

### 3.1.2c

#### Information regarding Proxy voting for delegates

Nothing relevant present in CFP Biennial Meeting & Procedures document

Relevant Constitutional items

#### **Article II Article Organization and Operation**

**Section 4.** Interested persons may submit Issues pertaining to food safety to the Conference. Issues may also be created as outcome of Standing, Council and Adhoc Committees. All Issues shall be submitted to the Conference at least ninety (90) days preceding the CFP Biennial Meeting. (Late-breaking food safety Issues must follow the current version of the “CFP Biennial Meeting/Conference Procedures” document.) Issues are reviewed and assigned to appropriate Councils by the Issue Committee. At least forty (40) days preceding the CFP Biennial Meeting, the Director shall make the Issues available to members of the Conference. After deliberation, each Council will make recommendations on assigned Issues to the Assembly, which is composed of delegates designated by the states, each territory, and District of Columbia. The Assembly considers and votes to approve or reject Council recommendations.

#### **Article XVII Duties of States, Territories and District of Columbia**

**Section 1.** The states, territories, and District of Columbia shall be responsible for the Director informed of the name(s) and address(es) of the person(s) designated to represent them in the Assembly.

**Section 2.** The food regulatory agency or agencies in each state, territory and District of Columbia participating in the CFP Biennial Meeting will receive from the Director at least one hundred and fifty (150) days prior to the CFP Biennial, a notice of the forthcoming meeting. Each notice shall include a current copy of Article II, Section 3, and Article XVIII and XIX of the current version of the Constitution and Bylaws.

**Section 3.** Each Agency shall report to the Director the following information, using approved forms.

**Subsection 1.** The agency’s authority and responsibility over the regulation of food establishments, production, processing, vending, or distribution, or the oversight for prevention of foodborne illness;

**Subsection 2.** The name of the delegate and the alternate, if any; and

**Subsection 3.** Designation of the vote to which that person is entitled, whether one (1) vote or a fraction of one (1) vote.

**Section 4.** In the event that more than one (1) delegate is designated and the sum of the votes

designated for the delegates is greater than one (1), the Director shall reject, void, and return the reports to the agencies for correction. Such revision shall be submitted to the Director at least forty-five (45) days before the CFP Biennial Meeting.

### **Article XIX Rules of the Assembly**

**Section 2.** Only a registrant at the CFP Biennial Meeting who is the designated representative of a state, territory, or District of Columbia can be a delegate in the Assembly.

**Section 3.** Each state shall be entitled to one (1) full vote, and each territory and District of Columbia shall be entitled to one-half (1/2) vote in the Assembly.

**Section 4.** When any state is represented by more than one food regulatory agency, the vote may be divided into appropriate fractions or may be cast together as one vote. **Representatives of states with more than one regulatory agency delegate**, in compliance with Section 2 of this Article, can **reassign** their voting privilege to another duly certified delegate **from their state** by giving written notice of such action to the Chair.

### **THINGS TO CONSIDER**

Constitution clearly states delegate comes from EACH agency.  
Each agency can provide an alternate.  
Multi-jurisdictional states can reassign vote within the same state.

#### **Questions Board should consider**

How often is a proxy vote really needed?  
What are the circumstances for a proxy vote?  
Are we sure we want to allow proxy votes?  
What does a proxy vote look like?  
What is the criteria for the individual given the proxy vote?

More guidance from the Board is needed to work on this.