

Report of the Rules Subcommittee of the Libertarian Party of New York for the Organization Meeting of September 26-27, 2020

Part I. Recommendations of the Rules Subcommittee

This is a report of the Rules Subcommittee. The following amendments to the Rules of the Libertarian Party of New York have been proposed as recommended by the members of the Rules Subcommittee, consisting of Andrew Kolstee as Chair, with Cody Anderson, Mark Braiman, Pietro Geraci, Mark Glogowski, and Christopher Olenski as members.

- Strike the entirety of Article 6 “Interim State Committee” and renumber accordingly.¹
- Strike "LPNY" and insert "Libertarian Party" in Article 6.6.2.3 and Article 6.6.2.4.
- Strike "registered" and insert “voting” in Article 6.6.2.3.
- Strike "Credentials Subcommittee" and insert "Secretary" in Article 6.7.5.
- Strike “they” in Article 6.7.5.
- Insert "Article" after "as described in" in Article 6.11.1.1.1
- Strike “If force majeure, prevents all members of the State Committee from attending at the time and location the meeting is called, remote participation with full parliamentary privileges is acceptable and Article 6.11.5.2. shall be ignored” and insert “If, as a result of force majeure, no member of the State Committee is able to attend at the time and location the meeting is called, remote participation with full parliamentary privileges shall be permitted and Article 6.11.5.2. shall be ignored.” In Article 6.11.1.1.2.
- Insert a new Article 6.11.1.1.3. “If an individual member of the State Committee is unable to attend at the time and location the meeting is called due to a government mandate, remote participation with full parliamentary privileges shall be permitted and Article 7.11.5.2 shall be ignored.”
- Capitalize "Organization Meeting" in Article 6.11.1.3.
- Strike "AMENDMENTS" and insert "AMENDMENT" in Article 6.11.1.5.
- Strike "Organizational" and insert "Organization" in Article 6.11.1.6.
- Strike "Discussion of Platform" and insert "Discussion and consideration of Platform amendments" in Article 6.11.1.6.(i).
- Strike "around one of two structures: A. County Organization, or B. County Committee" and insert as either a County Organization as outlined in Article 9.2. or as a Constituted County Committee as outlined in Article 9.5.” in Article 9.1.
- Insert a new Article 11.4 directly after the section entitled CAUSE FOR REMOVAL: “11.4. 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.”
- Strike "14.14. CONVENTIONS. Conventions to select candidates shall be held no earlier than 21 days and no later than four (4) days before petitioning for the statewide office starts.” and insert “This meeting shall be held no earlier than 21 days and no later than four (4) days before petitioning for the statewide office starts.” In Article 13.3.1.
- Strike "Any candidate receiving more than 25% of the vote shall be encouraged to contact the Board of Elections and demand in writing" and insert "The State Committee shall notify any candidate receiving more than 25% of the vote of their right" in Article 13.3.4.
- Strike "Such demand shall be made" and insert "To secure this right, the candidate must contact the Board of Elections" in Article 13.3.4.
- Insert "(7)" and "(14)" after each number is spelled out in Article 13.3.4.
- Strike "for a that" and insert "for that" in Article 13.8
- Insert "Article" after “except as provided for in” in Article 14.4.
- Insert “Article” after “shall be determined as outlined in” in Article 14.4.

¹ All proposed amendments subsequent to Article 6 are renumbered as if Article 6 was deleted; if the proposal to strike Article 6, all existing renumbering shall stay.

Part II. Amendments Submitted by Members of the State Committee

The following additional amendments to the Rules of the Libertarian Party of New York have been submitted by Members of the State Committee.

Red = Proposed deletions | Green = Proposed insertions | Blue = Comments/Notes

Donnelly Amendment A – submitted by Daniel Donnelly

~~10.2.1.1.~~ **9.2.1.1. COUNTY CONTACTS.** The State Committee may appoint a County Contact for the purpose of establishing a point person to organize a County Organization. The County Contact shall have a term of six (6) months, subject to renewal by the State Committee. **Upon establishment of a County Organization, the duly elected Chair shall replace the County Contact as the State Committee's point person in a given county.**

Olenski Amendment A – submitted by Christopher Olenski

~~8.2.~~ **7.2. MEMBERSHIP.** The Executive Committee shall consist of the officers of the State Committee as defined in Article 7.6, ~~and~~ five (5) Members-At-Large, **and a Political Director** elected by the State Committee at the first meeting of each newly elected State Committee. There shall be no more than one (1) Member-At-Large from a single Judicial District. Within three days after 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.

Arrigo Amendment A1 – submitted by Robert Arrigo

This amendment is in regard to selecting candidates in multi-county districts. The proposed amendments, in both articles proposes that instead of a joint meeting of the affected County Affiliates that each county instead votes separately on a particular candidate for a particular office based on a weighed vote.

14.8. 13.8. ENROLLED 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 enrolled Libertarian to be a candidate for ~~a~~ that office shall be made by **a majority weighted vote of** the affected County Affiliates ~~at a joint meeting.~~

~~14.8.1. 13.8.1. The joint meeting must occur no later than seven (7) days after petitioning begins. The Chair of any two of the County Affiliates may collectively call the meeting by giving at least a seven (7) days notice to all the other Chairs in the multi-county district. 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. [Example: If the Libertarian candidate for Governor receives 100 votes within the county portion of an Assembly district, that county will vote with a weight of 100. 1,000 votes will vote with a weight of 1000 and so on.]~~

~~14.8.2. 13.8.2. Each County Affiliate shall be entitled to send a delegation to a joint meeting to select a candidate. The delegation shall consist of two delegates from each County Affiliate plus an additional delegate for every 100 enrolled Libertarians residing within that district in each county. There shall be no proxy voting. This meeting may be held remotely. Each attendee shall have one vote. If seven calendar (7) days notice is given, a quorum is whatever number of enrolled Libertarians is present when the meeting is called to order. The approvals must be separately communicated by each County Affiliate to the State Committee.~~

~~14.8.3. 13.8.3. A majority vote is required at the joint meeting in order to nominate or designate a multi-county candidate enrolled in the Libertarian Party. Such a joint meeting is prohibited from nominating or designating a candidate not enrolled in the Libertarian Party; see Article 14 for procedures such candidates must follow.~~

~~15.4. 14.4. NON-LIBERTARIAN CANDIDATES IN MULTI-COUNTY DISTRICTS. Each county which has a recognized County Affiliate where all or part of the county lies within the geographic boundaries of the office shall be entitled to send a delegation to a joint authorizing meeting. Majority vote of the delegation shall authorize a non-Libertarian candidate, except as provided for in 15.4.3. The delegations shall be determined as outlined in 15.4.2. 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 nominations selection of a non-enrolled libertarian to be a candidate for a that office shall be made by a majority weighted vote of the affected County Affiliates.~~

~~15.4.1. 14.4.1. The joint meeting must occur no later than seven (7) days after petitioning begins. The Chair of any one of the County Affiliates may call the meeting by giving at least a seven (7) days notice to all the other Chairs in the multi-county district. 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. [Example: If the Libertarian candidate for Governor receives 100 votes within the county portion of an Assembly district, that county will vote with a weight of 100. 1,000 votes will vote with a weight of 1,000 and so on.]~~

~~15.4.2. The delegation shall consist of two delegates from each County Affiliate plus an additional delegate for every 100 enrolled Libertarians residing within that district in each county. There shall be no proxy voting. Remote participation in this meeting shall be allowed. Each attendee shall have one vote. If a timely notice is given as outlined in Article 15.4.4, a quorum is whatever number of enrolled Libertarians is present when the meeting is called to order.~~

~~15.4.3. 14.4.2. ...no approval shall be given to a non-Libertarian candidate without a two-thirds (2/3) ~~vote of the delegation.~~ majority of weighted vote for the given election district.~~

~~14.4.3. 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.~~

Coburn Amendment A – submitted by Tucker Coburn

Strike “of Enrolled Libertarians” in the title of Article 13 “Nominations of Enrolled Libertarians for Public Office”

Add a new section to Article 13:

Anyone seeking to be a candidate of the Libertarian Party must be enrolled as a Libertarian or obtain proof of a pending change in enrollment to Libertarian.

Completely strike the entirety of Article 14 “Nominations of Non-Libertarians for Public Office”
Donnelly Amendment B – submitted by Daniel Donnelly

Article 9.3.3 requires that County Organizations hold meetings at least quarterly, yet no provision is made to verify that County Organizations are holding these meetings according to protocol. Insert the following in Article 9.2.2:

~~10.2.2.~~ **9.2.2.** Upon a majority vote of the Executive Committee of the State Committee, the group that met the criteria in Article 10.3 shall become an affiliated County Organization. **Every duly chartered County Organization or County Committee every year will transmit to the State Committee documentation of all public meetings held. Such documentation will include record of what notices were dispatched to constituents, when said notices were dispatched and through which mediums, said meetings' Agendas and attendance records. Upon receipt and review of such satisfactory documentation, the State Committee will dispatch to the County Organization or County Committee in question an embossed charter, renewed for the following calendar year.**

Arrigo Amendment B – submitted by Robert Arrigo

~~15.2.2.~~ **14.2.2.** If the State Committee is notified that an enrolled Libertarian is running for the same office **thirty (30) days or more prior to the start** ~~within the first seven (7) days~~ of **the** petitioning **period**, no Certificate of Authorization shall be given to a non-Libertarian candidate without a two-thirds (2/3) vote of the State Committee.

~~15.3.1.~~ **14.3.1.** If the County Affiliate is notified that an enrolled Libertarian is running for the same office **thirty (30) days or more prior to the start** ~~within the first seven (7) days~~ of **the** petitioning **period**, 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.

~~15.4.3.~~ **14.4.2.** If any County Affiliate **containing the political division** is notified that an enrolled Libertarian is running for the same office **thirty (30) days or more prior to the start** ~~within the first seven (7) days~~ of **the** petitioning **period**, ~~or prior to the meeting~~, no approval shall...

Donnelly Amendment C – submitted by Daniel Donnelly

Strike the entirety of Article 10 (Judicial Committee) as superfluous.

Arrigo Amendment C – submitted by Robert Arrigo

~~15.5. PROHIBITION AGAINST ACCOMMODATIONS.~~

~~15.5.1. CALL FOR CANDIDATES. No action shall be taken to support a non-Libertarian candidate for a position until the enrolled Libertarians are notified of the positions up for election by the County Affiliate in a district with one County Affiliate or a major of the County Affiliates in a district with more than one County Affiliate.~~

~~15.5.1.1. Notice must be posted on the County Affiliate's website or social media pages, if such exists. If such does not exist, notification must be made by one of the following: e-mail, United States Postal Service, or public notice.~~

~~15.5.1.2. If three weeks pass from the date of notification without a response from an enrolled member of the Libertarian Party seeking the particular office, the County Affiliate may proceed with considering candidates not enrolled in the Libertarian Party.~~

~~15.5.2. No actions may be taken to withdraw any Libertarian Party candidate without due cause, or to deliberately leave a vacancy on the Libertarian line when an enrolled member of the party wishes to run for office on that line.~~

Donnelly Amendment D – submitted by Daniel Donnelly

Replace Article 14 with the following:

Article ~~15.~~ 14. Nominations of Non-Libertarians for Public Office

14.1. The Libertarian Party and all its County Affiliates shall approve no candidate who is not an enrolled member in the Libertarian Party.

14.2. A new registrant in the Libertarian Party will become eligible for approval upon the first day new enrollments are disclosed to the public by the New York State Board of Elections, or the Board of Elections of the county wherein said registrant is domiciled.

Respectfully submitted,
Andrew M. Kolstee
Chair, Rules Subcommittee