

Libertarian Party of Florida 2022 Annual Business Meeting

February 26 - 27 | Melbourne, Fla.

Platform Committee As Proposed



Chris Rose II, Chair
Omar Recuero, Vice Chair
Thomas Knapp
Jonathan Loesche
Josh Hlavka (ex-officio)

LIBERTARIAN PARTY OF FLORIDA PLATFORM

As proposed by the Platform Committee for the Libertarian Party of Florida Annual Business Meeting 2022
February 26th, 2022

Platform Committee Members:

Chris Rose II, Chair
Omar Recuero, Vice Chair
Thomas Knapp
Jonathan Loesche
Josh Hlavka (ex-officio)

STATEMENT OF PRINCIPLE

We, the Libertarian Party of Florida, oppose the initiation of force to achieve political or social goals.

PREAMBLE

We, the Libertarian Party of Florida, stand for freedom and prosperity in our State based on the principles of personal responsibility and individual liberty. We challenge the cult of the omnipotent State in order to defend and promote liberty, whereby mankind may best prosper. Libertarians seek a society built on the pillars of individual liberty and equality under the law—a society in which all individuals are sovereign over their own lives. This most desirable method of organizing society is the natural order that arises when the inalienable rights of individuals to life, liberty, and property ownership are respected and protected. Individuals must be free to pursue their own interests and pleasures so long as their efforts do not involve the use of force or fraud, or violate the natural rights of others. Libertarians welcome the peace, prosperity, and diversity that freedom brings.

I. STATE GOVERNMENT

1. Federal Armies and Florida

In the absence of a declaration of war by the United States Congress, we oppose deployment of federal troops on Florida soil, except to defend our State in the event of foreign attack. We oppose sending Florida National Guard troops overseas. We call for restoring gubernatorial approval for the President to activate a State National Guard.

2. The Right to Bear Arms

We support the unfettered ability to possess, carry, and modify weapons and accessories for purposes including but not limited to self-defense and to secure the rights of the free individual. We support open carry and constitutional carry initiatives in Florida. We oppose all restrictions on weapons, ammunition and accessories, unless mandated by private property owners on their premises.

3. Undelegated Powers Belong to the States or the People

We support the Tenth Amendment to the U.S. Constitution, which reserves to the States and the people thereof all powers not expressly delegated to the federal government, nor prohibited to the States elsewhere in the Constitution. We urge the Supreme Court to overturn *Wickard v. Filburn*, as this act is used to nullify the Tenth Amendment by expanding federal regulatory powers over the States.

4. Equal Protection of the Law

We support equality under the law and condemn any law that either rewards or punishes any individual based on race, ethnicity, religion, gender, gender identity, sexual orientation, or any other group identification. Each person has the same inalienable rights. It is the State's duty to protect those rights for everyone equally.

5. Private Property and Markets

We recognize private property rights as an extension of self-ownership, the most basic human right. One of the functions of government is to protect the rights of all people in its jurisdiction. This includes private entities having the right to voluntarily transfer ownership of their private property free of government price or quantity controls, intervention, or taxation.

6. Sunset Amendment

We support a systematic review and sunseting of laws, regulations, and administrative guidance that do not meet the stated intent of the of the elected officials at the time of writing.

7. State Government Accountability

Agents of the State should not be above the law. We advocate ending the immunity of all government officials, employees, and departments, from suits for compensatory damages. We oppose caps on restitution payments. We support the Florida Whistleblower Act and the Florida False Claims Act.

8. Government Transparency

We support transparency and believe that Sunshine laws should apply to all public employees wherever and however they meet. All meetings and minutes must be readily available to the public and recording devices should be welcomed. There should be no laws prohibiting or limiting electronic recording devices and reporting of any public official, including law enforcement, while performing their duties.

9. Government IDs and Data Bases

We oppose the participation by the State of Florida in the federal Real ID Act and similar federal identification or database mandates designed to collect or share data on individuals not accused of crime.

10. The Right to Privacy

We believe in the right to privacy for all peaceful individuals and condemn any attempts to subvert this right. Detaining, searching, or seizing persons or their property should always require a warrant from a State or Federal court based on probable cause of a crime being committed.

11. Monopolies

Government should never protect, maintain, nor regulate the legal monopoly status of any corporation whether public or private, or of those corporations' ownership of any company or business. These actions create an unfair playing field and are beyond the scope of small and limited government. We believe all services, especially utilities, should operate in a free and highly competitive market, whereby benefit to the consumer is raised and costs are lowered.

12. Federal Grants

We call for an end to federal spending on grants to States and local governments, coupled with an equal reduction of federal taxes. All public projects should be funded locally. Persons living and working in Florida should not be responsible financially for non-federal services to citizens in a different State.

13. Marriage and Divorce

We believe marriage is a private contract between consenting adults. As such, government need not be involved in authentication, documentation, or limitation of the institution. We support abolishing licensing requirements and restrictions, recognizing these as undue burdens upon individuals and their personal lives. We favor written and witnessed prenuptial agreements to determine the dissolution process in the event of death or desired separation.

14. Mobilization of the Population

There shall be no restrictions to the organization and mobilization of the population. This includes unrestricted ability by the whole of the people to obtain weapons, training, or supplies to defend the territory of Florida in order to secure a free and prosperous future for Floridians.

15. Immigration Law Enforcement By State and Local Governments

We oppose all policies or programs that enlist State and local government employees to enforce federal immigration laws or that require local and State authorities to comply with federal immigration law enforcement.

II. ELECTIONS

1. State Regulation of Political Parties

The only electoral duty of the State government should be providing for fair and efficient conduct of elections. Political parties, like any private voluntary group, should be free from government control and allowed to establish their own rules for nomination procedures and conventions.

2. Election Ballot Choices

We support Ranked Choice. We oppose Top Two primaries as this disproportionately suppresses minor political party representation in the general election. We also support including the option of None Of The Above (NOTA) on all ballots. In the event that NOTA receives a plurality of votes in any election, a new election should be held for which none of the losing candidates shall be eligible.

3. Campaign Finance Laws

We recognize current campaign finance laws as threats to free speech and association. We support a structure for candidates to voluntarily disclose campaign contributions. We advocate the acceptance of alternative monetary donations such as crypto-currencies as campaign contributions. We also call for the repeal of caps on contributions to candidates and parties. We support amending campaign finance laws to require all candidates and political parties to provide for their own expenses with no taxpayer funding.

4. Ballot Access

We support open ballot access for all parties and individuals who wish to hold public office. There must be no barriers to entry for prospective political parties and candidates, including unattainable signature requirements, exorbitant fees, or other measures which limit ballot access to a political duarchy. In addition, Section 99.103 of Florida laws, which refunds 95% of the 3% candidate filing fees only to parties with a voter registration at or above 5% of the total, should be repealed.

III. Courts

1. Private Adjudications of Disputes

We support and encourage private adjudication of disputes by mutually acceptable arbitrators or mediators prior to utilizing the public court system. Current law unnecessarily constrains private adjudication as a first resort.

2. The Right to Trial By Jury

The right of trial by jury must be respected in all criminal and civil cases. We support the right of jurors to (a) take notes during trials, (b) submit written questions to witnesses and the judge, (c) be provided with the judge's instructions in writing, and (d) discuss evidence among themselves at any time.

3. Nullification Power of Jurors

We support the right of defendants to a fully informed jury, which requires judges to instruct jurors of their authority to judge not only the facts, but also the justice of the law according to their own consciences. If a jury of peers deems a law unjust, oppressive, or inappropriately applied, it has the right and duty to acquit the defendant.

4. Victims' Rights

We support restitution for victims of crimes or civil infractions at the expense of the perpetrators. Victims must also enjoy respect for their right to require the prosecutor to drop charges before a trial, or pardon the perpetrator after a conviction (without necessarily foregoing restitution), provided the victim is not threatened or coerced.

5. No-Fault Laws

No-fault divorce laws are preferable to divorce laws that require assignment of fault. For mandatory personal injury insurance we oppose no-fault laws and support requiring the insurance company of the driver at fault in an accident to pay any damages due those affected.

6. Asset Forfeitures

We condemn seizure of assets other than for purposes of restitution after conviction of a crime as a violation of private property rights and due process. We urge our legislators to join with other States in abolishing civil asset forfeiture and pre-conviction criminal asset forfeiture.

7. Gender Equality in Parental Rights

We support equal treatment and oppose sexual discrimination in any judicial proceeding adjudicating a parental right, privilege or obligation concerning his or her child.

8. Attorney Licensing

The Bar Association must cease to be the official Florida organization to which all attorneys must belong. The legal profession must be opened to competition; its clients and purely private organizations should be the judges of the quality of attorney services.

IV. PUBLIC SAFETY

1. Law Enforcement

Law enforcement cannot guarantee individual safety. As such, we advocate that law enforcement is not the first line of defense for individual safety, but a second line of defense intended to render assistance to those requiring it. Self-protection is a personal responsibility. Individuals have the right to defend themselves and to possess the means to do so. Decreasing the self-reliance of the citizenry leads to an overemphasis of policing and an increased segregation of law enforcement personnel from the people they are paid to protect. Those in law enforcement are not above the community, but members of it. As such, we call for the removal of qualified immunity from all agents of law enforcement.

2. Militarization

We support the separation of federal military units from law enforcement and disaster relief. Local agencies should not accept weapons, equipment, nor training from the federal military.

3. K-9 Units

We call for ending the use of dogs by law enforcement; this abusive practice violates the right to privacy by performing unwarranted and unaccountable searches, and often serves to escalate conflict.

4. Prisons

State prison facilities must only be used for the incarceration of individuals who have violated the natural rights of other people. Non-violent criminals should not be housed at the expense of the public. Instead, non-violent criminals should be kept on parole, closely monitored, limited in their interaction with sensitive populations, and required to pay restitution to those whom they have wronged. The imprisonment of citizens should be undertaken with the strictest of scrutiny, as the incentives of prison operators and the mechanisms by which they are compensated are ripe for abuse.

5. Red-Light Cameras

We oppose the use of red-light cameras as a photo enforcement tool as well as any third-party non-law enforcement agency issuing fines of any kind.

6. Private Security

As individuals with rights to govern ourselves and our property, we support the ability to extend those rights to private security firms for the purposes of defending our life, liberty, and property.

7. Sheriff's Jurisdiction

The power of arrest should be reserved to county sheriffs and their assigns. Outside agencies should be required to obtain permission from the sheriff prior to acting in the sheriff's jurisdiction.

8. Quotas

We oppose law enforcement "quotas" of any kind as a requirement or incentive in any law enforcement agency or activities.

9. Federal Drug War

We oppose acceptance of federal funds by the State of Florida, or agencies thereof, which are earmarked for continuing the War on Drugs.

10. Probable Cause

Police roadblocks, Rights-Free Zones, and searches without probable cause should be abolished. This includes U.S. Customs and Border Protection's 100-Mile Border Zone which covers our State in its entirety.

11. Pandemics and other Force Majeure Events

Government must never overstep its bounds, even in response to force majeure events, which include pandemics, natural disasters, and other crises. We condemn any misuse of authority by government to limit or restrict the rights of private property owners. We oppose all government restrictions on the transfer of information related to the event.

V. VICE LAWS

1. State Victimless Crimes

Criminal sentencing should be reserved for crimes which have a discernible victim. The punishment should be appropriate to the crime. We oppose all laws and regulations that attempt to protect individuals from the consequences of their own behavior. While not necessarily condoning such activities, we advocate the repeal of

all laws criminalizing gambling, possession and sale of drugs, and sexual relations between consenting adults. All those presently incarcerated or ever convicted solely for the commission of these victimless crimes must be pardoned and their records expunged.

2. Prohibitions by Private Organizations

Private voluntary organizations, such as communities, clubs, unions, private universities or businesses may enforce rules that prohibit certain activities, such as gambling, prostitution, drug-free or smoke-free dorms.

VI. Paying for Government

1. Paying for Government

We advocate voluntary means of raising government revenues, such as user fees and donations, rather than taxation backed by force or threat of force. So long as citizens are coerced into funding government, we believe that government should accept payment in kind, in commodities, or in non-fiat currencies.

2. No New Taxes

The State of Florida has levied enough taxes on its citizens and trade partners, as such, no new taxes ought to be levied for new government projects. New projects must be funded from existing revenues by reducing inefficiencies or cutting current spending.

3. Tax Favoritism

As long as we have taxes, equal protection of the law requires that for each type of tax, the rates should be the same and the tax base should be calculated in the same way for every individual or business. There should be no abatements, subsidies, credits, refunds or other preferential treatments as incentives to businesses to invest or create jobs, or as a privilege to individuals or classes of individuals, such as age, race or location. Such tax favoritism should be unconstitutional.

4. State Agency Budgeting

Legislative budgeting of government has historically failed to control spending or the size of government. Therefore, we support amending the State Constitution to require a supermajority of the legislative houses to approve a total budget that exceeds that of the previous year and annual auditing of all funds spent made available by request as well as posted on State websites.

5. Localism

In support of Localism, we prefer home rule as it is the most local jurisdiction of government, over ones more removed in State or Federal, as these entities largely consist of legislators from other jurisdictions.

VII. Economy

1. State Regulation of Private Economy

We support free markets. We oppose all government laws or regulations, including but not limited to controls on prices, wages, rent, amounts sold, employment terms, ownership share terms, or other contractual terms, which interfere with private voluntary transactions. Ownership of property includes the right to transfer that property on any terms acceptable to all parties involved.

2. Alternative Currencies and Legal Tender

The State shall not impose any regulations or restrictions on alternative currencies to the U.S. Dollar, nor shall it enforce legal tender laws.

3. Government Favoritism

We reject favoritism in any form to any industries, companies or other organizations. We oppose all grants, loans, loan guarantees and investments in business by any State or local government and all regulatory schemes that create privileges or disadvantages to any business or industry.

4. Business and Professional Licensing

We call for abolishing all business and occupational licenses. The right of the people to conduct commerce is inherent, and should not require the permission of the State.

VIII. Welfare and Charity

1. The Right to be Charitable

We support the right of private parties to provide charity and aid to those in need, and applaud court rulings correctly affirming First Amendment protection for that right. We condemn any effort by government to curtail or restrict private charity, and call for replacing government organizations and agencies which currently offer such aid and assistance with voluntary private efforts.

IX. Education

1. Parental Responsibility and Choice of Schools

Because parents or guardians are best situated to decide what is in their own children's best interests, it should be their right to decide their choice of school, type of school organization or homeschooling for them, and the responsibility of no one else to pay for it. Since the ultimate responsibility for the education of children rests with their parents, compulsory schooling and truancy laws must be repealed.

2. Civil Liberties in Government Education

We oppose random drug tests and locker searches without probable cause, censorship of student publications or speeches, disarming of adults, school promotion of religion, suppression of student religious expressions, and other restrictions of civil liberties in government-run schools .

X. Environment

1. Measures to Prevent Environmental Damage

Protecting the environment requires a clear definition and enforcement of individual rights and responsibilities regarding resources like land, water, air, and wildlife. Oceans and waterways

may not be deeded lands, but are to be protected and conserved similarly. Where damages can be proven and quantified in a court of law, restitution to the injured parties must be required. Immunity shall not be given to any industry, processor, or individual, related to damages occurring through these mediums, such as chemical run off. Other unowned mediums such as air, radio frequency, light, and sound should also be treated similarly when damages occur. Civil remedies are best pursued to make whole any victims.

2. State Land Privatization

We look forward to the day when all property not required for police and court functions are returned to private ownership and control.

Privatization of all public land not critical to government operations, may deed lock its future use for conservation or commercialization.

We oppose the creation of new government parks or wilderness and recreation areas. Such parks and areas that already exist should be transferred to non-government ownership. Pending such transfer, their operating costs should be borne by their users rather than by taxpayers.

3. State Withholding of Clean Energy Technology

The withholding or prohibition of clean energy technologies by any government, military, or public entity, is viewed as equal to racketeering, and we oppose such manipulation of markets and such secrecy.

XI. Health Care

1. Personal Health Care Rights

The most fundamental property right is an individual's right to own and control his or her own body. All individuals have the right to determine their own healthcare needs and treatment. Government should neither interfere nor impose upon the practitioner-patient relationship.

2. Euthanasia and Advance Directives

The right of people to extend or end their lives with dignity should not be infringed. We support the freedom to use living wills and durable medical powers of attorney.

3. The Choice of Health Care Methods

We support free choice for healthcare services, products and procedures, including the right to use experimental treatments.

4. Free Market Regulation of Healthcare

We favor free market regulation for all healthcare related matters, such as medication, providers, hospitals, insurance, testing, and the advocacy of same.

5. Medical Boards, Standards and Equipment

We support voluntary medical boards and the free market establishment of industry standards and practices, and oppose government-created barriers to entry. The manufacture of medication and medical equipment should not require approval by government.

XII. SECESSION

1. The Right to Sovereign Secession

We recognize secession as a political right that sovereigns reserve to sever any relationship which they voluntarily enter. The exercise of this right should not eliminate any legal or moral obligations to uphold the rights of others, including any debts owed.

2. Local Self Government and Secession

We recognize and affirm that the sovereign State of Florida is in a voluntary relationship with the Union of States, and the sovereign individual is in a voluntary relationship with the State of Florida. We favor these entities, as they see fit, having regular and deliberative debate discerning the state of their union between them and larger bodies of government.

XIII. INCLUSION

The Libertarian Party of Florida ratifies and hereby includes in this document the platform of the national Libertarian Party.

XIV. OMISSIONS

Our silence about any other particular government law, regulation, ordinance, directive, edict, control, restriction, regulatory agency, activity, or objections should not be construed to imply approval.