

RULES OF THE MONTANA REPUBLICAN PARTY

Adopted by the Montana Republican State Central Committee

As Amended June 27, 2015 in Helena, Montana

FINAL OFFICIAL COPY

Section A: General Provisions

Section B: Conventions

Section C: Committees

Section D: Officers

Section E: Candidate Nominations

Section F: Appeals

## Section A: General Provisions

### I. Authority.

These rules are created for the governance of the Montana Republican Party. They shall govern when not in conflict with state law and the Rules of the Republican Party, the latter authority governing in case of conflict. These rules shall govern the organization, the conduct of meetings and the business of the Montana Republican State Central Committee, its officers and committees, all Republican State Conventions, and all Republican County Central Committees, to the extent applicable thereto.

### II. Effective Date.

These rules, and any amendments thereto, shall be effective when adopted by the State Central Committee.

### III. Amendments.

A. These rules may be amended or repealed or additional rules may be adopted at any regular or special meeting of the State Central Committee by a two-thirds (2/3) vote of those present.

B. No rule can be amended or repealed nor any additional rules be adopted unless: 1) The amendment, repeal, or additional rule is presented by the permanent Rules Committee; or 2) When not presented by the permanent Rules Committee, a copy of the amendment, repeal, or additional rule must be delivered to each member of the State Central Committee at least ten (10) days prior to the meeting at which it shall be voted upon.

## Section B: Conventions

### I. General.

A. Convention Call – Fees. All such meetings shall be called and notice of the call given and all such meetings shall be held as provided by these rules. Each delegate, proxy, or guest at such meetings shall pay a registration fee that shall be set by the Executive Committee of the State Central Committee.

B. Quorum. A quorum for the transaction of any business at any Convention shall be a majority of the delegates entitled to vote thereat, present in person or by proxy. Weighted votes shall not be considered in determining whether a quorum is present.

C. Proxies. 1) Except as provided by subsection (2), at all conventions, delegates shall be entitled to vote either in person or by written proxy. A person holding a proxy must be a resident of the same county as the delegate being represented by said proxy holder, or if the proxy is given by a Legislator or Public Service Commissioner, the proxy holder must be a resident elector of the District the Legislator or Public Service Commissioner represents.

A person holding a proxy for a Statewide Elected Official may be any registered elector. Delegates who vote in their own right may not hold and vote the proxies of an absent delegate. A proxy need not be held by a person of the same sex as the delegate represented by said proxy holder.

2) There shall be no proxies at any district or state convention held for the purpose of selecting delegates to the national convention. If alternate delegates to such convention are elected, the alternate delegate and no other shall vote in the absence of the delegate. An absent delegate may name in writing an alternate to serve and vote in his or her absence. However, if an absent delegate fails to name an alternate, the County Chairman may name the alternate to serve and vote in such absence.

D. Voting. In balloting on any motion or election, the voting shall be on an individual basis. Each person entitled to vote shall have the right to cast his or her individual ballot. In the event that any election has more than one person nominated as a candidate, voting must be by secret ballot. Unless a weighted vote is expressly provided for by these rules, each person entitled to vote at any meeting or convention shall be entitled to only one vote.

When the chairman of the meeting or convention has determined that everyone is balloted, in his judgment, he shall declare the balloting closed and the election judges shall retire and count the votes. They shall then announce the results of the vote in open meeting.

E. Parliamentary Practice. Roberts' Rules of Order, as currently revised, shall govern all meetings and conventions, insofar as they are not inconsistent with these rules. The State Chairman shall appoint a parliamentarian for any State Central Committee meeting or convention.

F. Order of Business. The following order of business is adopted for all meetings and conventions, as applicable, of the Montana Republican Party: 1) Meeting called to order by chairman. 2) Invocation. 3) Pledge of Allegiance of the Flag of the United States of America. 4) Call of the roll. 5) Announcement of appointment of credentials committee. 6) Announcement of appointment of rules committee. 7) Report of the credentials committee. 8) Acceptance of report of credentials committee and declaration by chairman as to whether a quorum is present. 9) Report of rules committee. 10) Report of other committees. 11) Elections. 12) Other business of the meeting. 13) Adjournment.

G. Election Policy. In the choice of officers or delegates, there shall be no discrimination because of sex, race, creed, color, or national origin. Those elected to represent the Montana Republican Party as officers or delegates should be only those persons who will actively support and campaign for the platform and nominees of the Republican Party, and who will work in harmony and cooperation with all Republican organizations.

H. Ballot fairness. In any written ballot offered for any election at the State Republican Convention, or before the State Central Committee, all candidates must be treated equally on a ballot, including:

1. No candidate's name may appear more than once for any office on a ballot ;
2. The names of all candidates must appear either in alphabetical order by last name, or in truly random ordering by last name;
3. The print of candidate or slate of candidates must all be in the same color, type style, type size, font and formatting;
4. No opportunity may be provided for eligible voters to vote for a group or slate of candidates with less than one vote cast for each individual candidate;
5. Any candidate may designate one observer to witness the counting of votes from ballots. Designated observers shall be allowed to observe all phases of ballot counting.

## II. State Platform Convention

A. Time. The Republican State Platform Convention shall meet at the call of the State Chairman once every even-numbered year between the primary election day and the general election day.

B. Purpose. The State Platform Conventions shall adopt a state platform and conduct such other business as may be properly brought before the Convention.

C. Convention Call – Notice. Notice of the convention shall be sent to all persons eligible to be delegates thereto at least forty-five (45) days prior to such convention.

D. Convention Delegates. The Republican State Platform Convention shall consist of the following: 1) Republican incumbents of national and statewide offices and state Senators, and Public Service Commissioners whose terms of office extend beyond the first Monday in January of the next year. 2) Republican candidates nominated at the most recent primary election for the national and statewide offices, including candidates for election to the Legislative Assembly and the Public Service Commission. 3) The members of the State Central Committee.

E. Platform Committees. The State Chairman shall appoint Platform Committees, consisting of persons eligible to be delegates to the Platform convention, to draft proposed planks of the State Platform. A copy of the most recent platform shall be posted online. Any proposed changes shall be presented to the appropriate committees at the convention committee meeting for discussion.

F. When a committee recommends a change to a party platform, a time limit of 15 minutes per discussion with a 1 minute limit per speaker will be allowed”.

## III. State Delegate Convention

A. Time. The State Delegate Convention shall meet at the call of the State Chairman every presidential election year prior to the Republican National Convention at a time

which complies with the requirements of the Rules of the Republican Party. This convention date may precede the Montana primary election date.

B. Purpose. Such convention shall elect the delegates and alternate delegates from this state to the Republican National Convention, and shall nominate Presidential Electors.

C. Convention Call – Notice. Notice of the call of the Convention shall be mailed by the State Chairman to each County Chairman at least forty-five (45) days prior to such convention. Notice of the convention shall also be published in the major daily newspapers throughout the state no less than fifteen (15) days prior to the convention.

D. Convention Delegates. Delegates to the State Delegate Convention shall be elected from each county by the County Central Committee. The County Chairman must notify the State Chairman of the names of the county delegates at least ten (10) days prior to the convention. All delegates must be registered for the convention. Those persons receiving the most number of votes so cast shall be elected as delegates to the State Delegate Convention

E. Weighted Voting. Each county shall be entitled to a number of votes at the State Delegate Convention or district meeting equal to the total number of votes cast in the county for the Republican candidate for Governor at the most recent primary election. The delegates from each county shall divide equally the number of votes to which their county is entitled on a decimal basis.

F. Election of National Delegates/Alternates.

- 1) The convention shall elect the delegates and alternates to the Republican National Convention, as prescribed by these rules and the Rules of the Republican Party.

- 2) National Delegate/Alternate nomination forms shall be mailed to each County Chairman with the convention call. County Chairmen shall be responsible for distributing forms to those interested in their county. Nomination forms shall also be available from the State Party Headquarters. People interested in attending the National Conventions whom wish to be considered by the Nominating Committee must fill out the form and return it to Headquarters no later than fourteen (14) days prior to the State Delegate Convention. County Chairmen will receive a list of all those turning in a nomination form.

3. Binding of delegates and alternates to the Republican National Convention. All of Montana's delegates and alternates are bound to vote for the winner of the Montana Republican Primary at the Republican National Convention through the first ballot, if that candidate's name is placed in nomination.

- 4.) Order of Elections.

- i. The order of election of delegates and alternates shall be as follows:

a. The State Delegate Convention shall elect the at-large and congressional district delegates at the same time. The State Chairman shall preside over this session.

b.. The State Delegate Convention shall then elect a number of alternates equal to the number of delegates previously elected by the State Delegate Convention.

ii. Each convention delegate may vote in the state delegate convention for up to the total number of delegates and alternates to be elected. No cumulative voting shall be allowed.

iii. Each county shall be entitled to a number of votes at the state delegate convention equal to the total number of votes cast in the county for the republican candidate for governor at the most recent primary election. The delegates from each county shall divide equally the number of votes to which their county is entitled on a decimal basis, and each delegate shall cast his or her vote individually.

5.) There shall be no proxies at any district or state convention held for the purpose of selecting delegates to the national convention. If alternate delegates to such convention are elected, the alternate delegate and no other shall vote in the absence of the delegate. An absent delegate may name in writing an alternate to serve and vote in his or her absence. However, if an absent delegate fails to name an alternate, the County Chairman may name the alternate to serve and vote in such absence.

6.) Those delegates and alternates receiving the highest number of votes at any election shall be declared elected.

G. Nomination of Presidential Electors. At the conclusions of balloting for delegates and alternates, the State Delegate Convention shall then proceed to nominate the Presidential Electors.

H. Organization and Certification.

1) Immediately following their election, the delegates and alternates to the National Convention shall meet. At such meeting they shall elect a chairman and vice chairman of the delegation and such committee members as might be required by the rules of the Republican National Convention or the Republican National Committee.

2) The State Chairman shall sign certificates of election, as credentials of the persons elected as delegates and alternates, and shall file them in a timely manner with the Republican National Committee. The State Chairman shall also sign certificates of nomination of the Presidential Electors and file them in a timely manner with the Montana Secretary of State.

3) The results of any presidential primary election held in the state shall be binding upon delegates and alternates, unless otherwise provided by the rules of the Montana Republican Party or the Rules of the Republican Party.

#### IV. State Officers' Convention

##### A. Time.

The Republican State Officers' Convention shall be held during the month of June in each odd-numbered year.

##### B. Purpose.

The State Officers' Convention shall elect a state chairman and a state vice chairman, one of whom must be a woman, one of whom must be a man, a secretary, a treasurer, and an assistant treasurer of the State Central Committee.

##### C. Convention Call – Notice.

Notice of the convention shall be sent to all persons eligible to be delegates thereto at least forty-five (45) days prior to such convention. The Republican State Officers' Convention shall meet at the call of the State Chairman during the month of June in each odd numbered year.

##### D. Convention Delegates.

Those entitled to vote at the State Officers' Convention shall be the members of the State Central Committee, the Republican incumbents in national and statewide office, Republican incumbents on the Public Service Commission, and Republican members of the Legislative Assembly, or their duly appointed proxies. Each delegate shall have one vote.

##### E. Nominations and Elections.

Nominations and elections for the various offices shall be held in the order set forth above, with each office to be elected before balloting is conducted on the next office. Nominations shall be made from the floor, with such time allowed for nominating and seconding speeches as may be determined by the State Chairman. The nominee for each office who shall receive the most number of votes for that office shall be declared elected to that office. Successful nominee must receive over 50% of the overall vote. If there are more than two nominees and none successfully receives over 50% of the vote, a runoff will occur between the two top nominees.

#### Section C: Committees

##### I. State Central Committee

#### A. Membership.

The State Central Committee shall be composed of the County Chairman, State Committeeman, State Committeewoman, and Finance Chairman for each county, who have been elected or appointed in the manner provided by these rules.

#### B. Rules

The State Central Committee is the governing body of the Montana State Republican Party, responsible for establishing all State rules, policies, and programs for the Executive Committee consistent with State and Federal law.

#### C. Quorum.

A quorum for the transaction of any business at any meeting of the State Central Committee shall be a majority of the members entitled to vote thereat, present in person or by proxy.

#### D. Proxies.

At all meetings of the State Central Committee, members shall be entitled to vote either in person or by written proxy. A person holding a proxy must be a resident elector of the same county as the member being represented by said proxy holder. Members who vote in their own right may not hold and vote the proxies of an absent member. A proxy need not be held by a person of the same sex as the member being represented by said proxy.

#### E. Election of National Committeeman and National Committeewoman.

The State Central Committee shall meet each presidential election year at a meeting called by the State Chairman at a time which shall comply with the Rules of the Republican National Committee. At such meeting, there shall be nominated one National Committeeman and one National Committeewoman. The State Chairman shall, in a timely manner, file the names of the National Committeeman and National Committeewoman, who have been nominated, with the Republican National Committee. Such National Committeeman and National Committeewoman shall represent the State Central Committee as members of the Republican National Committee for a term of four years immediately following their election.

#### F. Other Meetings.

Other meetings of the State Central Committee may be called by (1) the State Chairman, (2) a petition of the majority of the members of the State Executive Committee, or (3) a petition of a majority of the members of the State Central Committee.

#### G. Notice.

Notice of all meetings of the State Central Committee shall be mailed, e-mailed, and posted online by the Chairman to all members at least ten (10) days prior to any such

meeting.

## II. State Executive Committee

### A. Membership.

The Executive Committee of the State Central Committee shall consist of the following: 1) The State Chairman 2) The State Vice Chairman 3) The National Committeeman and National Committeewoman 4) Statewide elected federal officeholders 5) Statewide elected state officeholders 6) Elected Republican Public Service Commissioners 7) Chairman of the Montana Young Republicans 8) President of the Montana Federation of Republican Women 9) The Treasurer 10) The Assistant Treasurer 11) The Secretary 12) Chairman of the Montana College Republicans 13) The Finance Chairman 14) Chairman of the Montana Teenage Republicans 15) A Representative from the Montana Pachyderm Clubs 16) The highest ranking Republican leader of the Montana State Senate and Montana House of Representatives 17) Five County Chairmen elected by the incumbent County Chairmen at the Officers' Convention, four of whom shall be elected by regions designated by the Chairman, and one of whom shall be elected at large. 18) Five Regional Vice-Chairs, four of whom shall be appointed by the Chairman by regions designated by the Chairman, and one of whom shall be appointed by the Chairman to represent the American Indian Tribes in Montana and whom shall also be an enrolled or recognized member in an American Indian Tribe in Montana. These Vice-Chairs shall perform duties as designated by the Chairman.

### B. Term of Office.

The terms of those members of the Executive Committee who are appointed by the State Chairman shall expire at the conclusion of the term of office of the State Chairman or upon the resignation or removal of the State Chairman from office.

### C. Resignations.

The resignation of any office of the State Executive Committee or County Central Committee is effective immediately upon receipt by any officer of the State Executive Committee or County Central Committee, or upon announcement through the media.

### D. Function.

The Executive Committee shall execute the policies and programs of the Montana Republican Party between meetings of the State Central Committee, and shall exercise those powers conferred upon the Executive Committee by these rules.

### E. Meetings-Notice.

Meetings of the Executive Committee may be called by the Chairman or by petition of a majority of the members of the Executive Committee. Committee meetings shall be mailed by the Chairman to all members at least ten (10) days prior to any such meeting. Notice may be waived by attendance of members at such meeting or waiver in writing of

notice of all members not attending the meeting. The presence of ten (10) members of the Executive Committee at any meeting shall constitute a quorum.

### III. County Central Committee

#### A. Membership.

In each county of the state there shall be a Republican Central Committee which shall consist of the duly elected or appointed precinct committeemen and committeewomen of each precinct within the county. The precinct committeemen and committeewomen shall hold office for a period of two years from the date of their election.

#### B. Selection of precinct committeemen and committeewomen.

- i. Election. Persons wishing to serve as precinct committeemen or committeewomen may declare for nomination in a primary election pursuant to M.C.A. 13-38-201, the candidate winning this election shall be the precinct committeeman or committeewoman for the term.
- ii. Appointment. If no candidate is elected under (i), following the election the County Central Committee may appoint a person to that position. The person appointed must meet the same qualifications as required to run for election to that position, including geographic residence requirements.
- iii. Appointment. If a precinct committee office has not been filled as provided above, and if the County has three or fewer precincts, the county chairman, in conjunction with the county central committee may appoint four (4) additional "adjunct precinct representatives" who shall be entitled to vote at the county convention.

#### C.. Election of County Officers.

Each County Central Committee must hold a convention for the purpose of organizing the Central Committee between February 1 and May 15 in each odd-numbered year. The State Chairman shall mail notice of this requirement at least ten (10) days prior to the period that elections may commence. Such conventions shall be called and notice of the call must be given as provided by state law. The County Chairman shall preside at the county convention and no person other than a duly elected or appointed committeeman, committeewoman or officer of the committee is entitled to participate in the convention. Only duly elected and appointed precinct committeemen and committeewomen will be allowed to vote, Appointed precinct committeemen and committeewomen shall have the same rights, privileges, duties, and responsibilities as elected precinct committeemen and committeewomen.

#### D.. Absence.

If a committeeman or committeewoman is absent, by not appearing either in person or by proxy, the convention may fill the vacancy by appointing some qualified elector of the party, resident in the precinct, to represent the precinct in the convention. A committeeman or committeewoman may appoint a proxy to represent him or her at the

convention, but no proxy may be recognized unless held by an elector of the precinct of the committeeman or committeewoman executing it.

#### E.. Elections.

At such convention, the Central Committee shall elect the following officers, who need not be precinct committeemen or committeewomen, but who must be registered electors of the county: 1) County Chairman and Vice Chairman, one of whom shall be a man and one of whom shall be a woman. 2) Secretary and Treasurer. 3) State Committeeman and State Committeewoman. 4) Congressional Committeeman and Congressional Committeewoman if the state has more than one (1) Congressional District. 5) Finance Chairman. 6) Such other officers as may be deemed appropriate.

#### F.. Results.

No later than May 20th of each odd numbered year, each County Central Committee will submit a report of the results of the convention to the State Central Committee. Failure to file the report within the allotted time period may result in the county delegation not being seated at the next convention.

#### G.. County Executive Committee.

Each County Central Committee may adopt its own rules of the determination of membership on its Executive Committee and the function of such committee. In the absence of such rules, the duly elected officers, plus the President of the Republican Women's Club and the Chairman of the Republican Young Professionals in the county, shall constitute the Executive Committee. The Executive Committee is charged with the execution of the county party's policies and programs between meetings of the Central Committee, and the members thereof shall hold office until the next organizational convention. The members of the Executive Committee shall be entitled to participate in the proceedings of the County Central Committee, but such right to participate shall not include the right to vote unless such member is a precinct committeeman or committeewoman. In the event of vacancy in any office which entitles the holder thereof to membership on Executive Committee, except for that of precinct committeeman or committeewoman, due to death, resignation, failure to maintain status as an elector of the county, or removal from the county, the vacancy shall be filled by majority vote of the members of the County Central Committee present at a meeting called for that purpose.

#### H.. Vacancy in Precinct Office.

Vacancies in the office of precinct committeeman or precinct committeewoman may be filled by majority vote of the members of the County Central Committee present at a meeting called and noticed for that purpose. For the appointment to be effective, a quorum of duly elected and appointed precinct committeemen and precinct committeewomen must be present at the meeting where a vacancy can be filled. Written notification of the appointment must be made to the county clerk and recorder or county election administrator, and to the Chairman of the State Republican Party, before a precinct committeeman or precinct committeewoman can be considered duly appointed.

Precinct committeeman and committeewomen hold such position for a term of two years from the date of their election or in case of appointment, until the next regularly scheduled election. Immediately after an appointment is made to fill a vacancy, notice of such appointment must be filed by the secretary of the meeting or the County Chairman with the County Clerk and Recorder and State Republican Headquarters.

#### I. Meetings.

Meetings of the County Central Committee may be called (1) by the County Chairman, (2) by a majority of members of the County Executive Committee, or (3) by a majority of the members of the County Central Committee.

#### J. Rules.

The County Central Committee may adopt rules for the government of the Party in its county, including rules governing the approval of campaign literature to be used for public distribution, which rules may not be inconsistent with any of the provision of the election laws of this state or with these rules.

### IV. Other Committees, Term, Reports

A. Rules Committee. The Chairman shall appoint a standing Rules Committee, consisting of ten (10) members, to report at each meeting of the State Central Committee and to consider and/or recommend all proposed rule changes.

B. Other Committees. The Chairman shall have the power to appoint such special or standing committees as may be deemed necessary or desirable from time to time.

C. Term of Office. The term of the members of all committees appointed by the Chairman shall automatically expire at the conclusion of each term of office of the Chairman, or upon the resignation or removal of the Chairman from office.

D. Committee Minutes, Reports. The chairman of a committee shall report to the next State Central Committee or Convention as to the business conducted at each committee meeting. The chairman of a committee shall also have committee minutes prepared for distribution to each committee member and the State Chairman prior to presentation of the committee report.

### Section D: Officers

#### I. Elected Officers

A. Chairman. The Chairman shall be the recognized leader of the Republican Party organization in Montana and shall have the sole responsibility for the hiring and termination of employment of all paid employees of the State Central Committee, except as provided in Article II. He or she shall preside at all meetings of the State Central Committee, the Executive Committee, and all Republican Conventions, except that he or

she may appoint a convention chairman to preside over the business of a convention. He or she shall appoint all committees, except the Executive Committee, and shall be an ex-officio member of all committees. He or she shall represent the State Central Committee in an official capacity and shall have the usual powers of supervision and management as pertaining to the office of a chairman. The Chairman shall coordinate with the Treasurer to ensure all necessary resources are provided, and all necessary compliance is conducted, to meet the reporting and recording obligations required by Montana and federal law.

B. Vice Chairman. The Vice Chairman shall perform such duties as may be assigned by the Chairman. In the absence of the Chairman, the Vice Chairman shall perform the duties of Chairman.

C. Secretary. The Secretary shall keep the minutes of all meetings of the State Central Committee and all Republican conventions keep the roll of membership and perform such other functions as may be incidental to the office or assigned by the Chairman.

D. Treasurer. The Treasurer shall serve as the controller and oversight person for financial record keeping and practices, and shall require an accounting, at least monthly, for all receipts and disbursements of the State Central Committee and insure the timely filing of all reports require to be made to any governmental body or agency by the State Central Committee. The State Treasurer or his or her designee, namely the person appointed by the Chairman as accountant or bookkeeper, shall record all receipts and disbursements as required by the Federal Election Commission (FEC). All disbursements, excepting petty cash, shall be made only upon check countersigned by the two persons, one of whom will be the State Treasurer or assistant Treasurer and one of whom has been authorized to do so by the State Executive Committee. The Treasurer shall present a report to the State Central Committee of the financial affairs of the State Central Committee upon request by the Chairman or by written request to both the Treasurer and the Chairman by at least five (5) members of the State Central Committee, and, at a minimum, shall report the financial affairs of the State Central Committee annually. The State Treasurer or his designee shall present a report to the Executive Board of the financial affairs of the State Central Committee at every properly noticed and called meeting of the Executive Board. The Treasurer shall ensure that the books of the Treasurer shall be audited by a Certified Public Accountant in May of every odd-numbered year. The Treasurer shall ensure the Party fully complies with all Montana and federal statutes and regulations regarding political party finances. With the approval of the Executive Committee, the Treasurer is not subject to the pay and compensation restrictions set forth in Subsection G, Compensation.

E. Assistant Treasurer. The Assistant Treasurer shall become familiar with the responsibilities of the office of the Treasurer, and perform such duties as may be assigned by the Chairman or Treasurer.

F. Either the State Treasurer or the Assistant Treasurer should be technically well experienced in accounting and the State Treasurer may, upon the approval of the Chairman to do so, retain outside accounting advice and services.

G. Vacancies. In the event of vacancy in the office of State Vice Chairman, the Chairman may appoint a person to fill such vacancy, with the approval of the Executive Committee. In the event of vacancy in the office of State Chairman, the Vice Chairman shall automatically succeed to the office of Chairman. In the event of a vacancy in the office of Treasurer, the Assistant Treasurer will automatically succeed to that office. In all other cases, in the event that a vacancy shall occur in any elected office, the vacancy shall be filled by appointment by the State Executive Committee at a meeting held no less than ten (10) days and no more than thirty (30) days after notice is given by the Secretary or the Chairman's designee that there is a vacancy. Any person who succeeds to his or her office under the provisions of this Paragraph F shall serve only until the next State Convention at which time the delegates shall elect a permanent replacement to complete the term.

H. Compensation. No elected official of the Montana Republican Party shall be a paid employee of the Party, nor shall they be entitled to financial compensation other than reimbursement for expenses directly related to business on behalf of the Montana Republican Party. (H). State party officers may be removed from office for cause by a 2/3 vote of the total membership of the Montana Republican State Central Committee at a special meeting called for that purpose on 15 days advance written notice. The notice shall contain the charge or charges against the State party officer(s) sought to be removed and be signed by not less than 25 percent of the members of the Committee. Prior to the vote on the charges, the officer(s) sought to be removed shall be given a full hearing and the opportunity to address the charge or charges and to present evidence refuting the charge or charges. This hearing shall be a closed hearing.

I. City or county central committee officers may be removed from office according to rules established by each county central committee so long as those rules are not in conflict with these rules or state law or regulation. In the absence of county rules, city or county central committee officers may be removed from office by a two-thirds vote of the total number of precinct committeemen and committeewomen.

## II. Appointed Officers

A. Executive Director. The Executive Director shall be appointed by the Chairman, subject to the prior approval of the Executive Committee. The Executive Director shall be a paid employee who shall serve at the pleasure of the Chairman. All terms of employment of the Executive Director must be set out in detail in the minutes of the Executive Committee. The Executive Director shall preserve all permanent records of the State Central Committee and upon termination of employment shall relinquish them to the successor Executive Director. The Executive Director shall also perform such duties as may be assigned from time to time by the Chairman.

B. Finance Chairman. The Chairman, subject to the prior approval of the Executive Committee, shall appoint a Finance Chairman. The Finance Chairman shall raise funds for the use of the Republican Party.

C. General Counsel. The Chairman, subject to the prior approval of the Executive Committee, shall appoint a General Counsel, who shall be licensed to practice law in this state. The General Counsel shall advise the Chairman, the State Central Committee, and all officers and committees on all legal matters relative to their duties and shall serve pro bono, unless under circumstances approved by the Executive Committee.

D. Accountant/bookkeeper. The Chairman may appoint a person to serve as accountant or bookkeeper for the party. The person so appointed will work with the Treasurer on record keeping and campaign finance filings. The person so appointed may be a paid employee who shall serve at the pleasure of the Chairman. The person so appointed shall also perform such duties as may be assigned from time to time by the Chairman.

E.. Other Officers. The Chairman may appoint such other and further officers as may be authorized by the Executive Committee.

F.. Term of Office. All officers appointed by the Chairman shall serve at the pleasure of the Chairman and their appointment may be terminated by the Chairman at any time. The appointment of all officers appointed by the Chairman shall terminate automatically at the expiration of the Chairman's term of office, or upon the resignation or removal of the Chairman from office.

G.. Communications of the Montana Republican Party. (a) All official political communications and electioneering documents of the State Party shall be transmitted through the State Chairman and the General Counsel or their designees to ensure their compliance with state and local laws and regulations. (b) The State Chairman, subject to State Executive Board direction, shall be the only official State Party spokesman. However, the State Chairman may delegate his communications duties to other Republicans or to State Party officers or employees as the Chairman deems necessary.

## Section E: Candidate Nominations

### I. Nominations

A. In the event that a party candidate for a state office to be filled by the state at large dies or withdraws after the primary and before the general election, the State Central Committee shall appoint a nominee to fill such vacancy at a meeting of such Committee called for this purpose, within the time provided by State law. The person receiving the majority of the votes at such meeting shall be the nominee.

B. If the state has two Congressional Districts, in the event that a vacancy occurs in the office of United States Representative, requiring an election to fill the vacancy, or in the event that the party nominee shall die or withdraw after the primary and before the general election, the nominee of the party shall be chosen by those members of the State Central Committee who have been elected from the counties which are located in the

Congressional District in which are located in the Congressional District in which the vacancy occurs, at a meeting called by the Chairman of the party for that purpose, within the time provided by law. The person receiving the most votes at such meeting shall be the nominee. 1) If a candidate for the United States Representative withdraws or dies forty (40) days or more before the primary election, the members of the State Central Committee who have been elected from the counties which are located in the Congressional District in which the vacancy occurs may appoint someone to replace the candidate at a meeting called by the State Chairman for that purpose. If a candidate for United States Representative withdraws or dies less than forty (40) days before the primary election, the members of the State Central Committee who have been elected from the counties which are located in the Congressional District in which the vacancy occurs shall appoint someone to replace that candidate, if no other candidate was nominated at such election, at a meeting called for that purpose by the State Chairman after the primary election. In either of the latter events, the person receiving the majority of the votes at such meeting shall be the nominee.

C. If the state has one Congressional District, in the event that a vacancy occurs in the office of United States Representative, requiring an election to fill the vacancy, or in the event that the party nominee shall die or withdraw after the primary and before the general election, the nominee of the party shall be chosen by the State Central Committee, at a meeting called by the Chairman of the party for that purpose, within the time provided by law. The person receiving the most votes at such meeting shall be the nominee. 1) If a candidate for United States Representative withdraws or dies forty (40) days or more before the primary election, the State Central Committee may appoint someone to replace that candidate at a meeting called by the State Chairman for that purpose.

D. If a candidate for nomination for office to be filled by the state at large, either state or federal, withdraws or dies forty (40) days or more before the primary election, the State Central Committee may appoint someone to replace the candidate at a meeting called by the State Chairman for that purpose. If such candidate withdraws or dies less than forty (40) days before the primary election, the State Central Committee shall appoint someone to replace the candidate, if no other candidate was nominated at such election, at a meeting called for that purpose by the State Chairman after the primary election.

E. In all other cases where the Party may or is required to nominate a candidate, such nomination shall be made as follows: 1) For offices to be filled by the state at large, the State Central Committee shall make the appointment at a meeting called for that purpose. The person receiving the majority of the votes at that meeting shall be the nominee. 2) If the state has two Congressional Districts, for offices to be filled in districts, other than the office of United States Representative, including more than one county (e.g., Public Service Commission, multi-county legislative districts), a committee appointed by the county central committee of all counties in the district shall make the appointment at a meeting called by the State chairman for that purpose. Such committee shall consist of three persons from each county, who shall be selected by the central committee of such county. If there is no central committee in any such county, then the State Chairman shall select that county's members of the committee. The person receiving the majority of the votes at the meeting of the committee shall be the nominee. 3) If the state contains one

Congressional District, for offices to be filled in districts including more than one county (e.g., Public Service Commission, multi-county legislative districts), a committee appointed by the county central committee of all counties in the district shall make the appointment at a meeting called by the State Chairman for that purpose. Such committee shall consist of three persons from each county, who shall be selected by the central committee in such county. If a county has no central committee, the State chairman shall select that county's members of the committee. The person receiving the majority of votes at the meeting of the committee shall be the nominee.

F. In all cases provided above, the votes of the person entitled to vote at such meeting shall be weighted according to the following formula: Votes shall be determined by comparing the Republican primary vote in each county in the most recent primary election for the office involved to the total Republican primary vote for that office. For each two percent (2%) or less of the total Republican vote, four (4) votes will be awarded to the county. For each additional full percentage point over two percent (2%) of the total Republican vote, an additional vote will be awarded to that county. The delegate to the meeting from each county shall equally divide the number of votes to which their county is entitled, under the foregoing formula, on a decimal basis, and each delegate shall cast his or her vote individually.

G. The state Republican Party of Montana supports a closed primary voting system in Montana. This is because the Party asserts that the State of Montana's use of an open primary system to determine the Party's nominees for the general election violates the Party's first Amendment rights to associate as the present voting system allows substantial numbers of voters associate with other political parties to cross over to, to participate in, and impact the outcome of the selection of this Party's nominees. Montana law does not presently require a Montana voter to declare a party affiliation to register or vote in primary or general elections. In the event that Montana law is changed to allow for closed primary elections to be held in the State, the following closed Republican Party Primary Rule will immediately to into effect and be controlling: "Only persons who have registered as a Republican prior to the Primary Election will be allowed to vote on a Montana Republican party ballot in that Primary Election."

## Section F: Appeals

In all instances where application of these rules is contested, the aggrieved party must file a timely, written protest with the state chair. The state chair may designate a subcommittee of the state rules committee to investigate and make a determination of the conflict or the state chair may refer the matter to the General Counsel for an opinion. The decision by the subcommittee or the General Counsel, as the case may be, is final unless appealed to and overruled by the rules committee.