

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 04-22572-CIV-KING

**EMMA YAIZA DIAZ; AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL ORGANIZATIONS;
AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO; FLORIDA PUBLIC EMPLOYEES
COUNCIL 79, AFSCME, AFL-CIO; AND
SERVICE EMPLOYEES INTERNATIONAL
UNION,**

Plaintiffs,

vs.

**SUE M. COBB, Secretary of State of Florida;
BRENDA SNIPES, Broward County Supervisor of
Elections; JERRY HOLLAND, Duval County
Supervisor of Elections; LESTER SOLA,
Miami-Dade County Supervisor of Elections; BILL
COWLES, Orange County Supervisor of Elections;
and ARTHUR ANDERSON, Palm Beach County
Supervisor of Elections,**

Defendants.

**REPUBLICAN PARTY OF FLORIDA'S
RENEWED MOTION TO INTERVENE
WITH INCORPORATED MEMORANDUM OF LAW**

Pursuant to Rule 24 of the Federal Rules of Civil Procedure and this Court's Order dated April 28, 2006, the Republican Party of Florida ("RPOF"), by and through undersigned counsel, hereby renews its motion to intervene in the above-captioned action. The RPOF has a vital interest in the subject matter of this proceeding and is so situated that the disposition of this action may, as a practical matter, impair or impede its ability to protect those interests. In support of its Renewed Motion to Intervene, the RPOF states as follows:

Plaintiffs first commenced this case in October of 2004. On October 19, 2004, the RPOF filed a Motion to Intervene in this action to protect the rights of its members, voters, and candidates. (Docket # 34) The RPOF also filed a Motion to Dismiss on that very same day. On October 22, 2004, all of the Defendants filed a notice of their non-objection to the RPOF's request to intervene. (Docket # 59) The Plaintiffs opposed the proposed intervention of the RPOF only on the grounds that the RPOF's addition to this suit would somehow delay the proceedings. (Docket # 79, pp. 39-40) On October 26, 2004, the RPOF filed its Reply to Plaintiffs' opposition to its request to intervene (Docket # 85) and has filed multiple pleadings in this case with this Court over the last several years. In addition, the RPOF participated in the motion practice, briefing, and oral argument stages of this same case before the United States Court of Appeals for the Eleventh Circuit in 2004 and 2005. After Plaintiffs had amended their complaint and asserted an intent to proceed with litigation in advance of the 2006 Florida gubernatorial election, the RPOF filed a notice with the Court on April 21, 2006 asking that its still-pending Motion to Intervene be formally ruled upon (the case had gone up on appeal shortly after the RPOF's initial Motion to Intervene was filed) and also joined in the motion to dismiss filed by a majority of the Defendants on that same day. (Docket # 130). On April 28, 2006, this Court formally denied the RPOF's previously-filed Motion to Intervene (from 2004) without prejudice on the grounds that there had been an intervening amended complaint and that the case was basically starting anew. (Docket # 135) Hence, the RPOF is respectfully filing this Renewed Motion to Intervene.

On April 7, 2006, the Plaintiffs filed their First Amended Class Action Complaint, which-- for the first time-- seeks class action status and also seeks to force the Defendants to register every person who fails to fully and timely complete the Florida voter registration application, regardless of whether those individuals are actually eligible to vote in Florida, and to allow them to vote in the

November, 2006 election. It is telling that the Plaintiffs have sued only those Supervisors of Election in the most heavily Democratic counties in Florida, therefore attempting to increase Democratic voting in those counties. Thus, the RPOF is compelled to intervene to protect Republican voters and candidates in the State of Florida who have an interest in a fair and orderly election process that complies with both state and federal law.

WHEREFORE, for all the foregoing reasons, the Proposed-Intervenor, the Republican Party of Florida, respectfully requests that this Court allow it to intervene in this matter pursuant to Rule 24 of the Federal Rules of Civil Procedure, and also requests such further relief as this Court deems just and proper.

MEMORANDUM OF LAW
IN SUPPORT OF MOTION TO INTERVENE

A. Intervention As A Matter of Right Under Rule 24(a)

Federal Rule of Civil Procedure 24(a)(2) provides that, upon timely application, intervention shall be allowed as a matter of right:

when an applicant claims an interest relating to the property or transaction which is the subject of the action and the applicant is so situated that the disposition of the action may as a practical matter impair or impede the applicant's ability to protect that interest, unless the applicant's interest is adequately represented by existing parties.

Rule 24 intervention was designed to balance the competing interests of "judicial economy resulting from the disposition of related issues in a single lawsuit and focused litigation resulting from the need to govern the complexity of the lawsuit." Jansen v. Cincinnati, 904 F.2d 336, 339-340 (6th Cir. 1990). Moreover, although the party seeking to intervene bears the burden of showing that these four elements are met, "the requirements for intervention are broadly interpreted in favor of intervention." United States v. Alisal Water Corp., 370 F.3d 915, 919 (9th Cir. 2004). In this case,

the RPOF easily meets all of the Rule 24(a) criteria.

1. The RPOF Claims an Interest Relating to the Subject of the Action.

While Rule 24(a) does not specify the nature of the interest required for intervention as a matter of right, the Supreme Court has held that “what is obviously meant . . . is a significantly protectable interest.” Donaldson v. United States, 400 U.S. 517, 531 (1971). The RPOF has a substantial interest in assuring the integrity of the Florida election system. “[M]aintaining the election system that governed their exercise of political power” is a recognized basis for intervention as of right under Rule 24. Meek v. Metropolitan Dade County, 985 F.2d 1471, 1480 (11th Cir. 1993).

Intervention is particularly appropriate in cases involving the public interest. For purposes of evaluating the right to intervene, “the interest requirement may be judged by a more lenient standard if the case involves a public interest question” 6 Moore’s Federal Practice. § 24.03[2][c]. This is because “[i]n such cases, the representation of divergent interests is extremely important.” Id. The Plaintiffs’ prayer for relief would require the Defendant Supervisors of Election to allow basically everyone to vote in the November, 2006 election regardless of whether their voter registration application was timely and properly filled out or whether they were even eligible to vote in Florida. The Plaintiffs’ request for relief directly impacts the RPOF and its interests.

The RPOF is a political organization representing all members of the RPOF, and it is vested with the mission to promote and protect Republican voters and Republican candidates for office in the State of Florida. More specifically, the RPOF maintains an interest in promoting the valid elections of Republican candidates for elective office and increasing the number of Republican voters in Florida. See Exhibit A (Constitution of the Republican State Executive Committee of Florida). Thus, the RPOF has standing to assert claims or defend actions based upon injuries to itself or its members. See United Food and Commercial Workers v. Brown Group, 517 U.S. 544 (1996);

see also Hunt v. Washington State Apple Advertising Comm'n, 432 U.S. 333, 343 (1977) (“we have recognized that an association has standing to bring suit on behalf of its members when:(a) its members would otherwise have standing to sue in their own right; (b) the interests its seeks to protect are germane to the organization’s purpose; and (c) neither the claim asserted nor the relief requested requires the participation of individual members in the lawsuit”); Int’l Union, UAW v. Brock, 477 U.S. 274, 289 (1986).

In this case, individual voters, including members of the RPOF, would have standing to sue in their own right to protect their interests under state and federal election laws, the interests of the RPOF’s members are germane to the organization’s purpose of promoting and protecting its voters and candidates in contention for public office, and the enforcement of state and federal election laws do not require the participation of individual members of the RPOF in the lawsuit. Specifically, the RPOF is comprised of both candidates and voters who face an actual and imminent threat of injury if the requested relief sought by the Plaintiffs is granted. In every precinct in which the Plaintiffs seek to allow illegal registrants to cast votes, a Republican candidate for elective office risks his or her election results being based on illegal, and perhaps fraudulent, votes. Republican voters across Florida also risk having their votes diluted if the illegal registrants are permitted to vote. Thus, under the enumerated principles set out by the United States Supreme Court, the RPOF has standing to intervene and defend individual rights and the rights of the organization’s members, respectively, who will vote in the November, 2006 gubernatorial election in Florida. Thus, the RPOF clearly has a sufficient interest in the subject matter of this proceeding to support intervention as a matter of right under Rule 24(a)(2).

2. The RPOF is Situated Such That the Disposition of this Action May Impair Its Ability to Protect Its Interests.

Plaintiffs seek to have this Court essentially invalidate Florida's voter registration application and to allow large numbers of ineligible electors to cast votes in the gubernatorial election. As a party representing registered Florida voters, the RPOF has a substantial interest in participating in a fair and orderly election system that operates in accordance with applicable Florida and federal election laws. This injury is neither abstract nor conjectural, but has been recognized by the federal courts.

Maximizing voters' access to the process is just one part of the compelling interest the state has in regulating the architecture of elections. Preventing voters from voting more than once, preventing otherwise ineligible voters from voting, and preventing other kinds of election fraud, is part and parcel of this same compelling state interest A complete description of the state's interest in regulating elections should have included something like, 'What good is the right to vote, even if every ballot is counted, if the votes of duly registered voters are diluted by the votes of people who had no right to vote?'

Colorado Common Cause v. Davidson, 2004 WL 2360485 * (D.C. Col. 2004).

Plaintiffs seek to permit potentially thousands of illegal registrants to vote in the election, which far exceeds the margins of success in many races across the state.¹ Absent the relief requested by the Plaintiffs, these illegal votes would not be cast, and therefore the imminent threat of injury to the RPOF's members is directly traceable to the actions of the Plaintiffs. If the Court should deny the relief requested, it would redress the threat of imminent harm to the RPOF's members.

¹In the 2000 General Election, U.S. Representative, District 22 race, candidate Claw Shaw received 50.1% of the vote, candidate Elaine Bloom received 49.9% of the vote; U.S. Representative, District 8 race, candidate Ric Keller received 50.8% of the vote, candidate Linda Chapin received 49.2% of the vote. See Fla. Dept. of State, Div. of Elections, 2000 General Election Official Results, at <http://election.dos.state.fl.us/elections/resultsarchive/summaryrpt.asp?electiondate=11/7/00&datamode=>.

With respect to the second prong of the Hunt analysis, the interests that the RPOF seeks to protect are germane to the organization's purpose. The Constitution of the Republican Party of Florida sets forth the purposes and objectives of the organization which include:

- (1) To develop a strong, effective, and informed Republican Party in Florida;
- (2) To support the principles, objectives, and platforms of the Republican Party and to secure the election of all duly nominated Republican Candidates; and
- (3) To encourage able and qualified Republicans to seek office at all levels of government.

(Exhibit "A" Article II, Const. of RPOF.) Here, the interests at stake in the litigation are germane to the RPOF's purpose "to secure the election of all duly nominated Republican Candidates" through a valid and lawful election and to ensure a strong and effective Republican Party through the prevention of voter dilution of Republican votes through the use of illegally cast votes.

Finally, the third prong of the Hunt analysis is met in that an individual member of the Republican Party is not required to file suit in order to obtain relief as it is injunctive in nature. Here, in considering Plaintiff's request for unprecedented electoral relief, it is not enough simply to protect the interests of the Defendant officials overseeing the administration of elections. This Court must also consider the divergent interests of individual voters, political parties, and candidates regardless of their political affiliation.

3. The RPOF's Interests Are Inadequately Represented By Existing Parties.

The Court should grant this Renewed Motion to Intervene because the existing parties to this action cannot adequately protect the RPOF's interests. Indeed, the moving party carries only a "minimal burden" of showing that their interests are inadequately represented by existing parties. Trbovich v. United Mine Workers, 404 U.S. 528, 538 n. 10 (1972); see also Sagebrush Rebellion, Inc. v. Watt, 713 F.2d 525, 528 (9th Cir. 1983)(the burden of showing inadequacy of representation is minimal and "is satisfied if the applicant shows that representation of its interests 'may be'

inadequate)(internal citations omitted). Clearly, the Plaintiff Unions— who are heavily Democratic-- do not adequately represent the RPOF's interests. Also, the interests of the Defendant Supervisors of Election and the Defendant Secretary of State are in overseeing the administration of the elections at the polling places; not in protecting the rights of the RPOF, its members, and its candidates. The Defendants cannot represent the unique interests of the RPOF and its concerns over vote dilution and its purpose of electing Republican candidates. Accordingly, because the other Defendants do not— and cannot— adequately represent the interests of the RPOF, the RPOF should be permitted to intervene in this case as a matter of right.

4. The RPOF's Motion to Intervene Is Timely.

The RPOF's Renewed Motion to Intervene is timely. The RPOF has been involved in this case from the very beginning in 2004, made a timely motion to intervene back in 2004, participated in the motion to dismiss stage of the case in 2004, participated in the previous appeal to the Eleventh Circuit (both during briefing and during emergency injunction proceedings) in 2004 and 2005, and has timely renewed its motion to intervene shortly after the Plaintiffs filed their First Amended Class Action Complaint in 2006. In determining whether a motion to intervene is timely, the Eleventh Circuit has stated that the following factors should be considered:

- 1) the length of time during which the proposed intervenor knew or reasonably should have known of the interest in the case before moving to intervene;
- 2) the extent of prejudice to the existing parties as a result of the proposed intervenor's *failure to move for* intervention as soon as it *knew or reasonably* should have known of its interest;
- 3) the extent of prejudice to the proposed intervenor if the motion is denied; and
- 4) the existence of unusual circumstances militating either for or against a determination that the motion was timely.

Georgia v. United Army Corp. of Engineers, 302 F.3d 1242, 1258-1259 (11th Cir. 2002).

With respect to timeliness, it is important to recognize that this action is still in its very initial stages. In the case at bar, Plaintiffs filed their original complaint in October 12, 2004. The

RPOF filed its original Motion to Intervene immediately upon reasonably becoming aware of this action in October, 2004, less than one week from the original complaint being filed and prior to, or at relatively the same time as, the existing parties filed their responsive pleadings. With respect to the 2006 version of the case, the RPOF also filed its notice that its Motion to Intervene was still pending on the date that the responsive pleading to the First Amended Class Action Complaint was due (on April 21, 2006). Moreover, the RPOF's Renewed Motion to Intervene is being filed shortly after the Court finally denied its original Motion to Intervene without prejudice and while the Defendants' Motions to Dismiss are still pending. There should be no prejudice to the existing parties as the suit based upon the First Amended Class Action Complaint has just commenced. See Jet Traders Inv. Corp. v. Tekair, Ltd., 89 F.R.D. 560, 568 (D.C. Del. 1981)(where discovery has not been completed, there has been no significant decisions on the merits considered or decided, and the parties could not be prejudiced by the delay, the motion must be considered timely).

B. Permissive Intervention Under Rule 24(b)

In addition to allowing intervention as a matter of right, Rule 24 of the Federal Rules of Civil Procedure also allows permissive intervention. In pertinent part, Rule 24(b)(2) provides that “[u]pon timely application anyone may be permitted to intervene in an action . . . when an applicant’s claim or defense and the main action have a question of law or fact in common.” In addition, Rule 24(b) requires the Court to consider “whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.”

In addition to meeting the criteria for intervention as a matter of right, the RPOF also satisfies the test for permissive intervention as its “defense” and the main action share, at a minimum, a common question of law - the interpretation of certain provisions of Florida election law-- and the validity of Florida’s voter registration requirements and forms. As previously set forth

herein, Plaintiffs seek capacious electoral relief that would basically allow large numbers of ineligible voters to cast votes in Florida's upcoming 2006 gubernatorial election. The RPOF believes the interpretation advanced by Plaintiffs is contrary to the intent, spirit and express language of both state and federal election law. Thus, the RPOF's defenses and the main action have a common question of law.

With respect to the second factor enumerated in Rule 24(b), intervention in this action at this early stage would not unduly delay or prejudice the adjudication of the rights of the original parties in any way and the RPOF has, indeed, been a "virtual" party in this case since its very beginnings in 2004. Moreover, the RPOF does not seek to expand the scope of this proceeding by incorporating new issues that are unrelated to Plaintiffs' allegations, but only to ensure that the RPOF's interests and those of similarly situated voters and candidates throughout Florida are adequately protected. The participation of RPOF would not result in an unmanageable number of parties and clearly would be compatible with efficiency and due process. If anything, intervention would promote judicial efficiency by diminishing the prospect of future litigation by the RPOF and would ensure the adequate representation of others who have similar interests. Consequently, the RPOF should be permitted to intervene under Rule 24(b) on at least a permissive basis in order to facilitate the resolution of these electoral issue in one proceeding consistent with the principles of judicial economy. Thus, permissive intervention is appropriate in this case.

C. Consent Of The Parties

None of the Defendants have any objection to the intervention of the RPOF in this matter. The Plaintiffs have objected to the RPOF's proposed intervention, but have provided no reason for their objection.

CONCLUSION

WHEREFORE, for all the foregoing reasons, the Renewed Motion to Intervene filed by the Proposed-Intervenor, the Republican Party of Florida, should be granted either as a matter of right or on permissive intervention grounds. Accordingly, the Republican Party of Florida respectfully requests that this Court grant its Renewed Motion to Intervene pursuant to Rule 24 of the Federal Rules of Civil Procedure and also seeks any further relief this Court deems just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by facsimile and/or electronic delivery on this 12th day of May, 2006 to:

SEE ATTACHED SERVICE LIST.

Respectfully submitted,

/s/ Stephanie Alexander

EDWARD J. POZZUOLI

ejp@trippscott.com

Florida Bar No. 717363

STEPHANIE ALEXANDER

Florida Bar No. 0081078

sda@trippscott.com

TRIPP SCOTT, P.A.

AutoNation Tower, 15th Floor

110 SE Sixth Street

Fort Lauderdale, FL 33301

Tele: (954) 525.7500

Fax: (954) 761.8475

Attorneys for the Republican Party of Florida

SERVICE LIST

Attorneys for Plaintiffs
Mary Jill Hanson, Esq.
Hanson, Perry & Jenson, P.A.
400 Executive Center Drive, Suite 207
West Palm Beach, Florida 33401
Tele: (561) 686-6550
Fax: (561) 686-2802
mjhanson@hpjlaw.com

Attorneys for Plaintiffs
Judith A. Browne, Esq.
Sheila Y. Thomas, Esq.
Elizabeth Westfall, Esq.
Advancement Project
1730 M Street, NW Suite 910
Washington, D.C. 20036
Tele: (202) 728-9557
Fax: (202) 728-9558
ewestfall@advancementproject.org

Attorneys for Plaintiffs
Elliot Minberg, Esq.
People for the American Way Foundation
2000 M Street, Suite 400
Washington, D.C. 20036
Tele: (202) 467-2392
Fax: (202) 293-2672
eminberg@pfaw.org

Attorneys for Plaintiffs
Judith A. Scott, Esq.
John J. Sullivan, Esq.
SEIU
1313 L Street, NW
Washington, D.C. 20005
Tele: (202) 898-3453
Fax: (202) 898-3323
sullivaj@seiu.org

Attorneys for Plaintiffs
Jonathan P. Hiatt, Esq.
AFL-CIO
815 Sixteenth Street, NW
Washington, D.C. 20006
Tele: (202) 637-5053
Fax: (202) 637-5323
jhiatt@AFLCIO.org

Attorneys for Plaintiffs
Manny Anon, Jr., Esq.
Fla. Bar No. 0983748
Florida Public Employees Council 79
3064 Highland Oaks Terrace
Tallahassee, Florida 32301
Tele: (850) 222-0842
Fax: (850) 224-6926
m_anon@afscmeffl.org

Attorney for Sec. of State
Peter Antonacci, Esq.
Gray Robinson, P.A.
P.O. Box 11189
Tallahassee, Florida 32302
Tele: (850) 577-9090
Fax: (850) 577-3311
pva@gray-robinson.com

Attorney for Brenda Snipes
Burnadette Norris-Weeks, Esq.
100 S.E. 6th Street
Fort Lauderdale, Florida 33301
Tele: (954) 768-9770
Fax: (954) 768-9790
bnorris199@aol.com

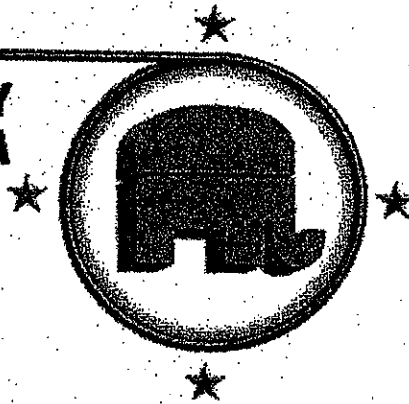
Attorney for Jerry Holland
Tracy I. Arpen, Jr., Esq.
Deputy General Counsel
Duval County
City Hall, St. James Building
117 West Duval Street, Suite 480
Jacksonville, Florida 32202
Tele: (904) 630-1700
Fax: (904) 630-2388
tarpen@coj.net

Attorney for Lester Sola
Jeffrey P. Ehrlich, Esq.
Oren Rosenthal, Esq.
111 N.W. First Street, Suite 2810
Miami, Florida 33128
Tele: (305)-375-5151
Fax: (305) 375-5634
ehrllich@miamidade.gov

Attorney for Bill Cowles
Mike Cirullo, Esq.
Goren, Cherof, Doody & Ezrol
3099 East Commercial Blvd., Suite 200
Fort Lauderdale, Florida 33308
Tele: (954) 771-4500
Fax: (954) 771-4923
mcirullo@cityatty.com

Attorney for Arthur Anderson
Ronald Labasky, Esq.
Young Van Assenderp, P.A.
301 N. Olive Avenue
West Palm Beach, FL 33401
Fax: (561) 355-4398
rlabasky@yvlaw.net

**REPUBLICAN PARTY
OF FLORIDA**

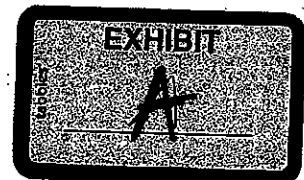


As Revised January 1998

**CONSTITUTION
of the
REPUBLICAN STATE EXECUTIVE
COMMITTEE OF FLORIDA**

Table of Contents

ARTICLE I	<u>NAME</u>	Page 3
ARTICLE II	<u>OBJECTIVES</u>	3
ARTICLE III	<u>MEMBERSHIPS - EXECUTIVE COMMITTEE</u>	3
	Section 1 - Membership	3
	Section 2 - County Membership	3
	Section 3 - State Chairman's Alternate State Committee Member	4
	Section 4 - Ex Officio Members	4
ARTICLE IV	<u>OFFICERS</u>	4
	Section 1 - Officers	4
	Section 2 - Duties	4
	State Chairman	4



	Vice Chairman	
4		
	Secretary	4
	Treasurer	4
	Section 3 - Term of Office	5
ARTICLE V	<u>VACANCIES</u>	5
	Section 1 - State Committee Officers	5
	Section 2 - State Committee Members	5
	Section 3 - Congressional District Chairmen	5
ARTICLE VI	<u>MEMBERSHIP - EXECUTIVE BOARD</u>	5
	Section 1 - Members	5
	Section 2 - Congressional District Chairmen	5
	Section 3 - Authority	6
	Section 4 - Meetings	6
	Section 5 - Party Rules	6
ARTICLE VII	<u>PARTY AUTHORITY</u>	6
ARTICLE VIII	<u>ORGANIZATIONAL MEETING - STATE COMMITTEE</u>	6
ARTICLE IX	<u>MEETINGS OF THE STATE COMMITTEE</u>	7
	Section 1 - Annual Meeting	7
	Section 2 - Special Meeting	7
	Section 3 - Notice	7
	Section 4 - Votes and Proxy	7
	Section 5 - Quorum	7
ARTICLE X	<u>FINANCE AND REVENUES</u>	7
	Section 1 - Account Signatures	7
	Section 2 - Committees	7
ARTICLE XI	<u>PARLIAMENTARY AUTHORITY</u>	8
ARTICLE XII	<u>COMMITTEES</u>	8
ARTICLE XIII	<u>AMENDMENTS</u>	8
ARTICLE XIV	<u>EFFECTIVE DATE</u>	8

With respect to this document, whenever the singular or plural number or masculine or feminine or neuter gender is used herein it shall equally include the others as the context may require.

**CONSTITUTION
of the
REPUBLICAN STATE EXECUTIVE COMMITTEE OF FLORIDA**

The Republican State Executive Committee of Florida, duly elected by the Republican voters of Florida, does with the authority vested in it by the Florida Statutes, hereby make, ordain, and establish this as its Constitution.

**ARTICLE I
NAME**

The name of the organization shall be the Republican Party of Florida and shall hereinafter be referred to as the "State Committee."

**ARTICLE II
OBJECTIVES**

The purpose of this State Committee shall be:

- A. To develop a strong, effective, and informed Republican Party in Florida.
- B. To support the principles, objectives, and platforms of the Republican Party and to secure the election of all duly nominated Republican candidates.
- C. To encourage able and qualified Republicans to seek office at all levels of government.
- D. To regulate the use of party name and symbols. In order to use the name Republican, all clubs or organizations shall apply for and be granted a charter with each incoming State Chairman of the State Committee according to the Rules of Procedure as adopted as provided herein. This provision shall not apply to clubs associated with the Florida Federation of Young Republicans or the Florida Federation of Republican Women.

**ARTICLE III
MEMBERSHIP - EXECUTIVE COMMITTEES**

Section 1 - Membership - The State Committee shall consist of the National Executive and National Executive Women of Florida, the State Committee and State Committees from each of the counties and the County Executive and Executive Women as provided by the Rules of Procedure and the County Executive Committees shall include those members as provided by state law.

The State Committee shall organize itself in accordance with Party rule and shall have all of the privileges and rights and shall perform all of the duties and obligations afforded by or required by Florida Statutes.

Section 2 - County Membership - All State Committeemen and State Committeewomen shall serve as voting members at large of their respective county executive committees, and shall be seated at the same time as other precinct committeemen and committeewomen.

Section 3 - State Chairman's Alternate State Committee Member - The State Chairman of the Republican Party of Florida who is a State Committeeman or State Committeewoman, may appoint from his county a Republican to perform the duties of that office at the county level. If the State Chairman is a County Chairman, the county executive committee may elect an "Acting County Chairman" to serve as County Chairman at the county level.

Section 4 - Ex Officio Members - The Executive Committee shall have as Ex Officio members, without vote, the Young Republican National Committeeman and National Committeewoman from Florida, the Chairman of the Florida Federation of Teenage Republicans, the Chairman of the Florida Federation of Young Republicans, and the President of the Florida Federation of Republican Women.

ARTICLE IV OFFICERS

Section 1 - Officers - The officers of the State Committee shall be members of the State Committee and shall consist of a State Chairman, a Vice Chairman, a Secretary, a Treasurer, an Assistant Secretary, and an Assistant Treasurer.

Section 2 - Duties

A. The State Chairman shall preside at all organizational, annual, or special meetings of the State Committee and of the Executive Board; ~~he shall have general supervision of the State Committee and Executive Board~~; he shall perform all such other duties and shall have all such other rights as are conferred or imposed upon him from time to time by Florida Statutes.

B. The ~~Vice Chairman shall perform the duties of the State Chairman in the absence or disability of the State Chairman~~. In the event the State Chairman is no longer able to perform his duties, either through death, disability, or through resignation, the Vice Chairman shall temporarily assume the duties of the State Chairman. An election shall be called by the Vice Chairman for the purpose of electing a new State Chairman and said election shall be held within sixty days of the date the vacancy occurs. In the event there be no Vice Chairman, then the Secretary shall assume the duties of State Chairman and shall have the responsibility to call an election within the time frames specified herein. If the Vice Chairman and the Secretary are unable to perform the duties described herein then the Treasurer, and if he is unable, then the Assistant Secretary, and if he is unable, then the Assistant Treasurer shall call a meeting of the Executive Board within the time frames specified herein for the purpose of electing a new State Chairman and for filling any other vacancies that might exist.

C. The Secretary shall issue notices of all meetings of the State Committee and the Executive Board and shall attend and keep minutes of the same; and shall have charge of the State Committee's books, records, and papers, and shall perform all such duties as are incident to his office or imposed or conferred upon him by Florida Statutes. The Assistant Secretary shall assist or assume duties as required.

D. The ~~Treasurer shall have custody and security of the State Committee~~ and shall give bond in such amount and with such sureties as the Executive Board may from time to time require, conditioned upon the faithful performance of the duties of his office. He shall keep regular books of account and shall submit them together with all his vouchers, receipts, records, and other papers to the Executive Board and State Committee for their examination and approval as often as they may require. He shall perform all such other duties as are incident to his office or imposed or conferred upon him by Florida Statutes. The Assistant Treasurer shall assist or assume duties as required.

Section 3 - Term of Office - All officers of the State Committee and Congressional District Chairmen shall be elected to a term of two (2) years. Elections of officers shall take place at the organizational meeting as provided in Party rule on a biennial basis.

one vote in person or by proxy. A member may also hold and vote a proxy for other members of the State Committee. A proxy shall be in writing, dated, and witnessed and shall specify the meeting for which the proxy is given. All proxies shall be filed with the Secretary and entered in the minutes of the meeting for which they are granted.

Section 5 - Quorum - A quorum for the transaction of business at any organizational, annual, or special meeting of the State Committee shall consist of a majority of the total members of the State Committee, but the members present at any meeting, though less than a quorum, may adjourn the meeting to a future time. The vote required on any question coming before the State Committee shall be a majority of the quorum present except where otherwise provided in this Constitution.

ARTICLE X FINANCE AND REVENUES

Section 1 - Bank Statement - The State Chairman or Vice Chairman and Treasurer or Assistant Treasurer, signing jointly, shall be the authorized signatures on the bank account of the State Committee. A copy of a resolution authorizing such account, certified to by the Secretary of the State Committee, shall be sufficient authority to any such bank or savings institution for the establishment of such account and for the authority of the above named officers to sign thereon.

Section 2 - Committees - Any committees or subcommittees of the State Committee desiring to establish a special account or accounts shall do so only upon its recommendation to and approval by the Executive Board. The Executive Board shall, by resolution, authorize the establishment of such account or accounts and determine therein the officers or other persons authorized to sign on such accounts.

ARTICLE XI PARLIAMENTARY AUTHORITY

The rules contained in "Robert's Rules of Order" shall govern the State Committee in all cases to which they are applicable and in which they are not inconsistent with this Constitution of the State Committee.

ARTICLE XII COMMITTEES

The State Committee shall appoint such standing committees as the Executive Board may recommend.

ARTICLE XIII AMENDMENTS

This Constitution may be amended at any meeting of the State Committee by an affirmative vote of two-thirds of the full membership thereof. Any proposed amendment shall be furnished in writing to the State Chairman and Secretary of the State Committee and circulated to all members at least twenty (20) days prior to the meeting at which such proposed amendments are to be considered.

ARTICLE XIV EFFECTIVE DATE

This Constitution shall take effect at the time of adoption and continue until it is amended in accordance with Article XIII.