

**MINUTES OF THE MEETING OF THE RULES COMMITTEE
OF THE LIBERTARIAN PARTY OF NEW YORK
HELD ON WEDNESDAY, AUGUST 10, 2022 ON THE ZOOM MEETING APP**

MEMBERS PRESENT

Paul Grindle, Chair
Andrew Kolstee, Secretary
Mark Braiman
Pietro Geraci
Christopher Olenski

MEMBERS ABSENT

William Cody Anderson
Mark Glogowski
Lora Newell
Gary Popkin

The meeting was called to order at 7:33 p.m. by Paul Grindle, Chair. It was determined that quorum was present.

Motion by Andrew Kolstee to **adopt the following agenda** was seconded by Pietro Geraci passed without objection.

7:30 p.m. Call to order

7:40 p.m.

Consideration of Amendment Proposals in the following order:

AJ1/AJ2, AM, AQ, S, AO, AN, AH, AD, AF, AT, AI, AE, N, O, AL, AL, L, M, B1/B2, C,
AP, H, K, AG, R, Y, AA, A, D, E, I, P, T, U, W, X, Z, AB

8:40 p.m. Discussion of Article 5

9:00 p.m. Adjournment

Motion by Andrew Kolstee to **recommend Proposal AJ1 as follows to the State Committee for adoption as an amendment to the Rules of the Libertarian Party** was seconded by Pietro Geraci and debated.

~~11.2.3. COUNTY ORGANIZATIONS AFFILIATED BEFORE NOVEMBER 7, 2021. All County Organizations affiliated prior to November 7, 2021 shall continue to be affiliated until October 6, 2022, provided that no revocation of such affiliation is authorized by the State Committee in accordance with Article 12. All such County Organizations shall adopt or amend Rules that meet the requirements set forth in Article 11.3 if such requirements are insufficient. A quorum of the Executive Committee shall~~

~~certify by a majority vote that such requirements have been met, otherwise they shall have their affiliation automatically revoked on October 6, 2022.~~

~~11.2.4. **CERTIFICATION.** The Executive Committee shall meet to vote on certification of a given County Affiliate in accordance with Article 11.2.3.~~

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~~11.2.4.1. County Affiliates which submit the necessary documents to the Secretary before the deadline shall remain affiliated pending certification by the Executive Committee.~~

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~~11.2.4.2. County Affiliates which submit the necessary documents within ten (10) days of the deadline and are denied certification by the Executive Committee shall remain affiliated for sixty (60) days after the deadline, after which they shall no longer be affiliated, unless the deficiencies preventing certification are rectified and documentation exhibiting this rectification is submitted to the Executive Committee to review.~~

Motion by Andrew Kolstee to **amend the motion to substitute Proposal AJ1 with Proposal AJ2 as follows** was seconded by Pietro Geraci and passed 2—1. The motion to **recommend Proposal AJ2 to the State Committee for adoption as an amendment to the Rules of the Libertarian Party** was debated and passed 2—1.

11.2.3. **COUNTY ORGANIZATIONS AFFILIATED BEFORE NOVEMBER 7, 2021.** All County Organizations affiliated prior to November 7, 2021 shall continue to be affiliated until ~~October 6, 2022~~ **March 31, 2023**, provided that no revocation of such affiliation is authorized by the State Committee in accordance with Article 12. All such County Organizations shall adopt or amend Rules that meet the requirements set forth in Article 11.3 if such requirements are insufficient. A quorum of the Executive Committee shall certify by a majority vote that such requirements have been met, otherwise they shall have their affiliation automatically revoked on ~~October 6, 2022~~ **March 31, 2023**.

Motion by Andrew Kolstee to **recommend Proposal AM as follows to the State Committee for adoption as an amendment to the Rules of the Libertarian Party** was seconded by Pietro Geraci and debated.

11.3.2.1. **ELECTION OF OFFICERS.** A provision for the election of officers ~~elected through single non-transferable votes to be held no less than once every two years.~~

11.3.3. **ELECTION OF OFFICERS.** An election of ~~Election District Delegates and~~ officers of the County Committee.

11.4.1. **MEMBERS.** Voting members of the County Organizations ~~shall~~ **must** be members of the Libertarian Party as defined in Article 5, ~~who are appointed Election District delegates under Article 11.4.5. and are present at a given meeting of the affiliated~~

~~County Organization~~. Officers are voting members of the County Organization by virtue of their office, but no individual may cast more than one vote.

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.

Motion by Mark Braiman to **amend Proposal AM to strike “elected through single non-transferable votes” and insert “between July 1st and December 31st in years in which there is a statewide primary” after “officers” in Article 11.3.2.1** failed due to lack of a second.

Motion by Christopher Olenski to **amend Proposal AM to unstrike “elected through single non-transferable votes” in Article 11.3.2.1** was seconded by Andrew Kolstee and passed by voice vote.

Motion by Andrew Kolstee to **amend Proposal AM to insert “Terms of office shall be no more than 25 months” at the end of Article 11.3.2.1** failed due to lack of a second.

Motion by Mark Braiman to **amend Proposal AM to insert “to terms not exceeding twenty-five (25) months,” after “officers”** was seconded by Andrew Kolstee and passed 3—1.

The original motion to **recommend Proposal AM as follows to the State Committee for adoption as an amendment to the Rules of the Libertarian Party** passed by voice vote.

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 ~~to be held no less than once every two years~~.

11.3.3. **ELECTION OF OFFICERS.** An election of ~~Election District Delegates and~~ officers of the County Committee.

11.4.1. **MEMBERS.** Voting members of the County Organizations **shall must** be members of the Libertarian Party as defined in Article 5, ~~who are appointed Election District delegates under Article 11.4.5. and are present at a given meeting of the affiliated County Organization~~. Officers are voting members of the County Organization by virtue of their office, but no individual may cast more than one vote.

Motion by Pietro Geraci to **recommend Proposal AQ as follows to the State Committee for adoption as an amendment to the Rules of the Libertarian Party** was seconded by Mark Braiman.

Article 10. Conflict Resolution Committee

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

10.1.1. COMPOSITION. The Conflict Resolution Committee shall be composed of nine (9) members who have been enrolled in the Libertarian Party of New York for at least 1,000 calendar days. Members shall be elected by a majority vote of the State Committee at the first meeting of the full State Committee following the organization meeting for a term of two (2) years in the same manner as vacancies are filled on the State Committee.

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

10.2. INITIATION AND INVESTIGATION PROCEDURES

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

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

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

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

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

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

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

10.4. ARBITRATION AND MEDIATION PROCEDURE.

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

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

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

10.5. MEETINGS.

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

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

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

Motion by Andrew Kolstee to **amend Proposal AQ to strike “1,000 calendar days” and insert “three (3) years”** was seconded by Pietro Geraci, debated, and passed by voice vote.

Motion by Christopher Olenski to **postpone the consideration of Proposal AQ until the next meeting of the Rules Committee after the organization meeting** was seconded by Andrew Kolstee. Andrew Kolstee called for orders of the day. The motion to **postpone** failed 1—2—1.

The main motion to **recommend Proposal AQ as amended as follows to the State Committee for adoption as an amendment to the Rules of the Libertarian Party** failed 3—2, with the chair voting against.

Article 10. Conflict Resolution Committee

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10.1.1. **COMPOSITION.** The Conflict Resolution Committee shall be composed of nine (9) members who have been enrolled in the Libertarian Party of New York for at least three (3) years. Members shall be elected by a majority vote of the State Committee at the first meeting of the full State Committee following the organization meeting for a term of two (2) years in the same manner as vacancies are filled on the State Committee.

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

10.2. INITIATION AND INVESTIGATION PROCEDURES

10.2.1. **COMPLAINT.** Any party may file a complaint in writing via electronic or physical methods to the Conflict Resolution Committee. The complaint must include a claim that these Rules, the Rules of a County Affiliate, and/or Election Law were violated and that the violation caused harm to the party, its members or its governing structure.

Upon receipt of a complaint, the Conflict Resolution Committee shall decide by majority vote whether to initiate the notification and investigation process.

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

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

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

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

Motion by Pietro Geraci to **extend the time of adjournment to 9:10 p.m.** was seconded by Andrew Kolstee passed without objection.

Motion by Pietro Geraci to **extend the time of adjournment to 9:15 p.m.** was seconded by Andrew Kolstee passed without objection.

Christopher Olenski called for orders of the day.

The meeting **adjourned** at 9:17 p.m. without objection.

Andrew Martin Kolstee
Secretary