



THE NEW YORK REPUBLICAN STATE COMMITTEE
ED COX, CHAIRMAN

TO: New York State Board of Elections
FROM: New York Republican State Committee
DATE: June 9, 2011
RE: Amendments to the Rules of the NYRSC

Please be advised that the New York Republican State Committee, acting pursuant to law and party rules, amended its rules at a duly convened meeting held on June 9, 2011 in Albany, New York.

In accordance with Section 2-114 of the New York State Election Law, attached is a copy of the Rules of the N.Y. Republican State Committee, as adopted at the aforementioned meeting.

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NEW YORK STATE
DEPARTMENT OF STATE

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RULES OF THE NEW YORK REPUBLICAN STATE COMMITTEE
315 STATE STREET,
ALBANY, NEW YORK 12210
AS ADOPTED AT A MEETING OF
THE NEW YORK REPUBLICAN STATE COMMITTEE
JUNE 9, 2011

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ARTICLE I MEMBERS

RULE 1 MEMBERSHIP REQUIREMENTS

The unit of representation shall be by Assembly District.

Members will be chosen from Assembly Districts subject to the following conditions:

- A. (1) Where Assembly Districts are coterminous within a county they shall have two members.
- (2) Where an Assembly District is made up of two or more whole counties, each County shall have two members.
- (3) Where an Assembly District is made up of parts of counties or a combination of a whole county or counties and part or parts of another county or counties, each county and part county unit shall have two members.
- B. Each member shall be an enrolled voter of the Republican Party within the unit from which each member is elected.
- C. Representation by sexes from each unit shall be equal.

RULE 2 ELECTION

Members shall be elected at primary elections biennially in alternate years unless otherwise provided by law. Such election shall be at the Fall primary. Such members shall hold office until the election of their successors, unless otherwise provided by law.

RULE 3 VACANCIES

In case of the death, declination, disqualification, removal from district or removal from office of a member of the State Committee, or the failure to elect a member of the State Committee, the vacancy created thereby shall be filled by the remaining members of the State Committee by the selection of an enrolled voter of the party qualified for election from the unit of representation in which such vacancy occurred, except as may otherwise be provided by law.

ARTICLE II MEETINGS

RULE 1 ORGANIZATIONAL MEETING

- A. The Committee shall, within 15 days following its election, meet and organize for the election of constitutional officers (State Chairperson, Secretary and Treasurer) and for the transaction of such other business as may properly come before the meeting. Such meeting shall be held at such place and at such hour as shall be set forth in the notice of meeting which meeting shall be called by the Secretary of the outgoing Committee. The date and location of the state organizational meeting shall be selected and notification provided to the members of the State Executive Committee no later than 30 days prior to the primary election.
- B. The election or appointment of other officers, including election of Regional Vice Chairpersons and appointment of Deputy Chairpersons, shall be within 45 days after 1 January, at a regional organizational meeting, following the primary election. The members of the state Executive Committee shall be notified no later than 30 days prior to the meeting of the date and location of the regional organizational meeting.

RULE 2 NOTICE OF ORGANIZATION MEETING

Notice of the time and place of the organization meeting, shall be first served via electronic mail with electronic return receipt at least five days prior to the date of the meeting. A member of the State Committee that requests notification by U.S. mail shall be served by mailing a notice not less than five days before such meeting. Such notice shall be directed to the mailing or electronic address of each member as it appears on the records of the Committee.

RULE 3 MEETINGS

Meetings of the Committee other than the organization meeting, shall be held upon the call of the Chairman, or in the case of vacancy in the Chairmanship, on the call of the Vice Chairman. Upon written petition of forty or more members of the Committee, representing not less than twenty counties, or alternatively upon the written request of 25 members of the Executive Committee, filed jointly or separately in the office of the Chairman, asking for a meeting of the Committee, it shall be the duty of the Chairman within 5 days after receipt of said petition to issue a call for the meeting of the Committee to be held in the County of Albany, the date of such meeting to be not later than 10 days or earlier than 5 days from the issuance of the call. In the event that the Chairman shall fail to call such meeting within 5 days after the filing of such petition, the same shall be called by the Secretary or the Vice Chairman.

RULE 4 NOTICE OF MEETINGS

Notice of other State Committee Meetings shall be first served via electronic mail

with electronic return receipt at least five days prior to the date of the meeting. A member of the State Committee that requests notification by U.S. mail shall be served by mailing a notice not less than five days before such a meeting. Such notice shall be directed to the mailing or electronic address of each member as it appears on the records of the Committee.

RULE 5 QUORUM

At all meetings of members there shall be present in person or represented by proxy, at least a majority of the members in order to constitute a quorum, and for the purpose of determining whether a quorum is present, the officers of the committee shall be considered as members of the Committee. If a quorum is not present, a less number may adjourn the meeting to some future time, not more than 10 days later. The Chairman may authorize participation of the members by teleconference in listen only mode, after those members have submitted their written proxy for that meeting to the State Committee office.

ARTICLE III VOTING

RULE 1 WEIGHTED VOTE

State Committee Members representing each Unit of Representation as described in Article I, shall cast the number of votes cast for Governor on the line or column of the Republican Party in the last preceding election from the district or portion thereof which they represent.

RULE 2 NOMINATIONS FOR STATEWIDE OFFICE

Each member of the State Committee shall cast the number of votes cast for Governor on the line or column of the Republican Party in the last preceding election from that portion of the state that he or she represents.

RULE 3 PROXIES

Voting by proxy at any meeting of members shall be valid. Proxies shall be in writing and revocable at the pleasure of the person executing the same.

ARTICLE IV OFFICERS OF THE STATE COMMITTEE

RULE 1 OFFICERS

In accordance with § 2-112 of the New York Election Law, there shall be fifteen (15) officers of the New York Republican State Committee, which shall be a Chairperson, First Vice-Chairperson, nine (9) Regional Vice-Chairpersons, Secretary, Treasurer, and two (2) Republican National Committeepersons. The constitutional officers (State Chairperson, Secretary and Treasurer) shall be elected by the Committee at its organization meeting; and within 3 days thereafter a certificate stating the names and post office address of such officers shall be filed as provided by law. The State Chairperson may not serve concurrently as a County Chairperson. The Regional Vice Chairpersons shall be elected at the regional organizational meeting held within 45 days following 1 January following Committee election.

RULE 2 REGIONAL VICE-CHAIRS

A New York Republican State Committee Vice-Chairperson shall be an elected Republican County Chairperson.

RULE 3 ELECTION OF REGIONAL VICE-CHAIRS

A. Each Vice-Chairperson shall be duly elected for a term not exceeding two (2) years in tenure. Vice-Chairpersons may serve no longer than eight (8) consecutive years. Regional Vice-Chairpersons will not be compensated for their service, but may be reimbursed for necessary and ordinary expenses for service on behalf of the State Committee at the discretion of the Chairperson

B. The nine (9) New York Republican State Committee Regional Vice-Chairpersons will be elected by secret ballot at a meeting of the Republican County Chairpersons who are located within each District provided for in Rule four (4) of this Article. Each county, represented in person, and in attendance during this caucus, shall have one (1) vote, with a majority vote of those in attendance needed for election. In the event of a tie vote, the State Chairperson shall call for a revote, and if a second tie vote results, shall cast one ballot in order to seat a Regional Vice Chair. Proxy voting for this position is prohibited. Any candidate wishing to serve in this capacity must be a county Chairman from a county within such district and be present at the time of the voting to be elected into the office of New York Republican State Committee Regional Vice-Chairperson.

C. The elections for New York Republican State Committee Regional Vice-Chairperson shall be held on the same day as the New York Republican State Committee regional organization meeting. In the event of a vacancy in one of the Regional Vice-Chairperson positions, the State Chairperson of the New York Republican State Committee shall call a special meeting of the Republican County Chairpersons who are located within said District, within twenty-one (21) days of the vacancy, for the purpose of electing a New York Republican State Committee Regional Vice-Chairperson representing such district.

RULE 4 RESPONSIBILITIES

Regional Vice Chairpersons shall be responsible for calling and chairing regional meetings of the County Chairpersons in their districts, mentoring new county chairpersons, and taking the lead in regional party discussions. They shall also be responsible for organizing regional screenings of statewide candidates and reporting on the results of those screenings to the Chairman and Executive Board. They shall be available for periodic meetings and discussions with the State Chairperson and as a member of the Chairperson's Executive Board.

RULE 5 VICE-CHAIR DISTRICTS

A. There shall be one (1) New York Republican State Committee Regional Vice-Chairperson elected to represent the following districts:

- (i) District One "Long Island" shall include the following counties: Nassau and Suffolk. .
- (ii) District Two "New York City" shall include the following counties: Bronx, Kings, New York, Queens and Richmond.
- (iii) District Three "Hudson Valley" shall include the following counties: Dutchess, Putnam, Orange, Rockland, Sullivan, Ulster and Westchester.
- (iv) District Four "Capital" shall include the following counties: Albany, Columbia, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, and Scholarie.
- (v) District Five "North Country" shall include the following counties: Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, St. Lawrence, Warren, and Washington.
- (vi) District Six "Central" shall include the following counties: Cayuga, Cortland, Herkimer, Madison, Onondaga, Oneida, and Oswego.
- (vii) District Seven "Southern Hills" shall include the following counties: Broome, Chemung, Chenango, Delaware, Otsego, Tioga and Tompkins.
- (viii) District Eight "Finger Lakes Genesee" shall include the following counties: Allegany, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne and Yates.
- (ix) District Nine "Western" shall include the following counties: Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming.

RULE 6 FIRST VICE-CHAIR

A. The nine (9) New York Republican State Committee Regional Vice-Chairpersons, and the New York Republican State Committee Chairperson shall elect a First Vice- Chairperson to serve for a term not exceeding two (2) years.

- B. The First Vice-Chairperson shall be elected by secret ballot held at a meeting encompassing the nine (9) New York Republican State Committee Regional Vice-Chairpersons, and the New York Republican State Committee Chairperson. Only the nine (9) New York Republican State Committee Regional Vice-Chairpersons are eligible to serve as First Vice-Chairperson. The nine (9) New York Republican State Committee Regional Vice-Chairpersons, and the New York Republican State Committee Chairperson, represented in person, and in attendance during this meeting, shall each cast one (1) vote. Proxy voting for this position is prohibited, and any candidate wishing to serve in this capacity must be present at the time of the voting to be elected into the office of New York Republican State Committee First Vice-Chairperson. Upon election as First Vice Chairperson, this person shall immediately vacate their office as Regional Vice Chairperson. The County Chairpersons present that day from that district shall immediately reconvene to elect another of their members as Regional Vice Chairperson.
- C. The election for New York Republican State Committee First Vice Chairperson will be held on the same day as the New York Republican State Committee regional organization meeting. In the event of a vacancy, the State Chairperson of the New York Republican State Committee shall call a special meeting of the New York Republican State Committee Regional Vice-Chairpersons, within twenty-one (21) days of the vacancy, for the purpose of electing a new New York Republican State Committee First Vice-Chairperson.

RULE 7 **VACANCY/SUCCESSION**

In the event of a vacancy in the office of State Chairperson, the First Vice-Chairperson shall assume the duties of State Chairperson for a period of not more than forty-five (45) days. Within that forty-five (45) day period, a meeting shall be called pursuant to Article II, Rules 3 and 4 for the purpose of electing a new chairman to fill the remainder of the term of office.

RULE 8 **REMOVAL**

Except as may be otherwise provided by law, a member or officer of the State Committee may be removed by the Committee for disloyalty to the party or corruption in office, after notice and a hearing upon written charges, to be heard by the Committee or a sub-committee appointed for that purpose, which shall report the findings to the full Committee.

ARTICLE V

EXECUTIVE COMMITTEE

RULE 1 EXECUTIVE COMMITTEE MEMBERS

A. The Executive Committee shall consist of the Republican County Chairmen of each of the sixty-two counties as are duly elected and recognized by the Republican State Chairman, the officers of the State Committee and the two members of the National Committee from New York. Proxies shall be valid at meetings of the Executive Committee. The Executive Committee shall meet prior to and as part of any duly noticed meeting of the full state committee and upon the call of its Chairman.

In the intervals between meetings of the State Committee, the Executive Committee shall exercise, so far as is consistent with law, all powers of the State Committee. Notice of the time and place of meetings of the Executive committee shall be given to each member thereof first via email, then if necessary in person or by mail, at least two days before such meeting. If mailed, the notice shall be directed to each member at the residence address appearing on the records of the State Committee. At all meetings of the Executive Committee there shall be present in person or by proxy at least a majority of the members thereof in order to constitute a quorum. If a quorum is not present a less number may adjourn the meeting to some further time not more than ten days later.

B. The Executive Committee shall coordinate its activities with those of the Chairperson's Executive Board pursuant to Rule 2 of this Article. The Executive Committee is responsible for ratifying any recommendation of the Chairperson's Executive Board and shall report upon such to the full state committee.

RULE 2 CHAIRPERSON'S EXECUTIVE BOARD

The Chairperson's Executive Board shall consist of officers of the New York Republican State Committee (the State Chairperson, First Vice-Chairperson, nine (9) Regional Vice-Chairpersons, Secretary, Treasurer, two Republican National Committeepersons. . Each of these fifteen individuals shall enjoy the same voting rights, and be prescribed individually with one vote. A Republican member of the New York State Senate as designated by the Republican Leader of the New York State Senate and a Republican member of the New York State Assembly as designated by the Republican Leader of the New York State Assembly shall be ex-officio members of the Chairperson's Executive Board.

RULE 3 REPORTS

The Chairperson's Executive Board shall report to the Executive Committee on its substantive activities as required by the State Chairperson.

ARTICLE VI

OTHER COMMITTEES

RULE 1 FINANCE AND OTHER COMMITTEES

- A. There shall be a Finance Committee. Members shall be appointed by the Chairperson of the State Committee and need not be members of the State Committee. Any funds raised by the Finance Committee shall be for the use of the State Committee or for any other party committee as directed by the State Committee. The Chairperson of the State Committee shall appoint the Chairperson of the Finance Committee who shall serve at the pleasure of the Chairman of the State Committee.
- B. The Chairperson of the State Committee may appoint special committees, of such number and composed in whole or part of persons not members of the State Committee as he or she may deem advisable

RULE 2 ARTICLE 14 PARTY COMMITTEES

The Republican Assembly Campaign Committee, the Senate Republican Campaign Committee, the Republican National State Elections Committee-New York, the New York State Victory Committee (affiliated with the United States Senate Republican Campaign Committee) and the National Republican Congressional Committee-New York are hereby created as Party Committees within the meaning of Article 14 of the New York State Election Law; to be coterminous with the State Committee and to function as an integral part thereof.

RULE 3 AUXILIARY ORGANIZATIONS

- A. No other club, organization or party committee of the New York Republican State Committee may deem itself to operate on a statewide basis without the prior approval in writing of the Executive Committee, and no such organization may incur any debts or obligations in the name of the New York Republican State Committee without the prior written approval of Executive Committee.
- B. All auxiliary organizations in New York State, not created pursuant to Article 2 of the New York State Election Law seeking to organize and represent membership in a statewide and a non-statewide fashion, and wishing to utilize the name "Republican" in the name of such said organization, must have the approval of the Executive Committee of the New York Republican State Committee. In addition, the Executive Committee reserves the right to revoke the use of the name "Republican" by any such organization through a majority vote by the members of the Executive Committee.
- C. The State Chairperson shall maintain liaison with affiliated auxiliary organizations in New York State to include but not limited to: New York State Federation of Republican Women, New York Republican Hispanic Caucus, New York Republican African-American Caucus, Log Cabin Republicans of New York State, New York Young Republicans and the New York College Republicans.

RULE 4 INTERIM COMMITTEE

In the event that a county of the state of New York fails to constitute a county committee, an interim county committee may be formed. The interim county committee shall be comprised of the elected state committee members within such county. Such interim county committee shall exercise all authority and carry out all of the functions of a county committee, including but not limited to the convening of an organizational meeting, the election of officers, the adoption of rules, and the execution and filing of documents pursuant to Article 6 of the Election Law. All actions of the interim county committee shall be in accordance with the rules of the interim county committee, the rules of the state committee and the Election Law. In the event that a county committee shall not be constituted or an interim county committee shall not be formed, all powers and duties of a county committee, including but not limited to the execution and filing of documents pursuant to Article 6 of the Election Law shall be vested in the state chairman.

RULE 5 ADVISORY COMMITTEES

The New York Republican State Committee shall maintain advisory committees to advise the Chairman and Executive Committee. Committee membership shall include a chairperson and at least one (1) man and one (1) woman.

Committee members shall serve in an unsalaried capacity, but at the discretion of the Chairman, can be reimbursed for certain expenses. Standing advisory committees shall include the following: Business, Labor, Faith-Based, Youth, Women, Minority Affairs, Law Enforcement, and Sportsmen.

The chairperson of the New York Republican State Committee may appoint other committees and committee members, as he or she may deem necessary. Whenever such committees are appointed, they shall consist of a chairperson and at least one (1) man and one (1) woman.

ARTICLE VII **NOMINATIONS AND AUTHORIZATIONS FOR SPECIAL ELECTIONS AND FILLING VACANCIES IN DESIGNATIONS AND NOMINATIONS FOR PUBLIC OFFICE OR PARTY POSITION.**

RULE 1 NOMINATIONS/AUTHORIZATIONS

The nomination or authorization for an office to be filled at a special election or to fill a vacancy in a nomination made at a primary, or a vacancy occurring after the tenth Thursday preceding the primary election, shall be made as follows:

A. If the office or district is wholly contained within a County, the nomination and authorization shall be made by those members of the County Committee serving within such municipal unit or district or as the rules of the County Committee of such County may otherwise provide.

B. If the district comprises more than one County, the nomination and authorization shall be made by the County Chairmen of such Counties as comprise the district, who shall vote a weighted vote which shall be the vote cast on the Republican line in the most recent general election for that particular district's candidate. Any meeting hereunder shall be conducted in accordance with the rules of the State Committee, unless specific provision is otherwise made at such meeting.

C. If the office is statewide, by the State Committee.

RULE 2 COMMITTEES AS REQUIRED UNDER SECTION 6-120 OF THE NEW YORK STATE ELECTION LAW

The Committees shall be the same as provided for under Rule 1 of Article VII of these Rules in all instances where the public office to be filled is not wholly contained within a county. This rule shall not apply to the City of New York.

RULE 3 VACANCIES

In the event that there shall exist a vacancy in any designation or nomination by the Republican Party for any public office, or in any party position, the Chairman of the New York Republican State Committee upon the request of the appropriate County Chairman or Chairmen is authorized and empowered to fill such vacancy and to file a certification thereof in accordance with this Rule, notwithstanding that there may be an alternative method whereby such vacancy might otherwise be filled.

ARTICLE VIII JUDICIAL CONVENTIONS

RULE 1 JUDICIAL CONVENTIONS

The following shall be the basis of representation in future Judicial Conventions:

- | | |
|------------------|---------------------|
| First District | Ninth District |
| Second District | Tenth District |
| Fifth District | Eleventh District |
| Sixth District | Twelfth District |
| Seventh District | Thirteenth District |

Each Assembly District or appropriate portion thereof elects one delegate and one additional delegate for each 2,500 votes or major fraction thereof cast for the Republican candidate for Governor at the last gubernatorial election.

- | | |
|----------------|-----------------|
| Third District | Fourth District |
|----------------|-----------------|

Each Assembly District or appropriate portion thereof elects one delegate and an additional delegate for each 4,000 votes or major fraction thereof, cast in such district for the Republican candidate for Governor at the last gubernatorial election.

- Eighth District

Each Assembly District or appropriate portion thereof elects one delegate and additional delegate for each 5,000 votes or major fraction thereof, cast in such district for the Republican candidate for Governor at the last gubernatorial election.

However, delegates and alternates to Judicial District Conventions shall be elected from counties or portions of counties in all cases where Assembly Districts are not wholly contained within a county.

ARTICLE IX RULES

RULE 1 AMENDMENTS

These rules or any of them may be altered, amended, added to or repealed, or new rules may be adopted by the vote of a majority of the members at any organization meeting or at a special meeting if notice thereof is given in the notice of said special meeting as provided by the Election Law.

RULE 2 ADDITIONAL RULES

Robert's Rules of Order Newly Revised (Webster's New World Roberts Rules of Order - copyright 1999) shall govern in all meetings of the State Committee and Executive Committee insofar as they are applicable and not inconsistent with these rules.

ARTICLE X

NATIONAL COMMITTEE MEMBERS

RULE 1 NATIONAL COMMITTEE MEMBERS. Members of the National Committee from New York shall be nominated by the Executive Committee of the State Committee and elected by the State Committee consistent with the Rules of the National Committee and serve in such position in accordance with the Rules of the National Committee.

RULE 2 RELATIONS BETWEEN THE NEW YORK REPUBLICAN STATE COMMITTEE AND THE REPUBLICAN NATIONAL COMMITTEE
Any powers, duties, procedures or functions not specifically reserved by the National Committee are hereby undertaken as within the purview of the responsibilities of the New York Republican State Committee and are to be implemented in such manner and at such time as may be approved by the State Committee or by the State Chairman.

ARTICLE XI DELEGATES TO NATIONAL CONVENTION

RULE 1 ELECTION OF DELEGATES AND ALTERNATE DELEGATES

(a) Applicable Rules: The election of delegates and alternate delegates to a National Convention shall be governed by the Rules of the Republican Party (National), the Call for the National Convention, the Rules of the New York Republican State Committee and the New York State Election Law.

(b) Number of Delegates and Alternate Delegates: The total number of delegates and alternate delegates shall be determined by the Call for the National Convention. Three (3) delegates and three (3) alternate delegates shall be elected from every congressional district in the state, unless the Rules of the Republican Party (National) and/or the Call for the National Convention provide differently. The total number of delegates and alternate delegates as established by the Call for the National Convention minus the number of delegates and alternate delegates to be elected from the congressional districts shall be designated At-Large delegates and At-Large alternate delegates.

(c) Ballot Access Requirements:

(i) Candidates for the Republican nomination for the office of President of the United States, (hereinafter "Presidential Candidates") shall appear on the ballot at a primary election established pursuant to law. A person seeking to qualify for the primary ballot under paragraphs (a) or (b) of this subdivision shall file a certificate with and have such certificate received by the New York State Board of Elections no sooner than twelve weeks and not later than nine weeks prior to the date of the presidential primary, stating that such person requests to appear on the ballot at the primary as a Presidential Candidate. Presidential Candidates shall qualify for the ballot by any of the following methods:

a. The Presidential Candidate has been certified as eligible to receive presidential matching funds payments pursuant to the provisions of 11 Code of Federal Regulations Part 9033, regardless of whether such candidate actually applied for such matching fund payments; or

b. The Commissioner of the New York State Board of Elections appointed on the recommendation of the Republican State Chairman and the Commissioner of the New York State Board of Elections appointed on the recommendation of the legislative leaders of the Republican members of the state legislature both determine that a person is a nationally known and recognized Presidential Candidate and is generally and seriously advocated or recognized according to reports in the national or state news media; or

c. A person files a designating petition pursuant to Article 6 of the New York State Election Law signed by not less than five thousand (5,000) of the

then-enrolled members of the Republican Party residing in New York State. Such petition may either name a Presidential Candidate or list the candidate as uncommitted. The filing of a petition as Uncommitted shall not relieve the responsibility of filing a complete list of congressional district delegates and alternate delegates as required in subdivision (ii) of this section.

(ii) Presidential Candidates meeting the requirements of subdivision (i) of this section shall file a certificate with and have such certificate received by the New York State Board of Elections no sooner than twelve weeks and no later than nine weeks prior to the date of the primary election on which their name will appear, providing a complete election prioritized list of proposed congressional district delegates and congressional district alternate delegates supporting and committed to their presidential candidacy for each such position from the congressional districts to be elected at the primary election. Each such proposed congressional district delegate and congressional district alternate delegate must be an enrolled member of the Republican Party and reside in the congressional district which they seek to represent. The New York State Board of Elections shall review each such slate and if it determines that such slate is not complete or is not otherwise in compliance with the provisions of this paragraph, it shall notify the Presidential Candidate of any defects forthwith and provide such Presidential Candidate with five business days to cure any defects. A Presidential Candidate eligible to appear on the primary ballot pursuant to the provisions of subdivision (i) of this section shall appear on such primary ballot only upon the filing of a certificate in compliance with the provisions of this paragraph.

(iii) Presidential Candidates determined eligible to appear on the primary ballot may have their name removed from such primary ballot by filing a certificate with the New York State Board of Elections and received no later than seven days before such primary election.

(d) Election of Delegates and Alternate Delegates from Congressional Districts

(i) Each congressional district shall conduct a separate and distinct primary election. Enrolled Republican voters from a congressional district shall vote for a Presidential Candidate who has qualified for the primary ballot pursuant to section (c) of this rule.

(ii) All (3) delegates and all (3) alternate delegates from a congressional district shall be awarded to a Presidential Candidate who receives a majority of the total votes cast for Presidential Candidates in such congressional district. If no Presidential Candidate receives a majority of the votes in a congressional district, the Presidential Candidate receiving the most votes in the congressional district shall be awarded (2) delegates and (2) alternate delegates and the Presidential Candidate who receives the second most votes in the congressional district shall be awarded (1) delegate and (1) alternate delegate, provided however, that a Presidential Candidate must receive at least 20% of the total votes cast for Presidential Candidates in the congressional district in order to be awarded any delegates and alternate delegates from that congressional district. If only one

Presidential Candidate receives 20% or more of the total votes cast for Presidential Candidates in a congressional district, such Presidential Candidate shall be awarded all (3) delegates and all (3) alternate delegates. If no Presidential Candidate receives 20% or more of the total votes cast for Presidential Candidates in a congressional district, the (3) delegate and (3) alternate delegate positions from such district shall be deemed vacant and filled pursuant to the Rules of the Republican Party (National).

(iii) If the Rules of the Republican Party (National) or the Call for the National Convention permit and if New York State Congressional redistricting is not enacted prior to twelve weeks before the date of the presidential primary and New York State has a net loss of congressional districts following reapportionment, (2) delegates and (2) alternate delegates shall be elected from each of the old, pre-apportionment congressional districts. The (2) delegates and the (2) alternate delegates from a congressional district shall be awarded to the Presidential Candidate receiving the most votes in the congressional district provided, however, that a Presidential Candidate must receive at least 20% of the total votes cast for Presidential Candidates in the congressional district in order to be awarded any delegates and alternate delegates from that congressional district. If no Presidential Candidate receives 20% or more of the total votes cast for Presidential Candidates in a congressional district, the (2) delegate and (2) alternate delegate positions from such district shall be deemed vacant and filled pursuant to the Rules of the Republican Party (National).

(e) Election of At-Large Delegates and At-Large Alternate Delegates

At-Large delegates and At-Large alternate delegates shall be elected by the New York Republican State Committee and awarded to Presidential Candidates based upon the statewide vote results of the presidential primary election. All At-Large delegates and At-Large alternate delegates shall be awarded to a Presidential Candidate who receives a majority of the statewide total votes cast for Presidential Candidates. If no Presidential Candidate receives a majority of the statewide total votes cast for Presidential Candidates, At-Large delegates and At-Large alternate delegates shall be allocated and awarded as follows: Based on the ratio of the total statewide vote received by each Presidential Candidate in relation to the total statewide vote for all Presidential Candidates receiving at least 20% of the statewide vote in the presidential primary election, the New York Republican State Committee shall apportion pro-rata the number of At-Large delegates and At-Large alternate delegates that each Presidential Candidate is entitled to receive rounded to the nearest whole number: provided however, that a Presidential Candidate must receive at least 20% of the total statewide vote of the presidential primary election in order to be awarded any At-Large delegates by the New York Republican State Committee. In the event the pro-rata apportionment of delegates leaves one or more delegates unawarded by process of mathematical distribution, then any such delegate or delegates, shall be awarded to the Presidential Candidate with the most statewide votes for all Presidential Candidates. In the event pro-rata apportionment entitles Presidential Candidates by process of mathematical distribution to more delegates than are authorized pursuant to the Rules of the Republican Party (National) and the Call

for the National Convention, then the number of delegates awarded for the candidate receiving the least statewide votes among those Presidential Candidates otherwise entitled to be awarded delegates, shall be decreased to the extent necessary to conform to the number of authorized delegate positions. The At-Large delegates and At-Large alternate delegates shall be elected by the New York Republican State Committee at a meeting scheduled in compliance with Rule 19 of the Rules of the Republican Party (National) but following the certification of the results of the presidential primary by the New York State Board of Elections. At-Large delegates and At-Large alternate delegates must be enrolled Republicans residing in New York State. Pursuant to the Rules of the Republican Party (National), (3) delegate positions are designated for the (3) members of the Republican National Committee from New York State. The provisions of this section do not apply to these (3) delegate positions.

(f) Awarding of Delegates and Alternate Delegates to Presidential Candidates

For each delegate position awarded to a Presidential Candidate, a corresponding alternate delegate position shall also be awarded. Delegates and alternate delegates both, At-Large and from the congressional districts, awarded to a Presidential Candidate shall be bound to cast votes for such Presidential Candidate on the first ballot for nominating a Presidential Candidate at the National Convention unless first released by either a public statement or writing by such Presidential Candidate or a two-thirds (2/3) vote of all delegates from the New York delegation similarly bound to such Presidential Candidate. The vote of any person who attempts to violate the provisions of this section shall not be allowed, but such vote may instead be cast for the Presidential Candidate to whom such delegate or alternate delegate is bound by the Chairman of the New York delegation.

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NEW YORK STATE
BOARD OF ELECTIONS

THE NEW YORK REPUBLICAN STATE COMMITTEE

EDWARD F. COX
CHAIRMAN

To: New York State Board of Elections
From: Colleen Ryan, Secretary, New York Republican State Committee
Date: September 6th, 2016
Re: NYRSC Rule Change Adopted at September 6, 2016 State Committee Meeting

ARTICLE VI, RULE 6 of the RULES OF THE NEW YORK REPUBLICAN STATE COMMITTEE is hereby amended to read as follows:

RULE 6. Organizational Conflicts Within County Committees.

A. In the event that two or more competing and/or conflicting organizational certificates are filed pursuant to Election Law Section 2 – 112 for any particular County Committee, and no resolution of the dispute (administrative, judicial or otherwise) is achieved by the time of the next statutorily required reorganizational meeting [.] [T]he Chair of the New York Republican State Committee or his/her designee is authorized to call and preside over such reorganizational meeting.

B. *During the period of time where two or more competing and/or conflicting organizational certificates are filed pursuant to Election Law Section 2 – 112 for a County Committee, and/or the resolution of such competition / conflict is pending before any of the Courts of the State of New York, or the Federal Courts; the Executive Committee of the New York Republican State Committee may, at its discretion, exercise the powers of such County Committee conferred by law, including but not limited to the power to nominate and authorize the nomination or designation of candidates for election to public office, by majority vote thereof, evidenced by the filing of a certificate of authorization filed with the appropriate Board(s) of Elections.*

New Matter: *Italics* Eliminated: []

Explanation: This amendment allows the Executive Committee of the New York Republican State Committee to exercise the lawful powers of a County Committee, including nomination and authorization, in the event two or more competing organizational certificates recognizing differing county leaderships are filed with a board of elections and no resolution of the conflict, judicial or administrative, is achieved.