

Libertarian Party of Florida

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lpf.org



Dana Cummings, Chairman

Alex Snitker, Vice Chair

Danielle Alexandre, Treasurer

Lynn House, Secretary

Dear Fellow Chairman,

Our political parties have a common interest. Third parties cannot compete in the electoral process in Florida without laboring under laws that inherently favor the major parties. Regardless of our individual political persuasions, this legal favoritism hurts all of us, and directly hinders competition from outside the Republican and Democratic Parties. It is my belief that the state's use of the law in this fashion should be challenged, and I am asking you to participate with us to bring this inequity to the attention of the State of Florida.

This letter is not to persuade you to adopt or support our views. The purpose is to establish a climate in Florida where people can associate and compete in the political process as they wish, and not be arbitrarily constrained by lawmakers who think they have a duty to propagate a two-party system in our State.

I have attached a letter that describes specific areas of the law that suppress third party competition.

We would like to send that letter, on non-partisan letterhead, with your consent, to every state level legislator in Florida, the Governor, and every major news outlet in Florida. Thus, we want to show the government of Florida and the public at large, that a significant part of the populace is being alienated from the political process simply as a result of having a different party label. Most Florida voters welcome political competition, and are naturally uncomfortable with limitations placed on competitors by those who hold power.

This initiative does not seek solutions that impose revenge restrictions on the major parties, or impose new laws of the same nature, as they impose on us. We are not addressing the single-member, majority vote system nor are we addressing Federal level laws that also suppress third party activity. We seek simply to compete in Florida without statutes made specifically to limit our actions and promote the hold that the major parties have on the electoral process. Once published, you may use the letter as you see fit.

The point of contact for this project is Mr. Pete Blome, an At-Large representative for the Libertarian Party of Florida. He can be reached at [850-217-6590](tel:850-217-6590) or blomep@cox.net.



Please send him any corrections to your officers or addresses, as well as any other suggested changes. Once you are agreed to its contents, he will ask for your signature for record.

Join us in this project to take the thumb off of the political scales. Public awareness is the first step. Third party competition is both good for the voters and good for the country.

We all compete for different goals, but, if we cannot escape the intrusion of major party control over the electoral process, none of us will ever be able to compete in our communities, and our ideas, opinions, and logic will never be heard based solely at the discretion of our political opponents.

Sincerely,

Dana Cummings
Chairman, Libertarian Party of Florida



Florida Must Stop The Suppression of Political Competition

Political competition is a principle that lies at the heart of good government. The right to associate with others as one sees fit, to be a party candidate, to organize, present and support political candidates that represent a particular point of view, and to have these rights protected in the law directly benefit all citizens as well as the state. It leads to better government and gives voice to the people. It is an inherent part of what makes America great.

The Government of the State of Florida has implemented laws that limit these rights. These laws favor large political parties in the electoral process over smaller ones. This reduces the number of choices before the public and is a misuse of the law. We ask you, our representatives in government, to address these wrongs and set in motion actions that return unbiased competition to the State of Florida.

Eliminate the 365 Day Rule for candidates

FS 99.021 (1) (b) 2. requires potential candidates of any political party to swear or affirm that they have not been a member of another political party for 365 days prior to the beginning of the qualifying period for the office they seek. This requirement impinges on the Constitutional right of every American to free association with others, and blocks off routes of free expression in the electoral process by both limiting the ability of candidates to change political parties as they see fit, and for people to support candidates in the way they want. FS99.021 (2) may affect the executive committees of political parties as well, since it says this rule, "shall apply with equal force and effect to, and shall be the oath required of, a candidate for election to a political party executive committee office, as provided by law." It strikes at the heart of any organized political opposition by forcing converts from other political parties to wait at least one year before being allowed by law to become active in another party. It is not the role of the State, controlled by two major parties, to limit which political party a person belongs to, or to set time limits on their participation, and thereby affect or reduce the number of political competitors.

Return the power of all political parties to determine who are, or are not, their candidates in non-primary races

In 2007 the Florida Legislature passed PL 2007-30 which deleted sections of FS 99.096 from the law. This deleted section allowed minor parties to submit lists of approved party candidates for inclusion in state ballots. This change had the effect of removing the ability of all political parties to be the sole determinant of who would represent them on an election ballot if there were no primary election for that party. As it stands now, if a candidate can afford the ballot fees and they are the only declared party candidate, that person can have their name on the ballot under any political party name without the approval of that party. Unlike the two major parties, the vast majority of minor parties can only present one candidate per position on any given ballot, mainly due to costs and



available candidates. Should a self-declared and qualified candidate be unacceptable to the party membership, the only way to stop that person from representing the party on the ballot is to produce a primary election contender. As has already been said, this is beyond the resources of most minor parties. What was just in the law has been made an invitation to political mischief and a trampling of the rights of all party members, major and minor alike, to determine who represents them.

Eliminate the Special Privilege of Republican or Democrat Committeemen being on the General Ballot

FS 103.091 (4) gives the exclusive privilege to major party Committeemen to be on the general election ballot every four years while specifically excluding minor party representatives. Not only does this law give special ballot privileges to the major parties, it also has the effect of advertising the major parties, for partisan political purposes, at the cost of the taxpayer. There is no way the Legislature can claim it is unbiased when it passes laws such as this.

Eliminate the Election Campaign Financing Trust Fund

The Florida Legislature enacted FS 106.29 through 106.36 to implement the Election Campaign Financing Trust Fund, a fund composed of contributions from the State general revenues where Gubernatorial and Cabinet candidates (only) can seek matching funds for their campaigns. Intended to help reduce the influence of money in the political process for high office, a candidate for Governor must first accrue \$150,000 in contributions and a Cabinet officer \$100,000 to be considered eligible for the fund. The likely candidates to reach such lofty thresholds are major party members. This fund has the effect of subsidizing major parties that already hold advantages in fundraising under the guise of trying to reduce the effect of money on campaigns.

Rein In the Florida Election Commission

The Florida Election Commission is entrusted with the administration and enforcement of laws related to regulating political parties in the State. However, this duty cannot be executed without the reasonable oversight of the legislature. It can, and has, been used to stifle political opposition. A case in point: the Libertarian Party of Florida was fined \$70,000 after the 2012 general elections for allegedly not filing \$1700 in campaign donations with the State. Although the LPF was in constant communication with the Department of State as to the proper filing procedures, and followed its recommendations to the letter, the Party was still fined and forced to find legal counsel for a hearing that took place six months later. Given their resources, this is no matter for the major parties, but this substantial fine would hinder political planning at all levels for a minor party until a definitive ruling was arrived at. The LPF was completely exonerated, but only through exceptional legal efforts that most minor parties could not afford. Excessive fines and aloof bureaucrats can actually stop political competition



through the mindless and indifferent application of the law.



The undersigned ask you, our representatives in government, to address these inequities, and return free and equal competition to our state.

<p>America's Party of Florida 1894 Glenwood Street NE Palm Bay, FL 32907-0000 Phone: (321) 729-0881 http://www.aipnews.com/index.asp?SID=FL Gregory Poulos, Chair Franklin Shoemaker, Treasurer AIP</p>	<p>Independent Party of Florida 700 Starkey Road Building 300, Suite 365 Largo, FL 33771-2334 Phone: (727) 585-1111 Ernest Bach, Chair John Leitgeb, Treasurer INT</p>
<p>Constitution Party of Florida 16874 - 131st Way North Jupiter, FL 33478-0000 Phone: (561) 741-7592 Mark Pilling, Chair Lois McLain, Treasurer CPF</p>	<p>Justice Party of Florida 2222 Woodlawn Drive Tallahassee, FL 32303-0000 http://justiceparty.nationbuilder.com/florida Peter Wood, Chair Robert James, Treasurer JPF</p>
<p>Ecology Party of Florida 641 SW 6th Avenue Fort Lauderdale, FL 33315-0000 Phone: (888) 462-2468 Cara Campbell, Chair Gary Hecker, Treasurer ECO</p>	<p>Libertarian Party of Florida 1334 Tampa Road, Suite 2 Palm Harbor, FL 34683-0000 Phone: (727) 403-7735 www.lpf.org Dana Cummings, Chair Danielle Alexandre, Treasurer LPF</p>
<p>Florida Pirate Party 15620 Younis Road West Jacksonville, FL 32218-0000 Phone: (904) 701-2348 http://www.florida.pirate-party.us Bradley Hall, Chair Carlo De Leonibus, Treasurer FPP</p>	<p>Party for Socialism and Liberation - Florida 1005 State Road 84, Suite 116 Fort Lauderdale, FL 33315-0000 Phone: (305) 209-2503 John Daly, Chair Jeffrey Martin, Treasurer PSL</p>
<p>Florida Socialist Workers Party 7100 Biscayne Blvd., Ste. 306A Miami, FL 33138-0000 Phone: (305) 757-8869 www.floridaswp.weebly.com Naomi Craine, Chair Tom Baumann, Treasurer FSW</p>	<p>Peace & Freedom Party of Florida 3161 St. Johns Bluff Road Suite 2 Jacksonville, FL 32246-0000 Phone: (904) 874-2855 www.floridapeaceandfreedom.org Darcy Richardson, Chair Michael Brown, Treasurer PFP</p>
<p>Green Party of Florida Post Office Box 712 Indian Rocks Beach, FL 33785-0712 www.gpfl.org Jennifer Sullivan, Chair Kurt Gratzol, Treasurer GRE</p>	<p>Reform Party 3948 South 3rd Street Box 183 Jacksonville Beach, FL 32250-0000 William Dopf, Chair William Drummond, Treasurer REF</p>
<p>Independence Party of Florida Post Office Box 2206 Riverview, FL 33568-0000 Phone: (813) 671-3122 Peter Allen, Chair Shauna Ayers, Treasurer IDP</p>	<p>Tea Party of Florida 1420 Celebration Boulevard Suite 200 Celebration, FL 34747-0000 Phone: (407) 566-2422 John Long, Chair Donald Baehr, Treasurer TPF</p>

