may have up to 2 individuals (delegates) representing it.

For example, if a county has 99 election districts, that means the County Committee may have up to 198 election district delegates; 2 from each district.

Your County Board of Elections may have maps of the election districts on their website. If not, make a request to obtain them.

5. How do I find which election district someone is in?

You can find a voter's election district within the voter list. Depending on the size of the district, it may cover two columns, such as a city ward in the first column, and the corresponding district in the second column. For example, the election district "Jamestown 4-1" in Chautauqua County refers to District 1 in Jamestown's 4th Ward.

The numbering scheme in different counties may vary, but the district number will always be found in the voter list. You can obtain a list of enrolled Libertarians sorted by election district from your County Board of Elections.

The Local Affiliate Development Committee has a list of the election districts for each of the 62 counties, available by request.

6. How does one become an election district delegate?

In order to become an election district delegate, refer to Article 3.3 on elections of the County Committee.

Article 3.3.1 refers to election by primary. A candidate for election district delegate would need to collect petition signatures from 5% of the enrolled Libertarians within an election district to get on the ballot. Typically, this number is so low that an enrolled Libertarian seeking to be an election district delegate may only need 1 signature, plus a witness signature. No one can witness their own signature. The individual witnessing signatures must be an enrolled Libertarian in New York State, not necessarily a resident of the election district.

If they are unopposed, they are elected to that position for that particular election district by default. If there are more candidates than positions, the election will be contested and enrolled Libertarian Party voters in the election district will need to decide at the primary election. Outside of a primary election, election district delegates may be appointed by the County Committee.

7. How does a Libertarian Party primary happen?

A Libertarian Party primary will occur in a county in even-numbered years in order to elect the election district delegates to the County Committee only if the County Affiliate files a timely Party Call.

A Party Call is a document filed at the County Board of Elections, typically in early February in even-numbered years, that instructs the County Board of Elections which party offices (election district delegate positions) are up for election. This would consist of a list of all the election districts and how many positions will be voted on in each district (almost always 2). The Local Affiliate Development Committee has an example of Party Call that is available upon request.

After the Party Call is filed, enrolled Libertarians will be able to petition to get on the ballot during a specific six-week period. The petitions must be filed at the County Board of Elections during the filing period, which is only a few days. It is designated by Election Law and can also be found in the Political Calendar found on the NYSBOE website.

(<https://www.elections.ny.gov/PoliticalCalendar.html>) Petitions may be filed by mail, but filing in-person at the County Board of Elections is highly recommended to ensure timely filing without relying on the postal service.

A trustworthy officer may collect multiple candidate petitions to be filed at the same time. Most likely, a trustworthy county officer will be the one organizing the petitioning drive. Any candidate, if they so wish, can file their individual petition separately from others.

8. What if there is no Libertarian Party primary?

This is where Article 3.3.2 comes in. There are two reasons why there may not be a primary: either 1) because the Libertarian Party is unrecognized in New York State or 2) there are not enough election district delegates elected to form a constituted County Committee.

Per Election Law, a county is required to fill 25% of their County Committee by primary election. If they succeed, they will be recognized by their County Board of Elections as a constituted County Committee. If they fail to do so, that's where the election in Article 3.3.2 comes in.

For example, a county with 99 election districts and thus 198 election district delegate seats would require 50 seats to be filled. If only 26 seats are filled at the primary, then the County Committee will not be recognized by the County Board of Elections. However, the Libertarian Party of New York has a provision to address this and recognize it as a County Organization.

9. How would the election of a County Committee work without a primary?

Article 3.3.2 covers this. Basically, anyone who filled the seats at the primary election (such as the 26 individuals mentioned in our example) would be automatically seated. Even though this would not be recognized by the County Board of Elections as an officially constituted County Committee, the Libertarian Party of New York will recognize it. Additionally, the election district delegates can appoint enrolled Libertarians to fill vacant election district delegate seats at the Organization Meeting.

10. What if there were no petitions and no attempts made to form a constituted County Committee?

In this case, an Organization Meeting can still happen. All enrolled Libertarians residing in the county and in attendance at the Organization Meeting would be the voting members.

Their first order of business would be to appoint anyone interested in serving on the County Committee to an election district delegate spot. **For this task, it is highly recommended to have the list of enrolled Libertarians organized by election district on hand during this meeting.**

At this point, your County Affiliate has a set of election district delegates and you can proceed with the rest of your Organization meeting.

11. What is the Organization Meeting?

The Organization Meeting, which must be held at least once every two years, is commonly known as a county convention, is where the election district delegates meet to adopt rules, elect officers for the following term, appoint enrolled Libertarians to vacant election district delegate spots, and conduct any other business they deem necessary. If there are still vacancies in election district delegate positions, the County Committee can make further appointments at their regular meetings. See the *LPNY Guide to Organizations Meetings* (coming soon).

12. Why should we use this method to determine who can vote?

In the past, voting members of Libertarian Party county or regional organizations were typically determined by the payment of dues and/or any individual enrolled Libertarian attending the meeting is a voting member. This is typical of a private organization, but not a political party.

Since it is the ultimate goal to become a major party in New York State, it is important that we get into a practice of building our committees like this. The major parties already do this; they are able to have enough election district delegates to form constituted County Committees that are recognized by their County Board of Elections.

In summary, if we want to be a major party, we need to start thinking in terms of what they do as far as organization and compliance with the New York State Board of Elections and Election Law.

13. What if we don't have enough people to fill in all the election district delegate positions?

This is okay. If a county with 198 election districts appoints only 9 enrolled Libertarians to election district delegate positions, that's the County Committee. If a county with 2,000 election districts appoints only 7 enrolled Libertarians, that's the County Committee. The ultimate goal is to bring in more Libertarians to get involved in growing the county party by appointing more election district delegates.

Certainly, many counties will start out with low numbers, but as we get into this practice and grow, we will be ready to form constituted County Committees. Since we have laid out provisions for appointing election district delegates without a primary, when the time comes to form a constituted County Committee, counties will already have identified individuals to represent election districts.

Articles 3.4, 3.5, and 3.6: Office Duties, Vacancies, Terms of Office

The rest of Article 3 should be straightforward. Article 3.4 covers officers and their duties, Article 3.5 outlines procedures for dealing with vacancies, and Article 3.6 covers terms of office.

NOTE: Separate guides to Article 3.4.2 (duties of officers) will provide detailed information on the jobs of the Chair (such as preparing an agenda), Vice-Chair, Secretary (such as writing minutes), and Treasurer (such as opening a bank account) at a later date.

Article 3.7: Executive Committee

What is an Executive Committee?

Defined in Article 3.7, the Executive Committee shall assume the powers of the County Committee when it is not in session. This is an option for larger counties. For example, if your county has 30 election district delegates on the County Committee, that may be too unwieldy to get business done. Instead, the County Committee may opt to defer to the Executive Committee to handle the day-to-day business.

Who are the members of the Executive Committee?

The members of the Executive Committee consist of the officers (Chair, Vice-Chair, Secretary, and Treasurer). Additionally, there can be up to five (5) Members-At-large on the Executive Committee, but no more than one for every 5 election district delegates.

For example, a county with 12 election district delegates would have 2 Members-At-Large while a county with 26 election district delegates would have 5 Members-At-Large and a county with 156 election district delegates would still have only 5 Members-At-Large.

Article 4: Meetings

1. Why must an Organization Meeting be held between September 17 and October 6?

As mentioned previously, this is an Election Law provision. All constituted County Committees must hold their organization meeting between these two dates in order to form; again, we want to get in the practice of treating our County Organizations as constituted County Committees.

2. Why are quarterly meetings required in this rules template?

Please note that this is a requirement of the LPNY State Rules in Article 4.2.1, to have a provision for meetings to be held no less than once per quarter. Your county may choose to hold meetings more often than quarterly, which is recommended. Your county rules may also specify a requirement to hold meetings more frequently than quarterly.

Article 4.4: Notification of Meetings

Article 4.4 covers notification of meetings but is not highly specific. It is recommended that a detailed method for notifying members of future meetings is determined at the Organization Meeting to ensure a smooth transition from meeting to meeting.

Article 8: Local Committees

Article 8 covers provisions for local committees. While the county is important for grassroots organizing, more so than on the state level, organizing on the local city/town/village level is even more effective for grassroots organizing. This provision allows for the County Committee to recognize Local Committees. If there are four enrolled Libertarians in a city/town/village, they can form a Local Committee to help with grassroots organizing in their city/town/village. The more Local Committees are formed, the more effective the County Affiliate can be with grassroots organizing.