

**Libertarian Party of Florida
Annual Business Meeting
June 12 and 13, 2021**

Rules Packet

2021-ABM-C1

Title: Motion to Amend LPF Constitution Art. II, Section 1 to reconcile the LPF and LP Member Pledges, and to clarify membership requirements

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article II, Section 1 to strike language and add language as follows:

ARTICLE II Membership

Section 1. LPF membership is open to any LPF voter who signs the pledge: ~~"I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals,"~~ "I certify that I oppose the initiation of force to achieve political or social goals", and asks to be a member of the LPF. Present members who signed a previous LPF membership pledge retain their membership and eligibility. Ineligibility under this ~~section~~ article shall immediately terminate LPF membership. Re-affirmation of this pledge and request for membership shall be required to reinstate a terminated membership.

Discussion:

The LPF is the Florida affiliate of the LP. While the current LPF pledge has the same essential meaning as the LP pledge, the different language specified by the LPF Constitution has contributed to confusion regarding LPF membership. LPF's adoption of the LP pledge language enables a unified membership form which can end this confusion, and facilitate simultaneous, valid requests to join both LP and LPF on a single form. Other language clarifies existing rules.

As amended:

ARTICLE II Membership

Section 1. LPF membership is open to any LPF voter who signs the pledge: "I certify that I oppose the initiation of force to achieve political or social goals," and asks to be a member of the LPF. Present members who signed a previous LPF membership pledge retain their membership and eligibility. Ineligibility under this article shall immediately terminate LPF membership. Re-affirmation of this pledge and request for membership shall be required to reinstate a terminated membership.

2021-ABM-C2

Title: Motion to Amend LPF Constitution Art. III, Sections 3 and 4 to re-implement 19-CF007, 19-CF009, 19-CF011, and 19-CF001

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article III, Section 3 to strike language and add language as follows:

ARTICLE III Officers and Executive Committee

Section 3. Executive Committee

Election of Executive Committee ~~Officers~~. The Chair, Vice-Chair and odd numbered Directors-at-large shall be elected in odd numbered years or in the case of a vacancy. The Secretary, Treasurer, and even numbered Directors-at-large shall be elected in even numbered years or in the case of a vacancy. ~~Regional Representatives shall be elected at each Annual Business Meeting.~~ Regional Representatives for each region shall be elected at each Annual Business Meeting by a majority of delegates present that reside in the region. Any LPF member may be elected to any Regional Representative seat regardless of region of residence. These Executive Committee members shall take office upon the close of the Annual Business Meeting and serve thereafter until the final adjournment of the Annual Business Meeting at which their terms expire. Each LPF region may select up to two (2) Alternate Regional Representatives. The first alternate selected shall be the higher ranked of the two alternate(s). A Deputy Secretary may be elected under the same

conditions and procedures as the Secretary. If the Secretary office is vacant, the Deputy Secretary shall automatically become the Secretary. All offices and seats vacant at any point during an Annual Business meeting or for which the current member was not elected to that office or seat at its previous regularly scheduled election shall also be elected.

and add language to Article III, Section 4, Subsection C as follows:

Section 4. Duties

C. The Secretary shall serve as recorder for all meetings of the party, conventions, and Executive Committee. The Secretary shall be the custodian of the minutes of all meetings, correspondence, committee reports, and the Constitution, Bylaws and Standing Rules, and shall make provision for legal service to the LPF. The Secretary of the LPF shall also serve as a member of the Membership Committee, and shall be responsible for maintaining party membership records. The Secretary shall keep the Deputy Secretary apprised in all aspects of the position to act in his or her absence or incapacity and may delegate responsibilities thereto. The Deputy Secretary may serve as the proxy for the Secretary and may serve in lieu of the Secretary for any duration of absence during an executive committee meeting. The Secretary or Deputy Secretary sworn to an executive session may not be replaced during that executive session.

and strike language from Article III, Section 4, Subsection E, insert a new Subsection F as follows, and renumber:

E. The regional representatives shall be responsible for forming lawful county affiliates in their defined region and their county of residence, communicating and coordinating between the affiliates in their defined region and the LPF, and reporting monthly to the LPF Executive Committee.

~~All regional representatives shall include in their written monthly reports to the LPF Executive committee an update on the individual affiliation status of each unaffiliated county in their region, including a status report of all efforts, per County, made in the prior month (e.g. phone calls made, emails sent, visits to the county) to achieve affiliation.~~

F. Executive Committee members shall present a written monthly report to the Executive Committee describing the performance of their duties. All such written reports shall be accessible to all LPF members. In addition, Executive Committee members may present verbal reports during regular business meetings.

Discussion: The original motions were passed by the body in 2019 and 2020. The described changes were technically unexecutable due to references made invalid by previous amendments. The appropriate locations have been located and the language has been minimally adapted to fit the current Constitution.

As amended:

ARTICLE III Officers and Executive Committee

Section 3. Executive Committee

Election of Executive Committee. The Chair, Vice-Chair and odd numbered Directors-at-large shall be elected in odd numbered years or in the case of a vacancy. The Secretary, Treasurer, and even numbered Directors-at-large shall be elected in even numbered years or in the case of a vacancy. Regional Representatives for each region shall be elected at each Annual Business Meeting by a majority of delegates present that reside in the region. Any LPF member may be elected to any Regional Representative seat regardless of region of residence. These Executive Committee members shall take office upon the close of the Annual Business Meeting and serve thereafter until the final adjournment of the Annual Business Meeting at which their terms expire. Each LPF region may select up to two (2) Alternate Regional Representatives. The first alternate selected shall be the higher ranked of the two alternate(s). A Deputy Secretary may be elected under the same conditions and procedures as the Secretary. If the Secretary office is vacant, the Deputy Secretary shall automatically become the Secretary. All offices and seats vacant at any point during an Annual Business meeting or for which the current member was not elected to that office or seat at its previous regularly scheduled election shall also be elected.

A. No offices shall be combined and all offices shall be filled.

B. The officers shall be ranked, in order, as follows: the Chairperson, the Vice

Chairperson, the Secretary, and the Treasurer. The highest ranked remaining officer shall preside over the LPF and its meetings. If all offices are vacant, each Director at large in order of their seat number shall preside. If all offices and Directors at large are vacant, the Regional Representatives shall elect a chairperson pro-tempore from their ranks to fill offices as described below.

C. Every LPF Executive Committee office and seat shall be deemed vacant following the rules provided in Florida law for political party office vacancies. In addition to those rules, unexcused absence from three monthly Executive Committee meetings or six bi-weekly Executive Committee meetings shall be considered a vacancy.

[....]

Section 4. Duties

A. The Chair shall be the head of the LPF, presiding over all meetings of the party, convention, and Executive Committee. The Chairperson is the official spokesperson for the LPF, subject to the dictates of the constituted authorities of the Executive Committee and Convention.

B. The Vice-Chair shall serve as presiding officer in the absence of the Chair; shall be responsible for the committee work of the LPF; shall represent the committees at executive sessions; and shall serve as ex officio member of all committees.

C. The Secretary shall serve as recorder for all meetings of the party, conventions, and Executive Committee. The Secretary shall be the custodian of the minutes of all meetings, correspondence, committee reports, and the Constitution, Bylaws and Standing Rules, and shall make provision for legal service to the LPF. The Secretary of the LPF shall also serve as a member of the Membership Committee, and shall be responsible for maintaining party membership records. The Secretary shall keep the Deputy Secretary apprised in all aspects of the position to act in his or her absence or incapacity and may delegate responsibilities thereto. The Deputy Secretary may serve as the proxy for the Secretary and may serve in lieu of the Secretary for any duration of absence during an executive committee meeting. The Secretary or Deputy Secretary sworn to an executive session may not be replaced during that executive session.

D. The Treasurer shall be custodian of all funds, receiving and disposing of the funds at the discretion of the Executive Committee and subject to the Standing Rules. The Treasurer shall keep the deputy treasurer apprised in all aspects of the position to act in his or her absence or incapacity and may delegate responsibilities thereto. In so much as there is personal liability to the governing bodies, any time the deputy Treasurer acts on behalf of the Treasurer they shall be considered 'acting treasurer' and subject to the bookkeeping standards of the organization and state and federal Bureaus that govern the party

E. The regional representatives shall be responsible for forming lawful county affiliates in their defined region and their county of residence, communicating and coordinating between the affiliates in their defined region and the LPF, and reporting monthly to the LPF Executive Committee.

F. Executive Committee members shall present a written monthly report to the Executive Committee describing the performance of their duties. All such written reports shall be accessible to all LPF members. In addition, Executive Committee members may present verbal reports during regular business meetings.

G. (a) The Executive Committee shall be responsible for creating a committee to maintain a current contact list of experts in fields related to election issues or interest in Libertarian candidates for use as data and advisory sources.

2021-ABM-C3

Title: Motion to Amend LPF Constitution Article III Sections 3 and 4 to define duties of Regional Representatives and Alternates, and to clarify election and elevation of Alternates

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution, Article III, Section 3 as follows:

ARTICLE III Officers and Executive Committee

Section 3. Executive Committee

Election of Executive Committee Officers. The Chair, Vice-Chair and odd

numbered Directors-at-large shall be elected in odd numbered years or in the case of a vacancy. The Secretary, Treasurer, and even numbered Directors-at-large shall be elected in even numbered years or in the case of a vacancy. Regional Representatives shall be elected at each Annual Business Meeting. These Executive Committee members shall take office upon the close of the Annual Business Meeting and serve thereafter until the final adjournment of the Annual Business Meeting at which their terms expire. ~~Each LPF region may select up to two (2) Alternate Regional Representatives. The first alternate selected shall be the higher ranked of the two alternate(s).~~

and to insert a new subsection E into Article III, Section 3, and renumber:

E. Each LPF region may, by the same procedure for election of Regional Representative, select up to two (2) Alternate Regional Representatives. The first Alternate selected shall be the higher ranked of the two Alternate(s). Should a Regional Representative seat become vacant, the higher-ranked Alternate shall immediately assume the seat and not be subject to a confirmation vote. Should no Alternate exist, the Executive Committee shall elect a Regional Representative at the next Executive Committee meeting for which the agenda is not already published.

and to add language to Article III, Section 4, subsection E as follows:

E. The Regional Representatives shall be responsible for forming and maintaining lawful county affiliates in their defined region and their county of residence, communicating and coordinating between the affiliates in their defined region and the LPF, and reporting monthly to the LPF Executive Committee.

All Regional Representatives shall include in their written monthly reports to the LPF Executive Committee an update on the individual affiliation status of each unaffiliated county in their region, including a status report of all efforts, per County, made in the prior month (e.g. phone calls made, emails sent, visits to the county) to achieve affiliation.

The Regional Representative shall keep their Alternate Regional Representative(s) apprised in all aspects of the position to act in event of absence or incapacity by the Regional Representative. The Regional Representative may delegate to the Alternate Representative certain tasks and responsibilities of the office as deemed necessary and appropriate by the Regional Representative.

and to insert a new subsection F into Article III, Section 4 and as follows, and renumber:

F. The Alternate Regional Representatives shall assist the regional representative in duties tasked to them, and shall serve as proxy for the regional rep in executive committee meetings if present and the regional representative is absent. Alternates shall not serve under more than one Regional Representative simultaneously.

As amended:

ARTICLE III Officers and Executive Committee

Section 3. Executive Committee

E. Each LPF region may, by the same procedure for election of Regional Representative, select up to two (2) Alternate Regional Representatives. The first Alternate selected shall be the higher ranked of the two Alternate(s). Should a Regional Representative seat become vacant, the higher-ranked Alternate shall immediately assume the seat and not be subject to a confirmation vote. Should no Alternate exist, the executive committee shall elect a Regional Representative at the next executive committee meeting for which the agenda is not already published.

Section 4

E. The Regional Representatives shall be responsible for forming and maintaining lawful county affiliates in their defined region and their county of residence, communicating and coordinating between the affiliates in their defined region and the LPF, and reporting monthly to the LPF Executive Committee.

All Regional Representatives shall include in their written monthly reports to the LPF Executive Committee an update on the individual affiliation status of each unaffiliated county in their region, including a status report of all efforts, per county, made in the prior month (e.g. phone calls made, emails sent, visits to the county) to achieve affiliation.

The Regional Representative shall keep their Alternate Regional Representative(s) apprised in all aspects of the position to act in event of absence or incapacity by the Regional Representative. The Regional Representative may

delegate to the Alternate Representative certain tasks and responsibilities of the office as deemed necessary and appropriate by the Regional Representative.

F. The Alternate Regional Representatives shall assist the Regional Representative in duties tasked to them, and shall serve as proxy for the Regional Rep in Executive Committee meetings if present and the Regional Representative is absent. Alternates shall not serve under more than one Regional Representative simultaneously.

2021-ABM-C4

Title: Motion to Amend LPF Constitution Article III Section 3, Subsections A and D to return Motion 20-CF002, as amended, to comply with statutory requirements.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article III Section 3, subsection A, striking and adding language as follows:

ARTICLE III Officers and Executive Committee

Section 3. Executive Committee

A. Executive Committee seats shall not be combined and all ~~offices~~ Executive Committee seats shall be filled.

and to amend the LPF Constitution Article III, Section 3, subsection D, striking and adding language as follows:

D. The presiding officer shall appoint a qualified and willing LPF member to fill any vacant ~~office~~ Executive Committee seat . The appointee shall be vested immediately with the duties and powers of the office or seat. The LPF shall notify the Florida Department of Elections of ~~any this~~ this change in the filing certificate ~~including a change of officers~~ within five (5) days to satisfy the requirements of Florida Law.

Discussion: Motion 20-CF002 was referred to Rules at the 2020 ABM. Upon a review of statute and LPF rules, the committee determined that the initial filing certificate of political parties in Florida includes the entire Executive Committee. All members of the Executive Committee are corporate directors of the party, so notification requirements regarding changes include every

member of the EC. This motion largely returns the language in this section of our Constitution to a pre-2019 version.

As amended:

ARTICLE III Officers and Executive Committee

Section 3. Executive Committee

A. Executive Committee seats shall not be combined and all Executive Committee seats shall be filled.

D. The presiding officer shall appoint a qualified and willing LPF member to fill any vacant Executive Committee seat . The appointee shall be vested immediately with the duties and powers of the office or seat. The LPF shall notify the Florida Department of Elections of this change in the filing certificate within five (5) days to satisfy the requirements of Florida Law.

2021-ABM-C5

Title: Motion to Amend LPF Constitution Article III Section 4 to enumerate the fiduciary duty of obedience

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article III, Section 4 to add a new subsection A as follows, and renumber:

ARTICLE III Officers and Executive Committee

Section 4 Duties.

A. All Executive Committee members are corporate directors of the LPF and shall, along with other duties assumed by them, serve in a fiduciary capacity. Among these responsibilities, Executive Committee members shall, as is timely, offer such necessary and conforming motions and points of order to ensure that the LPF

adheres to law, and where not in conflict with the law, its own rules. The Directors-at-Large have a primary obligation of fiduciary duty in this regard.

Discussion: Party office is a position of trust. We all can act individually to direct our resources in the aid of Liberty. We join our resources to multiply their strength, and must entrust them to the Executive Committee we elect to implement our wishes. We act as a single body--a corporation. Our leaders are its directors. They deliberate and exercise their judgement on our behalf to speak for us, to spend our money, and to choose our battles. There is risk in every action, and we accept that. But candidates for our Executive Committee seats must understand that they assume a fiduciary burden on our behalf.

A fiduciary takes on specific responsibilities: always to pursue the purposes of the party and to operate in compliance with statute and regulation; always to act in the best interest of the party and the will of the members rather than that of any other organization or person including themselves; and always to act with the same care and due diligence that a reasonable and prudent person would in the same situation.

The LPF Rules Committee recommends this amendment to establish a clear reminder of the ethical responsibility members of the Executive Committee accept to protect the party from legal liability and litigation expense, reputational risk, and direct monetary losses.

As amended:

ARTICLE III Officers and Executive Committee

Section 4 Duties.

- A. All Executive Committee members are corporate directors of the LPF and shall, along with other duties assumed by them, serve in a fiduciary capacity. Among these responsibilities, Executive Committee members shall, as is timely, offer such necessary and conforming motions and points of order to ensure that the LPF adheres to law, and where not in conflict with the law, its own rules. The Directors-at-Large have a primary obligation of fiduciary duty in this regard.

2021-ABM-C6

Title: Motion to Amend LPF Constitution Article III Section 5, Subsections E and F to modernize protocol and streamline language.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article III, Section 5, subsection E, striking and adding language as follows:

ARTICLE III Officers and Executive Committee

Section 5. Meetings of the Executive Committee

E. The EC shall make readily available ~~, through the county chairs, to all~~ members all records of the EC including constitution, bylaws, standing rules, meeting minutes, agendas and financial reports. ~~Making the EC Yahoo group (or its successor) available in a read-only fashion to county chairs shall be deemed to satisfy this requirement.~~

and to amend the LPF Constitution Article III, Section 5, subsection F, striking and adding language as follows:

F. The EC shall make readily available ~~through the county chairs~~ all motions being considered ~~by extra~~ for vote without meeting as prescribed in the Standing Rules ~~Article V, Section 2.~~

Discussion: The existing rule predates current internet technology. This rule change enables utilization of whatever means and medium may be most appropriate for making such communication readily available. The amendment would also meet existing statutory requirements to post notices on the organization's public and functioning website.

As amended:

ARTICLE III Officers and Executive Committee

Section 5. Meetings of the Executive Committee

E. The EC shall make readily available to all members all records of the EC including constitution, bylaws, standing rules, meeting minutes, agendas and financial reports.

F. The EC shall make readily available all motions being considered for vote without meeting as prescribed in the Standing Rules.

2021-ABM-C7

Title: Motion to Amend LPF Constitution Article IV, Section 1 to remove circular logic

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article I, Section 3 to strike language and add language as follows:

ARTICLE IV Affiliates

Section 1. ~~Affiliate organizations~~ Organizations of LPF voters in counties with no LPF affiliate who choose to become affiliated parties of the LPF shall apply for official designation on a standard petition form for County Affiliates, as adopted by the Executive Committee and subject to the LPF governing documents .

Discussion: Organizations aren't affiliated until the LPF affiliates them. The LPF recognizes one affiliate per county.

As amended:

ARTICLE IV Affiliates

Section 1. Organizations of LPF voters in counties with no LPF affiliate who choose to become affiliated parties of the LPF shall apply for official designation on a standard petition form for County Affiliates, as adopted by the Executive Committee and subject to the LPF governing documents.

2021-ABM-C8

Title: Motion to Amend LPF Constitution, Article VIII, Section 2 C to adopt a standard mechanism for technical and conforming changes

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article VIII, Section 2 C, striking some language and adding language as follows:

ARTICLE VIII Adoption & Amendments

Section 2. Amendments to the Constitution may be made in the following manner:

~~C. Immaterial changes may be made under the provisions of Article III, Section 4, B. of this Constitution. Technical and conforming changes as outlined in RONR may be proposed by the Rules Committee and adopted by a three-fourths (3/4) vote of the Executive Committee.~~

Discussion: “Immaterial changes” is not defined and subjective. “Technical and conforming changes” is outlined and defined in RONR. Also, the referenced subsection is no longer applicable.

As amended:

ARTICLE VIII Adoption & Amendments

Section 2. Amendments to the Constitution may be made in the following manner:

C. Technical and conforming changes as outlined in RONR may be proposed by the Rules Committee and adopted by a three-fourths (3/4) vote of the Executive Committee.

2021-ABM-C9

Title: Motion to Amend LPF Constitution Article IX to return Motion 20-CF007, as amended to establish a statutorily required method for nomination or recommendation.

Mover: T. Sellers for Rules Committee

Motion: I move to strike the text of LPF Constitution Article IX in its entirety, strike language from the article title, and add language and sections as follows:

Article IX ~~Selection and~~ Endorsement of Candidates

~~Section 1 Candidates shall be considered official LPF Candidates if they are registered to vote as members of the LPF and register as candidates with the Florida Division of Elections and meet all requirements of local, state, or federal office to which they seek~~

~~election.~~

~~Section 2 In accordance with Florida Law, a letter shall be sent to the Florida Division of Elections on or before the date of qualifying for the election listing all the candidates who have met the qualifications set forth by Florida law, which appearance on the Florida Division of Elections website shall be considered proof of meeting these qualifications.~~

Section 1. Candidates shall be eligible for endorsement as official LPF candidates if they are members of the LPF, have registered as LPF candidates with the Florida Division of Elections, and meet all requirements of the office to which they seek election.

Section 2. The LPF Executive Committee shall be the sole authority to endorse statewide candidates for public office. No later than the date on which qualifying for public office begins, the LPF EC shall provide a written notification of its intent to endorse a candidate or candidates to the Secretary of State. Failure to adhere to this section shall preclude the LPF from making any endorsement.

Section 3. The Executive Committee shall make party nominations for political office when required by law, and shall elect by a majority vote a replacement candidate to fill any vacancy in the event of a death or other disqualification by the candidate.

Section 4. County affiliates may endorse LPF candidates for public office as prescribed in statute and in this Constitution. Endorsement of candidates shall require a majority vote of the county executive committee at a properly noticed, regular business meeting. No later than the date on which qualifying for public office begins, the chair of each county affiliate shall notify, in writing, the supervisor of elections of the county in which the affiliate is recognized whether the county executive committee has endorsed or intends to endorse, certify, screen, or otherwise recommend candidates for nomination. A copy of such notification shall be provided by the county executive committee to the Florida Secretary of State and to the chair of the LPF executive committee. Failure to provide these notifications in a timely manner shall preclude the affiliate from making any endorsement. Notification of intent to endorse statutorily precludes the distribution of any party assessment fee to the county affiliate.

Discussion:

Motion 20-CF0007 was referred to Rules at the 2020 ABM. After consideration, the committee found that Florida Statutes 103.121 requires the state party to adopt and rule which governs the time and manner in which the respective county executive committees of such party may endorse, certify, screen, or otherwise recommend one or more candidates for such party's

nomination for election, mandates that ‘such rule shall provide the exclusive method by which a county committee may so endorse, certify, screen, or otherwise recommend,’ and sets a deadline for notification of intent to act. This is that rule, and it applies equally to the LPF itself.

As amended:

Article IX Endorsement of Candidates

Section 1. Candidates shall be eligible for endorsement as official LPF candidates if they are members of the LPF, have registered as LPF candidates with the Florida Division of Elections, and meet all requirements of the office to which they seek election.

Section 2. The LPF Executive Committee shall be the sole authority to endorse statewide candidates for public office. No later than the date on which qualifying for public office begins, the LPF EC shall provide a written notification of its intent to endorse a candidate or candidates to the Secretary of State. Failure to adhere to this section shall preclude the LPF from making any endorsement.

Section 3. The Executive Committee shall make party nominations for political office when required by law, and shall elect by a majority vote a replacement candidate to fill any vacancy in the event of a death or other disqualification by the candidate.

Section 4. County affiliates may endorse LPF candidates for public office as prescribed in statute and in this Constitution. Endorsement of candidates shall require a majority vote of the county executive committee at a properly noticed, regular business meeting. No later than the date on which qualifying for public office begins, the chair of each county affiliate shall notify, in writing, the supervisor of elections of the county in which the affiliate is recognized whether the county executive committee has endorsed or intends to endorse, certify, screen, or otherwise recommend candidates for nomination. A copy of such notification shall be provided by the county executive committee to the Florida Secretary of State and to the chair of the LPF executive committee. Failure to provide these notifications in a timely manner shall preclude the affiliate from making any endorsement. Notification of intent to endorse statutorily precludes the distribution of any party assessment fee to the county affiliate.