

Libertarian Party of Florida 2022 Annual Business Meeting

February 26 - 27 | Melbourne, Fla.

Rules Committee Proposals



Tony Sellers, Chair
Chris Rose II, Vice Chair
Philippe Cadorette, Member
Steven Nekhaila (Ex-Officio)
Josh Hlavka (Ex-Officio)
Ed Appler (Ex-Officio)

2022-ABM-C01

Title: Motion to Amend LPF Constitution Article II Sections 1 and 11 to clarify membership rules.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article II, Sections 1 and 11, adding and striking language as follows:

ARTICLE II Membership

Section 1. LPF membership is open to any LPF registered 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 and LPF membership request. ~~Re-affirmation of this pledge and request for membership shall be required to reinstate a terminated membership.~~

[...]

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.~~

Rationale:

The sentences to be stricken from Section 11 are not as clear as possible. We believe the replacements to be added to Section 1 are clearer. Clarity is important, as is the ability to automate the membership processes. Termination of membership requests is key to automating the membership start and end processes and reflects current manual practice as expressed in the language to be removed from Section 11.

2022-ABM-C02

Title: Motion to Amend LPF Constitution Article III to conform notice requirement to statute and to correct small errors.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article III, striking and inserting language as follows:

Section 3. Executive Committee

[...]

A. Executive Committee seats ~~No offices~~ shall not be combined and all Executive Committee seats shall be filled.

[...]

Section 5. Meetings of the Executive Committee

[...]

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~~ published on the LPF's public and functioning web site at least 14 days in advance to allow general membership attendance.

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

2022-ABM-C03

Title: Combination Motion to Amend LPF Constitution and Bylaws to remove redundant language on the Legislative Action Committee and to move other committee details from Constitution Article III to Bylaws Article III.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article III, Section 4, striking language as follows:

~~(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.~~

and to amend the LPF Bylaws Article III, appending new sections as follows:

Section 10 Ad Hoc or Special Committees

(a) The Executive Committee may create 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. The list shall be kept by the Secretary.

Section [number] Committee

LPF established committees may use electronic communications for their meetings, providing notice on the LPF web site or in the committee's reports of how non-committee LPF members may observe or audit, but not participate, in committee discussions.

2022-ABM-C04

Title: Motion to Amend LPF Constitution Article III to provide for the election of the Deputy Secretary and the Deputy Treasurer, and to clarify duties.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article III, striking language as follows:

~~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.~~

to insert new subsections C and D into the LPF Constitution Article III, Section 3 as follows, and renumber:

C. A Deputy Secretary may be elected under the same conditions and procedures as the Secretary. In the event the Secretary office becomes vacant, the Deputy Secretary shall immediately assume the office and not be subject to a confirmation vote.

D. A Deputy Treasurer may be selected by the same procedure as the Treasurer. The Chair and Vice Chair may not be elected Deputy Treasurer. If there is a vacancy at Treasurer, the Deputy Treasurer shall immediately assume the office and not be subject to a confirmation vote. A Deputy Treasurer shall not serve concurrently on the LPF Audit Committee, and shall be ineligible for proxy in meetings of the Executive Committee, unless selected by the Treasurer.

to amend the LPF Constitution Article III, Section 4, subsection C, striking and adding language as follows:

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 ~~appraised~~ apprised in all aspects of the position to act in ~~his or her~~ the event of absence or incapacity by the Secretary. The Secretary ~~and~~ may delegate certain tasks and responsibilities thereto of the office to the Deputy Secretary as deemed necessary and appropriate by the Secretary. 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 to amend the LPF Constitution Article III Section 4, subsection D, striking and replacing language as follows:

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~~ Deputy Treasurer ~~appraised~~ apprised in all aspects of the position

to act in ~~the event his or her~~ of absence or incapacity by the Treasurer. The Treasurer ~~and~~ may delegate certain tasks and responsibilities thereto of the office to the Deputy Treasurer as deemed necessary and appropriate by the Treasurer. Because there is personal liability, any time the Deputy Treasurer acts on behalf of the Treasurer they shall be considered 'acting treasurer' and subject and liable to the bookkeeping standards of the ~~organization~~ LPF and all applicable state and federal ~~Bureaus~~ laws and regulations that govern the party

Language as amended will read:

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). 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.

[...]

C. A Deputy Secretary may be elected under the same conditions and procedures as the Secretary. In the event the Secretary office becomes vacant, the Deputy Secretary shall immediately assume the office and not be subject to a confirmation vote.

D. A Deputy Treasurer may be selected by the same procedure as the Treasurer. The Chair and Vice Chair may not be elected Deputy Treasurer. If there is a vacancy at Treasurer, the Deputy Treasurer shall immediately assume the office and not be subject to a confirmation vote. A Deputy Treasurer shall not serve concurrently on the LPF Audit Committee, and shall be ineligible for proxy in meetings of the Executive Committee, unless selected by the Treasurer.

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 the event of absence or incapacity by the Secretary. The Secretary may delegate certain tasks and responsibilities of the office to the Deputy Secretary as deemed necessary and appropriate by the Secretary. 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 the event of absence or incapacity by the Treasurer. The Treasurer may delegate certain tasks and responsibilities of the office to the Deputy Treasurer as deemed necessary and appropriate by the Treasurer. Because there is personal liability, any time the Deputy Treasurer acts on behalf

of the Treasurer they shall be considered ‘acting treasurer’ and subject and liable to the bookkeeping standards of the LPF and all applicable state and federal laws and regulations.

Rationale:

The amendment intends to restructure Article III, so language that is easier to find, to streamline the provisions whereby the party may elect a Deputy Secretary and Deputy Treasurer, and to assign duties to these positions.

2022-ABM-C05

Title: Motion to Amend LPF Constitution Article IV to add language regarding campaign finance law.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article IV, by appending a new section:

Section [number]. County affiliates shall not raise or expend funds for federal campaigns except following coordination with the LPF.

Rationale:

Campaign finance law is complex. Federal campaign finance law limits contributions and independent expenditures in the aggregate for state parties and their subdivisions, creating cross-organization risk. State statute forbids solicitation of funds by parties for specific candidates. Specific, separate accounts should be used for federal spending.

2022-ABM-C06

Title: Motion to Amend LPF Constitution Article IV to add language regarding party integrity.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article IV, by appending new sections:

Section [number]. LPF county affiliates may not contribute to the campaign of a candidate who is not an LPF registered voter, except federal campaigns as approved by the LPF Executive Committee. This section shall not apply to contributions by individuals.

Section [number]. Should an LPF county affiliate fail to re-affiliate as required, it shall immediately cease to use its name and brands until the re-affiliation is completed except to communicate as needed to complete re-affiliation. Should a county affiliate disaffiliate, dissolve, cease operations, be disaffiliated by the LPF, or be canceled by the Department of State or its Supervisor of Elections, its Chairman and executive committee members shall surrender all assets of the affiliate to the LPF, including web content, web services, domain names, materials, equipment, data, records, and cash balances owned by or operated in the name of the affiliate. No member of the affiliate shall continue to use its name, brands, or funds except to pay outstanding bills, to communicate that the affiliate has ceased operation once per platform, or to complete the surrender of assets to the LPF.

Rationale:

The LPF charters county affiliates to do the Libertarian Party work in their jurisdiction. Donations to county affiliates are raised in the name of the Libertarian Party for that purpose and should go to that purpose alone. The LPF traditionally holds surrendered funds for a new affiliate should one be chartered in the jurisdiction.

2022-ABM-C07

Title: Motion to Amend LPF Constitution Article VIII Section 2(A) to strike text

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article VIII, Section 2(A) as follows:

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.

Rationale: The word was missed when removing old language regarding pre-internet communications.

2022-ABM-B01

Title: Motion to Amend LPF Bylaws Article I Section 4 to clarify the disaffiliation process.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Constitution Article I as follows:

[...]

~~Section 4. County affiliates shall notify the LPF Secretary of any changes to their officers or to their Constitution, ByLaws, or equivalent governing documents within 14 days or by the annual reaffiliation deadline, whichever comes first. The LPF Secretary shall notify affiliates of any deficiencies, including ineligibility of their officers to serve or any provisions of their governing documents that have irreconcilable conflicts with the Law, LPF Constitution, or ByLaws and provide at least 30 days for affiliates to correct the identified deficiencies after said notice. Any affiliate that fails to meet these requirements shall be considered on probation. Once the corrected documentation, including a new petition to affiliate, is approved by the Executive Committee, a county affiliate may be restored to good standing by a majority vote of the executive committee.~~

Section 4. County affiliates shall apply for reaffiliation on a standard petition form, as adopted by the Executive Committee and subject to the Bylaws and Standing Rules. The form, and a copy of the previous year's public audit provided to their Supervisor of Elections, shall be signed by all officers and delivered to the LPF Secretary before the annual reaffiliation deadline.

County affiliates shall notify the LPF Secretary of any changes to their officers or to their governing documents and the date on which the changes occurred within fourteen (14) days or by the annual reaffiliation deadline, whichever comes first.

Section 5. The LPF Secretary shall notify affiliates of any deficiencies, including ineligibility of their officers to serve, missing or incomplete audits, or any provisions of their governing documents that have irreconcilable conflicts with the Law, or LPF governing documents, and provide five (5) days for the affiliate to develop a plan to resolve all issues. If no plan is issued, the affiliate shall be suspended.

Section 6. Affiliates under suspension may engage only in the perfection of their affiliate criteria and payment of their debts, and must forgo usage of the name, abbreviation, and symbol of the LPF or other assets, except that they may use a subdomain to fulfill meeting notice requirements.

Section 7. If any affiliate is unwilling or unable to meet the criteria, the Secretary shall place the disaffiliation of that affiliate on the agenda of the next Executive Committee meeting for which there is sufficient time to notice.

[...]

Rationale:

The process proved unworkable in the past year, as we examined two counties with issues. Neither is affiliated now, but their consideration demonstrated that the current process is insufficiently defined and too open-ended.

2022-ABM-B02

Title: Motion to Amend LPF Bylaws Article III Section 1 to clarify the committee term of service.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF ByLaws Article III, Section 1(B) as follows by striking text.

B. Committees and Committee Chairs shall be appointed by the Chair of the LPF with the approval of the Executive Committee, unless otherwise provided in the Constitution or Bylaws. Each Committee shall consist of at least three members of the party (disregarding ex-officio members). Appointment terms shall last ~~until the next Executive Committee election or~~ until the committee member is removed or replaced, unless otherwise provided in the Constitution or Bylaws. Removal of persons on a committee shall need the approval of the Executive Committee. Actions of all Committees shall be reported on a regular basis to the Executive Committee. Special committees may be created by the Executive Committee and shall also follow these requirements unless otherwise provided upon their creation. The duties of all standing committees shall be stated in the Bylaws. Further clarification of duties may be added to the Standing Rules.

Rationale: This will enable committees to provide continuous service after convention until the executive committee restaffs them.

2022-ABM-B03

Title: Motion to Amend LPF Bylaws Article III Section 6 and Article IV Section 5 to strike vestiges of the Selection Committee, and codify the delegate selection process on record with the LP.

Mover: T. Sellers for Rules Committee

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

ARTICLE III Standing Committees and Ad Hoc Committees

[....]

Section 6. The Candidate Committee The principal duties of the Candidate Committee shall include but not be limited to identifying potential Libertarian Party candidates, ~~directing and preparing potential candidates for review by the Selection Committee,~~ to train vetted and approved Libertarian Party candidates for their respective races, and to identify and train campaign staff members to serve on the campaign staff for vetted and approved Libertarian Party Candidates.

[....]

ARTICLE IV Meetings & Conventions, Objects of Action

[....]

Section 5. Annual Conventions

[....]

~~C. The Selection Committee shall compile the nomination applications for delegates to the National Convention and state officers and Executive Committee. It shall present these candidates to the membership at the Annual Business Meeting without recommendation. Nominations from the floor may be made to amend this report. Members of the LPF EC may be~~ credentialed as ex officio delegates at any time. Chairpersons of Standing Committees may be credentialed as LPF delegates to the Libertarian Party convention at any time. Service in multiple roles does not entitle an individual to additional privilege.

LPF members qualified to be LPF convention delegates may request to be considered as delegates to the Libertarian Party convention. Their names shall be placed on a list on which the LPF convention assembly will vote. Each LPF delegate will receive two ballots, and may cast them for any person on the list. The list will be sorted in order of the number of ballots received, then the order of request and appended to the list of EC, Committee Chairperson, and EC-selected delegates. If any delegate elects not to attend, then their name will be removed from the

list and the names below them will move up one line. The number of delegate seats available will be filled from the top of the list, and the number of alternate seats available will be filled from immediately below the delegates.

The Chairperson of the LPF shall be the Chairperson of the LPF delegation the Libertarian Party convention, and succession of that role shall follow the process for succession of the Chair in cases of absence. Delegates and alternates are encouraged to report self-cancellation at the earliest opportunity. In the case of a cancellation, the cancelled name will be removed from the list. Any delegate or alternate not cancelling and not attending the Libertarian Party convention without good and sufficient cause in the judgement of the Delegation Chairperson will be ineligible to be an LPF delegate for the next Libertarian Party convention. If there are insufficient qualified delegates and/or alternates to fill the delegation, the Delegation Chairperson will accept any LPF members who request to be LPF delegates in the order of their request and upon their being credentialed by the Secretary or the Secretary's designee.

2022-ABM-B04

Title: Motion to Amend LPF Bylaws Article III to strike language, and to conform the affiliate support committee to the traditional standing committee structure.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF Bylaws Article III, by striking the following:

Section 9. Affiliate Support Committee

5 A. The Affiliate Support Committee shall be tasked with developing and maintaining documentation for starting and training county affiliates on statutory and rules compliance. The committee shall coordinate with the Rules Committee.

B. The committee may be tasked with conducting training courses for county affiliates for best practices on running and growing county affiliates; soliciting, obtaining, and documenting feedback from county affiliates about their needs and about LPF performance; responding to informal inquiries from county affiliates, and assisting in creation of new affiliates in coordination with their Region Representative. The LPF Secretary may also direct the committee to provide assistance with ~~credentialing and~~ reaffiliation procedures. ~~This committee shall have no Vice Chair. This committee shall adjourn sine die after 50% of the counties in the state of Florida are affiliated.~~ 10

Rationale: the committee is likely to continue adding value for our affiliates after affiliation. The Secretary may already designate any party member(s) they trust to assist with credentialing.

2022-ABM-B05

Title: Motion to Amend LPF Bylaws Article IV Sections 1 and 2 to clarify convention scheduling and agenda.

Mover: T. Sellers for Rules Committee

Motion: I move to amend the LPF ByLaws Article IV, Sections 1 and 2 as follows:

ARTICLE IV Meetings & Conventions, Objects of Action

Section 1. Annual Convention Dates

A. The Executive Committee shall set the date(s) of the Convention and Annual Business Meeting of the Libertarian Party of Florida and shall publish notice of the date at least (90) days before the start of the Annual Business Meeting.

~~B. The officers of the Party at the time of the commencement of the Annual Business Meeting shall be the officers of the Annual Business Meeting, and shall preside. Officers elected during the Annual Business Meeting shall take office immediately following the close of the Annual Business Meeting in which they were elected. To comply with Florida Statute 103.095(3), the Libertarian Party of Florida Executive Committee shall elect a Chairperson, Vice Chairperson, Treasurer, and Secretary at the Annual Business Meeting immediately following the election of the officers by the assembled delegation. The will of the delegation shall be of the highest regard when the Executive Committee conducts the election of the officers, and the election shall be taken as a single vote on the slate of prevailing candidates elected by the delegation.~~

B. The Chairman shall submit the name of at least one Executive Committee member to the LP following LP Bylaws to create the LPF delegation. The delegation may be amended according to the LP Bylaws. This process allows the LPF Convention to be scheduled between the date the first Delegate(s) are submitted and the last date to amend the delegation.

Section 2. Agenda

A. The Executive Committee shall set the agenda and business of the LPF Annual Business Meetings and conventions.

B. The order of business must include the adoption of agenda. The meeting may amend the agenda by majority vote.

C. The officers of the Party at the time of the commencement of the Annual Business Meeting shall be the officers of the Annual Business Meeting, and shall preside. Officers elected during the Annual Business Meeting shall take office immediately following the close of the Annual Business Meeting in which they were elected. To comply with Florida Statute 103.095(3), the

Libertarian Party of Florida Executive Committee shall elect a Chairperson, Vice Chairperson, Treasurer, and Secretary at the Annual Business Meeting immediately following the election of the officers by the assembled delegation. The will of the delegation shall be of the highest regard when the Executive Committee conducts the election of the officers, and the election shall be taken as a single vote on the slate of prevailing candidates elected by the delegation.

Rationale:

The content of the moved section 2(C) pertains more to the convention agenda than to the date of the convention. The new Section 1(B) reminds us that we don't have to have LPF conventions in February in LP convention years.