

# Libertarian Party of Florida, Inc.

## Constitution

As Revised at Convention February 22, 2020  
and its 2018-2020 amendments reconciled by  
the Rules Committee, March 21, 2021\*

### **ARTICLE I Name & Object**

Section 1. The name of this organization shall be the Libertarian Party of Florida, Inc., hereinafter referred to as the LPF.

Section 2. The object and purpose of the LPF is to engage in political action in the State of Florida, to serve as an affiliate organization of the Libertarian Party in national politics, and to serve as a nucleus for designated county affiliate organizations and for LPF members in matters of statewide political action.

Section 3. The purpose of the LPF is to implement and to give voice to the principles embodied in the Statement of Principles currently adopted by the LPF by:

A. Supporting candidates for national office, recruiting and supporting candidates for state and Congressional offices, and aiding local affiliates upon request.

B. Promoting, chartering, and coordinating county affiliate parties within the State of Florida.

C. Entering into political information activities, including the promoting and securing of party members.

### **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," and asks to be a member of the LPF. Ineligibility under this section shall immediately terminate LPF membership.

Section 2. Members of the party have the right to participate in party business without any monetary encumbrance imposed by the party.

Section 3. No change in the Bylaws or Standing Rules may have the effect of disenfranchising a member.

Section 4. Members of the LPF are entitled to attend the annual business meeting of the county affiliate in whose jurisdiction they reside, and to vote on the elected positions and the Constitution and/or Bylaws thereof.

Section 5. The members of the party shall have, in all elections of the party and its affiliates, the right to select None of the Above (hereinafter referred to as NOTA) on the ballot, as defined in the Bylaws of the Libertarian Party.

Section 6. Members of the party have the right to attend their state and county affiliate executive committee meetings except during executive session.

Section 7. Members of the party have the right to address the executive committees of the county in which they reside and of the state of Florida on their own initiative for 3 minutes on any topic during a regularly scheduled meeting. Those executive committees retain a right to require a 5 business day notice to schedule the speaking time.

Section 8. No change in the Bylaws or Standing Rules shall deny the autonomy of an individual member or an affiliate party, except as provided in the Constitution.

Section 9. The enumeration in this Constitution, of certain rights, shall not be construed to deny or disparage other rights retained by the members, and in all cases the powers of the party are limited to those prescribed in the statutes of the state of Florida and the governing documents of the LPF.

Section 10. Certain rights and privileges of membership, including delegate status, committee appointments and observation of committee meetings, holding LPF state or affiliate party office, exercise of voting rights in the conduct of any Libertarian Party of Florida business, and the right to bring business before the Annual Business Meeting, shall be available only to LPF members who are registered LPF voters in the state of Florida and shall not be available to members and officers of any other political party. Persons ineligible for such rights and privileges may participate in discussion on items of business brought before the membership, subject to the discretion of the Chair or by a two-thirds (2/3s) vote of the body.

Section 11. Any elected or appointed offices, seats, LPF committee memberships or positions held shall be immediately forfeited upon termination of membership. Members in good standing at the time of their termination may request to be members upon their demonstration of eligibility, and taking the NAP pledge. The LPF membership term resets to the current approval date.

### **ARTICLE III Officers and Executive Committee**

Section 1. The Officers of the LPF shall be a Chairperson, a Vice Chairperson, a Secretary,

and a Treasurer. The duties and election of the Officers shall be specified in the By-Laws.

Section 2. The Executive Committee shall be composed of the Officers, three (3) Directors-at-Large, one (1) Regional Representative for each region elected at the Annual Business Meeting within the provision of the By-Laws. The powers and duties of the Executive Committee shall be prescribed in the Bylaws and Standing Rules, to provide the control and management of all the affairs, properties, and funds of the LPF consistent with this Constitution. Deficit spending shall be prohibited.

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### 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).

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.

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

E. Should a regional representative seat become vacant, and an elected alternate be available to serve, the higher-ranked alternate shall immediately assume the seat and not be subject to a confirmation vote. If no elected alternate is available, the executive committee shall elect a replacement at the next executive committee meeting for which the agenda is not already published.

F. If the Annual Business Meeting will occur within 60 days, the vested appointee will retain the office until that meeting. If the Annual Business Meeting will not occur within 60 days, the Executive Committee shall, at its next regularly scheduled meeting, elect a qualified LPF member to the office. The election shall be by voice vote in order of nomination. The vested appointee shall be the first nominee voted upon.

G. Any member elected or appointed to serve on the Executive Committee or other LPF committee shall be a member of the LPF, and shall, upon request, show proof of registration with the State of Florida to vote in the LPF.

#### 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.

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.

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. (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.

(b) The Executive Committee shall establish a legislative review committee for the purpose of identifying Florida laws for change or repeal, and for making specific wording recommendations for use by Libertarian candidates and officers.

(c) LPF established committees may use an online platform as a forum for its meetings, providing notice of the meeting's website address on the LPF website and manner in which non-committee LPF members may enter credentials to view, but not participate, in committee discussions and business.

## Section 5. Meetings of the Executive Committee

A. The powers and duties of the Executive Committee are prescribed by the Constitution, Bylaws and Standing Rules, and by the direction of the party at the Annual Business Meeting.

B. The Executive Committee shall meet as prescribed in the Standing Rules.

C. A quorum of the Executive Committee, shall be a majority of its seated members.

D. Notice of all Executive Committee Meetings including location and call-in or webinar information will be sent to all County Chairs at least 14 days in advance to allow general membership attendance.

E. The EC shall make readily available, through the county chairs, 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.

F. The EC shall make readily available, through the county chairs, all motions being considered by extra-meeting vote as in Standing Rules Article V, Section 2

G. SPECIAL MEETINGS - Special meetings of the Executive Committee may be called by the Chair or 2/3 of the EC at any time, provided the purpose of the meeting, time, date and contact information is given at least 24 hours in advance. Only items listed in the notice for a special meeting shall be acted upon at the special meeting.

#### **ARTICLE IV Affiliates**

Section 1. Affiliate organizations which 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 Bylaws and Standing Rules.

#### **ARTICLE V Conventions & Meetings**

Section 1. The LPF shall hold an annual convention in accordance with the provisions of the Bylaws and Standing Rules.

Section 2. The conduct of the business and meetings of the Executive Committee shall be prescribed in the Bylaws and Standing Rules.

Section 3. Qualified and willing LPF members shall be selected as delegates to the Libertarian National Committee Business Meeting at the immediately prior LPF Annual Business Meeting. The qualifications and procedures for selecting national delegates and filling vacancies in national delegate seats shall be prescribed in the Bylaws and Standing Rules.

#### **ARTICLE VI Statement of Principles, Platform & Nominations**

The Statement of Principles of the Libertarian Party is hereby ratified. The LPF may develop a Statement of Principles consistent with the Libertarian Party's as a preamble to the Platform developed by the Convention, and as prescribed by this Constitution, By-Laws, and Standing Rules.

#### **ARTICLE VII Parliamentary Authority**

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the LPF in all cases to which they are applicable and in which they are not inconsistent with other rules adopted by the LPF.

#### **ARTICLE VIII Adoption & Amendments**

Section 1. This Constitution shall be adopted when approved by two-thirds of the delegates of the 1974 Convention.

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

A. Amendments must be published among on the LPF's official, public, and functioning website for notification of all members in good standing, thirty (30) days prior to the Annual Business Meeting and passed by two-thirds of the members present at that meeting.

B. Upon establishment of affiliates in each county in Florida, a proposed Amendment can be accepted by a three-fourths vote of the Executive Committee and ratified by three-fourths of the county affiliates.

C. Immaterial changes may be made under the provisions of Article III, Section 4, B. of this Constitution.

Section 3. If any term of this Constitution or any subordinate document is to any extent illegal, invalid, or incapable of being enforced, such term shall be excluded to the extent of such illegality, invalidity, or unenforceability; all other terms hereof shall remain in full force and effect; and, to the extent permitted and possible the illegal, invalid, or unenforceable term shall be deemed replaced by a term stated or implied by the adopted parliamentary authority that is legal, valid, and enforceable and that comes closest to expressing the intention of such illegal, invalid, or unenforceable term.

Section 4. The LPF ByLaws shall be subordinate to this Constitution. The parliamentary authority adopted by the LPF Constitution or Bylaws shall be subordinate to the LPF Bylaws. The LPF Standing Rules shall be subordinate to the adopted parliamentary authority. Any other rule or procedure shall be subordinate to the LPF Standing rules. In any conflict between these documents, the conflicting term from the subordinate document shall be deemed unenforceable.

## **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.



- In response to concerns regarding the correct incorporation of amendments into the published document, the Rules Committee undertook a reconciliation of the amendments from 2017 to 2020. Each was examined in order and its incorporation managed with care. Some amendments which the delegation passed did not present a rational proposition without interpretation by the Committee, or by the Secretary, and neither has latitude to interpret for incorporation. Therefore, these motions are void:
  - 2019 ABM
    - 19-CF007
    - 19-CF009
    - 19-CF011
  - 2020 ABM:
    - 19-CF001

Substitute motions as close to the originals as possible will be presented to the delegation at the 2021 ABM as part of the Rules packet.