

# MCRC BYLAWS - proposed amendments

## Proposed Amendments Required by Changes in Arizona Law.

#1

### ARTICLE II – MEMBERS

#### Section 2 - PCs

##### A. Qualifications of Membership

An elected or appointed PC must be a registered Republican voter living within the precinct.

##### B. Term

The term of office for an elected PC is two years, ~~beginning the day after the primary election is certified in even numbered years. The term of an appointed PC will also end on the day the primary election is certified.~~ AND BEGINS ON OCTOBER 1 AFTER THE PRIMARY ELECTION AT WHICH THE PRECINCT COMMITTEEMAN WAS A CANDIDATE AND CONTINUES UNTIL OCTOBER 1 AFTER THE FOLLOWING PRIMARY ELECTION AT WHICH A PRECINCT COMMITTEEMAN IS ELECTED.

(RATIONALE FOR AMENDMENT -- Article II, Section 2(B) - Recent changes in Arizona law require that the Maricopa County Bylaws be changed in order to conform to the law. Arizona Revised Statutes 16-822 now mandates the term of office of elected precinct committeemen begin on October 1 after the primary election at which the precinct committeeman was a candidate and continues until October 1 after the following primary election at which precinct committeemen are elected. Thus, the new wording of Article II, Section 2(B) is proposed. This amendment is proposed to restore compliance with ARS)

#2

### ARTICLE IV - NOMINATIONS AND ELECTIONS

#### Section 1 - ~~Nominations~~ ELECTION OF STATE COMMITTEEMEN

##### ~~A. Nominations of State Committeemen~~

~~1~~ A. At the district organizational meeting each District Committee shall meet and, in person or by proxy, shall ~~nominate for the office of State Committeeman, an elected precinct committeeman from within its own legislative district, for every three of the district's elected precinct committeemen~~ elect State Committeemen IN ACCORDANCE WITH ARS.

~~2~~ B. The District Chairman shall certify the results to the MCRC Chairman and the State GOP Chairman at least ten (10) days prior to the county Statutory Organizational Meeting.

~~3~~ C. If the PCs of any District do not, within the time prescribed, meet and nominate the number of State Committeemen which they are entitled to nominate, such nominations are to be made by the District Chairman of said District and certified to the outgoing MCRC Chairman at least ten (10) days prior to the County Statutory Organizational Meeting.

~~4 D. If the PCs and the District Chairman of any District fail to make such nominations within the time prescribed, the MCRC Chairman shall make such nominations. The MCRC Chairman shall announce the names of such nominees at the Statutory Organizational Meeting during the report of the Nominating Committee.~~

## **Section 2 - NOMINATIONS AND Elections OF MCRC OFFICERS**

### **B A. Nominations of MCRC Elected Officers**

1. Nominations for all elective officers shall be made by a nomination committee composed of the recently elected District Chairmen or their designated representatives.
2. Nominations for elective officers shall take place at a meeting called by the MCRC Chairman, a five (5) day notice of which shall be made in writing and mailed. Said meeting shall convene no earlier than the second (2<sup>nd</sup>) Saturday in December.
3. In the choice of persons for office, there shall be no discrimination based on sex, race, creed, color, age or national origin.
4. A quorum of the nominating committee shall consist of a representative from fifty percent (50%) of the Districts.
5. Candidates for MCRC elective officers shall submit a letter of intent to the nominating committee in care of and received by the MCRC Chairman on or before seven (7) days prior to the first December meeting of the nominating committee for consideration of their names being placed in nomination.
6. The nominating committee may nominate more than one candidate for each office and those candidates shall appear on a pre-printed ballot.
7. The name of any candidate seeking a county elective office, who was not nominated through the nominating committee, will be placed on the pre-printed ballot if petitions representing five percent (5%) of the elected county PCs are submitted to the MCRC Chairman at least fourteen (14) days prior to the MCRC Meeting.
8. Additional candidates may be nominated from the floor at the time of the meeting.

### **~~Section 2 -- Elections~~**

#### **A B. Elections of Officers at Statutory Organizational Meeting**

1. Elections of officers shall be at the Statutory Meeting.
2. Election of officers shall be determined by the majority of votes of the members of the MCRC present, in person or by proxy.
3. If no election is determined on the first ballot, the top two candidates receiving the highest number of votes shall be the nominees for the 2<sup>nd</sup> ballot.

#### **B C. Elections of Officers (Members-At-Large) at Mandatory Meeting**

1. The five Members-at-Large shall be members of the EGC and shall be elected at the Mandatory Meeting.
2. Election of Members-at-Large shall be determined by a majority vote of the members of the MCRC present, in person or by proxy. The procedure for electing the five Members-at-Large shall be as follows:
  - a. On the first ballot each member of the MCRC present, in person or by proxy, may vote for no more than five (5) of the nominees,
  - b. If, after the first ballot, all of the five (5) offices are not filled by a majority vote, the remaining vacant offices shall be multiplied by two (2) and the resulting number shall be applied to the nominees who were not elected receiving the next highest plurality, and these nominees shall be the nominees for the second ballot for the vacant offices,
  - c. In the event that all of the offices are not filled on the second ballot, the procedures shall be repeated until all offices are filled.

#### **C D. Manner of Voting**

1. In voting, ballot votes will be used if there is a contested election. If only one (1) person is a candidate for an office, the vote may be viva voce (voice vote). In a contested election, each member of the MCRC

present, in person or by proxy, shall have an individual vote(s).

2. After registration at meeting, votes may be cast by registrant or may be passed on by verbal proxy to other voting members of the body using a form pre-printed on their voting credentials that they receive when registering at Credentials and Tally. Proxies thus created at the meeting may not be re-proxied to a third party.

3. All Legislative District and County Committees shall publish to the floor a Credential and Tally report and shall allow challenges to the validity of voting before certifying the credential report and the tally report. The Committees shall keep the Credentials and Tally Committee Reports and materials (e.g. proxies, sign-in sheets, ballots, et al.) for 3 months after the election and shall make these materials available to any PC within three (3) business days of the request.

#### **D E. Division**

When a division of the house is called for from a voice vote, by a member of the MCRC, the members shall be polled by District and the results of the poll shall be reported.

**(RATIONALE FOR AMENDMENT - Article IV – A.R.S. 16-823 was revised to mandate the elections of state committeemen at the District organizational meeting, in counties of populations greater than 500,000, which includes Maricopa County. Prior to that, Legislative Districts only nominated state committeemen and their official election occurred at the Maricopa County statutory meeting. This is the reason for the changes in wording of Section 1 (which has been renamed “A”) and deletion of the ‘nomination’ Sections 3 and 4. This amendment is proposed to restore compliance with ARS. In addition, the titles of Section 1 and subsection 1.A, and the labeling of subsections are amended to be consistent with this change of process. Section 2 changes include the title change of Article IV, Section 2, and the organization and labeling of its subsections, as a consequence of the changes made to Article IV, Section 1 as explained above, in order to accurately reflect the content of the section. Otherwise, there is no change to the wording of the current bylaws in Section 2)**

## **Proposed Amendment Changes**

### **# 3**

#### **DEFINITIONS**

1. “Precinct Committeeman” shall be abbreviated as “PC”. “Precinct Committeemen” shall be abbreviated as “PCs”.
2. “Captain” shall mean “Precinct Captain”.
3. “Legislative District Republican Committee” shall be referred to as “District”.
4. “District Chairman” shall mean, “Chairman of a Legislative District Republican Committee”.
5. The “Board” shall mean the elected officers of a “Legislative District Republican Committee”.
6. “A majority” shall mean more than 50% of the votes or ballots cast.
7. “MCRC” shall mean the “Maricopa County Republican Committee”.
8. “MCRC Chairman” shall mean “Chairman of the Maricopa County Republican Committee”.
9. “EGC” shall mean “Executive Guidance Committee.”
10. “C&T” shall mean “Credentials and Tally”.
11. “Arizona Revised Statute” or “Arizona Revised Statutes” shall be abbreviated “ARS”.

12. The pronoun “his” shall mean “his or her”; “he” shall mean “he or she”.
13. “Mail/mailed” shall mean mail or mailed by postal service or email.
14. The “Statutory Organizational Meeting” of the MCRC convenes each **odd** numbered year to elect statutory officers by PCs who have been elected at the primary election prior to the Statutory Organizational Meeting.
15. The “Mandatory Meeting” of the MCRC convenes each **even** numbered year to elect non-statutory officers and Members At Large by Elected PCs, and also PCs appointed not less than forty-five (45) days prior to the Mandatory Meeting.

(RATIONALE FOR AMENDMENT - Adding new sub-sections 14 and 15 is proposed in order to define and further clarify differences between the county Statutory Organizational Meeting and the county Mandatory Meeting. The wording changes nothing but serves to make clear what now exists without having to refer to ARS for that detail.)

## **Proposed Amendment Changes**

**#4**

### **ARTICLE II – MEMBERS**

#### ***Section 2 - PCs***

##### **E. Duties of PC**

The duties of PCs shall include, but not be limited to:

1. Voting, in person or by proxy, at each and every district and county party election when qualified to do so,
2. Assisting the Republican Party in voter registration,
3. Assisting and encouraging Republican voters to vote on election days,
4. Attending all District meetings,
5. Working within the precinct from which elected,
6. Creating enthusiasm and support for the Republican Party,
7. Helping elect worthy Republican candidates,
8. Recruiting and training leaders of the Republican Party, and
9. Fostering loyalty to the Republican Party and promote its ideals.

~~10. The PC shall provide the district, county, and state party offices with an email address, if they have one. District, county and state party offices may not allow email addresses to be used for any purpose other than internal party communications and shall not distribute an email address to anyone, including other PCs without the express consent of the affected precinct committeeman.~~

**(RATIONALE FOR AMENDMENT -- Striking sub-section 10 which now requires each PC to provide an e-mail address to the Legislative District, the county, and the State party office. Many PC’s are reluctant to provide e-mail addresses out of concern about how those addresses are subsequently shared or used. This proposed amendment removes that as a required duty of a PC. It is recommended that the EGC adopt a privacy policy pertaining to the release of personal information such as email address.)**

## Proposed Amendment Changes

#5

### ARTICLE II – MEMBERS

#### *Section 3 - Precinct Captain*

##### **A. Election of Precinct Captain**

The District Chairman shall direct the PCs of each precinct to meet ~~during the district's organizational meeting~~ **ON OR AFTER OCTOBER 1 ON EVEN-NUMBERED YEARS** and elect from among their number a Precinct Captain.

(RATIONALE FOR AMENDMENT: During the District Organizational Meeting, the PCs are required to elect District Officers and State Committeemen. Some of these elections may be contested. In larger Districts with dozens of precincts, it is logistically difficult to also conduct the election of dozens of Precinct Captains at the Organizational Meeting. Furthermore, the District Organizational Meeting occurs after the November election. This amendment authorizes the election of Precinct Captains in the individual precincts immediately following the starting date of the term of elected PCs, and will facilitate precinct organization and action before the November election. Since new Arizona law sets forth the term of office of precinct committeemen, specifying when precinct captains are to be elected conforms to the new law. Plus it puts the responsibility of election of precinct with in the precinct and not the responsibility of the district at the district's organizational meeting).

## Proposed Amendment Changes

#6

### ARTICLE II – MEMBERS

#### ~~*Section 6 Qualification for Legislative District Office*~~

~~A requirement to resign as an LD Officer upon assuming or opening a campaign for an elective office will not apply for a non-partisan, non-paid position (e.g. School Boards, Water Conservation District, et al.)~~

(RATIONALE FOR AMENDMENT: Elected LD Officers are typically among the most politically active PCs in a District. This proposed amendment would allow the individual District, rather than MCRC, to determine whether or not a current LD Officer may continue to serve in that role while campaigning for or assuming another elected office. It is believed that each Legislative District is the best forum in which decisions should be made regarding requiring Legislative District officers to resign from office. The Legislative District should be free to decide for itself what such officer resignation requirements should be.)

## **Proposed Amendment Changes**

**#7**

### **ARTICLE III - OFFICERS**

#### ***Section 3 - Duties of Elected Officers***

##### **E. Maricopa County Republican Secretary**

The duties of the MCRC Secretary shall be to:

1. Keep minutes of all meetings of the MCRC and the EGC,
2. Transmit all calls for the meetings,
3. Ascertain, compile and transmit the agenda for the meetings as requested by the chairman,
4. Keep a current roster of the MCRC membership and records of attendance at all EGC meetings,
5. Perform functions as may be incidental to the office or may be assigned by the EGC, and
6. Update and preserve all permanent records and relinquish all MCRC records to the successor [at the expiration of the term](#).

(RATIONALE FOR AMENDMENT: The proposed amendment adds specificity as to when the outgoing MCRC Secretary shall relinquish records to the successor and thus avoid any delay in the transfer of records. Specifying the date or time upon which officer records are to be turned over to successors is believed to be of serious importance, as opposed to leaving the time of relinquishing of such records open-ended.)